

TEXAS HISTORICAL COMMISSION

real places telling real stories

THE STATE OF TEXAS
COUNTY OF DALLAS

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§

KNOW ALL MEN BY THESE PRESENTS:

SECOND AMENDED AND RESTATED AFFIDAVIT
AND DECLARATION OF DEDICATION FOR CEMETERY PURPOSES

FOR THE CRAWFORD'S TORNADO GRAVEYARD
(this "Amended and Restated Declaration")

This Amended and Restated Declaration is made and executed by the Texas Historical Commission, an agency of the State of Texas (the "Declarant") through its undersigned representative below. This Amended and Restated Declaration is issued at the request of the current property owner, Crawford Fain Driggs, LLC.

Whereas, the Declarant has previously made and recorded that certain "Affidavit of Dedication for Cemetery Purposes for the Crawford's Tornado Graveyard" dated December 30, 2005, and recorded in the Real Property Records of Dallas County, Texas on February 6, 2006, as Instrument No. 200600042847 (the "Original Affidavit");

Whereas, the Declarant has also previously made and recorded that certain "Amended Declaration of Dedication for Cemetery Purposes for the Crawford's Tornado Graveyard" dated February 8, 2017, and recorded in the Real Property Records of Dallas County, Texas on July 19, 2019, as Instrument No. 2019000187163 (the "Amended Declaration"); and

Whereas, the Declarant now wishes to make this Amended and Restated Declaration, and in so doing, to thereby modify, amend, supersede and replace both the Original Affidavit and the Amended Declaration with this Amended and Restated Declaration as of the date hereof, such that the Original Affidavit and the Amended Declaration shall hereafter be of no further force or effect, and be deemed for all purposes to have been superseded and replaced by this Amended and Restated Declaration, effective as of the date it is filed in the Real Property Records of Dallas County, Texas.

Now Therefore, the Declarant shall and does hereby certify and declare, by and through its undersigned representative below, that:

- 1. A portion of the 4 +/- acre parcel of land located in the Zur Combs Survey, Abstract No. 306, Dallas County, Texas (the "Larger Parcel"), as generally described on Page 1 of 2 of Exhibit A attached and as more particularly described in that certain Deed dated August 13, 1856, from Robert Crawford, as grantor, to the Trustees of the Methodist Episcopal Church South, as grantee, recorded at Volume E, Pages 549-550, in the Deed Records of Dallas County, Texas, has been set aside and dedicated for cemetery purposes through historic use since the date upon which it was first used to bury the dead resulting from a deadly tornado which struck the town of Cedar Hill, Texas in April 1856 (herein referred as the "Cemetery").
2. The Larger Parcel referenced above was subsequently referenced in that certain Warranty Deed dated December 4, 1914, from J.B Bryan and wife, Sue E. Bryan, to A.C. Bryan, recorded at Volume 641, Page 239 of the Deed Records of Dallas County, Texas.



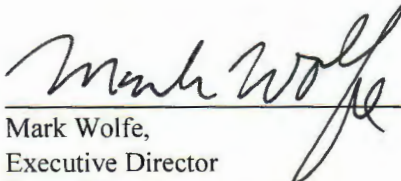
201900257790
DEDICATION 1/5



Handwritten signature

3. The portion of the Larger Parcel which has been, or is otherwise thought to have been set aside and dedicated for cemetery purposes as referenced above, and which is now occupied or thought to be occupied by human graves is within the Larger Parcel, and more particularly, within the fenced area more generally described on Page 2 of 2 of Exhibit A attached.
4. The current owner of the real property upon which the Crawford's Tornado Cemetery is located is Crawford Fain Driggs, LLC, a Texas limited liability company.
5. The Texas Historical Commission has duly considered the evidence of existence and historic use of said cemetery and listed said cemetery as a Historic Texas Cemetery, worthy of preservation.
6. This dedication is subject to all the laws, rules and regulations of the State of Texas regarding cemeteries now in effect and to those adopted after the effective date of this Amended and Restated Declaration, and is made in accordance with 13 Texas Admin. Code, Section 22.6.

