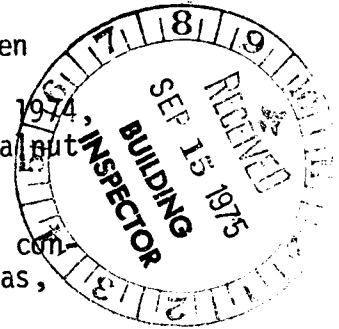


October 21, 1974

744129

WHEREAS, The deed restrictions in the attached instrument have been volunteered in conjunction with a request for Shopping Center and Office-2 zoning which was approved by the City Council, August 5, 1974, on Zoning Case #Z73-239/3162-B on property generally located on Walnut Hill Lane east of North Central Expressway; and



WHEREAS, said deed restrictions have been approved as to form and content and accepted by the City Plan Commission of the City of Dallas, Texas; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF DALLAS:

5458

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 Shopping Center and Office-2, as described in Ordinance # 96711.

Section 2. That said deed restrictions have been filed with the County Clerk of Dallas County, Texas, and recorded in Volume 74173, Page 1245, 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.

RESOLUTION UNANIMOUSLY ADOPTED

APPROVED BY CITY COUNCIL

OCT 21 1974

Handwritten signature: *Richard B. Hunt*  
City Secretary

Approved as to form:

N. ALEX DICKLEZ, City Attorney

By *[Signature]*  
Assistant City Attorney

APPROVED

LEAD OF DEPARTMENT

CITY AUDITOR

APPROVED

CITY MANAGER

DEED RESTRICTIONS

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

That the undersigned, GENERAL CONFERENCE CORPORATION OF SEVENTH-DAY ADVENTISTS, a non-profit corporation with its principal office in Washington, D. C., hereinafter sometimes referred to as GENERAL CONFERENCE, by and through its duly authorized officer indicated below, is the owner of the following described property situated in Dallas County, Texas, being in particular two tracts of land, hereinafter designated as TRACT "A" and TRACT "B" in the City of Dallas, Texas, Block Number 5469 and described as follows:

TRACT "A"

Being a 19.553 acre tract out of the David Barrow Survey, Abstract No. 177 and the Neal McCreary survey, Abstract No. 836, Dallas County, Texas, and being a portion of that certain tract of land conveyed to Dr. H. Taylor Huguley by W. J. Huguley, widow of W. J. Huguley, by deed recorded in Volume 5910, Page 191, Deed Records Dallas County, Texas and said 19.553 acre tract being more particularly described as follows:

BEGINNING, at the southeast corner of Glen Lakes Estates No. 1, an addition to the City of Dallas, Texas recorded in Volume 7, Page 188, Plat Records of Dallas County, Texas; said point of beginning being in the west right-of-way line of a 60-foot wide strip of land conveyed to Dallas Power & Light Co. by Texas Electric Railway Co. by deed recorded in Volume 3153, Page 618, Deed Records Dallas County, Texas;

THENCE, S 00° 34' 15" W, with the west line of said Dallas Power & Light Co.'s 60-foot right-of-way, a distance of 99.03 feet to a point for corner in the northwesterly line of Walnut Hill Lane; said point being in a curve whose center bears S 39° 59' 23" E, 1329.56 feet from said point;

THENCE, with said northwesterly line of Walnut Hill Lane and along said curve, curving to the left, through a central angle of 09° 17' 22", an arc distance of 215.56 feet to the end of said curve;

THENCE, S 40° 43' 15" W, with said northwesterly line of Walnut Hill Lane, a distance of 396.09 feet to the beginning of a curve to the right whose radius is 1220.63 feet;

VOL PAGE

71173 1221

THENCE, with said northwesterly line and along said curve to the right, through a central angle of  $32^{\circ} 58' 50''$ , an arc distance of 702.65 feet to a point for corner in the southwesterly line of the said Neal McCreary Survey;

THENCE, N  $45^{\circ} 42' 55''$  W, with southwesterly survey line, a distance of 503.49 feet to a point for corner in the east right-of-way line of North Central Expressway;

