

WHEREAS, the deed restrictions in the attached instruments have been volunteered in conjunction with a request for a GO(A) General Office District which was approved by the City Council on March 22, 1989, on Zoning Case #Z889-118/2954-N on property on the west side of Spurling Drive, south of the Lyndon B. Johnson Freeway; 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 instruments 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 a GO(A) General Office District as described in Ordinance 20281.

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.

- c: Building Inspection - 2
- Planning and Development - 2

Approved as to form:  
ANALESIE MUNCY, City Attorney


By Angela M. Graves  
Assistant City Attorney

89-12/tr

**APPROVED BY  
CITY COUNCIL**

APR 26 1989

Robert S. Lane  
City Secretary

APPROVED  APPROVED \_\_\_\_\_ APPROVED \_\_\_\_\_  
 HEAD OF DEPARTMENT                      DIRECTOR OF FINANCE                      CITY MANAGER

STATE OF TEXAS §  
 COUNTY OF DALLAS §

AMENDMENT TO DEED RESTRICTIONS

6015

2

11.00 DEED  
 2 05/08/89

WHEREAS JOHN HANCOCK MUTUAL LIFE INSURANCE COMPANY, a Massachusetts corporation ("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"), pursuant to a General Warranty Deed dated October 1, 1984, filed for record in Volume 84205, Page 0040 of the Deed Records of Dallas County, Texas; and

WHEREAS, the construction of improvements on the Real Property was restricted in the manner and to the extent set forth in the Deed Restrictions dated December 5, 1977 and filed for record in Volume 78002, Page 0486 of the Deed Records of Dallas County, Texas, attached hereto at Exhibit B and made a part hereof for all purposes (the "Restrictions"); and

WHEREAS some, but not all of the Real Property is covered by the Restrictions, the Owner has agreed that all of the Real Property is to be included within the coverage of the Restrictions, including, but not limited to that property described in Exhibit C attached hereto and made a part hereof for all purposes;

NOW, THEREFORE, to the extent any of the Real Property has not heretofore been covered by the Restrictions, the Owner hereby agrees as follows:

1. All of the Real Property is covered by and is subject to the Restrictions.
2. Owner agrees to pay all costs incurred in connection with the execution and consummation of this Agreement.
3. Except as amended and modified herein, the Restrictions remain in full force and effect as originally set out.

IN WITNESS WHEREOF, Owner has executed this Amendment to Deed Restrictions, this 28<sup>th</sup> day of March, 1989.

OWNER:

JOHN HANCOCK MUTUAL  
 LIFE INSURANCE COMPANY  
 a Massachusetts corporation  
 By: John Hancock Properties, Inc.

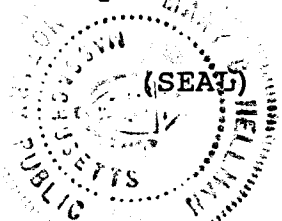
Approved as to form:  
 ANA LESLIE MUNCY, City Attorney

By: Angela M. Coates  
 Assistant City Attorney

By: Roland P. Burke  
 Roland P. Burke  
 Associate Vice President

COMMONWEALTH OF MASSACHUSETTS §  
§  
COUNTY OF SUFFOLK §

This instrument was acknowledged before me on March 28th, 1989, by Roland P. Burke, Associate Vice President of John Hancock Properties, Inc., on behalf of said corporation acting on behalf of JOHN HANCOCK MUTUAL LIFE INSURANCE COMPANY, a Massachusetts corporation.



Mary C. Hellman  
Notary Public in and for the Commonwealth of Massachusetts

My Commission Expires: 11/2/94

MARY C. HELLMAN  
Print name of notary

## EXHIBIT A

## PROPERTY DESCRIPTION

BEING a tract of land situated in the Isaiah Park Survey, Abstract No. 1144, and being all of Lot 1, Block 7406 of Hines Park Place Addition, an addition to the City of Dallas as recorded in Volume 81209, Page 2579, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod found for corner situated in the South line of L.B.J. Freeway (I.H. 635) and being East a distance of 252.00 feet from the East line of Goldwaite Drive, said iron rod further being the Northwest corner of the aforementioned Lot 1;

THENCE EAST continuing with said L.B.J. Freeway (I.H. 635) a distance of 212.00 feet to an iron rod found for corner;

THENCE S 00°00'30" W departing said L.B.J. Freeway (I.H. 635) a distance of 435.45 feet to an iron rod set for corner;

THENCE S 89°58'32" E a distance of 196.91 feet to an iron rod set for corner situated in the West line of Spurling Drive (a 53' R.O.W.)'

THENCE S 00°00'20" W along said Spurling Drive a distance of 107.08 feet to an iron rod set for corner;

THENCE S 89°51'20" W departing said Spurling Drive a distance of 409.29 feet to an iron rod found for corner;

THENCE N 00°06'20" E a distance of 108.36 feet to an iron rod found for corner;

THENCE N 00°02'05" E a distance of 435.30 feet to the POINT OF BEGINNING and containing 3.1316 acres of land, more or less.

## EXHIBIT B

## DEED RESTRICTIONS

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 eighty thousand (80,000) 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) 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.

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 power insofar as zoning of the Real Property is concerned.

These restrictions inure to the benefit of the City of Dallas, and Owners do 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, both 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 Real 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.

## EXHIBIT C

## PROPERTY DESCRIPTION OF ADDITIONS TO DEED RESTRICTIONS

BEING a tract of land situated in the Isaiah Park Survey, Abstract No. 1144, and being part of Lot 1 in Block 7406 of HINES PARK PLACE ADDITION, an addition to the City of Dallas as recorded in Volume 81209, Page 2579, Deed Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at a point situated in the West line of Spurling Drive, said point being approximately 488.68 feet from the South line of L.B.J. Freeway along the West line of said Spurling Drive;

THENCE S 00°00'20" W along the West line of said Spurling Drive a distance of 54.00 feet to a point for corner;

THENCE S 89°51'20" W departing said Spurling Drive a distance of 409.29 feet to the point for corner;

THENCE N 00°06'20" E a distance of 54.36 feet to a point for corner;

THENCE N 89°51'20" E a distance of 409.20 feet to the POINT OF BEGINNING and containing approximately 0.51 acres of land, more or less.

89089 1353

4981 68068

FILED

Earl Buirok  
COUNTY CLERK  
DALLAS COUNTY

1989 MAY -8 AM 9:40

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.  
STATE OF TEXAS COUNTY OF DALLAS  
I hereby certify this instrument was filed on the date and time stamped hereon by me and was duly recorded in the volume and page of the named records of Dallas County, Texas as stamped hereon by me.

MAY 8 1989



Earl Buirok  
COUNTY CLERK, Dallas County

No. 89-1304  
Return to City Secretary  
City Hall  
Dallas, Texas 75201

Received

MAR 30 1989

ZONING ADMINISTRATION