

WHEREAS, the deed restrictions in the attached instrument have been volunteered in conjunction with an application for a change of zoning to an Office-2 District which was approved by the City Council on July 28, 1982 involving Zoning File #Z812-232/2947-N on property involving two tracts of land in the vicinity of the northwest corner of Alpha Road and Montfort Drive; and,

WHEREAS, said deed restrictions also include an amendment to the existing deed restrictions also approved by the City Council on July 28, 1982 involving file #Z73-143/3043-Na and file #Z790-243/2047-N on property on the west side of Montfort Drive north of Alpha Road; 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, TEXAS:

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 an Office-2 District, a part of which is referenced in Ordinance **17492**

Section 2. That said deed restrictions shall be filed with the County Clerk of Dallas County, Texas, 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 *Raymond Knight*
Assistant City Attorney

APPROVED BY
CITY COUNCIL

AUG 11 1982

W. B. Blum
City Secretary

John A. Sob...
APPROVED: _____ DEPT. HEAD OF DEPARTMENT
APPROVED: _____ CITY CONTROLLER
APPROVED: _____ CITY MANAGER
APPROVED: _____ BUSINESS

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DEED RECORD

DEED RESTRICTIONS

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

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 referred to as "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 (hereinafter referred to as "Addison Machinery Restrictions").

WHEREAS, Triland International, Inc. was the owner of 3.6245 acres out of the Original Property being more particularly described in Exhibit "B" attached hereto and made a part hereof for all purposes (hereinafter referred to as the "Triland Tract") and did impress upon said property certain Deed Restrictions recorded in Volume 82051, Page 0688, of the Deed Records of Dallas County, Texas (hereinafter referred to as the "Triland Restrictions").

WHEREAS, W. Dawson Sterling, Robert K. Sands and Robert K. Sands, Trustee for the Bonnie Claire Edwards Trust, were the owners of 2.611 acres out of the John Witt Survey, Abstract No. 1584, City Block 7004, City of Dallas, Dallas County, Texas, being particularly described in Exhibit "C" attached hereto and made a part hereof for all purposes (hereinafter referred to as the "Sterling Tract") and did impress upon said property certain Deed Restrictions recorded in Vol. 00234, Pgs. 0388-0392, of the Deed Records of Dallas County, Texas (hereinafter referred to as the "Sterling Restrictions").

WHEREAS, Metroplex Development Partnership is the owner of 6.235 acres of land being the Triland Tract and the Sterling

Tract, being more particularly described in Exhibit "D" attached hereto and made a part hereof for all purposes (hereinafter referred to as the ("Metroplex Tract").

WHEREAS, the City of Dallas was a party to the Addison Machinery Restrictions, the Triland Restrictions and the Sterling Restrictions.

NOW, THEREFORE, for purposes of amending the Addison Machinery Restrictions, the Triland Restrictions and the Sterling Restrictions, Metroplex Development Partnership does hereby revoke the Addison Machinery Restrictions, the Triland Restrictions and the Sterling Restrictions on the Metroplex Tract and replaces same with the following deed restrictions, to-wit:

1. The undersigned, its successors and/or assigns do hereby agree that ~~no structures on the Metroplex Tract shall exceed two hundred twenty-five (225) feet in height.~~ structures on the Metroplex Tract shall not exceed two hundred twenty-five (225) feet in height.
2. The undersigned, its successors and/or assigns, do hereby agree that ~~no more than 600,000 square feet of floor area, excluding parking structures, shall be developed on the Metroplex Tract.~~ no more than 600,000 square feet of floor area, excluding parking structures, shall be developed on the Metroplex Tract.
3. The undersigned, its successors and/or assigns, do hereby agree that the tract described in Exhibit "E" attached hereto and made a part hereof for all purposes shall be limited solely to access to the Metroplex 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.

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,

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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 10th day of August, 1982.

METROPLEX DEVELOPMENT PARTNERSHIP

By: [Signature]
Its: [Signature]

THE STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared [Signature] of METROPLEX DEVELOPMENT 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 as the act of METROPLEX DEVELOPMENT PARTNERSHIP for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 10th day of August, 1982.

[Signature]
Notary Public in and For
The State of Texas

My Commission Expires: 1-1-87

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[Signature]
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°33'30" West and 25.08 feet South 89°51' West from the point of intersection of the centerline of Noell Road with the South line of said WITT SURVEY;

THENCE South 5°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°18'30" West with the North line of Teddy Street, a distance of 577.8 feet to a point for corner;

THENCE South 5°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 232 at page 1249 of the Map Records of Dallas County, Texas;

THENCE South 89°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°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°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.

