

Idlewyld Village Apartments
Haverwood Lane
Dallas, Texas

8760 & 8761

DEED RESTRICTIONS

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF COLLIN §

WHEREAS, the undersigned, VCM I Corporation, is the owner of 33.5122 acres of land situated in Collin County, Texas, hereinafter referred to as "Tract I," being in particular a tract of land out of the William C. Lewis Survey, Abstract No. 534, the Coleman White Survey, Abstract No. 1085, and the Samuel Young Survey, Abstract No. 1040, and located in Collin County, Texas, and being more particularly described in Exhibit "A" attached hereto and incorporated herein by reference as if same were recited verbatim herein; and,

WHEREAS, Miller Condominium Corporation was the owner of the 21.213 acres of land, hereinafter referred to as "Tract II," being a portion of Tract I and being further described in Exhibit "B" attached hereto and incorporated herein by reference as if same were recited verbatim herein, and did impress upon Tract II certain Deed Restrictions, hereinafter referred to as the "Miller Restrictions," which are recorded in Vol. 1570, Page 557, of the Deed Records of Collin County, Texas; and,

WHEREAS, the undersigned, Dallas Haverwood Lane Associates, a Texas limited partnership, is the owner of 1.4527 acres of land situated in Collin County, Texas, being in particular a tract of land out of the William C. Lewis Survey, Abstract No. 534, located in Collin County, Texas, and being more particularly described in Exhibit "C" attached hereto and incorporated herein by reference as if same were recited verbatim herein; and

WHEREAS, the undersigned, Dallas Pear Ridge Associates, a Texas limited partnership, is the owner of .0001 acres of land situated in Collin County, Texas, being in particular a tract of land out of the William C. Lewis Survey, Abstract No. 534, located in Collin County, Texas, and being more particularly described in Exhibit "D" attached hereto and incorporated herein by reference as if same were recited verbatim herein; and

WHEREAS, public hearings to amend the Miller Restrictions have been held before the City Plan Commission and the City Council of the City of Dallas pursuant to the procedures set forth in the Miller Restrictions;

NOW, THEREFORE, for the purpose of amending the Miller Restrictions, VCM I Corporation does hereby revoke the Miller Restrictions, replace same

and impress upon the land, hereinafter referred to as Tract III described in Exhibits "A", "C" and "D" and described in its entirety in Exhibit "E" attached hereto and incorporated herein by reference as of same were recited verbatim herein, with the following deed restriction, to-wit:

874 ÷
34.9650 ac.
= 25 units/ac.

* Development on Tract III shall be limited to a maximum of eight hundred and seventy-four (874) dwelling units.

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 the 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. Notice of such public hearings shall be given as would be required by law for a zoning change on the property described herein.

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.

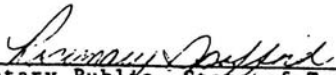
This restriction inures to the benefit of the City of Dallas, and the undersigned owner hereof does hereby grant to the City of Dallas the right to prosecute, at law and in equity, against the person violating or attempting to violate such restriction, either to prevent him from so doing and to correct 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 described herein is fully complied with.

This restriction is hereby declared a covenant running with the land and shall be fully 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.

THE STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, a notary public, on this day personally appeared Charles M. Holbrook, Managing General Partner of Pear Ridge #1, a Texas limited partnership and Managing General Partner of Dallas Pear Ridge Associates, a Texas limited partnership, 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, in the capacity therein stated, and as the act and deed of said Pear Ridge #1 acting as Managing General Partner of said Dallas Pear Ridge Associates.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 30 day of January, 1984.


Notary Public, State of Texas
My Commission Expires: 4/6/85

THE STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, a notary public, on this day personally appeared Charles M. Holbrook, Managing General Partner of Haverwood Lane #1, a Texas limited partnership and Managing General Partner of Dallas Haverwood Lane Associates, a Texas limited partnership, 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, in the capacity therein stated, and as the act and deed of said Haverwood Lane #1 acting as Managing General Partner of said Dallas Haverwood Lane Associates.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 30 day of January, 1984.