THENCE, N  $00^{\circ} 29' 45''$  E, with the said east right-of-way line of North Central Expressway, a distance of 573.99 feet to a point for corner;

THENCE, N  $89^{\circ} 59' 16''$  E, at 9.08 feet pass the southwest corner of said Glen Lakes Estates No. 1, addition, and continuing N  $89^{\circ} 59' 16''$  E, with the south line of said addition, in all, a distance of 1350.66 feet to the PLACE OF BEGINNING;

CONTAINING, 851,708.38 square feet, or 19.553 acres of land (such tract hereinafter referred to as TRACT "A").

TRACT "B"

Being a 6.333 acre tract out of the Neal McCreary Survey, Abstract No. 996, Dallas County, Texas, and being a portion of that certain tract of land conveyed to Dr. H. Taylor Huguley by W. J. Maculey, widow of W. J. Huguley by deed recorded in Volume 5920, Page 191, Deed Records Dallas County, Texas, and said 6.333 acre tract being more particularly described as follows:

BEGINNING, at a point in the west right-of-way line of a 60-foot wide strip of land conveyed to Dallas Power & Light Co. by Texas Electric Railway Co. by deed recorded in Volume 3188, Page 616, Deed Records Dallas County, Texas; said point of beginning being S  $00^{\circ} 34' 16''$  W, along said west right-of-way line, a distance of 234.86 feet from the southeast corner of Glen Lakes Estates No. 1, an addition to the City of Dallas, recorded in Volume 7, Page 198, Plat Records of Dallas County, Texas; said point of beginning being at the intersection of said west line of the Dallas Power & Light Co.'s right-of-way with the southeasterly line of Walnut Hill Lane;

THENCE, S  $00^{\circ} 34' 16''$  W, with said west line, a distance of 779.05 feet to a point for corner;

THENCE, N  $87^{\circ} 49' 16''$  W, a distance of 341.44 feet to a point for corner in the southeasterly line of said Walnut Hill Lane; said point being in a curve whose center bears N  $21^{\circ} 37' 49''$  W, 1320.69 feet from said point;

THENCE, with said southeasterly line of Walnut Hill Lane and along said curve, curving to the left, through a central angle of  $27^{\circ} 33' 50''$ , an arc distance of 637.31 feet to the end of said curve;

THENCE, N  $40^{\circ} 43' 15''$  E, with said southeasterly line of Walnut Hill Lane, a distance of 396.09 feet to the beginning of a curve to the right whose radius is 1229.56 feet;

THENCE, with said southeasterly line and along said curve to the right, through a central angle of  $05^{\circ} 10' 15''$ , an arc distance of 116.97 feet to the PLACE OF BEGINNING;

CONTAINING, 275,887.00 square feet, or 6.333 acres of land (such tract hereinafter referred to as TRACT "B").

That the undersigned GENERAL CONFERENCE does hereby impress all of TRACT "A" as set out and described above, with the following restrictions, to-wit:

Said property may only be used for:

1. The uses and purposes authorized in a Shopping Center District under the comprehensive zoning ordinance of the City of Dallas, as presently existing or as it may be hereinafter amended;
2. Save and except, and notwithstanding such tract's classification by the City of Dallas as a Shopping Center District, the undersigned owners, its successors and assigns do hereby agree to build and construct on such tract a minimum of 170,000 square feet of office and/or hotel space;
3. The undersigned owners and its successors or assigns do hereby agree that there will be a sixty (60) foot building line set back from the right-of-way line of North Central Expressway service road and Walnut Hill Lane;
4. The undersigned owners, its successors or assigns do hereby agree that there will be a minimum sixty (60) foot building set back line from the north property line of said TRACT "A", where adjacent to any area which carries the classification by the City of Dallas as a Single Family District; notwithstanding, nothing herein in this restriction is intended to apply to that portion of the northern property line of said TRACT "A" adjacent to areas presently bearing a zoning classification of Office-2 District, nor shall such restriction apply in the event the property adjacent to the northern property line of such TRACT "A", which is presently zoned Single Family, is rezoned by the City of Dallas, Texas, to a zoning classification of Office-1, Office-2, Shopping Center or General Retail prior to the time the undersigned owner, its successors or assigns apply for a building permit on TRACT "A";
5. The undersigned owner, its successors or assigns do hereby further agree to build and construct a six (6) foot masonry screening wall along the northern property line of such TRACT "A" adjacent to any area bearing the zoning classification by the City of Dallas of Single Family Residential District; notwithstanding, such restriction shall not be applicable in the event that the City of Dallas rezones such adjacent Single Family Residential area to a zoning classification district of Office-1, Office-2, Shopping Center or General Retail Districts, prior to the time