This Amended and Restated Declaration is signed and executed on this 10th day of September, 2019.


 Mark Wolfe,
 Executive Director
 Texas Historical Commission


THE STATE OF TEXAS
 COUNTY OF TRAVIS

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KNOW ALL MEN BY THESE PRESENTS:

BEFORE ME, the undersigned authority, on this day personally appeared Mark Wolfe, known to me to be a credible person, whose name is above subscribed, and said person swore to me that the statements contained herein are true and correct.

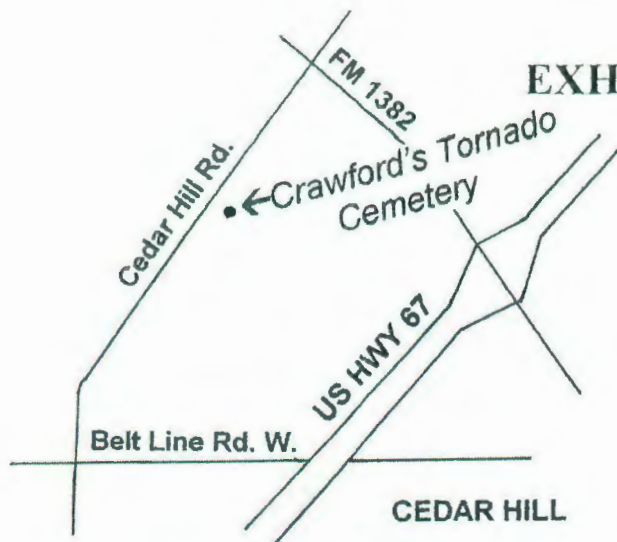
SUBSCRIBED AND SWORN TO BEFORE ME on this 10th day of September, 2019.


 Notary Public
 in and for
 the State of Texas



Notary without Bond

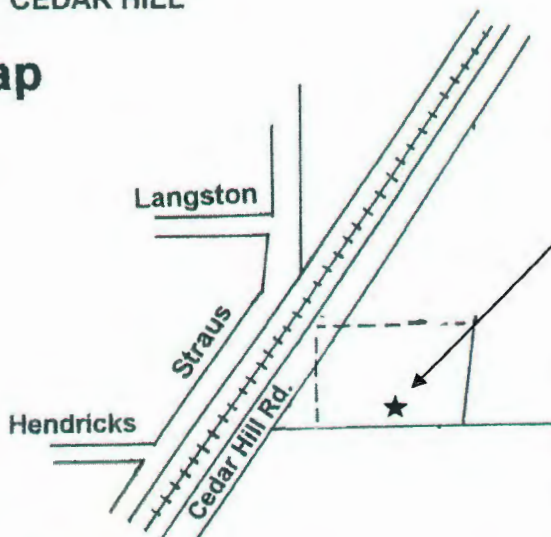
EXHIBIT "A"



Vicinity Map

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no scale



Larger Parcel (as such term is used in the Amended and Restated Declaration to which this Exhibit is attached) consisting of approximately 4 acres +/-, within which the Crawford's Tornado Graveyard depicted on the next page is located in the general area depicted by the star at left.

Area Map

Map adopted from data provided by the applicant; Dallas County Appraisal District; and Texas Historical Commission RIP Cemetery Survey Project.

See Deed Records of Dallas County, Vol. E, Pgs. 549-550 and Vol.641, Pg. 239.

Located in Zur Combs Survey, A-306, Dallas County, Texas.

