

WHEREAS, deed restrictions were executed on December 18 and December 20, 1973 and filed for record in the County Clerk's office of Dallas County, Texas on January 7, 1974 and recorded in Volume 74005, Pages 0185 and 0186 in conjunction with the granting of an Office-1 District and an Office-2 District on property described as being Lots 31, 32 and 33 in City Block C/7756 and Lots 1 and 2 in City Block C/7756, located on the east side of Coit Road between Kit Lane and Emily Road; and,

WHEREAS, a request has been made by Office Alpha II, a Texas Joint Venture, the owner of a tract of land described as being all of Lots 1, 2, 3 and 4 in City Block C/7756 to amend said deed restrictions by deleting Article 1 therefrom and substituting in its place the paragraph referenced in the attached amended instrument; and,

WHEREAS, the City Council of the City of Dallas reviewed said request in conjunction with an application for a change of zoning to an Office-2 District involving Lots 3 and 4 in City Block C/7756 at a public hearing held on May 23, 1979, and is of the opinion that Article 1 should be amended as specified in the attached amending instrument. Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That the request for the deletion of Article 1 and the subsequent insertion in its place of the paragraph referenced in the attached amending instrument be approved and that the City Manager be and is hereby authorized to execute the instrument on behalf of the City of Dallas, releasing said deed restriction as recorded in Volume 74005, Pages 0185 and 0186 of the Deed Records of Dallas County, Texas.

Section 2. That said amending deed restriction instrument 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 is accordingly so resolved.

Approved as to form:

LEE E. HOLT, City Attorney

By John E. Stott
Assistant City Attorney

cc: City Secretary
Urban Planning
Building Inspection

APPROVED BY
CITY COUNCIL

MAY 23 1979

Robert S. Glavin
City Secretary

APPROVED

HEAD OF DEPARTMENT

APPROVED

CITY AUDITOR

APPROVED

CITY MANAGER

THE STATE OF TEXAS)

)

AMENDMENT NO. 2 TO COVENANTS OF RESTRICTIO

COUNTY OF DALLAS)

DEED RECORD

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WHEREAS, office ALPHA II, A Texas Joint Venture, is the owner of a certain tract of land lying and being situated in the City of Dallas, County of Dallas, State of Texas, and is described as follows:

BEING all of lots 1, 2, 3 and 4 of Block C/7756 Valley View Estates Addition to the City of Dallas, Dallas County, Texas and

WHEREAS, EDGEMOR-RYA JOINT VENTURE, a partnership and DALLAS NORTH PROPERTIES, a Texas Limited Partnership, and IVY PROPERTIES II, INC., a Texas Corporation, being the Predecessor in title to said property, heretofore agreed with the City of Dallas to place certain restrictions upon Lots 1, 2, 31, 32 and 33 of the described tract of land in order to insure that the same be developed in a manner consistent with the development in the adjacent area, and

WHEREAS, as a result of the foregoing, EDGEMOR-RYA JOINT VENTURE and DALLAS NORTH PROPERTIES signed under date of December 20, 1973, a "Covenants of Restriction Agreement" and filed it with the City of Dallas; the City Council of said City having thereafter approved such agreement on 10 day of December 1973 and the document subsequently was filed with the County Clerk of Dallas County, Texas, on January 7, 1974, and

WHEREAS, IVY PROPERTIES II, INC., signed under date of April 19, 1979 agreed with the City of Dallas to amend said Covenants of Restriction Agreement by deleting Article I therefrom which reads "Construction on Lots 1 and 2, Block C/7756, will be to a maximum of five (5) stories and a height limitation of sixty feet (60')".

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NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

that officeALPHA II does hereby covenant that the
Covenants of Restriction Agreement dated December 20, 1973,
is hereby amended by deleting Article I which reads
"Construction on Lots 1 and 2, Block C/7756 will be to a
maximum of five (5) stories and a height of sixty feet (60').

and by inserting in its place the following paragraph:

"Construction on Lots 1 and 2 and the western sixty
five feet (65') of Lot 3 measured by a line running parallel
to the western boundary of lot 3, Block C/7756 in the City of
Dallas, Texas, will be to a maximum of five (5) stories and
a height limitation of sixty feet (60'); construction on the
remaining part of Lot 3 and all of Lot 4, Block C/7756 in the
City of Dallas, Texas, shall be limited to a parking structure
not to exceed twenty-four feet (24') in height."

EXCEPT as hereinabove amended, the terms and conditions
of said Covenants of Restriction Agreement dated December 20, 1973,
shall remain in full force and effect.

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EXECUTED BY officeALPHA II, A Texas Joint
Venture this 19th day of
April, 19 79.

officeALPHA II
A Texas Joint Venture

BY: C. Eugene Cohen
Joint Venturer

THE STATE OF TEXAS
COUNTY OF Dallas

Before me, the undersigned authority, on this
day personally appeared C. Eugene Cohen,
Joint Venturer of Office Alpha II Joint Venture
known to me to be the person whose name is subscribed
to the foregoing instrument, and acknowledged to me
that he executed the same as that act of Office Alpha
II, a Joint Venture, for the purpose and consideration
therein expressed and in the capacity therein stated.

Given under my hand and seal of office this 19th
day of April, 19 79.

Benita Bernard
Notary Public in and for
Dallas County, Texas

Approved as to form:

LEE E. HOLT, City Attorney

By: [Signature]
Assistant City Attorney

The foregoing Amendment to Deed Restrictions
has been duly approved by the city council
on the 23rd day of May, 1979.

THE CITY OF DALLAS
By: [Signature]
City Manager
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RETURN TO:
OFFICE OF THE CITY SECRETARY
ATTN: LESTER G. FORD
CITY HALL
DALLAS, TX 75201

COUNTY CLERK, Dallas County, Texas

L. E. Mudd



JUN 8 1979

STATE OF TEXAS
COUNTY OF DALLAS
I hereby certify that this instrument was
filed on the date and time stamped hereon
and was duly recorded in the records of Dallas
County, Texas as stamped herein by me.

L. E. Mudd
COUNTY CLERK
DALLAS COUNTY

JUN 7 7 PM 3:24 '79

