

WHEREAS, the deed restrictions in the attached instrument have been volunteered in conjunction with a request for a CR Community Retail District and a Planned Development District for Office, Retail and Residential Uses which was approved by the City Council on December 13, 1989, on Zoning Case #2889-216/2313-E on property on the northwest side of Greenville Avenue, southwest of Forest Lane; 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 CR Community Retail District and Planned Development District No. 327 as described in Ordinance 20531 and Ordinance 20532.

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 BY
CITY COUNCIL

89-12/ct

OEC 13 1989

Robert S. Lane
City Secretary

Approved as to form:
ANALEGUE MUNOY, City Attorney

By *Analeg Munoy*
Assistant City Attorney

APPROVED *Michael K. Loh*
HEAD OF DEPARTMENT

APPROVED _____
DIRECTOR OF FINANCE

APPROVED _____
CITY MANAGER

DEED RESTRICTIONS

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

That the undersigned, Bright Banc Savings Association ("BBSA"), is the owner of the following described property situated in Dallas County, Texas, being in particular a tract of land out of the J. M. Houx Survey, Abstract No. 579, City Block 7503, City of Dallas, Dallas County, Texas, and all of that property conveyed to BBSA by Warranty Deed recorded in Volume 85149, Page 3904 and part of that property conveyed to BBSA by Substitute Trustee's Deed recorded in Volume 85011, Page 4830 in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at point for corner situated in the Westerly line of Greenville Avenue (a variable R.O.W.) being S 16° 57' 30" W a distance of 560.83 feet from the South line of Forest Lane (a 90' R.O.W.);

THENCE S 16° 57' 30" W along said Greenville Avenue a distance of 245.90 feet to an iron rod set for corner;

THENCE N 78° 13' 74" W departing Greenville Avenue a distance of 470.57 feet to a 14" Hackberry tree for corner;

THENCE N 00° 09' 22" W a distance of 190.16 feet to a fence post for corner;

THENCE S 89° 58' 00" E a distance of 420.86 feet to a point for corner;

THENCE in a southeasterly direction along a curve with an angle of 43° 40' 28", radius of 61.47 feet and length of 46.86 feet to a point;

THENCE S 73° 02' 30" E a distance of 79.19 feet to the POINT OF BEGINNING, and containing approximately 2.7141 acres of land, more or less.

That the undersigned, Bright Banc Savings Association, does hereby impress all of the above described property, herein after referred to as the "Property", with the following deed restrictions, to-wit:

- (a) No detached sign shall be located on Tract 8-A, as shown in Exhibit "A", within 150 feet of Greenville Avenue.

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 must 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 must 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 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 or her from so doing or 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 are fully binding upon all persons acquiring or leasing property within the above described tract, and any person by acceptance of title to any of the Property shall thereby agree and covenant to abide by and fully perform the foregoing restrictions and covenants.

EXECUTED this the 5th day of December, 1989.

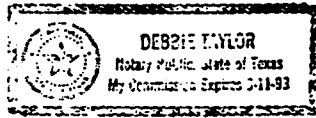
BRIGHT BANC SAVINGS ASSOCIATION

Kenneth E. Pulley
Kenneth E. Pulley
Executive Vice President

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

BEFORE ME, the undersigned, a Notary Public in and for Dallas County, Texas, on this day personally appeared KENNETH E. PULLEY, Executive Vice President, 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 5th day of December, 1989.



Debbie Taylor
Notary Public in and For
Dallas County, Texas

Approved as to form:
ANALESIE MUNCY, City Attorney

By Analesie Muncy
Assistant City Attorney

