

TERMINATION OF DEED RESTRICTIONS

THE STATE OF TEXAS)  
 )  
 COUNTY OF Dallas )

KNOW ALL PERSONS BY THESE PRESENTS:

## I.

The undersigned, Hope Enterprises, Ltd., a Texas limited partnership (the Owner), is the owner of the following described property (the Property), being in particular a tract of land out of the John Witt Survey, Abstract No. 1584, and part of City Block 7006, City of Dallas ("City"), Dallas County, Texas, and being that same tract of land conveyed to Hope Enterprises, Ltd. by Grover H. Hope, by deed dated February 3, 1993 and recorded in Volume 93045, Page 2647, in the Deed Records of Dallas County, Texas, and by Mary L. Hope by deed dated February 3, 1993 and recorded in Volume 93045, Page 2641 in the Deed Records of Dallas County, Texas, and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

## II.

The Property was impressed with certain deed restrictions ("restrictions") as shown in an instrument dated April 22, 1982 signed by Grover H. Hope and recorded in Volume 82174, Page 3020-3023, of the Deed Records of Dallas County, Texas, a true and correct copy of which is attached to this instrument as Exhibit "A" and made a part of this instrument.

## III.

The Owner does hereby terminate and release all restrictions contained in Exhibit "A", and Exhibit "A" is no longer of any affect.

## IV.

The above termination was made following a public hearing before the City Plan Commission and a public hearing before and approval by the City Council of the City. Notice of the public hearings was given as would have been required by law for a zoning change on the Property. The Owner must file this instrument in the Deed Records of the county or counties where the Property is located at his or her sole cost and expense before the termination becomes effective.

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## V.

The termination of these restrictions is not intended to restrict the right of the City Council of the City to exercise its legislative duties and powers insofar as zoning of the Property is concerned.

## VI.

The Owner agrees to defend, indemnify, and hold harmless the City from and against all claims or liabilities arising out of or in connection with this instrument.

## VII.

Unless stated otherwise in this instrument, the definitions and provisions of CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," as amended, apply and are incorporated into this instrument as if recited in this instrument.

## VIII.

The invalidation of any provision in this instrument by any court shall in no way affect any other provision which shall remain in full force and effect, and to this end the provisions are declared to be severable.

EXECUTED at the City of Dallas, Dallas County, this the 28 day of November 1994.

Hope Enterprises Ltd., a Texas limited partnership  
 Owner Grover H. Hope  
 By: Grover H. Hope, General Partner

APPROVED AS TO FORM:

SAM A. LINDSAY, City Attorney

By Flora Bernardes  
 Assistant City Attorney

(3) A partnership acting by one or more partners:

STATE OF TEXAS

COUNTY OF Dallas

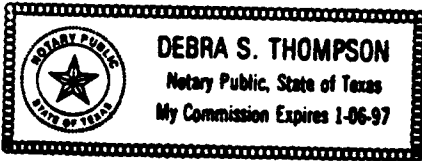
This instrument was acknowledged before me on November 28, 1994  
by Grover H. Hope, General Partner on behalf of Hope  
Enterprises, Ltd., a Texas limited partnership .

*Debra S. Thompson*  
(signature of officer)

Notary  
(Title of officer)

My commission expires: 1/6/97

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TERMINATION OF DEED RESTRICTIONS-EXHIBIT "A"

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DEED RESTRICTIONS

DEED RECORD

THE STATE OF TEXAS )  
COUNTY OF DALLAS )

KNOW ALL MEN BY THESE PRESENTS: 7.00 DE  
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That the undersigned, Grover H. Hope, is the owner of the following described property situated in Dallas County, Texas, being in particular a tract of land out of the John Witt Survey, Abstract No. 1584, City Block 7006, City of Dallas, Dallas County, Texas, and being that same tract of land conveyed to Grover H. Hope by Ruth Durham by deed dated August 28, 1972, and recorded in Volume 72171, Page 2405 and by John D. Mangram, etal, by deed dated January 23, 1974, and recorded in Volume 74127, Page 1998 and by B.A. Whitmarsh by deed dated January 14, 1981, and recorded in Volume 81104, Page 0003 in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

(SEE EXHIBIT "A" ATTACHED)

That the undersigned, Grover H. Hope, does hereby impress all of the following described property with the following deed restrictions, to-wit:

Any building constructed on the above described property shall be a maximum of one hundred feet high plus an additional height to allow for a mechanical penthouse above the one hundred foot level. The floor area of the buildings shall not exceed 593,000 sq. ft.

