

7009

WHEREAS, the deed restrictions in the attached instruments have been volunteered in conjunction with a City Plan Commission called hearing to consider an amendment to the existing deed restrictions on property generally located on Noel Road and Montfort Drive, north of Alpha Road involving file no. Z73-143/3043-Na; and,

WHEREAS, said deed restrictions were approved by the City Council at a public hearing held on March 10, 1982. 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 instruments 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 Office-2, as described in Ordinance #14389.

Section 2. That said deed restriction instruments shall be filed with the County Clerk to be recorded in the Deed Records of Dallas 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 Bruce R. Knight
Assistant City Attorney

cc: Planning and Development - 1
Building Inspection - 2
City Secretary - 1

APPROVED BY
CITY COUNCIL

MAR 10 1982

Robert J. Blum
City Secretary

APPROVED [Signature] HEAD OF DEPARTMENT APPROVED _____ CITY CONTROLLER APPROVED _____ CITY MANAGER

7004

DEED RECORD

DEED RESTRICTIONS

THE STATE OF TEXAS
COUNTY OF DALLAS

Y
Y
Y

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, Addison Machinery Company, Inc. was the owner of 26.08 acres of land out of the John Witt Survey, Abstract No. 1584, City of Dallas, Dallas County, Texas, being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes (hereinafter "Original Property") and did impress upon said property certain Deed Restrictions recorded in Volume 74053, Page 876, of the Deed Records of Dallas County, Texas.

WHEREAS, Wycliffe International, Inc., Trustee, acquired an undivided one-half (1/2) interest in and to 5.214 acres out of Original Property, as more particularly described on Exhibit "B" attached hereto and made a part hereof for all purposes (hereinafter "Subject Property"), by Special Warranty Deed, dated March 9, 1981, and recorded in Volume 81049, Page 0769, of the Deed Records of Dallas County, Texas.

WHEREAS, Wycliffe International, Inc., Trustee, acquired the remaining one-half (1/2) interest in and to Subject Property, by Special Warranty Deed, dated May 18, 1981, and recorded in Volume 81099, Page 0958, of the Deed Records of Dallas County, Texas.

NOW, THEREFORE, for purposes of clarifying the rights under the referenced Deed Restrictions, Wycliffe International, Inc., Trustee, owner of Subject Property, does hereby revoke the referenced Deed Restrictions and any designation of unrestricted land thereunder as to Subject Property and replaces same with the following Deed Restrictions, to wit:

1. The undersigned, its successors and/or assigns, do hereby agree that no buildings on said tract shall exceed 225 feet in height.
2. The undersigned, its successors and/or assigns, do hereby agree that no more than 775,000 square feet of floor area, excluding parking structures, shall be developed on said 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 automatically be extended for additional periods of ten (10) years unless terminated in the manner specified herein.

82051 0700

273-143/3043-Ng
TRACT "C"

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.

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 owners hereof do 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 8th day of March, 1982.

WYCLIFFE INTERNATIONAL, INC., TRUSTEE

By *A. H. [Signature]*
Its *Executive Vice President*

VOL PAGE

82051 0702

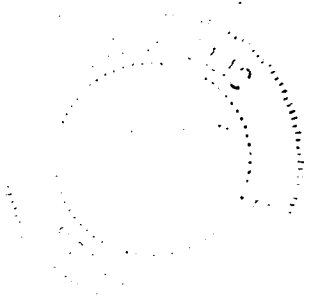
THE STATE OF TEXAS X
 X
COUNTY OF DALLAS X

BEFORE ME, the undersigned authority, on this day personally appeared A. Di Giuseppe, Exec Vice President of WYCLIFFE INTERNATIONAL, INC., Trustee, a Texas corporation, known to me to be the said officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act of WYCLIFFE INTERNATIONAL, INC., Trustee, for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 8th day of March, 1982.

Elles Koenig
Notary Public in and for
The State of T E X A S

My Commission Expires:
1-31-84



VOL PAGE
82051 0704

Approved as to form:
LEE H. HARRIS, City Attorney
By Benny R. Knight
Assistant City Attorney

BEING all that certain lot, tract, or parcel of land situated in the JOHN WITT SURVEY, ABSTRACT NO. 1584, Dallas County, Texas, and being in the City of Dallas, Block No. 7004, and being part of a 62.95 acre tract of land as described in partition Deed "Estate of Florence Barton to Theresa Davidson White, et al", as set aside to George A. Keller, and being more particularly described as follows:

BEGINNING at the point of intersection of the North line of said Keller tract with the West line of Noell Road, said beginning point being 1160.5 feet North $5^{\circ}33'30''$ West and 25.08 feet South $89^{\circ}51'$ West from the point of intersection of the centerline of Noell Road with the South line of said WITT SURVEY;

THENCE South $5^{\circ}33'30''$ East with the West line of Noell Road, a distance of 765.04 feet, to a point for corner in the North line of Teddy Street;

THENCE South $89^{\circ}18'30''$ West with the North line of Teddy Street, a distance of 580.8 feet to a point for corner;

THENCE South $5^{\circ}33'30''$ East, a distance of 200.72 feet to a point for corner in the North line of a 15 foot alley, as dedicated by plat of WALTER H. TURNER SUBDIVISION, SECOND INSTALLMENT, an Addition to the City of Dallas, Texas, according to the map thereof recorded in Volume 282 at page 1249 of the Map Records of Dallas County, Texas;

THENCE South $89^{\circ}18'30''$ West with the North line of said 15 foot alley, passing the Northwest corner of said alley at 529.41 feet and continuing in all a distance of 828.30 feet to a point for corner;

THENCE North $0^{\circ}10'30''$ West, a distance of 974.79 feet to a point for corner in the North line of said Keller tract;

THENCE North $89^{\circ}51'$ East along the North line of said Keller tract, a distance of 1318.44 feet to the PLACE OF BEGINNING and containing 1,204,414.0 square feet or 27.6495 acres of land, less 68,330.6 square feet or 1.5686 acres of land in Teddy Street and the East 30 feet of proposed Noell Road relocation, leaving 1,136,083.4 square feet or 26.0809 acres of land net.

