

**City of Dallas**  
**OFFICE MEMORANDUM**

To: Mr. W. S. McDonald  
City Manager

October 25, 1971

Subject: Ordinance No. 13407  
Passed by City Council October 18, 1971

Ordinance No. 13407 passed last week by the City Council, had the attached covenant of Restriction attached to the file. These Covenants were a requirement of the recommendation of the City Plan Commission.

Inasmuch as these Covenants need your signature and authority for us to file with the County, will you please prepare a resolution authorizing such and present it to the City Council at its next meeting.

To → *Harold G. Shank*

Harold G. Shank  
City Secretary

HCS:hg

*I submitted 7/27/71  
'No resolution needed'  
Hr. been signed by  
Ready to file*

*10/27/71*

The only reason you and I are here is to assist the people of Dallas

7  
7-12/21/72-02

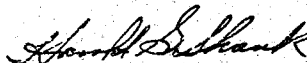
OFFICIAL ACTION OF THE CITY COUNCIL

CITY OF DALLAS, TEXAS



Meeting of November 1, 1971

It was moved, seconded and carried that the deed restrictions pertaining to Ordinance No. 13407 be received and the City Secretary ordered to file the same with the County Deed of Records.



Harold G. Shank  
City Secretary

HGS:hg

Z70-241/2121-A

DEED RECORD

THE STATE OF TEXAS  
COUNTY OF DALLAS

COVENANTS OF RESTRICTION

WHEREAS, PRESTON BEND, LTD., a limited partnership composed of MACATEE PROPERTIES, INC., a Texas corporation, General Partner, and SHAWNEE REALTY CORPORATION, a Texas corporation, and Messrs. JACK A. STROUBE, HENRY H. DICKERSON, JR., RUSSELL M. CHANEY, JR., CHARLES M. MOORE, JR. and DURRELL CAROTHERS, Limited Partners, owns the tract of land described on Exhibit "A" attached hereto; and

WHEREAS, it is to the mutual benefit of Preston Bend, Ltd. and the City of Dallas that the property owned by Preston Bend, Ltd. be developed in a manner that will complement development of the entire North Dallas area.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that Preston Bend, Ltd., by and through Macatee Properties, Inc., its General Partner, does covenant and agree that:

1. Should the areas described as Tracts 3, 4 and 5 on Exhibit "B" be developed as single and multi-family development, not more than fifteen (15) dwellings per acre will be constructed thereon.

2. Development of the area described as Tract 6 on Exhibit "C" will be limited to development for those uses permitted by the zoning classifications designated O-1 and C-2 by the Comprehensive Zoning Ordinance of the City of Dallas in effect on November 23, 1970, except for residential uses permitted thereby.

3. Should that portion of the area described as Tract 7 on Exhibit "D" which lies within the boundaries of the Tract described on Exhibit "A" be developed as single family and two-family dwelling development, not more than 7.5 dwelling units per acre will be constructed thereon.

These covenants of restriction are hereby declared to be covenants running with the land and shall be fully binding on all persons acquiring property

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71221 1856

with in the above described area, whether by descent, devise, purchase or otherwise, and any person by the acceptance of title to any of the above described land shall thereby agree and covenant and abide by and fully perform the foregoing restrictions and covenants. The City of Dallas may specifically enforce these restrictions, at its discretion, by judicial action, by withholding permits necessary for construction or occupancy of improvements constructed thereon, or in any other manner permitted by law. The right to enforce these restrictions is limited, however, to the City of Dallas, and no party hereafter obtaining an interest in any or all of the property hereby restricted, or in any neighboring property, shall have the right to enforce such restrictions or recover damages occasioned by failure of any party to comply therewith. The City of Dallas may waive or terminate the restrictions herein imposed, or amend or modify them to permit additional uses of the land restricted after giving the same notice and rights to a hearing before the City Council that would be required for a change of zoning for the area encompassed by the changed restrictions under the Comprehensive Zoning Ordinance of the City of Dallas.

EXECUTED this 11 day of Oct, 1971.

PRESTON BEND, LTD.

By: MACATEE PROPERTIES, INC.

By Geo P Macatee  
Geo. P. Macatee, III  
President

Accepted this 29 day of  
October, 1971:

CITY OF DALLAS

By: W. M. McDonald  
W. M. McDONALD  
City Manager

APPROVED AS TO FORM:  
N. ALEX BICKLEY, City Attorney.

T. P. McMaster  
T. P. McMASTER  
Assistant to the City Attorney  
VOL PAGE

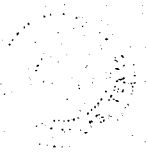
71221 1857

COVENANTS OF RESTRICTION  
Page.....

