

November 19, 1980 803134

WHEREAS, deed restrictions were volunteered in conjunction with the granting of an Office-2 zoning on property on the south side of Walnut Hill Lane west of the H. & T.C. Railroad as part of Zoning File #Z73-239/3162-B, and said deed restrictions were recorded in the deed records of Dallas County, Texas in Volume 74173, on Pages 1251 through 1257; and,

WHEREAS, said deed restrictions were amended by action of the City Council on May 17, 1978, and were filed for record in the deed records of Dallas County, Texas in Volume 78105, Pages 3524 through 3525; and,

WHEREAS, deed restrictions were volunteered in conjunction with the granting of an Office-2 District on property at the southeast corner of Walnut Hill Lane and Golf Lakes Trail involving Zoning File #Z767-279/4347-E, and said deed restrictions were filed in the deed records of Dallas County, Texas and recorded in Volume 78065, Pages 3426 through 3431; and,

WHEREAS, application has been made by Glen Lakes Park, Ltd., requesting an amendment to the above referenced deed restrictions by substituting in their place the restrictions stipulated in the attached instrument approved by the City Council at a public hearing held on April 23, 1980. Now, Therefore;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS, TEXAS:

Section 1. That the deed restrictions in the attached instrument as agreed to by the City Council in a public hearing held on April 23, 1980, be accepted and that the City Manager be and is hereby authorized to execute the instrument on behalf of the City of Dallas, releasing said deed restrictions recorded in Volume 74173, Pages 1251 through 1257 of the deed records of Dallas County, Texas, and the restrictions recorded in Volume 78105, Pages 3524 through 3525 in the deed records of Dallas County, Texas.

Section 2. That the amending deed restriction instrument 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 BY  
CITY COUNCIL

NOV 19 1980

Approved as to form:

LEE E. HOLT, City Attorney

cc: City Secretary  
Building Inspection  
Urban Planning

*Robert B. Schump*  
City Secretary

By *Burg R. Knight*  
Assistant City Attorney

APPROVED

*E. Jack Schupp*  
HEAD OF DEPARTMENT

APPROVED

CITY AUDITOR

APPROVED

*Lee E. Holt*  
CITY MANAGER



to Deed Restrictions covering Tract 2 recorded in Volume 78105, pages 3524-3525, of the Deed Records of Dallas County, Texas (the "Second Amendment to Deed Restrictions No. 1"); and,

WHEREAS, the Annuity Board of the Southern Baptist Convention, Herman Evans, Don Mann, and Stewart Carrell, being predecessors in title to a portion of the Land, being more particularly described on Exhibit "D," attached hereto and incorporated herein by the reference "Tract 3," heretofore agreed with the City of Dallas to place certain restrictions upon Tract 3 in order to ensure that the Land be developed in a manner consistent with the requirements of the City of Dallas; and,

WHEREAS, as a result of the foregoing, said predecessors in title executed deed restrictions covering Tract 3 which are recorded in Volume 78065, pages 3426-3431, of the Deed Records of Dallas County, Texas (the "Deed Restrictions No. 2"); and,

WHEREAS, for the purpose of carrying out a uniform plan for the improvement and development of the Land, Developer deems it necessary to further amend the existing covenants and deed restrictions for the Land and, by this amendatory instrument, Developer desires to completely cancel and revoke the applicable portions of Deed Restrictions No. 1, the Second Amendment to Deed Restrictions No. 1. and Deed Restrictions No. 2 and to completely substitute in lieu thereof this amendatory instrument and the covenants, conditions and restrictions herein contained and set out;

NOW, THEREFORE, Developer does hereby in all things amend, cancel and revoke the applicable portions of Deed Restrictions No. 1, the Second Amendment to Deed Restrictions

No. 1, and Deed Restrictions No. 2, and in lieu thereof and in order to better carry out a general and uniform plan for improvement, development and use of the Land, Developer does hereby adopt and establish the following covenants, conditions and restrictions which shall be applicable to the Land and govern its improvement, development and use:

1. The water reservoir located on the Land shall not be diminished in surface feet as the same existed as of the date of execution of Deed Restrictions No. 2, on or about January 11, 1978;
2. Development on the Land shall be limited to no more than eight hundred fifty thousand square feet (850,000 sq. ft.) of floor area in uses and purposes authorized in an Office-2 District under the Comprehensive General Zoning Ordinance of the City of Dallas, as amended.

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 of any court of competent jurisdiction, such unconstitutionality, invalidity, or unenforceability shall not affect 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 an additional period 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 tract, 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 28<sup>TH</sup> day of OCTOBER,  
1980

GLEN LAKES PARK, LTD.

