

COUNCIL CHAMBER 843621

November 14, 1984

Block 7760

WHEREAS, the deed restrictions in the attached instrument have been volunteered in conjunction with a request for an O-1 Office District zoning which was approved by the City Council October 31, 1984, on Zoning Case #Z834-288/1115-N on property on the south side on Spring Valley Road, west of Goldmark Drive; 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:

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 O-1 Office District as described in Ordinance ~~18465~~.

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.

cc: Building Inspection - 2
Planning and Development - 2

0095P/101P

APPROVED BY
CITY COUNCIL

NOV 14 1984

Robert H. ...
City Secretary

APPROVED AS TO FORM:
ANNIE LESLIE MANNING, City Attorney

By *[Signature]*
Assistant City Attorney

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

DEED RESTRICTIONS

STATE OF TEXAS

COUNTY OF DALLAS

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KNOW ALL MEN BY THESE PRESENTS:

THAT the undersigned, Matcco Investment Corporation, a corporation authorized to do business in the State of Texas, is the owner of the following described property situated in Dallas County, Texas, being in particular a tract of land out of the Charles H. Durgin Survey, Abstract No. 416, City Block 7760, City of Dallas, Dallas County, Texas, and being that said tract of land conveyed to Matcco Investment Corporation by K. T. Bailey by deed dated November 28, 1978, and recorded in Volume 78230, Page 2041, in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

TRACT NO. 1-A:

BEING a tract of land in the Charles H. Durgin Survey, Abstract No. 416, City Block 7760, City of Dallas, Dallas County, Texas, and being out of a 90.415 acre tract of land conveyed to T. C. Stricklin by Paul Pewitt, as recorded in Volume 68154, Page 0083, Dallas County Deed Records, and being more particularly described as follows:

COMMENCING at the Southwest corner of the intersection of Floyd Road (a 60' R/W) and Spring Valley Road (a 100' R/W);

THENCE South 88 degrees 39 minutes West, with the South line of said Spring Valley Road, 1445.91 feet to the Place of Beginning of the tract herein described; an iron stake set for corner;

THENCE South 504.86 feet to an iron stake set for corner, said point being on a curve to the left, having a radius of 286.27 feet, a central angle of 52 degrees 43 minutes and a tangent bearing of North 76 degrees 16 minutes West;

THENCE in a Northwesterly, Westerly and Southwesterly direction, and along said curve, 263.39 feet to the end of said curve; an iron stake set for corner;

THENCE South 51 degrees 01 minutes West, 204.12 feet to a point in a West line of the aforementioned T. C. Stricklin tract; an iron stake set for corner;

THENCE North, with said West line of said T. C. Stricklin tract, 679.25 feet to a point in the South line of the aforementioned Spring Valley Road; an iron stake set for corner;

THENCE North 88 degrees 39 minutes East, with the South line of said Spring Valley Road, 407.00 feet to a place of beginning and containing 224,153 square feet (5.15 acres) of land, more or less.

BEING a tract of land situated in the Charles H. Durgin Survey, Abstract No. 416, City Block 7760, City of Dallas, Dallas County, Texas, and being out of a 90.415 acre tract of land conveyed to T. C. Stricklin by Paul Pewitt, as recorded in Volume 68154, Page 0083, Dallas County Deed Records, and being more particularly described as follows:

COMMENCING AT THE Southwest corner of the intersection of Floyd Road (a 60' R/W) and Spring Valley Road (a 100' R/W):

THENCE South 88 degrees 39 minutes West, with the South line of said Spring Valley Road, 1445.91 feet to a point;

THENCE South, 504.86 feet to the place of beginning of the tract herein described; iron stake set for corner;

THENCE South, 364.93 feet to an iron stake set for corner;

THENCE South 45 degrees 37 minutes West, 532.70 feet to an iron stake set for corner;

THENCE South 88 degrees 44 minutes West, 26.15 feet to a point in a West line of the aforementioned T. C. Stricklin property; an iron stake set for corner;

THENCE North, with said West line of said T. C. Stricklin property, 554.05 feet to an iron stake set for corner;

THENCE North 51 degrees 01 minutes East, 204.12 feet to the beginning of a curve to the right, having a radius of 286.27 feet and a central angle of 52 degrees 43 minutes; an iron stake set for corner;

THENCE in a Northeasterly, Easterly and Southeasterly direction and along said curve, 263.39 feet to the place of beginning and containing 208,351 square feet (4.78 acres) of land, more or less.

That the undersigned, Matco Investment Corporation, does hereby impress all of the above described property with the following deed restrictions, to-wit:

- (1) That the floor area ratio of all buildings to be constructed on the above described property shall be limited to a floor area ratio of point seven five to one (.75:1), as such floor area ratio is defined in the Development Code of the City of Dallas.
- (2) That the primary access to any parking structure (either below grade or above grade) shall be from Goldmark Drive and such parking structures shall be oriented toward Goldmark Drive.
- (3) The owners will not object to the City of Dallas closing the cut in the median strip on Spring Valley Road adjacent to the above described property.

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 an additional ten (10) years unless terminated in a manner specified herein.

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.

These 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 2 day of November, 1984.

MATICO INVESTMENT CORPORATION

By [Signature]
Assistant City Attorney

By [Signature]
Howard V. Matthews, President

STATE OF California
COUNTY OF Los Angeles

BEFORE ME, the undersigned a notary public, in and for Los Angeles County, California, on this day personally appeared HOWARD V. MATTHEWS, 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 purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 2nd day of November, 1984.

[Signature]