EXHIBIT B

Tract 1:

BEING a tract or parcel of land in the John Witt Survey, Abstract No. 1584 and being part of a 26.0809 acre tract of land conveyed by Addison Machinery Co., Inc. to Grover H. Hope, Trustee, as recorded in Volume 74163, Page 1527 of the Deed Records, Dallas County, Texas, and also being a part of Lot 3, Block 3/7004 Subdivision, a subdivision in the City of Dallas, Texas as recorded in Volume 80143, Page 0020 of the Plat Records, Dallas County, Texas; and being more particularly described as follows:

BEGINNING at an iron pin found for corner in the East right-of-way line of Noel Road (74' R.O.W.) said corner being the most Westerly Southwest corner of said Subdivision;

THENCE, North 00° 11' 00" West, along the East right-of-way line of Noel Road and the West line of said Subdivision, a distance of 474.37 feet to an iron pin found for corner, said corner being the Northwest corner of said Subdivision;

THENCE, North 89° 51' 00" East, along the North line of said Subdivision, a distance of 374.82 feet to an iron pin found for corner;

THENCE, South 00° 09' 00" East, a distance of 471.07 feet to an iron pin found for corner in the South line of said Subdivision and the North line of a 15' alley;

THENCE, South 89° 22' 00" West, along the South line of said Subdivision and the North line of a 15' alley, a distance of 113.78 feet to an iron pin found for corner;

THENCE, South 89° 20' 00" West, along the South line of said Subdivision and the North line of a 15' alley, a distance of 260.79 feet to the point of beginning and containing 4.066 acres of land, more or less. (177,113 sq. ft.)

VOL. PAGE

82051 0708

Tract 2:

BEING a tract or parcel of land in the John Witt Survey, Abstract No. 1584 and being part of a 26.0809 acre tract of land conveyed by Addison Machinery Co., Inc. to Grover H. Hope, Trustee, as recorded in Volume 74163, Page 1527 of the Deed Records, Dallas County, Texas, and also being a part of Lot 3, Block 3/7004 Subdivision, a subdivision in the City of Dallas, Texas as recorded in Volume 80143, Page 0020 of the Plat Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at an iron pin found for corner in the South line of said Subdivision, said point being South 89° 20' 00" West, 260.79 feet and South 89° 22' 00" West, 113.78 feet from the most westerly Southwest corner of said Subdivision and the East right of way line of Noel Road;

HENCE, North 00° 09' 00" West, a distance of 471.07 feet to an iron pin found for corner in the North line of said Subdivision;

HENCE, North 89° 51' 00" East, along the North line of said Subdivision, a distance of 104.82 feet to an iron pin found for corner;

HENCE, South 00° 38' 00" East, a distance of 414.08 feet to a point at the beginning of a curve to the right, having a central angle of 28° 33' 22", a radius of 113.50 feet and a chord bearing South 13° 38' 43" West, a distance of 55.99 feet;

HENCE, Southwest along said curve to the right, an arc distance of 56.57 feet to a point for corner, at the beginning of a curve to the left having a central angle of 00° 43' 46", a radius of 163.00 feet, and a chord bearing South 27° 33' 29" West, a distance of 2.08 feet;

HENCE, Southwesterly along said curve to the left having an arc distance of 2.08 feet to an iron pin found for corner in the South line of said Subdivision;

HENCE, South 89° 22' 00" West, along the South line of said Subdivision, a distance of 94.00 feet to the point of beginning and containing 1.148 acres of land, more or less. (49,995 sq. ft.)

FILED
L. Z. Murdoch
COUNTY CLERK
DALLAS COUNTY

'82 MAR 12 AM 11:10

82051 0711

VOL 1 PAGE 1

STATE OF TEXAS
COUNTY CLERK
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 Dallas
County, Texas as stamped hereon by me.
COUNTY CLERK
DALLAS COUNTY



MAR 15 1982

COUNTY CLERK, Dallas County, Texas

L. Z. Murdoch

RECEIVED
MAR 9 1982
ZONING OFFICE

Roanette
City of Dallas
CITY SECRETARY
CITY HALL
DALLAS, TEXAS 75201

Return to:
CITY SECRETARY
CITY HALL
DALLAS, TEXAS 75201

0-2

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Undeveloped

MF-3

DR

R-7.5

MF-1

Garrison
Offices

Post
Office

R-7.5

Office

Single
Family

Undeveloped

O-2

Undeveloped

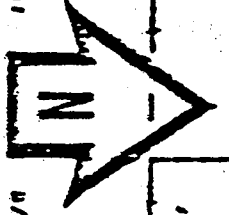
Office

Retail

Apartments

Galleria

Under Construction



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Z73-143/3043-Nd

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S.C.

I-1

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