THE STATE OF TEXAS |  
|  
COUNTY OF DALLAS |

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared CEO. P. MACATEE, III, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Macatee Properties, Inc., a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 11<sup>th</sup> day of Nov. 1971, 1971.

  
Louise Baker  
Notary Public in and for  
Dallas County, T E X A S

VOL --- PAGE  
71221 1858

BEING a tract of land out of the Eli Shepherd Survey, Abstract No. 1361, B. C. Myers Survey, Abstract No. 964, J. M. Mounts Survey, Abstract No. 942, and Wm. Lomax Survey, Abstract No. 792, and being more particularly described as follows:

BEGINNING at an iron rod at a fence corner post that is 74.3 feet SE  $0^{\circ} 36'$  from the Northeast corner of the Wm. Lomax Survey, Abstract No. 792.

THENCE SE  $0^{\circ} 29'$  along a fence on the East line of said Lomax Survey, 1901.3 feet to an iron rod at a fence corner post.

THENCE SW  $89^{\circ} 47'$  along the North line of the Dallas Power & Light Co. tract, 2513.5 feet to an iron rod in the East line of Addison Road.

THENCE in a Northwly direction along the East line of Addison Road, as follows: 1st - NW  $0^{\circ} 31'$  1432.2 feet; 2nd - NE  $1^{\circ} 51'$  passing its intersection with the North line of said Lomax Survey at 533.2 feet, in all a distance of approximately 1602.3 feet to the intersection of said East line of Addison Road with the Collin County Line.

THENCE West along said Collin County Line, a distance of approximately 5063.5 feet to the intersection of said Collin County Line with the centerline of White Rock Creek.

THENCE in a Southerly direction, down the center of White Rock Creek as follows:

1st.	South $20^{\circ} 39'$ East	295.09 feet
2nd.	South $12^{\circ} 35'$ East	357.02 feet
3rd.	South $33^{\circ} 03'$ West	178.07 feet
4th.	South $6^{\circ} 56'$ West	180.07 feet
5th.	South $33^{\circ} 09'$ West	146.07 feet
6th.	South $44^{\circ} 27'$ East	171.07 feet
7th.	South $24^{\circ} 46'$ East	32.07 feet
8th.	South $24^{\circ} 46'$ East	99.05 feet
9th.	South $51^{\circ} 42'$ East	195.05 feet
10th.	South $7^{\circ} 53'$ East	105.07 feet
11th.	South $2^{\circ} 25'$ West	169.05 feet

THENCE NW  $89^{\circ} 39'$ , leaving said Creek and running along a fence line, 2791.9 feet to the point of beginning.

Tract 3:

Being a tract of land situated in the Eli Shepherd Survey, Abstract No. 1361, Dallas County, Texas, and being part of City of Dallas Block No. 8228, and being more particularly described as follows:

COMMENCING at the southwest corner of the L. S. McKamy 100 acre tract as described in deed recorded in Vol. 3211, Page 619 of the Deed Records of Dallas County, Texas, said corner also being the southwest corner of City of Dallas Block No. 8227, also being in the west line of the B. C. Myers Survey, Abstract No. 964; Thence N 0° 29' W, along the west line of said Myers Survey, 1546.45 feet to the Dallas-Collin County Line; Thence W, with the north line of Dallas County, 197.11 feet to the place of beginning;

THENCE FROM THE PLACE OF BEGINNING, S 74° 22' 05" W, 1465.04 feet; THENCE N 38° 35' E, 504.99 feet to the north line of Dallas County, Texas; THENCE E, along said north line, 1095.90 feet to the place of beginning and containing 4.966 acres of land.

Tract 4:

Being a tract of land situated in the Eli Shepherd Survey, Abstract No. 1361 and the Wm. Lomax Survey, Abstract No. 792, Dallas County, Texas, and being part of City of Dallas Block Nos. 8228 and 8229, and being more particularly described as follows:

COMMENCING at the southwest corner of the L. S. McKamy 100 acre tract as described in deed recorded in Vol. 3211, page 619 of the Deed Records of Dallas County, Texas, said corner also being the northwest corner of City of Dallas Block No. 8226, also being in the east line of the Wm. Lomax Survey; Thence N 0° 29' W, along the east line of said Wm. Lomax Survey, 67.30 feet; Thence S 89° 40' W, 5.00 feet to the place of beginning;

THENCE FROM THE PLACE OF BEGINNING, S 89° 40' W, parallel to and a perpendicular distance of 7.0 feet south of the Wm. Lomax Survey, north line, a distance of 1336.69 feet;

THENCE N 7° 05' W, 457.50 feet;  
THENCE N 20° 15' W, 250.00 feet;  
THENCE N 2° 05' W, 127.50 feet;  
THENCE S 69° 55' 46" E, 470.27 feet;  
THENCE N 72° 16' E, 590.00 feet;  
THENCE N 55° 31' E, 330.00 feet;  
THENCE N 89° 31' E, 200.00 feet;  
THENCE S 0° 29' E, parallel to and a perpendicular distance of 5.00 feet west of the east line of the Eli Shepherd Survey, a distance of 1015.07 feet to the place of beginning, and containing 26.018 acres of land.