the owner, its successors or assigns, applies for building permit on TRACT "A";

6. The undersigned owner, its successors or assigns, hereby agrees to dedicate to the City of Dallas, Texas, for use as public rights-of-way a strip of land equal to five (5) feet in width extending along the entire length of the northern property line of TRACT "A" from the northwest corner of TRACT "A" easterly to the northeast corner of TRACT "A", such dedicated strip contemplated to be used for the widening of the existing alleyway presently adjacent to and running the entire eastwest length of the northern property line of TRACT "A"; notwithstanding, such agreement to dedicate the strip of land described herein for the widening of the existing alleyway on the northern property line shall not apply, in the event such alleyway is abandoned by the City of Dallas, Texas, and any and all parties having any rights thereto, prior to the time the undersigned owner, its successors or assigns, obtains a building permit on TRACT "A";

69  
7. The undersigned owner, its successors or assigns, hereby agrees to dedicate ~~herein~~ <sup>42</sup> ~~forty (40) feet~~ <sup>60</sup> ~~sixty (60) feet~~ to the City of Dallas, Texas, for use as a public right-of-way for the extension of Manderville Lane from that point at which Manderville Lane intersects with the northern property line of TRACT "A" south, for a distance of approximately 100 feet to allow Manderville Lane to intersect with Walnut Hill Lane.

That the undersigned GENERAL CONFERENCE, its successors or assigns does hereby impress all of TRACT "B" as set out and described above, with the following restrictions, to-wit:

Said property may only be used for:

1. The uses and purposes authorized in an Office-2 District under the comprehensive zoning ordinance of the City of Dallas, as presently existing or as it may be hereinafter amended;
2. Save and except, that no building located on TRACT "B" will be in excess of five (5) standard stories in height.

These restrictions, as they apply both to TRACT "A" and to TRACT "B", 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, its successors or assigns, 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) years period referred to above, these restrictions may be released or modified by the City of Dallas, if not sooner.

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 14<sup>th</sup> day of June, 1974.

GENERAL CONFERENCE CORPORATION  
OF SEVENTH-DAY ADVENTISTS

By: Theodore Carcich  
Theodore Carcich  
Vice-President

DISTRICT OF COLUMBIA I  
CITY OF WASHINGTON I

BEFORE ME, the undersigned, a Notary Public in and for said District of Columbia, City of Washington, on this day personally appeared Therese Carver, whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the duly authorized act of said GENERAL CONFERENCE CORPORATION OF SEVENTH-DAY ADVENTISTS, a non-profit corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 14th day of June, 1974.

Clara S. [Signature]  
NOTARY PUBLIC in and for the  
District of Columbia

My Commission Expires:

June 14, 1975

RESOLUTION

VOTED, to amend the deed of restriction executed pursuant to a Resolution, June 14, 1954, of the Board of Directors in Dallas County, Texas, describing a tract of land in the City of Dallas, Texas, Block 5469, which deed of restriction was placed in escrow with Dexter Fair Title Company, Dallas, Texas, as follows:

Amend Item 4, Page 3, by adding the word "minimum" at the end of line 2 thereof.

Amend Item 7, Page 4, by changing the following language from lines 2 and 3 of said item: "fifty (50) feet, up to a maximum of".

