

8752

DEED RESTRICTION

VOL 1144 PAGE 642 811716

DEED RECORDS

STATE OF TEXAS §
COUNTY OF DALLAS §

KNOW ALL MEN BY THESE PRESENTS:

14101

That the undersigned, Vernon and James Smith Company, is the owner of the real property situated in Dallas County, Texas which is more particularly described on Exhibit "A" attached hereto and incorporated herein by reference for all purposes.

That the undersigned does hereby impress all of the above-described property with the following deed restriction, to-wit:

The number of dwelling units on said property shall be limited to two hundred eighteen (218).

This restriction shall continue in full force and effect for a period of twenty-five (25) years from the date of execution, and shall automatically be extended for additional periods of ten (10) years unless terminated in a manner specified herein.

This restriction shall not be altered, amended or terminated without a public hearing before the City Plan Commission and the City Council of the City of Dallas.

The restriction contained herein is not in any manner intended to restrict the right of the City Council of the City of Dallas to exercise its legislative duties and powers insofar as zoning of the property is concerned. This restriction shall inure to the benefit of the City of Dallas, and the undersigned owner hereof does hereby grant to the City of Dallas the right to prosecute, at law and in equity, against the person violating or attempting to violate such restriction, either to prevent him from so doing and to correct such violation and for further remedy, the City of Dallas may withhold the Certificate of Occupancy necessary for the lawful use of the property until such restriction is fully complied with.

This restriction is hereby declared a covenant running with the land and shall be fully binding upon all persons acquiring within the above-described tract, and any person by acceptance of

Tract 5A
Z801-136/5425-N

title to any of the above-described property shall thereby agree and covenant to abide and fully perform the foregoing restriction and covenant.

EXECUTED this 27th day of February, 1981.

VERNON AND JAMES SMITH COMPANY

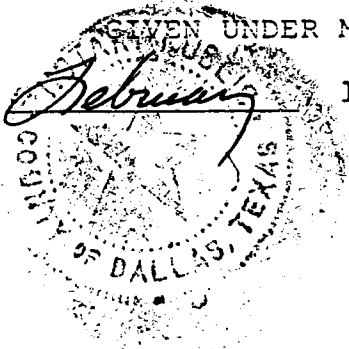
By: Vernon S. Smith, Jr.
Its: vice president

STATE OF TEXAS. §
 §
COUNTY OF DALLAS §

BEFORE ME, the undersigned, a notary public in and for Dallas County, Texas, on this day personally appeared Vernon S. Smith, Jr., president of Vernon and James Smith Company, a Texas corporation, whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, as the act and deed of said corporation, and in the capacity therein stated.

VICE

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 27th day of February, 1981.



Conroy Nichols
Notary Public

My commission expires:
9/25/81

EXHIBIT "A"

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FIELD NOTES
MF-2 ZONING
TRACT 5-A

BEING a tract of land situated in the William Miller Survey, Abstract 883, Denton County, Texas, and being part of 280.36 acre tract of land as deeded to Charles C. McKamy and recorded in Volume 157, at Page 104, of the Deed Records of Denton County, Texas, and being more particularly described as follows:

COMMENCING at a point on the North line of Old Mill Road (a 60' R.O.W.), said point being S 89° 44' E, a distance of 2244.29 feet from the point of intersection of said North line of Old Mill Road with the Southeast line of the St. Louis and San Francisco Railroad (a 100' R.O.W.), a point for corner;

THENCE N 6° 21' 26" E, leaving said North line of Old Mill Road, along the proposed centerline of Kelly Springfield Road, a distance of 2640.75 feet to a point for corner;

THENCE S 88° 19' 20" E, a distance of 121.20 feet to the PLACE OF BEGINNING of the herein-described tract of land, a point for corner;

THENCE N 0° 11' 40" E, a distance of 760.39 feet to a point for corner;

THENCE N 00° 00' 50" W, a distance of 189.27 feet to a point for corner;

THENCE S 48° 30' E, a distance of 270.00 feet to a point for corner;

THENCE S 71° 30' E, a distance of 210.00 feet to a point for corner;

THENCE S 50° 45' E, a distance of 471.00 feet to a point for corner;

THENCE S 0° 12' 59" E, a distance of, 403.20 feet to a point for corner;

THENCE S 89° 47' 01" W, a distance of 770.17 to the PLACE OF BEGINNING, containing 12.016 Acres of Land.

Approved as to form:

LEE E. HOLT, City Attorney

By Barry R. Knight
 Assistant City Attorney

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1982 MAY 27 10:06

RECORDED BY [Signature]

1144/645

STATE OF TEXAS COUNTY OF DENTON
COUNTY CLERK, Denton County, Texas
I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the volume and page of the named records of Denton County, Texas as stamped hereon by me.

MAY 28 1982



Mary Jo Hill

COUNTY CLERK, Denton County, Texas

RECEIVED
MAY 2 1982
ZONING OFFICE

Return to:
CITY SECRETARY
CITY HALL
DALLAS, TEXAS 75201