

8165

813241

DEED RESTRICTIONS

DEED RECORD

THE STATE OF TEXAS
COUNTY OF DALLAS

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RECORDED
1 10 1964

That the undersigned, SULLIVAN DEVELOPMENT CO., INC., is the owner of the following described property situated in Dallas County, Texas, being in particular a tract of land out of two separate surveys totaling 13.712 acres. The first tract being out of the T. Garvin Survey, Abstract 524, City Block 8165, City of Dallas, Dallas County, Texas, and being that same tract of land conveyed to Murray Properties Company by OKC Realty, Inc., and being more particularly described in Exhibit "A" attached hereto and made a part hereof. The second tract being out of the Allen Bledsoe Survey, Abstract No. 175 and the Thomas Garvin Survey, Abstract No. 524, City Block No. 8173, and being part of that certain property conveyed to Jack F. Hyman and Lewis M. Dabney by Joseph D. Rogers et ux by Deed dated October 20, 1934 and recorded in Volume 1868 at Page 302 of the Deed Records of Dallas County, Texas, and being more particularly described in Exhibit "B" attached hereto and made a part hereof.

That the undersigned, SULLIVAN DEVELOPMENT CO., INC., does hereby impress all of the following described property with the following deed restriction, to-wit:

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The undersigned, its successors and/or assigns, does hereby agree that development on the herein-described property will be limited to a maximum of 18 dwelling units per acre.

The undersigned, its successors and/or assigns, does hereby agree that any buildings constructed on the property herein described that are within 100 feet to and facing the property presently zoned and used for single family detached residential uses and is in the City of Addison, Texas, shall be limited to a maximum height of 18 feet and may not have dwelling units which are solely on the second floor.

These restrictions shall continue in 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.

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 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 restriction and covenant.

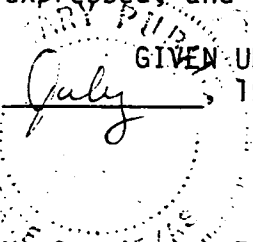
EXECUTED this the 8 day of July, 1981.

SULLIVAN DEVELOPMENT CO., INC.

By Roger C. Thornhill

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority for the said County and State, on this day personally appeared Roger C. Thornhill, Vice President, 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 Sullivan Development Co., Inc., a Texas 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 8th day of July, 1981.

Peter J. Caughman
Notary Public in and for
Dallas County, Texas

My Commission Expires:
10/16/83

Approved as to form:
LEE E. HOLT, City Attorney

By Barry R. Knight
Assistant City Attorney

FIELD NOTES

Being a tract of land situated in the T. Garvin Survey, Abstract No. 524, Dallas County, Texas, and being part of City of Dallas Block 8165, and further being part of a 35.4261 acre tract of land as conveyed to Murray Properties Company by OKC Realty, Inc., and being more particularly described as follows:

COMMENCING at the point of intersection of the West line of Preston Road with the North line of Preston Oaks Road, a point for corner;

THENCE, along the North line of Preston Oaks Road the following:

N. 89°15'W, a distance of 60.20 feet to the beginning of a curve to the left having a central angle of 6°24'30" and a radius of 409.50 feet, a point for corner;

Westerly, around said curve a distance of 45.80 feet to the beginning of a curve to the right having a central angle of 6°24'30" and a radius of 390.50 feet, a point for corner;

Westerly, around said curve a distance of 43.67 feet to a point for corner; N. 89°15'W, a distance of 887.04 feet to the Southeast corner of Oak Run Addition, an addition to the City of Dallas, as recorded in Volume 78105 at Page 1203, of the Map Records of Dallas County, Texas, a point for corner;

THENCE, N. 13°33'37"E, leaving said North line of Preston Oaks Road and proceeding along the East line of Oak Run Addition, a distance of 750.43 feet to the North-east corner of Oak Run Addition, an iron stake for corner;

THENCE, S. 80°01'55"E, a distance of 7.38 feet to the PLACE OF BEGINNING of the here-in described tract of land, an iron stake for corner;

THENCE, N. 80°01'55"W, passing at 7.38 feet the Northeast corner of Oak Run Addition and proceeding along the Northernly line of said Oak Run Addition a total distance of 307.32 feet to an angle point, an iron stake for corner;

THENCE, N. 64°59'34"W, continuing along Oak Run Addition, a distance of 47.06 feet to an iron stake found for corner;

THENCE, S. 4°41'30"W, continuing along Oak Run Addition, a distance of 119.92 feet to an iron stake found for corner;

THENCE, N. 82°11'30"W, continuing along Oak Run Addition, a distance of 17.0 feet to a fence corner, at the Southeast corner of the White Rock Cemetery Garden of Memories, Inc., an iron stake for corner;

THENCE, N. 5°10'18"E, along cemetery fence line a distance of 418.36 feet to an iron stake for corner;

THENCE, S. 85°26'30"E, continuing along cemetery fence line a distance of 5.10 feet to an iron stake for corner;