Tract 5:

Being a tract of land situated in the Eli Shepherd Survey, Abstract No. 1361, and the Wm. Lomax Survey, Abstract No. 792, Dallas County, Texas, and being part of City of Dallas Block Nos. 8228 and 8229, and being more particularly described as follows:

VOL. 11 PAGE

71221 1880

EXHIBIT "B"

1 of 2 pages

Tract 5: (continued)

COMMENCING at the southwest corner of the L. S. McKamy 100 acre tract as described in deed recorded in Vol. 3211, Page 619, of the Deed Records of Dallas County, Texas, said corner also being the northeast corner of City of Dallas Block No. 8226, also being in the east line of said Wm. Lomax Survey; Thence S 0° 22' E, along the east line of said Wm. Lomax Survey, 1828.11 feet to the place of beginning;

THENCE FROM THE PLACE OF BEGINNING S 0° 22' E, continuing along said east line, 73.19 feet to the southeast corner of City of Dallas Block No. 8229;

THENCE S 89° 36' W, along the south line of said Block 8229, 758.42 feet;

THENCE N 43° 03' W, 183.50 feet;

THENCE in a northerly direction with a curve to the right, having a central angle of 48° 36' and a radius of 1150.00 feet, a distance of 535.32 feet to the end of curve;

THENCE N 1° 27' W, 287.27 feet;

THENCE N 88° 33' E, 255.60 feet;

THENCE S 21° 07' 06" E, 443.15 feet;

THENCE S 11° 38' E, 92.50 feet;

THENCE S 37° 16' E, 207.50 feet;

THENCE S 65° 56' E, 197.50 feet;

THENCE N 69° 34' E, 642.00 feet;

THENCE S 2° 36' E, 275.00 feet;

THENCE S 14° 34' W, 290.00 feet;

THENCE S 17° 31' E, 180.00 feet;

THENCE S 53° 21' E, 490.00 feet to the place of beginning and containing 26.664 acres of land.

VOL - PAGE

71221 1861

EXHIBIT "B"

Tract 6:

Being a tract of land situated in the Wm. Lomax Survey, Abstract No. 792, Dallas County, Texas, and being part of the City of Dallas Block No. 8229, and being more particularly described as follows:

COMMENCING at the southwest corner of the L. S. McKamy 100 acre tract as described in deed recorded in Vol. 3211, Page 619 of the Deed Records of Dallas County, Texas, said corner also being the northwest corner of the City of Dallas Block No. 8226, also being in the east line of said Wm. Lomax Survey; THENCE S  $0^{\circ} 22'$  E, with the east line of said Wm. Lomax Survey, 1901.36 feet, the southeast corner of the City of Dallas Block No. 8229; THENCE S  $89^{\circ} 36'$  W, with the south line of said Block No. 8229, 758.42 feet to the place of beginning:

THENCE FROM THE PLACE OF BEGINNING, S  $89^{\circ} 36'$  W, continuing with the south line of said Block No. 8229, 697.67 feet;

THENCE N  $48^{\circ} 03'$  W, 155.00 feet;

THENCE N  $41^{\circ} 57'$  E, 470.00 feet;

THENCE S  $48^{\circ} 03'$  E, 670.62 feet to the place of beginning and containing 4.454 acres of land.

