

Whereas, the deed restrictions in the attached instrument have been volunteered in conjunction with a request for a Shopping Center zoning which was approved by the City Council on July 23, 1980, involving Zoning File #Z790-234/2451-E on property at the northeast corner of Audelia Road and Tiffany Trail; 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 a development of property zoned a Shopping Center District as described in Ordinance # 16654.

Section 2. That said deed restrictions 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.

cc: Urban Planning
Building Inspection
City Secretary

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

By Barry R. Knight
Assistant City Attorney

APPROVED E. Sach Schroy ^{by Anne} _{Asst. Dir.} APPROVED _____ APPROVED _____
HEAD OF DEPARTMENT CITY AUDITOR CITY MANAGER

THE STATE OF TEXAS
 COUNTY OF DALLAS

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KNOW ALL MEN BY THESE PRESENTS:

9.00 DEED
 10/09/80

That the undersigned, AUDELIA SQUARE LIMITED, a Texas Limited partnership, is the owner of the following described property situated in Dallas County, Texas:

BEING all lots 8, 9, 10 and 11, City Block J/8429 in the City of Dallas, Texas lying generally at the southeast corner of Audelia Road and Buckingham Road.

That the said owner does hereby impress all of the above described property, hereinafter referred to as "the property", with the following deed restrictions:

1. The property may not be used for any of the following uses, as listed and defined in the comprehensive general zoning ordinance of the City of Dallas:

- (a) Hotel or motel (8)
- (b) Amateur communication tower above 60 feet (16.1)
- (c) Radio, television or microwave tower (20)
- (d) Utility not elsewhere listed (25)
- (e) Hospital (40)
- (f) Establishment of religious, charitable or philanthropic nature (41)
- (g) Bar, lounge or tavern (63)
- (h) Eating place with dancing or entertainment (67)
- (i) Laboratory: scientific testing-precision (73)
- (j) Medical appliance fitting and sales (74)
- (k) Studio: broadcasting and/or recording (79)
- (l) Pawn Shop (129)
- (m) Second-hand store, used furniture or rummage shop (no outside display) (130)
- (n) Tool and equipment rental (inside display only) (133)
- (o) Amusement commercial (inside) (136)
- (p) Club, private: lodge or fraternal organization (139)
- (q) Helistop (152)
- (r) Carwash or autolaundry (158)
- (s) Auto glass muffler and/or seat cover shop (159)
- (t) Automobile, motorscooter or motorcycle display sales and service (inside display) (162)
- (u) Auto repair garage (inside) (165)
- (v) Service station (motor vehicle fuel) (175)

(w) Stone and/or gravel extraction (197)

2. No building or structure shall exceed twenty-four (24) feet in height. Roof top structures such as mechanical and cooling equipment and ornamentation shall not exceed an additional six (6) feet in height.

3. A garden shop and plant sales display or greenhouse, as defined in the comprehensive general zoning ordinance, is permitted, except that outside display of any merchandise other than growing plants is prohibited.

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 City Council of the City of Dallas. Notice of such hearings shall be given as would be required by law for a zoning change on the property.

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 violation or attempting to violate such restriction, either to prevent him from doing so 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 and 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 the 14th day of July, 1980.

AUDELIA SQUARE LIMITED, a Texas Limited Partnership

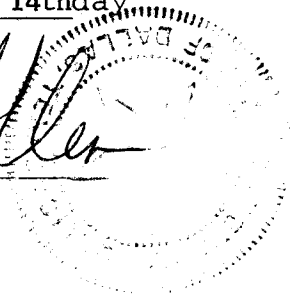
BY: Phillip L. Jordan
General Partner
George E Pittard
General Partner
Albert Fink
General Partner

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 **Phillip Jordan, George E Pittard, Albert Fink**, general partner of AUDELIA SQUARE, LTD., a Texas Limited Partnership, known to me to be the person and partner whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said AUDELIA SQUARE LTD., a Texas Limited Partnership, and that he executed the same as the act of such Texas Limited Partnership for the purposes and considerations herein expressed in the capacity herein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 14th day of July, 1980.

Laura A. Allen
Notary Public
Dallas County, Texas



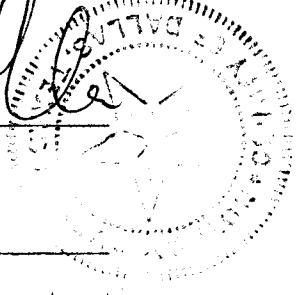
12-16-81
My commission expires:

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 **Phillip Jordan, George E Pittard, Albert Fink** general partner of AUDELIA SQUARE, LTD., a Texas Limited Partnership, known to me to be the person and partner whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said AUDELIA SQUARE LTD., a Texas Limited Partnership, and that he executed the same as the act of such Texas Limited Partnership for the purposes and considerations herein expressed in the capacity herein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 14th day of July, 1980.

Laura A. Allen
Notary Public
Dallas County, Texas



12-16-81
My commission expires:

THE STATE OF TEXAS §
§
COUNTY OF DALLAS §

VOL PAGE
80199 0648

BEFORE ME, the undersigned, a Notary Public in and for

Dallas County, Texas, on this day personally appeared Philip Jordan
George Pittard, Albert Fink general partner of AUDELIA SQUARE, LTD.,
a Texas Limited Partnership, known to me to be the person and
partner whose name is subscribed to the foregoing instrument
and acknowledged to me that the same was the act of the said
AUDELIA SQUARE LTD., a Texas Limited Partnership, and that
he executed the same as the act of such Texas Limited Partner-
ship for the purposes and considerations herein expressed in
the capacity herein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 14th day
of July, 1980.

Samuel A. Allen

Notary Public
Dallas County, Texas



12-16 81
My commission expires:

Approved as to form:
LEE E. HOLT, CITY ATTORNEY

By Barry R. Knight
Assistant City Attorney

VOL PAGE
80199 0649

RETURN TO:
OFFICE OF THE CITY SECRETARY
CITY HALL
DALLAS, TX 75201

1 51
9 AM
OCT 8 1980

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 named record
of Dallas County, Texas as stamped hereon by me.

OCT 9 1980



L. E. Murdoch

COUNTY CLERK, Dallas County, Texas

VOL PAGE
80199 0650