

July 17, 1985

WHEREAS, the deed restrictions in the attached instrument have been volunteered in conjunction with a request for a GR General Retail District zoning which was approved by the City Council June 26, 1985, on Zoning Case #Z845-162/6568-E on property on the southeast side of Greenville Avenue, northeast of H & TC Railroad; 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 a GR General Retail district as described in Ordinance 18790.

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.

Approved as to form:  
AN LESLIE MUNCY, City Attorney

By   
Assistant City Attorney


cc: Building Inspection - 2  
Planning & Development - 2

**APPROVED BY  
CITY COUNCIL**

JUL 17 1985

  
City Secretary

0899P/bja

APPROVED   
HEAD OF DEPARTMENT

APPROVED \_\_\_\_\_  
DIRECTOR OF FINANCE

APPROVED \_\_\_\_\_  
CITY MANAGER

852276

DEED RESTRICTIONS

P.O. DEED  
11/17/2017

STATE OF TEXAS  
COUNTY OF DALLAS

§  
§  
§

**KNOW ALL MEN BY THESE PRESENTS:**

That the undersigned, Guy Vince, Inc. and Goodie Goodie Drive In, Inc., are the owners of the following described property situated in Dallas County, Texas, being in particular a tract of land out of the Neal McCreary Survey, Abstract No. 996, City Block No. 6139, City of Dallas, Dallas County, Texas, and being the same tract of land conveyed to Guy Vince, Inc. and Goodie Goodie Drive In, Inc. by Ruby Lee Wooten and Laura Leona Wooten Day by Deed dated October 31, 1984, and recorded in Volume 84226, Page 3111 in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEING a tract of land in the Neal McCreary Survey, Abstract No. 996, City Block 6139, City of Dallas, Texas, and being part of a 14.41 acre tract conveyed to Claude E. Wooten and Wife, Ruby Wooten, by Thomas A. Lowrey and Wife, Mary Aileen Lowrey, as recorded in Volume 3274, Page 333, Dallas County Deed Records, and being more particularly described as follows:

COMMENCING at the North corner of said Wooten Tract, said point being in the easterly line of Greenville Ave., said point also being in the southerly line of a 100 foot easement to Dallas Power and Light Company;

THENCE South 64 10' East, a distance of 302.43 feet to an iron rod set for a corner;

THENCE South 18 40' West, a distance of 252.56 feet to an iron rod set for a corner;

THENCE North 50 54' West, a distance of 320.22 feet to a P-K nail set in asphalt in the east line of Greenville Ave, said point being 8.0 feet from back of curb line;

THENCE North 18 40' East, 178.50 feet along the east line of Greenville Ave to the PLACE OF BEGINNING of this tract and CONTAINING 64,674 square feet of land.

The undersigned, Guy Vince, Inc. and Goodie Goodie Drive In, Inc., do hereby impress all of the above described property with the following deed restrictions, to-wit:

35146 1529

2845-162/6568-E

ZHONG ADMINISTRATION

MAY 15 1985

Received

- (1) That the owners shall install, provide and maintain in good condition an evergreen screening hedge at least 3.5 feet in height along the northern boundary line of the above described tract.
- (2) That the owners shall construct and maintain in good condition a six (6) foot high solid screening fence along the eastern boundary line of the above described tract.
- (3) That said evergreen screening hedge and solid screening fence shall be constructed and in place prior to the granting of Certificates of Occupancy for the use of any improvements to be constructed on the above described property after the date hereof.

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 property described herein.

The restrictions contained herein are not in any manner intended to restrict the rights of the City Council of the City of Dallas to exercise its legislative duties and powers insofar as zoning of the property is concerned.

These restrictions inure to the benefit of the City of Dallas, and the undersigned owner 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.

ZONING ADMINISTRATION

MAY 15 1985

Received

These restrictions are hereby declared covenants running with the land and shall be fully binding upon all persons acquiring property within the above described tract, and any person by acceptance of title to any of the above described property shall thereby agree and covenant to abide by and fully perform the foregoing restrictions and covenants.

EXECUTED this the 13 day of May, 1985.

GUY VINCE, INC.

By [Signature]  
President

GOODIE GOODIE DRIVE IN, INC.

By [Signature]  
President

Approved as to form  
ANALESLIE MUNCY, City Attorney

By [Signature]  
Assistant City Attorney

STATE OF TEXAS §  
  §  
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared Guy Vince, President of GUY VINCE, INC., a corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 13 day of May, 1985.

[Signature]  
Notary Public in and for  
Dallas County, Texas

My commission expires:  
12/29/86

ZONING ADMINISTRATION

MAY 15 1985

Received

852276

STATE OF TEXAS     §  
                                  §  
COUNTY OF DALLAS   §

BEFORE ME, the undersigned authority, on this day personally appeared Guy L. Lince, President of GOODIE GOODIE DRIVE IN, INC., a corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 12<sup>th</sup> day of May, 1985.

Jessie W. Lang  
Notary Public in and for  
Dallas County, Texas

My commission expires:  
10/29/88



ZONING ADMINISTRATION

MAY 15 1985

INDEXED

NO. 85-2276  
Return to City Secretary  
City Hall  
Dallas, Texas 75201



COUNTY CLERK, Dallas County, Texas

*Ed Ball*

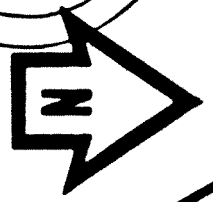
JUL 26 1985

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

1985 JUL 26 AM 9:23

*Ed Ball*  
COUNTY CLERK

85146 1533



2845-162/6568-E

FP  
(R-75)

R-10 SUP

4553

18-hole Golf Course  
Pro Shop Club

Park

GREENVILLE AVE.

GR

P

GR

Retail

GR

Retail

O-1

.PDno. 76

PDno. 76

76

WALNUT HILL LN

LN

GR

784

A G

-2)

852276

SALE OAKS

ROAD

WALNUT

MILL

D.R. 272-262  
D/3213 1/2

D.R. 284-  
306/4127E

(R-75)