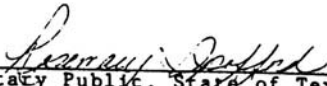

Notary Public, State of Texas
My Commission Expires: 4/6/85

EXHIBIT "A"

BEING a tract of land situated in the William C. Lewis Survey, Abstract No. 534 and the Samuel King Survey, Abstract No. 1040 in Collin County, Texas, and being a part of Dallas City Blocks No. 8760 and 8761 and the IDLEWYLD PLACE SUBDIVISION as recorded in Volume 1557, Page 637 of the Deed Records of Collin County, Texas, said tract being a part of a 326.67 acre tract of land conveyed by Arnold Bruner to John A. Jackson by deed recorded in Volume 560, Page 204 of the Deed Records of Collin County, Texas, also being a tract of land conveyed by IDLEWYLD JOINT-VENTURE as recorded in Volume 1534, Page 744 of the Land Records of Collin County, Texas, and being more particularly described as follows:

COMMENCING at the intersection of the West right-of-way line of Pear Ridge Drive (a 62' R.O.W.), and the North right-of-way line of Haverwood Lane, (a 60' R.O.W.);

THENCE, North 89°58'39" East, along the North right-of-way line of Haverwood Lane a distance of 152.00 feet to the beginning of a curve to the right having a central angle of 11°34'16", a radius of 630.00 feet and a chord bearing of South 84°14'13" East;

THENCE, along said curve to the right and along said North line of Haverwood Drive an arc distance of 127.23 feet to the POINT OF BEGINNING, said point being the beginning of a curve to the left having a central angle of 12°14'26", a radius of 380.00 feet and a chord bearing of North 06°05'53" East;

THENCE, along said curve to the left, an arc distance of 81.18 feet to a point;

THENCE, North 00°01'21" West a distance of 487.14 feet to a point for a corner;

THENCE, South 89°57'04" East, a distance of 1116.27 feet to a point for a corner, said point being the beginning of a curve to the left having a central angle of 45°33'04", a radius of 290.00 feet, and a chord bearing of N 67°16'24" E;

THENCE, along said curve to the left an arc distance of 230.56 feet to a point for a corner;

THENCE, North 44°29'52" East, a distance of 137.23 feet to a point for corner;

THENCE, South 89°57'04" East, a distance of 16.55 feet to a point for corner;

THENCE, South 45°30'08" East, a distance of 3.19 feet to a point for corner;

THENCE, North 44°29'52" East, a distance of 3.13 feet to a point for corner;

THENCE, South 89°57'04" East, a distance of 412.59 feet to a point for corner;

THENCE, South 27°30'43" East, a distance of 94.41 feet to a point for corner;

THENCE, South 54°55'34" East, a distance of 287.14 feet to a point for a corner;

THENCE, South 20°13'29" East, a distance of 202.48 feet to a point for a corner;

THENCE, South 10°48'31" West, a distance of 182.61 feet to a point for a corner;

THENCE, North 79°11'29" West, a distance of 170.00 feet to the beginning of a curve to the left, having a central angle of 32°22'10", a radius of 552.85 feet, and a chord bearing of South 84°37'26" West;

THENCE, along said curve to the left an arc distance of 312.33 feet to the point of tangency;

THENCE, South 68°26'21" West, a distance of 255.29 feet to a point for a corner;

THENCE, South 30°3'04" West, a distance of 228.44 feet to a point for a corner, said point being the beginning of a curve to the left having a central angle of 45°41'40", a radius of 200.00 feet, and a chord bearing of South 49°19'12" West;

THENCE, along said curve to the left, an arc distance of 159.50 feet to a point for a corner, said point being the beginning of a curve to the left having a central angle of 24°34'31", a radius of 855.00 feet and a chord bearing of North 77°39'47" West;

THENCE, along said curve to the left and along the North line of Haverwood Lane an arc distance of 366.74 feet to the point of tangency;

THENCE, North 89°57'04" West, along the North line of Haverwood Lane a distance of 353.02 feet to the beginning of a curve to the right having a central angle of 32°40'38", a radius of 570.00 feet, and a chord bearing of North 73°36'45" West;

THENCE, along said curve to the right and along the North line of Haverwood Lane an arc distance of 325.08 feet to the beginning of a reverse curve to the left having a central angle of 21°10'41", a radius of 630.00 feet and a chord bearing of North 67°51'47" West;

THENCE, along said curve to the left and along the North line of Haverwood Lane an arc distance of 232.87 feet to the POINT OF BEGINNING and CONTAINING 33.5122 Acres of land, more or less.

