

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. Slone
City Secretary

APPROVED

HEAD OF DEPARTMENT

APPROVED

DIRECTOR OF FINANCE

APPROVED

CITY MANAGER

STATE OF TEXAS §
COUNTY OF DALLAS §

RECEIVED

1989 MAY 17 AM 10: 01

11.00 Recd

5-8-89

AMENDMENT TO DEED RESTRICTIONS
CITY SECRETARY 6015
DALLAS TEXAS

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 0024, 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 February 22, 1979 and filed for record in Volume 79066, Page 2695, 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 28th day of May, 1989

OWNER:

Approved as to form:
ANALESIE MUNCY, City Attorney

By Angela M. Coates
Assistant City Attorney

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

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

EXHIBIT A

PROPERTY DESCRIPTION

BEING a tract of land situated in the Isaiah Park Survey, Abstract No. 1144, and being all of Lot 2, 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 intersection of East line of Goldwaite Drive (a 53' R.O.W.) and the South line of LBJ Freeway (I.H. 635);

THENCE EAST along the South line of said L.B.J. Freeway a distance of 252.00 feet to an iron rod found for corner;

THENCE S 00°02'05" W departing said L.B.J. Freeway a distance of 435.30 feet to an iron rod found for corner;

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

THENCE S 89°51'20" W a distance of 189.00 feet to a P. K. nail found for corner;

THENCE S 00°06'00" W distance of 323.18 feet to an iron rod found for corner;

THENCE N 89°52'32" W a distance of 121.50 feet to an iron rod found for corner;

THENCE N 00°06'00" E a distance of 667.15 feet to an iron rod found for corner;

THENCE S 89°54'00" E a distance of 58.00 feet to an iron rod found for corner situated in the East line of said Goldwaite Drive;

THENCE N 00°06'00" E a distance of 200.00 feet to the POINT OF BEGINNING and containing 4.5098 acres of land, more or less.

89089 1359

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 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.

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 2 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:

COMMENCING at a point of intersection of the South line of L.B.J. Freeway and the East line of Goldwaite Drive;

THENCE S 00°06'00" W along the East line of said Goldwaite Drive a distance of 200.00 feet to a point;

THENCE N 89°54'00" W along the South line of said Goldwaite Drive a distance of 3.00 feet to the POINT OF BEGINNING;

THENCE SOUTH a distance of 289.60 feet to a point for corner;

THENCE EAST a distance of 255.00 feet to a point for corner;

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

THENCE S 89°51'20" W a distance of 189.00 feet to a point for corner;

THENCE S 00°06'00" W a distance of 323.18 feet to a point for corner;

THENCE N 89°52'32" W a distance of 121.50 feet to a point for corner;

THENCE N 00°06'00" E a distance of 667.15 feet to a point for corner;

THENCE S 89°54'00" E along the South line of said Goldwaite Drive a distance of 55.00 feet to the POINT OF BEGINNING and containing approximately 1.658 acres of land, more or less.

89089 1368

FILED
Earl Burch
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
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 shown hereon by me.

MAY 8 1989



Earl Burch
COUNTY CLERK, Dallas County, Texas

No. 89-130C
Return to City Secretary
City Hall
Dallas, Texas 75201

Received

APR 05 1989

ZONING ADMINISTRATION