

8736

WHEREAS, the deed restrictions in the attached instrument have been volunteered in conjunction with a request for Townhouse-1 zoning which was approved by the City Council on July 15, 1981 on Zoning Case Z801-202/4909-N on property generally located west of Bentwood Trail and south of the A.T. & S.F. R.R.; 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 a Townhouse-1 District, as described in Ordinance # 17072

Section 2. That said deed restrictions shall be filed with the County Clerk to be recorded in the Deed Records of Collin 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 *Barry R. Knight*
Assistant City Attorney

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

APPROVED BY
CITY COUNCIL

JUL 29 1981

Robert B. Slone
City Secretary

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

1/8736 8 12176

DEED RESTRICTIONS

31221

THE STATE OF TEXAS X
 X
COUNTY OF DALLAS X

KNOW ALL MEN BY THESE PRESENTS:

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That the undersigned, STILES LAND CORPORATION, a Texas corporation, is the owner of the following described property situated in Collin County, Texas, being in particular a tract of land out of the William Traughber Survey, Abstract No. 905, Collin County, Texas, and being a part of a tract of land conveyed to Stiles Land Corporation by deed recorded in Volume 1174, Page 462 in the Deed Records of Collin County, Texas, and being more particularly described upon Exhibit A attached hereto and incorporated herein for all purposes.

That the undersigned, Stiles Land Corporation, does hereby impress all of the following described property with the following deed restrictions, to wit:

DEFINITIONS

"Properties" shall mean and refer to that certain real property described upon Exhibit A attached hereto and incorporated herein by this reference.

"Lot" shall mean and refer to that portion of any of the plots of land shown upon a plat and subdivision map to be recorded in the Map Records of Collin County, Texas, on which there will be built a single family dwelling. The term "Lot" shall not include public streets nor any other reserves shown on the said map or plat.

SUBDIVISION AND PLATTING

Upon the subdivision of the Properties by the filing of a Map or Plat thereof in the Map Records of Collin County, Texas, there shall be designated according to said Map or Plat not more ^{than} ~~that~~ five (5) Lots per acre of the Properties with a maximum of one hundred fifty Lots (150) in the entirety of the subdivision composing the Properties. Each Lot shall contain not less than six thousand (6000) square feet of real property within its boundaries.

Z801-202/4909-N

DURATION, AMENDMENTS AND TERMINATION

These restrictions 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.

These restrictions 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.

ADDITIONAL COVENANTS

Notwithstanding anything herein contained or inferred to the contrary, nothing herein shall be deemed to prohibit the recording by Developer, its successors and assigns of other Declarations of Restrictions, Conditions and Covenants applicable to the Properties during the term of this Declaration provided the same shall not be in conflict with the conditions hereof.

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 Properties 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 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.

EXECUTED this the 28th day of May, 1981.

STILES LAND CORPORATION

By Jerry D Stiles

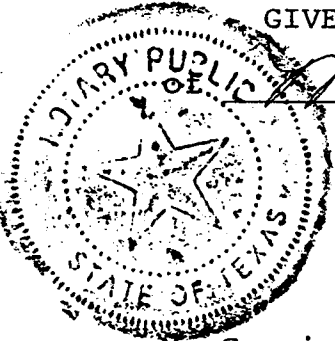
Its President

THE STATE OF TEXAS X
COUNTY OF Collin X

BEFORE ME, the undersigned authority, on this day personally appeared Jerry D. Stiles, President of Stiles Land Corporation, known to me to be the person and officer 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 as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 28 day

May, 1981.



[Signature]
Notary Public in and for
Collin County, Texas

My Commission expires:

2-10-84

Approved as to form:

LEE E. HOLT, City Attorney

By Barry R. Knight
Assistant City Attorney

EXHIBIT A

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COUNTY CLERK'S MEMO
PORTIONS OF THIS
DOCUMENT ARE
REPRODUCIBLE
WHEN RECORDED

SITUATED IN COLLIN COUNTY, TEXAS, and being a tract of land in the William Traughber Survey, Abstract No. 905, and being part of the 201.723 acre tract of land conveyed to Stiles Land Corporation as described in Volume 1174, Page 462 of the Deed Records of Collin County, Texas, and being more particularly described as follows:

COMMENCING at an iron rod in the center of a public road known as Mariet Lane, said point being in the North line of the William Traughber Survey and 998.00 feet East of the Northwest corner, said point being the Northwest corner of a certain 182.905 acre tract of land conveyed to G. K. Lloyd as recorded in Volume 818, Page 420 of the Deed Records of Collin County, Texas; thence South 00 deg. 21 min. 10 sec. East, a distance of 856.64 feet to the POINT OF BEGINNING;

THENCE South 00 deg. 21 min. 10 sec. East, a distance of 1302.35 feet along the West line of said G. K. Lloyd tract to an iron pipe for corner;

THENCE South 89 deg. 29 min. 00 sec. West, a distance of 998.02 feet to a 4 inch pipe for corner, said point being in the East line of BENTWOOD TRAIL, a 50 foot public road dedicated in BENT TRAIL ADDITION PHASE ONE as recorded in Cabinet C, Page 146 of the Plat Records, Collin County, Texas;

THENCE North 00 deg. 06 min. 27 sec. East, continuing along the East line of BENTWOOD TRAIL a distance of 1188.18 feet to a point for corner;

THENCE North 89 deg. 53 min. 33 sec. West, a distance of 50.00 feet to a point for corner;

THENCE North 00 deg. 06 min. 27 sec. East, a distance of 125.00 feet to a point for corner;

THENCE South 89 deg. 53 min. 33 sec. East, a distance of 1037.50 feet to the POINT OF BEGINNING and containing 29.9476 acres of land.

FILED

1981 SEP 15 AM 11:29

HELEN SPAHR, CLERK OF DISTRICT COURT
DALLAS COUNTY, TEXAS

BY DEPUTY

Return to:
CITY SECRETARY,
CITY HALL
DALLAS, TEXAS 75201