

8754

812177

July 29, 1981

WHEREAS, the deed restrictions in the attached instrument have been volunteered in conjunction with a request for Multiple Family-2 zoning which was approved by the City Council on July 15, 1981 on Zoning Case Z801-204/4596-N on property generally located at the northeast corner of Frankford Road and Kelly Springfield Road; and,

WHEREAS, said deed restrictions have been approved as to form and content. Now, Therefore;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That the deed restrictions as set forth in the attached instrument be, and are hereby accepted by the City Council of the City of Dallas, Texas to be used in conjunction with the development of property zoned Multiple Family-2 District, as described in Ordinance # 17073

Section 2. That said deed restrictions shall be filed with the County Clerk to be recorded in the Deed Records of Denton County, Texas.

Section 3. That this resolution shall take effect from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

Approved as to form:

LEE E. HOLT, City Attorney

By *Baumgardner R. Knight*
Assistant City Attorney

- cc: Urban Planning - 1
- Building Inspection - 2
- City Secretary - 1

APPROVED *[Signature]* APPROVED _____ APPROVED _____
 HEAD OF DEPARTMENT CITY AUDITOR CITY MANAGER

DEED RESTRICTIONS

8 12177

STATE OF TEXAS)
)
COUNTY OF DENTON)

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, MURRAY DEVELOPMENT COMPANY, is the owner of the following described property situated in Denton County, Texas, being in particular a tract of land out of the S. B. Evans Survey, Abstract No. 404, and the J. McCants Survey, Abstract No. 885, Denton County, Texas, and being a part of City Block 8754, City of Dallas, Texas, and being more particularly described as follows:

BEING a tract of land situated in the S. B. Evans Survey, Abstract No. 404, and the J. McCants Survey, Abstract No. 885, Denton County, Texas, and further being part of City Block 8754, City of Dallas, Texas, and being more particularly described as follows:

BEGINNING at the point of intersection of the centerline of Frankford Road (a proposed 100 ft. R.O.W.), with the centerline of Kelly Springfield Road (a proposed 80 ft. R.O.W.), said point being N 6° 21' 26" E, 610.01 feet from the Northeast corner of Morningside Addition No. 3, an addition to the City of Dallas, as recorded in Cabinet "B", Slide 182 and 183, Denton County, Texas, a point for corner;

THENCE N 88° 19' 20" W, along said centerline of Frankford Road, a distance of 270.23 feet to the beginning of a curve to the left having a central angle of 6° 50' 40" and a radius of 2170.0 feet, a point for corner;

THENCE Westerly, around said curve and continuing along said centerline of Frankford Road, a distance of 259.22 feet to a point for corner;

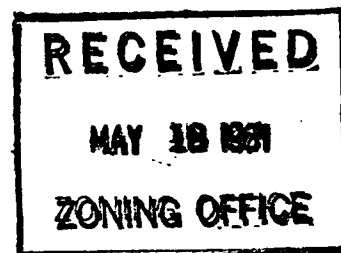
THENCE S 84° 50' W, continuing along said centerline of Frankford Road, a distance of 162.09 feet to the point of intersection of the centerline of Frankford Road with the centerline of Appleridge Drive (a proposed 50 ft. R.O.W.), a point for corner;

THENCE N 0° 32' 54" W, along said centerline of Appleridge Drive, a distance of 763.58 feet to a point for corner;

THENCE N 89° 27' 06" E, leaving said centerline of Appleridge Drive, a distance of 821.57 feet to a point for corner;

THENCE S 0° 11' 40" W, a distance of 760.39 feet to a point on the said centerline of Frankford Road, a point for corner;

THENCE N 88° 19' 20" W, along said centerline of Frankford Road, a distance of 121.20 feet to the PLACE OF BEGINNING, containing 14.084 acres of land.



2801-204/4596-N

That the undersigned, MURRAY DEVELOPMENT COMPANY, does hereby impress all of the above described property with the following deed restrictions, to-wit:

That not more than three hundred twenty-nine (329) multiple family dwelling units shall be constructed on the above described tract.

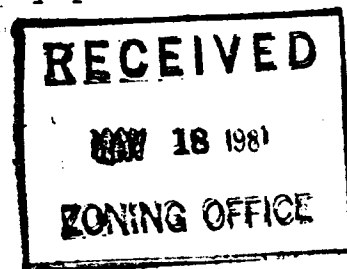
These restrictions shall continue in full force and effect for a period of twenty-five (25) years from the date of execution, and shall be automatically extended for additional periods of ten (10) years unless terminated in the manner specified herein.

These restrictions shall not be altered, amended or terminated without a public hearing before the City Plan Commission and City Council of the City of Dallas. Notice of such public hearings shall be given as would be required by law for a zoning change on the property described herein.

The restrictions contained herein are 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.

These restrictions 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 restrictions, 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 restrictions described herein are fully complied with.

These restrictions are hereby declared covenants running with the land and shall be binding upon all persons acquiring property within the above described tract, and any person by acceptance of title to any of the above described property shall thereby agree and covenant to abide by and fully perform the foregoing restrictions and covenants.



EXECUTED this the 27th day of July,

1981.

MURRAY DEVELOPMENT COMPANY

By [Signature]
Vice President

STATE OF TEXAS)
)
COUNTY OF DENTON)

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared M.H. BASS, ~~Vice~~ President of MURRAY DEVELOPMENT COMPANY, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

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

[Signature]
Notary Public, State of Texas

My Commission expires:
DECEMBER 6, 1981

Approved as to form:
LEE E. HOLT, City Attorney
By [Signature]
Assistant City Attorney