VOL PAGE

71221 1862

EXHIBIT "C"

Tract 7: (Tract 7 is composed of the following 3 tracts designated tract 7A, 7B and 7C)

Tract 7A:

Being a tract of land situated in the B. C. Myers Survey, Abstract No. 964 and the J. V. Mounts Survey, Abstract No. 942, Dallas County, Texas, and being part of City of Dallas Block No. 8227, and being more particularly described as follows:

COMMENCING at the southwest corner of the L. S. McKamy 100 acre tract as described in deed recorded in Vol. 3211, Page 619 of the Deed Records of Dallas County, Texas, said corner also being the southwest corner of City of Dallas Block No. 8227, also being in the west line of said B. C. Myers Survey; Thence N 0° 29' W, along the west line of said Myers Survey, 1546.45 feet to the Dallas-Collin County Line; THENCE East, with the north line of Dallas County, 1041.40 feet to the place of beginning;

THENCE FROM THE PLACE OF BEGINNING, East along the north line of Dallas County, 1180.02 feet;

THENCE S 62° 17' E, 65.36 feet;  
THENCE S 73° 34' 47" E, 177.16 feet;  
THENCE S 7° 28' W, 414.00 feet;  
THENCE S 20° 18' W, 300.00 feet;  
THENCE S 1° 32' E, 190.00 feet;  
THENCE S 24° 32' E, 115.00 feet;  
THENCE S 61° 33' 37" W, 192.72 feet;  
THENCE N 50° 52' W, 297.00 feet;  
THENCE N 58° 02' W, 259.50 feet;  
THENCE N 42° 32' W, 172.50 feet;  
THENCE N 38° 32' W, 480.00 feet;  
THENCE N 53° 32' W, 175.00 feet;  
THENCE N 45° 22' W, 149.50 feet;  
THENCE North, 122.19 feet to the place of beginning and containing 21.889 acres of land.

Tract 7B:

Being a tract of land situated in the B. C. Myers Survey, Abstract No. 964, and the J. V. Mounts Survey, Abstract No. 942, Dallas County, Texas, and being part of City of Dallas Block No. 8277, and being more particularly described as follows:

COMMENCING at the southwest corner of the L. S. McKamy 100 acre tract as described in deed recorded in Vol. 3211, Page 619 of the Deed Records of Dallas County, Texas, said corner also being the northwest corner of City of Dallas Block No. 8226 and the southwest corner of City of Dallas Block No. 8227, also being in the west line of said B. C. Myers Survey; Thence S 89° 32' E, along the north line of said Block 8226, 685.37 feet to the place of beginning;

VOL PAGE

71221 1863

EXHIBIT "D"

Tract 7B: (continued)

THENCE FROM THE PLACE OF BEGINNING, N 0° 28' E, 806.20 feet;  
THENCE N 89° 32' W,  
THENCE N 4° 38' E,  
THENCE N 13° 22' W,  
THENCE N 80° 11' E,  
THENCE N 77° 11' E,  
THENCE S 46° 17' E,  
THENCE S 36° 12' E,  
THENCE S 60° 17' E,  
THENCE S 49° 57' E,  
THENCE S 31° 44' 36" W, 127.88 feet;  
THENCE N 89° 32' W, along the north line of Block 8226, 1442.03 feet to  
the place of beginning and containing 34.827 acres of land.

Tract 7C:

Being a tract of land situated in the B. C. Myers Survey, Abstract No. 964  
and the J. V. Mounts Survey, Abstract No. 942, Dallas County, Texas, and being  
part of City of Dallas Block No. 8226, and being more particularly described  
as follows:

COMMENCING at the southwest corner of the L. S. McKamy 100 acre tract as  
described in deed recorded in Vol. 3211, Page 619 of the Deed Records of Dallas  
County, Texas, said corner being the northwest corner of City of Dallas Block No.  
8226 and the southwest corner of City of Dallas Block No. 8227, also being in the  
west line of said B. C. Myers Survey; Thence S 89° 32' E, along the north line  
of said Block 8226, 685.37 feet to the place of beginning;

THENCE FROM THE PLACE OF BEGINNING, S 89° 32' E, continuing with the  
north line of Block 8226, 1796.53 feet;  
THENCE S 24° 16' E, 251.26 feet to a point in the north line of Preston Trails  
Golf Course;  
THENCE in a westerly and southwesterly direction along said north line of  
Preston Trails Golf Course as follows:

S 88° 59' W, 161.62 feet;  
S 82° 07' W, 165.90 feet;  
S 62° 37' W, 208.00 feet;  
S 80° 08' 47" W, 253.05 feet;  
S 80° 46' 50" W, 895.54 feet;  
S 87° 13' 24" W, 227.89 feet;  
S 41° 11' W, 348.91 feet;  
S 38° 52' 50" W, 300.93 feet;  
S 35° 55' W, 192.15 feet;

THENCE N 54° 06' 32" W, 192.02 feet;  
THENCE N 15° 23' E, 172.50 feet;  
THENCE N 43° 28' E, 700.29 feet;  
THENCE N 27° 28' E, 290.00 feet;  
THENCE N 0° 28' E, 131.29 feet to the place of beginning and containing 21.563  
acres of land.

VOL PAGE  
71221 1864

EXHIBIT "D"