

COUNCIL CHAMBER

743941

WHEREAS, The deed restrictions in the attached instrument have been volunteered in conjunction with a request for Townhouse-2 zoning which was approved by the City Council, April 1, 1974, on Zoning Case #Z74-101/3286-A on property generally located in the 4000 block of Northwest Highway, west of Midway Road;

Now, Therefore,

Be It Resolved by the City Council 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 Townhouse-2, as described in Ordinance # 14695

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, after approval thereof by the City Attorney.

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:

N. ALEX EICKLEY, City Attorney

By [Signature]  
Assistant City Attorney

APPROVED BY  
CITY COUNCIL

OCT 7 1974

[Signature]  
City Secretary

APPROVED \_\_\_\_\_

HEAD OF DEPARTMENT

APPROVED \_\_\_\_\_

CITY AUDITOR

APPROVED \_\_\_\_\_

[Signature]  
CITY MANAGER

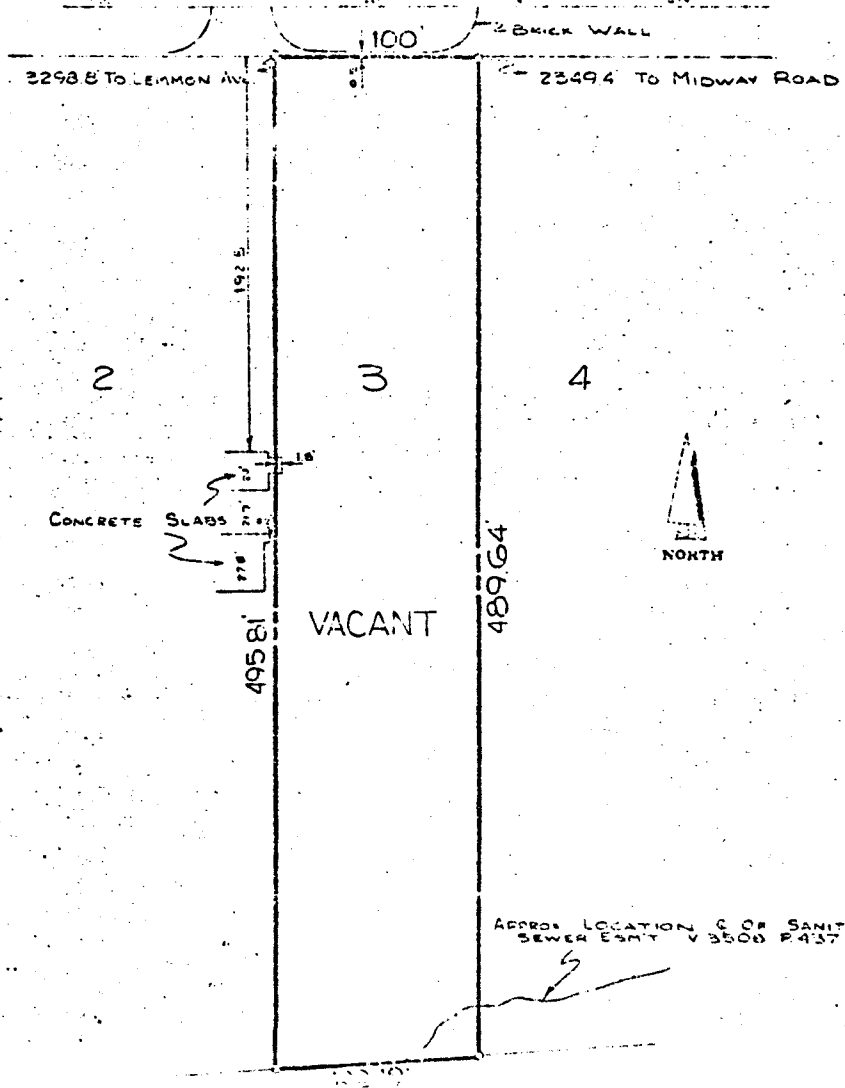
DEED RESTRICTIONS

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

That the undersigned, Ward Hunt, is the owner of the following described property situated in Dallas County, Texas being Lot 3, in Block 5074 of Owens Crest, an addition to the City of Dallas, Texas, according to the map thereof, recorded in Volume 9, Page 251 of the Map Records of Dallas County, Texas, and being more particularly described as follows:

This property has a true and correct copy of the plat of the property, as shown on the plat of Block 5074, Dallas County, Texas, recorded in Volume 9, Page 251 of the Map Records of Dallas County, Texas, and being more particularly described as follows:  
 Lot No. **3**     Block **5074**  
 Dallas County, Texas     49,272  $\pm$

**NORTHWEST HIGHWAY - STATE LOOP 12**



The plat herein is a true and correct copy of the plat of the property, as shown on the plat of Block 5074, Dallas County, Texas, recorded in Volume 9, Page 251 of the Map Records of Dallas County, Texas, and being more particularly described as follows:  
 Lot No. **3**     Block **5074**  
 Dallas County, Texas     49,272  $\pm$

Deed No. 2310  
 Date 2-21-74  
 W.O. No. 2310  
 Sub. No. 2310

MICHAEL ENGINEERS  
 CHAS. S. MILLER  
 1000 WEST LEXINGTON AVENUE  
 DALLAS, TEXAS 75201



That the undersigned, Ward Hunt, does hereby impress all of the above described property with the following restrictions, to-wit:

Said property may only be used for:

1. Rear Property Line Set-Back Restriction

No buildings shall be located nearer to the rear property line of the aforesaid lot than twenty-five (25) feet therefrom. For the purposes hereof, the rear property line is defined as the property line of the lot that neither intersects with nor is contiguous to the Northwest Highway right-of-way.

2. Density of Dwelling Units

The maximum density for dwelling units located upon the aforesaid lots shall not exceed 7.5 dwelling units per acre.

These restrictions shall continue in full force and effect for a period of twenty-five (25) years from this date. Such restrictions may not be removed, altered, modified or amended without first obtaining consent in writing from the governing body of the City of Dallas.

These deed restrictions 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 is concerned.

These restrictions inure to the benefit of the City of Dallas, Texas, 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 them from so doing and to correct such violation or to recover damages or other relief for 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, provided, however, that after the said twenty-five (25) year period referred to above, these restrictions may be released or modified by the City of Dallas.

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.

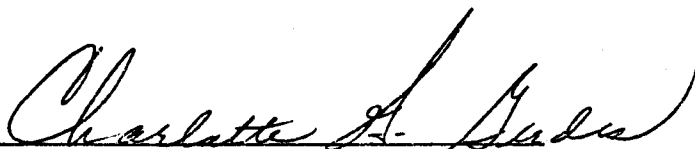
EXECUTED this 29th day of August, 1974.

  
\_\_\_\_\_  
Ward Hunt

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 Ward Hunt 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 29th day of August, 1974.

  
\_\_\_\_\_  
Notary Public in and for Dallas County, Texas

Approved as to form:

N. ALEX BICKLEY, City Attorney

By 

\_\_\_\_\_  
Assistant City Attorney