By:

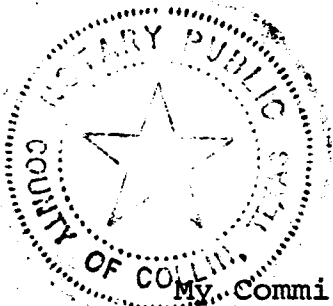
RK Lambert  
SENIOR VICE PRESIDENT  
MCFADDIN-KENDRICK, INC  
GENERAL PARTNER

THE STATE OF TEXAS §

COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared R. K. LAMBERT, Senior Vice President of McFaddin-Kendrick, Inc., a member of the partnership of Glen Lakes Park, Ltd., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act of the said Glen Lakes Park, Ltd., a limited partnership, and that he executed the same in the capacity therein stated and as the act and deed of said General Partner and as the act of such partnership for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 28th day of October, 1980.



Lee Ann Adams  
Notary Public in and for  
Said County and State

My Commission Expires:  
4/2/84

The foregoing Amendment to Deed Restrictions has been duly approved by the City Council of the City of Dallas, on the 19th day of November, 1980.

THE CITY OF DALLAS

By: [Signature]  
City Manager

Approved as  
LEE E. HOUL, City Attorney

By: [Signature]  
Assistant City Attorney

EXHIBIT "A"

BEING a tract of land situated in the Neal McCreary Survey, Abstract No. 996, and in the William Jenkins Survey, Abstract No. 702, also being in City Blocks Nos. 5457 and 5459, also being part of two tracts of land conveyed to F.E. Edmondson by J.W. Royall, trustee, by deed dated December 6, 1932 and recorded in Volume 1782, Page 0150, Deed Records of Dallas County, Texas, and also being part of a tract of land conveyed to Dr. H. Taylor Huguley by W.J. Huguley, by deed recorded in Volume 5920, Page 191, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point in the Southeast line of Walnut Hill Lane (a 100' R.O.W.), said point also being in the West line of Dallas Power & Light Co. R.O.W. (a 60' R.O.W.);

THENCE S 0°05'15" W, along the said West line of D.P. & L. R.O.W., 777.04 feet to a point for corner;

THENCE N 88°24' W, 29.07 feet to a point for corner;

THENCE S 7°29'57" W with said West line of said Dallas Power & Light R.O.W., a distance of 510.81 feet to a point for corner, said point also being a point for corner of Glen Lakes Apartments, a subdivision of the City of Dallas, as filed in Vol. 78247, Page 0001, Deed Records of Dallas County, Texas;

THENCE N 56°00'22" W, with the North line of said Glen Lakes Apartments, a distance of 145.57 feet to a point for corner;

THENCE S 86°14'08" W, with the North line of said Glen Lakes Apartments, a distance of 233.00 feet to a point for corner;

THENCE N 39°45'52" W, with the North line of said Glen Lakes Apartments, a distance of 240.00 feet to a point for corner;

THENCE S 76°14'08" W, with the North line of said Glen Lakes Apartments, a distance of 242.00 feet to a point for corner;

THENCE N 8°44'08" E, with the North line of said Glen Lakes Apartments, a distance of 158.00 feet to a point for corner;

THENCE West, with the North line of said Glen Lakes Apartments, a distance of 116.48 feet to a point for corner, said point being in the East line of said Golf Lakes Trail;

THENCE N 15°05'54" W, with the said line of Golf Lakes Trail, 140.71 feet to a point for corner, said point being in the south line of Walnut Hill Lane (a 100' R.O.W.), said point also being in a curve, curving in a Northeasterly direction having a radius of 1320.68 feet;

THENCE with said curve, and with the said line of Walnut Hill Lane through a central angle of 33°27'42" and an arc length of 771.30 feet to the end of said curve;

THENCE N 40°13'30" E, continuing with the said line of Walnut Hill Lane, 396.09 feet to the beginning of a curve, curving to the right having a radius of 1229.56 feet;

THENCE with said curve, through a central angle of 5°07'13" and an arc length of 109.88 feet to the POINT OF BEGINNING and containing 593,805 square feet (13.63 acres) of land, more or less.

VOL PAGE

80243 0480

EXHIBIT "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. E. Taylor Huguley by W. J. Huguley, 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 618, Deed Records Dallas County, Texas; said point of beginning being S 00° 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° 34' 16" W, with said west line, a distance of 779.05 feet to a point for corner;

THENCE, N 87° 49' 16" W, a distance of 841.44 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° 37' 49" W, 1320.68 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° 33' 56", an arc distance of 637.31 feet to the end of said curve;

THENCE, N 40° 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° 10' 15", an arc distance of 110.97 feet to the PLACE OF BEGINNING:

CONTAINING, 275,887.00 square feet, or 6.333 acres of land

COUNTY CLERK'S RECORD  
PORTIONS OF THIS  
DOCUMENT NOT  
REPRODUCIBLE  
WHEN RECORDED

1402L PAGE

80243 0482

EXHIBIT "C"

BEING an 80,002.66 square foot tract of land out of a 6.333 acre tract out of the Neal McCreary Survey, Abstract No. 996, Dallas County, Texas, said 6.333 acre tract 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 5920, Page 191, Deed Records of 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 618, Deed Records Dallas County, Texas; said point of beginning being S 00° 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° 34' 16" W, with said west line, a distance of 779.05 feet to a point for corner;

