

WHEREAS, the deed restrictions in the attached instrument have been volunteered in conjunction with a request for an Office-1 District on Tract I and a Townhouse-2 District on Tract II which was approved by the City Council on June 27, 1979, on Zoning Case #Z789-187/3031-E on property generally located on the east side of Greenville Avenue, south of Green Oaks Circle: 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-1 District on Tract I and a Townhouse-2 District on Tract II, as described in Ordinance # 16291.

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.

Approved as to form:

LEE E. HOLT, City Attorney

By *John Estett*
Assistant City Attorney.

cc: Urban Planning
Building Inspection
City Secretary

APPROVED BY
CITY COUNCIL

JUL 18 1979

Robert S. Brown
City Secretary

APPROVED *[Signature]* APPROVED _____ APPROVED _____
HEAD OF DEPARTMENT CITY AUDITOR CITY MANAGER

DEED RESTRICTIONS

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
 COUNTY OF DALLAS §

That the undersigned, EXECUTIVE CONSTRUCTION, INC., is the owner of the following described property situated in the City of Dallas, County of Dallas, State of Texas:

Lot 2, Block A/8157
 Lot 3, Block A/8157
 Lot 1, Block F/8143

That the undersigned, EXECUTIVE CONSTRUCTION, INC., does hereby impress Lot 1, Block F/8143 and the southern fourteen (14) feet of Lot 3, Block A/8157 with the following deed restriction, to-wit:

The undersigned owner and its successors or assigns do hereby agree that no apartments as defined in the Comprehensive General Zoning Ordinance of the City of Dallas will be constructed on said lots or portions thereof.

That the undersigned, EXECUTIVE CONSTRUCTION, INC., does hereby impress the remainder of Lot 3 and all of Lot 2, Block A/8157 with the following deed restriction, to-wit:

The undersigned owner and its successors or assigns do hereby agree that all buildings constructed on said lots or portions thereof will be in the design of free standing and detached dwelling units as defined in the Comprehensive General Zoning Ordinance of the City of Dallas.

It is hereby declared to be the intention of the undersigned that the paragraphs, sentences, clauses and phrases of these deed restrictions are severable, and if any phrase, clause, sentence or paragraph of these deed restrictions shall be declared unconstitutional, invalid, or unenforceable by the valid judgment or decree or any court of competent jurisdiction, such unconstitutionality, invalidity, or unenforceability shall not effect any of the remaining phrases, clauses, sentences or paragraphs of these deed restrictions.

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 hearing shall be given as would be required by law for a zoning change on the property described herein.

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 the 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 violating or attempting to violate such restrictions, either 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 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 within the above-described tracts, and any person by acceptance of the title to any of the above-described properties shall thereby agree and covenant to abide by and fully perform the foregoing restrictions and covenants.

Executed this the 3rd day of May, 1979.

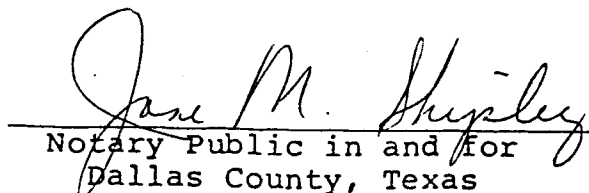
EXECUTIVE CONSTRUCTION, INC.


Gordon D. Browning, President

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

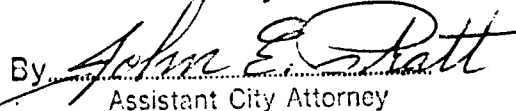
BEFORE ME, the undersigned, a Notary Public in and for Dallas County, Texas, on this day personally appeared GORDON D. BROWNING, whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the fully authorized act of said EXECUTIVE CONSTRUCTION, INC. and that he executed the same as the act of such entity for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 3rd day of May, 1979.


Notary Public in and for
Dallas County, Texas

My Commission Expires: 3/31/81

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

By 
Assistant City Attorney