EXHIBIT "B"

BEING a tract of land situated in the William C. Lewis Survey, Abstract No. 534, the Samuel Young Survey, Abstract No. 1040 and the Coleman White Survey, Abstract No. 1085 in Collin County, Texas and also being part of Dallas City Block No. 8738, said tract also being part of a 326.67 acre tract of land conveyed by Arnold Bruner to John A. Jackson by deed recorded in Volume 560, Page 204 of the Deed Records of Collin County, Texas and being more particularly described as follows:

COMMENCING at a point for corner that is the most northerly northeast corner of Tollyold Place, Section One, an addition to the City of Dallas as recorded in Plat Cabinet "C" at Page 118 of the Map Records of Collin County, Texas;

THENCE S. 68°26'21" W., 30.00 feet to the POINT OF BEGINNING;

THENCE N. 21°33'39"W., 90.00 feet to the beginning of a curve to the right having a central angle of 21°29'45" and a radius of 150.00 feet;

THENCE along said curve 56.28 feet to the end of said curve, said point being in another curve to the right running in a westerly direction and having a central angle of 11°08'11", a radius of 750.00 feet and a tangent bearing of S. 78°54'46" W.;

THENCE along said curve 145.77 feet to the end of said curve;

THENCE N. 69°57'04" W., 630.59 feet to a point for corner;

THENCE N. 0°02'56" E., 80.00 feet to the beginning of a curve to the right having a central angle of 19°39'31" and a radius of 150.00 feet;

THENCE along said curve 51.47 feet to the end of said curve;

THENCE N. 19°42'27" E., 168.92 feet to the beginning of a curve to the left having a central angle 19°39'31" and a radius of 150.00 feet;

THENCE along said curve 51.47 feet to the end of said curve;

THENCE N. 0°02'56" E., 120.00 feet to a point for corner;

THENCE S. 89°57'04" E., 556.28 feet to the beginning of a curve to the left having a central angle of 45°33'04" and a radius of 290.00 feet;

THENCE along said curve 230.56 feet to the end of said curve;

THENCE N. 44°29'52" E., 148.79 feet to a point for corner in a curve to the right running in a southeasterly direction and having a central angle of 0°49'47", a radius of 340.00 feet and a tangent bearing of S. 46°19'56" E.;

THENCE along said curve 4.92 feet to the end of said curve;

THENCE S. 45°30'08" E., 10.08 feet to a point for corner;

THENCE N. 44°29'52" E., 490.90 feet to a point for corner;

THENCE S. 3°10'47" W., 192.29 feet to a point for corner;

THENCE S. 27°30'43" E., 270.60 feet to a point for corner;

THENCE S. 54°55'34" E., 287.14 feet to a point for corner;

THENCE S. 20°13'29" E., 202.48 feet to a point for corner;

THENCE S. 10°48'31" W., 182.61 feet to a point for corner;

THENCE N. 79°11'29" W., 170.00 feet to the beginning of a curve to the left having a central angle of 32°22'10" and a radius of 552.85 feet;

THENCE along said curve 312.34 feet to the end of said curve;

THENCE S. 68°26'21" W., 418.66 feet to the Point of BEGINNING and containing 924,038 square feet or 21.213 acres

EXHIBIT "C"

1.4527 ACRB TRACT

Being a tract of land situated in the William C. Lewis Survey, Abstract No. 534 in Collin County, Texas and being more particularly described as follows:

Commencing at the intersection of the north line of Haverwood Lane (a 60 foot R.O.W.) with the east line of Pear Ridge Drive (a 60 foot R.O.W.);
THENCE, N89°58'39"E, 152.00 feet along the north line of Haverwood Lane to the beginning of a curve to the right having a central angle of 11°34'14", a radius of 630.00 feet;

THENCE, along said curve to the right, continuing along the north line of Haverwood Lane, an arc distance of 127.23 feet to a point for corner, said point being the beginning of a curve to the left having a central angle of 12°14'26", a radius of 380.00 feet;

THENCE, along said curve to the left leaving the north line of Haverwood Lane, an arc distance of 81.18 feet to the point of tangency;

THENCE, N00°01'21"W, 487.14 feet to a point for corner;

THENCE, S89°57'04"E, 976.27 feet to the Point of Beginning;

THENCE, N00°02'56"E, 184.89 feet to a point for corner;

THENCE, S89°57'04"E, 443.12 feet to a point for corner;

THENCE, S44°29'52"W, 137.23 feet to the beginning of a curve to the right having a central angle of 45°33'04", a radius of 290.00 feet;

THENCE, along said curve to the right an arc distance of 230.56 feet to the point of tangency;

THENCE, N89°57'04"W, 140.00 feet to the Point of Beginning and Containing 63,281 square feet or 1.4527 acres of land.