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EXHIBIT "A"

EXHIBIT B

Being a tract of land situated in City Block 7004, City of Dallas, Texas, and being out of the John Witt Survey, Abstract No. 1584, Dallas County, Texas, and being a part of the Grover H. Hope 25.69 acre tract more particularly described as follows:

BEGINNING at a point in the west line of Montfort Drive (74 ft. R.O.W.) said point being the Northeast corner of the Sands and Sterling 2 acre tract and also being North $5^{\circ} 34'$ West, a distance of 200.2 feet from the North line of a 15 ft. alley;

THENCE South $89^{\circ} 22'$ West, a distance of 568.08 feet along the Sands and Sterling North line to an iron rod of a corner;

THENCE North $5^{\circ} 33'$ West, a distance of 276.0 feet to an iron rod for a corner;

THENCE North $89^{\circ} 22'$ East, a distance of 400.0 feet to an iron rod for a corner;

THENCE North $82^{\circ} 32' 08''$ East, a distance of 167.47 feet to an "X" in concrete for a corner;

THENCE South $5^{\circ} 34'$ East, a distance of 296.0 feet along the West line of Montfort Drive to the Point of Beginning and containing 3.6245 acres (157,881 square feet) of land.

and BEING now known as Lots 1 and 2 in Block 3/7004 of Montfort-Alpha Addition, an addition to the City of Dallas, Texas, according to the Map thereof as recorded in Volume 79020, Page 1461, Map Records, Dallas County, Texas.

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EXHIBIT "B"

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EXHIBIT "C"

BEING all that certain lot, tract or parcel of land situated in Dallas County, Texas, out of the JOHN WITT SURVEY, ABSTRACT NO. 1584, in City Block 7004, and being more particularly described as follows:

BEGINNING at a point for corner in the West line of Noell Road, said point being the Northeast corner of Teddy Street as abandoned by ordinance No. 13792, dated September 18, 1972 and recorded in Volume 72213 at page 0149 of the Deed Records of Dallas County, Texas;

THENCE South 5°33'30" East along the West line of Noell Road, a distance of 50.18 feet to a point for corner;

THENCE South 89°18'30" West along the South line of Teddy Street, a distance of 291.8 feet to a point for corner;

THENCE South 5°33'30" East, a distance of 150.54 feet to a point for corner in the North line of a 15 foot alley;

THENCE South 89°18'30" West along the North line of said alley, a distance of 287 feet to a point for corner, said point being the most Southerly Southeast corner of a tract of land conveyed to Addison Machinery Company, Inc., a Texas Corporation, by deed dated May 14, 1973 and recorded in Volume 73151 at page 1030 of the Deed Records of Dallas County, Texas;

THENCE North 5°33'30" West along the East line of said Addison Machinery Company tract, a distance of 200.72 feet to a point for corner in the North line of Teddy Street;

THENCE North 89° 18' 30" East along the North line of Teddy Street and the South line of said Addison Machinery Company tract, a distance of 580.8 feet to the place of beginning and containing 72,090 square feet, less 602.18 square feet in the Easement to the City of Dallas, Texas for street purposes, leaving 71,487.82 square feet of land net, or 1.641 acres of land net.

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EXHIBIT "C" - continued

BEGINNING at a point for corner in the West line of Noell Road, said point being at its intersection with the North line of a 15 foot alley as dedicated by the plat of WALTER H. TURNER SUBDIVISION, SECOND INSTALLMENT, an Addition to the City of Dallas, Texas as recorded in Volume 282 at page 1250 of the Map Records of Dallas County, Texas;

THENCE South $89^{\circ}18'30''$ West along the North line of said 15 foot alley, a distance of 293.8 feet to a point for corner;

THENCE North $5^{\circ}33'30''$ West, a distance of 150.54 feet to a point for corner in the South line of Teddy Street as abandoned by ordinance no. 13792 dated September 18, 1972 and recorded in Volume 72213 at page 0149 of the Deed Records of Dallas County, Texas;

THENCE North $89^{\circ}18'30''$ East along the South line of Teddy Street, a distance of 293.8 feet to a point for corner in the West line of Noell Road;

THENCE South $5^{\circ}33'30''$ East along the West line of Teddy Street, a distance of 150.54 feet to the place of beginning and containing 44,070 square feet total, less 1,806.48 square feet in the Easement to the City of Dallas, Texas for street purposes, leaving 42,263.52 square feet of land net, or 0.970 acres of land net.

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EXHIBIT "C"
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EXHIBIT "D"

Being the 6.2365 acres of land referred to in the foregoing Deed Restrictions as the "Triland Tract" and the "Sterling Tract," and more particularly described in Exhibit "B" and Exhibit "C" attached to the foregoing Deed Restrictions.

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EXHIBIT "D"

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EXHIBIT "E"

Being a tract of land in the John Witt Survey, Abstract No. 1584, Block No. A, City Block 7004, City of Dallas, Dallas County, Texas and being the same tract of land conveyed to Robert K. Sands and W. Dawson Sterling from Irving Fairlane Associates, LTD, by deed dated January 7, 1980 and recorded in Volume 80008, Page 2539, Deed Records of Dallas County, Texas and being more particularly described as follows:

Beginning at an iron rod found for a corner on the North line of Alpha Road, 439.84 feet from the West line of Montfort Drive, said corner being the Southeast corner of the Sands and Sterling tract;

THENCE: South 89°59'28" West with the North line of Alpha Road 50.00 feet to an iron rod found for a corner;

THENCE: North 0°41' West 135.01 feet to an iron rod for a corner on the South line of a 15 foot alley;

THENCE: North 89°18' East with said alley 50.00 feet to a nail found in concrete;

THENCE: South 0°41' East 135.63 feet to the Point of Beginning and containing 6765.9 Square feet of land.

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EXHIBIT "E"

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