

MAR 28 1979

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WHEREAS, the deed restrictions in the attached instrument have been volunteered in conjunction with a request for Office-2 zoning which was approved by the City Council of the City of Dallas on February 7, 1979 on Zoning File #Z789-144/2954-N on property on the south side of the Lyndon B. Johnson Freeway, east of Goldwaite Drive; and,

WHEREAS, said deed restrictions amend those certain deed restrictions dated August 21, 1978 and recorded in Volume 78182, Pages 3461-3464 of the Deed Records of Dallas County, Texas; 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 Office-2 District as described in Ordinance No. 15937 and Ordinance No.

Section 2. That said deed restrictions shall amend those certain deed restrictions as recorded in Volume 78182, Pages 3461-3464 of the Deed Records of Dallas County, Texas.

Section 3. That said deed restrictions shall be filed with the County Clerk to be recorded in the Deed Records of Dallas County, Texas.

Section 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

cc: Urban Planning
Building Inspection
City Secretary

APPROVED BY
CITY COUNCIL

MAR 28 1979

Robert S. Sloan
City Secretary

7406

Approved as to form:

LEE E. HOLT, City Attorney

By *Robert J. Young*
Assistant City Attorney

APPROVED

HEAD OF DEPARTMENT

APPROVED

CITY AUDITOR

APPROVED

CITY MANAGER

DEED RESTRICTIONS

STATE OF TEXAS §
 §
 COUNTY OF DALLAS §

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, HINES/LBJ ASSOCIATES, LTD., a Texas limited partnership ("Owner"), is the owner of that certain tract of real property located and situated in the City of Dallas, Dallas County, Texas, more particularly described on Exhibit A attached hereto and made a part hereof for all purposes (the "Real Property I");

WHEREAS, Owner also owns that certain tract of real property located and situated in the City of Dallas, Dallas County, Texas, more particularly described on Exhibit B attached hereto and made a part hereof for all purposes (the "Real Property II"); and

WHEREAS, Owner desires to restrict the construction of improvements on the Real Property I and the Real Property II (collectively, the "Real Property") and in conjunction therewith Owner desires to amend those certain Deed Restrictions (the "Prior Restrictions") dated August 21, 1978, with respect to the Real Property I, recorded in Volume 78182, Page 3461, of the Deed Records of Dallas County, Texas, in the manner and to the extent set forth herein;

NOW, THEREFORE, Owner does hereby impress the Real Property with the following deed restrictions, and Owner does hereby amend the Prior Restrictions to the extent necessary to conform the Prior Restrictions herewith:

1. Vertical construction of buildings on the Real Property shall be limited to four (4) office floors, plus additional space (height) for architectural features; however, in no event shall such vertical construction exceed seventy-five (75) feet in height from the curb line of the Real Property; and

2. The total square foot area of all floors in all buildings constructed on the Real Property shall not exceed one hundred thousand (100,000) square feet.

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 Real 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 power insofar as zoning of the Real Property is concerned.

These restrictions inure to the benefit of the City of Dallas, and Owners 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 or 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 all or any portion of the Real Property, and any person by acceptance of title to all or any portion of the Real Property shall thereby agree and covenant to abide by and fully perform the foregoing restrictions and covenants.

IN WITNESS WHEREOF, Owners ^{has} ~~have~~ executed these Deed Restrictions, this 22nd day of February, 1979.

OWNER ~~s~~

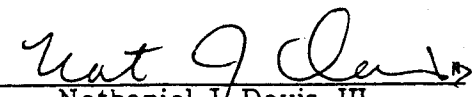
HINES/LBJ ASSOCIATES, LTD.,
a Texas limited partnership

By: HINES/DALLAS INDUSTRIAL, LTD.-II,
a Texas limited partnership,
its General Partner

By: HINES INDUSTRIAL CORPORATION,
a Texas corporation,
a General Partner

By 
Richard W. Slaven,
Vice President

By: HINES & CO.,
a Texas corporation,
a General Partner

By 
Nathaniel J. Davis, III,
Vice President

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, this day personally appeared Richard W. Slaven, Vice President of HINES INDUSTRIAL CORPORATION, a general partner of HINES/DALLAS INDUSTRIAL, LTD.-II, the general partner of HINES/LBJ ASSOCIATES, LTD., known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of HINES/LBJ ASSOCIATES, LTD., for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 23rd day of February, 1979.

Cathy L. Bailey
Notary Public in and for Dallas County,
Texas

My Commission Expires:
1-22-80

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, this day personally appeared Nathaniel J. Davis, III, Vice President of HINES & CO., a general partner of HINES/DALLAS INDUSTRIAL, LTD.-II, the general partner of HINES/LBJ ASSOCIATES, LTD., known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of HINES/LBJ ASSOCIATES, LTD., for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 5th day of March, 1979.

Elizabeth G. Hagen
Notary Public in and for Harris County,
Texas

My Commission Expires:
10-31-80

Approved as to form:
Charles M. Horton Jr.
Assistant City Attorney

EXHIBIT A

ATTACHED TO AND MADE A PART OF
DEED RESTRICTIONS BY
HINES/LBJ ASSOCIATES, LTD.

Description of Real Property I

Situated in Dallas County, Texas, being a tract of land out of the I. Parks Survey, Abstract No. 1144, and being in City of Dallas Block 7406, and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the South line of LBJ Freeway (I.H. 635), said point being approximately 509 feet from the West line of Spurling Drive, as measured along the South line of LBJ Freeway, said point also being at the Northwest corner of a tract of land now or once owned by Joanna M. Walker, et al.;

THENCE South along the west side of said Walker tract, a distance of 435.6 feet to a point for a corner;

THENCE East along the south side of said Walker tract, a distance of 100.0 feet to a point for a corner;

THENCE South and parallel to the East line of Goldwaite Drive, a distance of 54.0 feet to a point for a corner;

THENCE West and parallel to the South line of LBJ Freeway, a distance of 255.0 feet to a point for a corner;

THENCE North along the East line of Goldwaite Drive, a distance of 489.6 feet to a point for a corner;

THENCE East along the South line of LBJ Freeway, a distance of 155.0 feet to the PLACE OF BEGINNING, and containing approximately 1.866 acres of land, more or less.

EXHIBIT B

ATTACHED TO AND MADE A PART OF
DEED RESTRICTIONS BY
HINES/LBJ ASSOCIATES, LTD.

Description of Real Property II

Situated in Dallas County, Texas, being a tract of land out of the I. Parks Survey, Abstract No. 1144, and being in City of Dallas Block 7406, and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the South line of LBJ Freeway (I.H. 635), said point being approximately 409 feet from the West line of Spurling Drive, as measured along the South line of LBJ Freeway, said point also being at the Northwest corner of a tract of land now or once owned by H & S Limited-II;

THENCE South along the west side of said H & S Limited-II tract, a distance of 435.6 feet to a point for a corner;

THENCE West and parallel to the South line of LBJ Freeway, a distance of 100.0 feet to a point for a corner;

THENCE North and parallel to the East line of Goldwaite Drive, a distance of 435.6 feet to a point for a corner;

THENCE East along the South line of LBJ Freeway, a distance of 100.0 feet to the PLACE OF BEGINNING, and containing approximately 1.000 acre of land, more or less.