These restrictions shall superceed and replace the deed restrictions placed on Tract #1 of this property by the Deed Restrictions document dated the 11th day of June, 1979, and recorded in Volume 79151, Page 3202 in the Deed Records of Dallas County, Texas.

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.

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The 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 restrictions described herein are fully complied with.

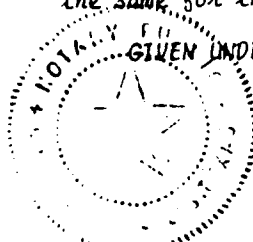
These restrictions are hereby declared covenants running with the land and shall be fully binding upon all persons acquiring property within the above described tracts, and any person by acceptance of title to any of the above described property shall thereby agree and covenant to abide by and fully perform the foregoing restrictions and covenants.

EXECUTED this the 22 day of April, 1982

Grover H. Hope

THE STATE OF TEXAS )  
COUNTY OF DALLAS )

BEFORE ME, the undersigned, a Notary Public in and for Dallas County, Texas, on this day personally appeared Grover H. Hope known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.



GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 22<sup>nd</sup> day of April, 1982.

Approved as to form:

LEE E. HOLT, City Attorney

Cheryl H. Culler  
NOTARY PUBLIC in and for DALLAS COUNTY, TEXAS

By Bunny R. Knight  
Assistant City Attorney

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## EXHIBIT "A"

## TRACT #1

BEING a part of a tract of 6.245 acres of land net in the JOHN WITT SURVEY, ABSTRACT NO. 1584, Dallas County, Texas; and being in City of Dallas Block No. 7006; and being the same property as described in TRACT ONE in the Judgment Cause No. 50369-E-101st Judicial District Court recorded in Volume N, Page 377 Minutes - W. J. Durham vs W. E. Davenport; and being more particularly described as follows:

BEGINNING at a point on the North line of the Jonas Wells 29.5 acre tract that is 1019.8 ft. East of the Northwest corner of said 29.5 acre tract, said Northwest corner being 29.0 ft. South of the Northeast corner of the Elisha Fike Survey, Abstract No. 478;

THENCE East, along an old fence on the North line of said 29.5 acre tract, 215.0 ft.;

THENCE South 150.0 ft. to a point in the North line of a 30 ft. road;

THENCE South 05 deg. 05' 00" East 370.0 ft. to a point in the South line of said 29.5 acre tract (an old hedge row);

THENCE West, along the South line of said 29.5 acre tract, 527.47 ft.;

THENCE North - 352.9 ft. to a point in the center of said 30 ft. road;

THENCE East - 282.52 ft.

THENCE North - 165.0 ft. to the POINT OF BEGINNING, save and except a 50 ft. ROW along the Northern boundary dedicated to County of Dallas for Spring Valley Road, and containing 4.7 acres of land.

## TRACT #2

BEING a tract or parcel of land situated in Dallas County, Texas, and being a part of City of Dallas Block No. 7006, and being a part of the John Witt Survey Abstract No. 1584, and also being a part of a 29.50 acre tract as recorded in Volume 2105, Page 110, Deed Records Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point, said point being the most Easterly Southeast corner of the Herschel V. Forester 7.849 acre tract as recorded in Volume 74110, Page 0675, Deed Records Dallas County, Texas;

THENCE West 282.52 feet to a point for corner;

THENCE North 115.60 feet to a point in the South line of Spring Valley Road for corner;

THENCE along the South line of Spring Valley Road and with a curve to the left which has a radius of 1050.0 feet, a distance of 35.55 feet to a point for corner;

THENCE East 246.97 feet and with the South line of Spring Valley Road to a point for corner;

THENCE South 115.0 feet to the PLACE OF BEGINNING and containing 32,494.0 square feet or 0.746 acres of land

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*[Handwritten Signature]*  
CLERK

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STATE OF TEXAS  
 COUNTY OF DALLAS  
 I hereby certify that this instrument was duly recorded on this date and was returned to me by the County Clerk of Dallas County, Texas, on the 2nd day of September, 1982, and that the same is a true and correct copy of the original as shown by the records of Dallas County, Texas.

SEP 2 1982

*[Handwritten Signature]*

COUNTY CLERK, Dallas County, Texas

RETURN TO  
 ROBERT S. SLOAN  
 CITY SECRETARY  
 CITY HALL  
 DALLAS, TEXAS 75201