THENCE, N. 2°06'06"E, continuing along cemetery fence line a distance of 196.39 feet to an iron stake for corner;

COUNTY CLERK'S OFFICE
PORTIONS OF THIS
DOCUMENT NOT
REPRODUCIBLE
WHEN RECORDED

EXHIBIT 2

813241

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COUNTY CLERK'S OFFICE
PORTIONS OF THIS
DOCUMENT NOT
REPRODUCIBLE
IF NOT RECORDED

THENCE, N. 62°25'57"W, continuing along cemetery fence line a distance of 217.72 feet to a fence corner at the Northwest corner of said cemetery, said point also being in the last line of a tract of land conveyed to Pa-Key Development Corporation in Volume 79109, Page 0806, an iron stake for corner;

THENCE, N. 6°34'15"E a distance of 62.75 feet to a point in the South line of a tract conveyed to Murray Properties Company in Volume 79208 at Page 3250, an iron stake found for corner;

THENCE, N. 85°02'45"W, along the said Murray Properties Company tract South line a distance of 64.43 feet to a point in the westerly line of the said Murray Properties Company Tract, an iron stake found for corner;

THENCE, N. 4°34'15"E, part of the way being along the common line of the said Murray Properties Company Tract and the said Pa-Key Development Corporation Tract, a distance of 23.32 feet to a point in the centerline of Celestial Road, an iron pipe found for corner;

THENCE, S. 82°16'15"E, along the centerline of Celestial Road and passing at 343.55 feet the point of abandonment, continuing a total distance of 698.05 feet to an iron stake for corner;

THENCE, S. 6°12'15"W, along the center of a 15 foot easement to DPKL Co. / Southwestern Bell Telephone Co. a distance of 813.83 feet to the PLACE OF BEGINNING and containing 105,478 square feet of land of which 3,838 square feet is located within Celestial Road R.O.W., leaving a net of 391,640 square feet or 8.991 Acres of Land.

Being situated in the City and County of Dallas, Texas, out of the ALLEN BLEDSOE SURVEY, ABSTRACT NO. 175 and the THOMAS GARVIN SURVEY, ABSTRACT NO. 524, CITY BLOCK NO. 8173, and being part of that certain property conveyed to Jack F. Hyman and Lewis M. Dabney by Joseph D. Rogers et ux by Deed dated October 20, 1934 and recorded in Volume 1868 at Page 302 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at an iron pipe found for corner in the center of an approximately 23 foot wide Lane know as Celestial Road, said point being the Southeast corner of the above mentioned Jack F. Hyman and Lewis M. Dabney tract, said point also being the Southwest corner of a 58.71 acre tract conveyed to Albert Susman by Joe A. Humphrey by Deed dated March 17, 1961 and recorded in Volume 5517 at Page 245 of the Deed Records of Dallas County, Texas;

THENCE North with the West line of said Albert Susman 58.71 acre tract at 102 feet crossing North line of the Thomas Garvin Survey and the South line of the Allen Bledsoe Survey, in all 178 feet to the center of White Rock Creek;

THENCE up the center of White Rock Creek with its meanderings as follows: North 45 degrees 12 minutes West 147.5 feet; North 80 degrees 55 minutes West 335.2 feet; South 68 degrees 42 minutes 30 seconds West 212 feet; North 46 degrees 30 minutes 30 seconds West 149.72 feet to a point in the West line of said Jack F. Hyman and Lewis M. Dabney tract and the East line of a 3.66 acre tract conveyed to Joe M. Combs and wife Dorothy Combs by Ernest Allen, Jr. and wife Margaret McDowell Allen by Deed dated September 20, 1963 and recorded in Volume 159 at Page 0907 of the Deed Records of Dallas County, Texas;

THENCE South passing the Southwest bank of said Creek and along the East line of said 3.66 acre tract a distance of 179.04 feet to an iron rod found in the center of a branch for corner;

THENCE up said branch with its meanderings as follows: South 65 degrees 39 minutes West 126 feet; South 7 degrees 32 minutes East 113.3 feet to a spike for corner in the center of a bridge crossing said branch, said point being in the center of a Lane known as Celestial Road;

THENCE North 84 degrees 28 minutes East with the center of said Celestial Road a distance of 448.7 feet to an iron rod for corner;

THENCE South 81 degrees 17 minutes East with the center of said Celestial Road a distance of 400 feet to the place of BEGINNING and containing 4.721 acres of land more or less.

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FILED
L. E. Munday
COUNTY CLERK
DALLAS COUNTY

'81 NOV 18 AM 9:32

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COUNTY CLERK, Dallas County, Texas

L. E. Munday



NOV 19 1981

STATE OF TEXAS
COUNTY OF DALLAS
I hereby certify that this instrument was filed on the
date and time stamped hereon by me and was duly re-
corded in the volume and page of the record books
of Dallas County, Texas as stamped hereon by me.

CITY SECRETARY

CITY HALL

DALL, TX 75201

RECEIVED
JUL 8 1981
ZONING OFFICE