EXHIBIT "D"

0.0001 ACRE TRACT

Being a tract of land situated in the William C. Lewis Survey, abstract No. 534 in Collin County, Texas, and being more particularly described as follows:

Commencing at the intersection of the north line of Haverwood Lane (a 60 foot R.O.W.) with the east line of Pear Ridge Drive (a 60 foot R.O.W.);
THENCE, N89°58'39"E, 152.00 feet along the north line of Haverwood Lane to the beginning of a curve to the right having a central angle of 11°34'14", a radius of 630.00 feet;
THENCE, along said curve to the right, continuing along the north line of Haverwood Lane, an arc distance of 127.23 feet to a point for corner, said point being the beginning of a curve to the left having a central angle of 12°14'26", a radius of 380.00 feet;
THENCE, along said curve to the left leaving the north line of Haverwood Lane, an arc distance of 81.18 feet to the point of tangency;
THENCE, N00°01'21"W, 487.14 feet to a point for corner;
THENCE, S89°57'04"E, 976.27 feet to a point for corner;
THENCE, N00°02'56"E, 184.89 feet to a point for corner;
THENCE, S89°57'04"E, 459.68 feet to the Point of Beginning;

THENCE, S89°57'04"E, 4.46 feet to a point for corner;
THENCE, S44°29'52"W, 3.13 feet to a point for corner;
THENCE, N45°30'08"W, 3.19 feet to the Point of Beginning and Containing 5 square feet or 0.0001 acres of land.

EXHIBIT 'E'

Being a tract of land situated in the William C. Lewis Survey, Abstract No. 534, the Coleman White Survey, Abstract No. 1025 and the Samuel Young Survey, Abstract No. 1040, in Collin County, Texas and being more particularly described as follows:

Commencing at the intersection of the north line of Haverwood Lane (a 60 foot R.O.W.) with the east line of Pear Ridge Drive (a 60 foot R.O.W.);
THENCE, N89°58'39"E, 152.00 feet, along the north line of Haverwood Lane, to the beginning of a curve to the right having a central angle of 11°34'14", a radius of 630.00 feet;
THENCE, along said curve to the right, continuing along the north line of Haverwood Lane, an arc distance of 127.23 feet to the Point of Beginning, said point being the beginning of a curve to the left having a central angle of 12°14'26", a radius of 330.00 feet;
THENCE, along said curve to the left, leaving the north line of Haverwood Lane, an arc distance of 81.18 feet to the point of tangency;
THENCE, N00°01'21"W, 487.14 feet to a point for corner;
THENCE, S89°57'04"E, 976.27 feet to a point for corner;
THENCE, N00°02'56"E, 184.89 feet to a point for corner;
THENCE, S89°57'04"E, 676.73 feet to a point for corner;
THENCE, S27°30'43"E, 94.41 feet to a point for corner;
THENCE, S54°55'34"E, 287.14 feet to a point for corner;
THENCE, S20°13'29"E, 202.48 feet to a point for corner;
THENCE, S10°48'31"W, 182.61 feet to a point for corner;
THENCE, N79°11'29"W, 170.00 feet to the beginning of a curve to the left having a central angle of 32°22'10", a radius of 552.85 feet;

THENCE, along said curve to the left an arc distance of 312.33 feet to the point of tangency;
THENCE, S68°26'19"W, 255.29 feet to a point for corner;
THENCE, S30°35'04"W, 228.52 feet to a point in the north line of Harbrough Drive, said point being the beginning of a curve to the left having a central angle of 45°39'53", a radius of 200.00 feet;
THENCE, along said curve to the left, with the north line of Harbrough Drive, an arc distance of 159.40 feet to a point in the north line of Haverwood Lane, said point being the beginning of a curve to the left having a central angle of 24°34'35", a radius of 855.00 feet;
THENCE, along said curve to the left, with the north line of Haverwood Lane, an arc distance of 366.74 feet to the point of tangency;
THENCE, N89°57'04"W, 353.02 feet, continuing along the north line of Haverwood Lane to the beginning of a curve to the right having a central angle of 32°40'38", a radius of 570.00 feet;
THENCE, along said curve to the right, continuing along the north line of Haverwood Lane, an arc distance of 325.09 feet to the beginning of a reverse curve to the left having a central angle of 21°10'41", a radius of 630.00 feet

THENCE, along said curve to the left, continuing along the north line of Haverwood Lane, an arc distance of 232.87 feet to the Point of Beginning and Containing 1,523,075 square feet or 34.9650 acres of land.