BOARDMAN HOLLAND, LAWYER, 6010 CARROLL AVENUE, P. O. BOX 4884, TACOMA PARK, MARYLAND 20912

VOLUME PAGE  
7170 667

CERTIFICATE OF ADOPTION OF RESOLUTION

DISTRICT OF COLUMBIA )  
CITY OF WASHINGTON )

SS

I, the undersigned, ~~JOHN XXXXXXXXXXX~~ B. J. KOHLER, first being duly sworn

on oath state:

Assistant

That I am the duly appointed, qualified, and acting/Secretary of the General Conference Corporation of Seventh-day Adventists, a religious corporation organized under the laws of the United States of America for the District of Columbia with its principal place of business at 6340 Eastern Avenue, N.W., Washington, D.C.

That as such Secretary I have in my possession and under my care, custody and control the official records of said Corporation.

That pursuant to and in strict conformity with the provisions of the Bylaws of said Corporation, the Board of Trustees of said Corporation at a duly constituted meeting of said Board, held on the 31st day of July, 1974, at which a quorum was present, did pass a Resolution, a copy of which is attached hereto, and I hereby certify that said attached copy of said Resolution is a true, full and complete copy of said Resolution adopted by the Board of Trustees as above set forth and entered upon the regular Minute Books of said Corporation and now is in full force and effect.

SOLEBMAN HOLDING, LAWYER, 7000 GARROLL AVENUE, TACOMA PARK, MARYLAND 20912

[Signature]  
B. J. Kohler, Assistant Secretary

SUBSCRIBED AND SWORN to before me this 31st day of July, 1974.

VOL PAGE  
74173 1208

[Signature]  
My Commission Expires June 14, 1975

CERTIFICATE OF PUBLIC NOTARIZATION

DISTRICT OF COLUMBIA )  
CITY OF WASHINGTON ) SS

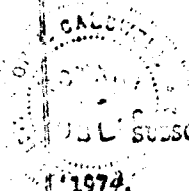
I, the undersigned, JOHN C. KOZEL, first being duly sworn on oath state:

That I am the duly appointed, qualified, and acting Secretary of the General Conference Corporation of Seventh-day Adventists, a religious corporation organized under the laws of the United States of America for the District of Columbia with its principal place of business at 6840 Eastern Avenue, N.W., Washington, D.C.

That as such Secretary I have in my possession and under my care, custody and control the official records of said Corporation.

That pursuant to and in strict conformity with the provisions of the Bylaws of said Corporation, the Board of Trustees of said Corporation at a duly constituted meeting of said Board, held on the 14th day of June, 1974, at which a quorum was present, did pass a Resolution, a copy of which is attached hereto, and I hereby certify that said attached copy of said Resolution is a true, full and complete copy of said Resolution adopted by the Board of Trustees as above set forth and entered upon the regular Minute Books of said Corporation and now is in full force and effect.

John C. Kozel  
John C. Kozel, Secretary



SUBSCRIBED AND SWORN to before me this 14th day of June, 1974.

VOL PAGE  
74173 1259

Osborne  
Notary Public  
My Commission Expires June 14, 1975

RESOLUTION

VOTED: To execute the Deed Restrictions on property situate in Dallas County, Texas, designated as Tracts A and B in the City of Dallas, Texas, Block No. 5469 which property is the property described in the Contract of Sale in which the General Corporation Conference is seller, and Peter G. McGuire, Trustee, is the purchaser; and that said Deed Restrictions be placed in escrow with the Dexter-Fair Title Company, Dallas, Texas, subject to recordation upon performance by the purchasers of the Contract of April 6, 1973, and to appoint FREDERICK GARGICH, Vice-President of the General Conference Corporation of Seventh-day Adventists, its true and lawful attorney in fact to acknowledge said instrument as the official act of said corporation.

SARAHAN HOLMES, LAWYER, 6010 CARROLL AVENUE, P. O. BOX 4884, TACOMA PARK, MARYLAND 20912

VOL Page  
74173 1260

Rick  
W. Johnson  
510 Quail Ridge  
Houston Texas 77002

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VOL PAGE  
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