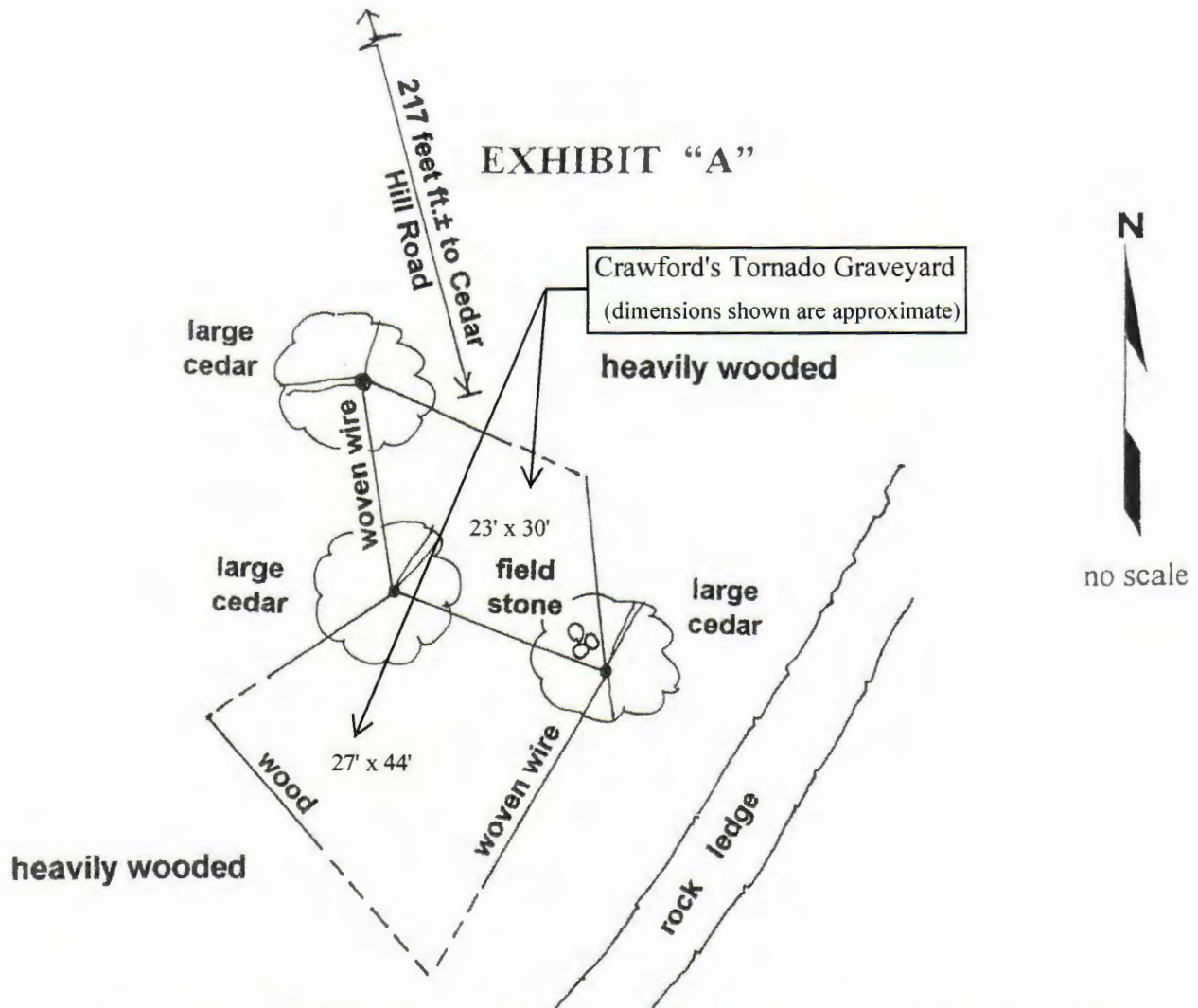
Latitude: 32.59759° N Longitude: -96.95003° W (NAD83)

CRAWFORD'S TORNADO GRAVEYARD

Also known as Old Pioneer Cemetery & Cedar Mountain Cemetery
Cemetery No. DL-C231

Dallas County

EXHIBIT "A"



Map adopted from data provided by the applicant; Dallas County Appraisal District; and Texas Historical Commission RIP Cemetery Survey Project.

See Deed Records of Dallas County, Vol. E, Pgs. 549-550 and Vol.641, Pg. 239.

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Cemetery No. DL-C231
Dallas County

Filed and Recorded
Official Public Records
John F. Warren, County Clerk
Dallas County, TEXAS
09/26/2019 10:25:09 AM
\$38.00



A handwritten signature in black ink, appearing to be "J. F. Warren", is written over the seal.

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