THENCE, N 87° 49' 16" W, a distance of 841.44 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° 37' 49" W, 1320.68 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° 38' 56", an arc distance of 637.31 feet to the end of said curve;

THENCE, N 40° 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° 10' 15", an arc distance of 110.97 feet to the PLACE OF BEGINNING:

CONTAINING, 275,887.00 square feet, or 6.333 acres of land;

SAID 80,002.66 square foot tract of land being more particularly described as follows:

BEGINNING, at a point in the south line of said 6.333 acre tract, said point being N 87° 49' 16" W, along said south line, 188.56 feet from the southeast corner of said 6.333 acre tract, a point in the west line of said 60-foot wide Dallas Power & Light Company right-of-way;

THENCE, N 87° 49' 16" W, with said south line of the 6.333 acre tract, a distance of 652.88 feet to a point for corner, same being the southwest corner of said 6.333 acre tract; said point being in the southeasterly line of Walnut Hill Lane and being in a curve whose center bears N 21° 37' 49" W, 1320.68 feet from said point;

THENCE, northeasterly, with said southeasterly line of Walnut Hill Lane and along said curve, curving to the left, through a central angle of 20° 39' 30", an arc distance of 476.18 feet to a point for corner;

THENCE, S 42° 17' 19" E, a distance of 372.43 feet to the PLACE OF BEGINNING:

CONTAINING, 80,002.66 square feet, or 1.8366 acres of land.

COUNTY CLERK'S OFFICE  
PORTIONS OF THIS  
DOCUMENT NOT  
REPRODUCIBLE  
WHEN RECORDED

EXHIBIT "D"

BEING a tract of land out of the WILLIAM JENKINS SURVEY, ABSTRACT 702, and the NEAL McCREARY SURVEY, ABSTRACT 996, and being out of the City of Dallas, Blocks 5457 and 5459 and also being a part of two tracts of land conveyed to F. E. EDMONDSON by J. W. ROYALL in Deed dated December 6, 1932, and recorded in Volume 1782, Page 150, of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the intersection of the East Right of Way line of North Central Expressway with the North line of the WILLIAM JENKINS SURVEY, said point being 95 feet Easterly from the Northwest corner of the WILLIAM JENKINS SURVEY and said point being the Northwest corner of a street easement granted to the City of Dallas in Volume 153, Page 926, of the Deed Records of Dallas County, Texas;

THENCE, N 89° 56' 27" East, 336.70 feet with the North line of the WILLIAM JENKINS SURVEY to the POINT OF BEGINNING:

THENCE, continuing N 89° 56' 27" E, 90.6 feet to a point for a corner in the Southwest line of the Neal McCreary Survey;

THENCE, N 46° 10' 53" West with the Southwest line of the Neal McCreary Survey, 110.34 feet to a point for a corner, said point being the Northwest corner of easement No 2 conveyed to the City of Dallas in Volume 153, Page 926, of the Deed Records of Dallas County, Texas;

THENCE, S 88° 23' 39" East, at 90.41 feet passing the Northeast corner of said easement No. 2 and the Southwest corner of a tract of land conveyed to Haney and Canon by Deed dated September 4, 1974, and recorded in Volume 74173, Page 1245 of the Deed Records of Dallas County, Texas and continuing along the common line between this tract and the South line of the Haney and Canon tract, 887.30 feet in all to a point for a corner in the West Right of Way line a Dallas Power and Light Company easement as recorded in Volume 3188, Page 618, Deed Records, Dallas County, Texas;

THENCE, S 6° 14' 08" West, with the West line of Dallas Power & Light easement, 509.42 feet to a point;

THENCE, N 56° 15' 52" W, 141.00 feet to a point;

THENCE, S 86° 14' 08" W, 233.00 feet to a point;

THENCE, N 39° 45' 52" W, 240.00 feet to a point;

THENCE, S 76° 14' 08" W, 242.00 feet to a point;

THENCE, N 08° 44' 08" E, 158.00 feet to a point;

THENCE, West, 128.33 feet to a point;

THENCE, North, 108.70 feet to the POINT OF BEGINNING AND CONTAINING 313,907.44 square feet or 7.21 acres of land, more or less.

COUNTY CLERK'S MEMORANDUM  
PORTIONS OF THIS  
DOCUMENT NOT  
REPRODUCIBLE  
WHEN RECORDED

VOLUME 80243 PAGE 0486

**RECEIVED**

OCT 28 1980

ZONING OFFICE

VOL PAGE

80243 0485

RETURN TO:  
OFFICE OF THE CITY SECRETARY  
ATTN: I  
CITY HALL  
DALLAS, TX 75201

RECEIVED  
OCT 23 1980  
ZONING OFFICE

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



DEC 15 1980

*L. E. Murdoch*

COUNTY CLERK, Dallas County, Texas

80-DEC 12 AM 8:45

80243 0487

FILED  
*L. E. Murdoch*