

March 8, 1978

78-0161

WHEREAS, the deed restrictions in the attached instrument have been volunteered in conjunction with a request for Shopping Center District zoning which was approved by the City Council on January 11, 1978, on Zoning Case #Z767-281/4347-E on property generally located at the southeast corner of Walnut Hill Lane and Central Expressway 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 Shopping Center District as described in Ordinance # 15763.

Section 2. That said deed restrictions shall 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

MAR 8 1978

Robert B. Slone
City Secretary

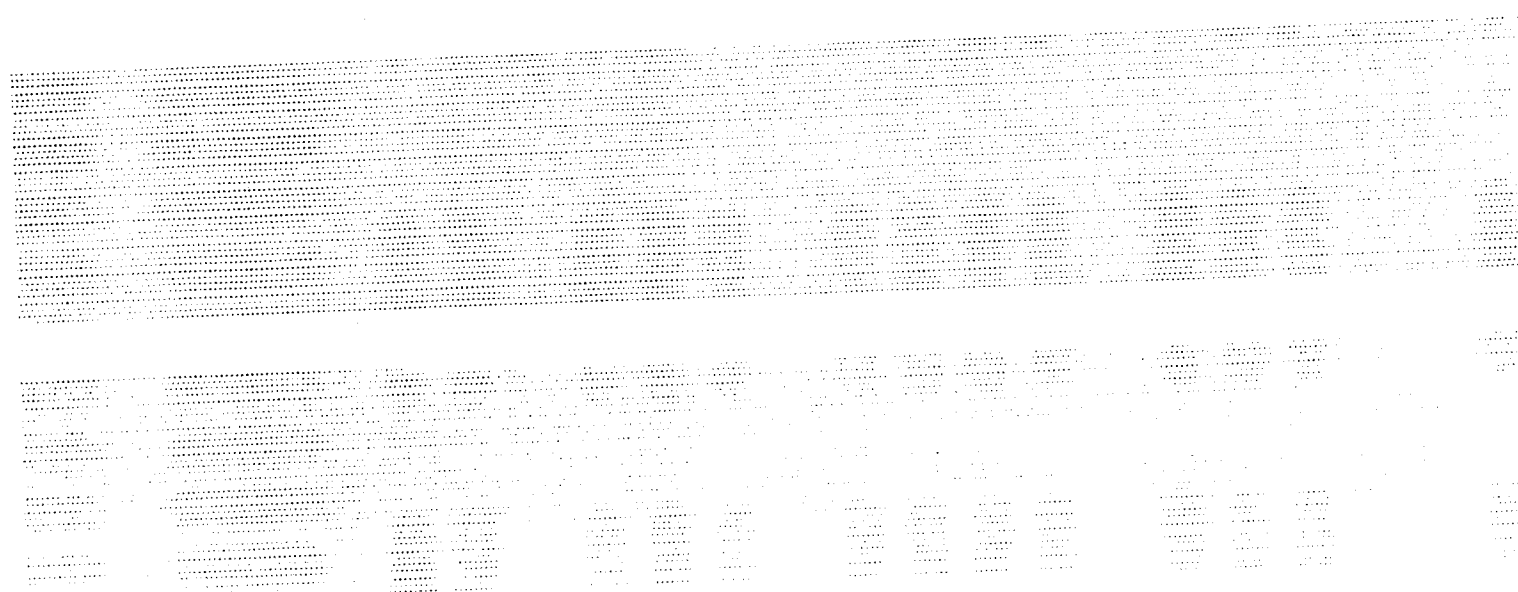
cc: Urban Planning
Building Inspection
City Secretary

Approved as to form:

LEE E. HOLT, City Attorney

Charles M. Porter
Assistant City Attorney
James R. [unclear]

APPROVED _____ APPROVED _____ APPROVED _____
HEAD OF DEPARTMENT CITY AUDITOR CITY MANAGER



DEED RESTRICTIONS

THE STATE OF TEXAS
COUNTY OF DALLAS

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KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, ~~The~~ Annuity Board of the Southern Baptist Convention, Herman Evans, Don Mann and Stewart Carrell, are the owners of the following described property situated in Dallas County, Texas, 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:

BEGINNING 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' 17" East, 336.70 feet with the North line of the WILLIAM JENKINS SURVEY to a point;

THENCE South 666.71 feet to a point;

THENCE, S 61° 43' 17" West, 415.29 feet to a point in the East Right of Way line of North Central Expressway;

THENCE, N 15° 38' 30" East with the East line of North Central Expressway, 107.66 feet to an angle point;

THENCE, North with the East line of North Central Expressway, 759.44 feet to the POINT OF BEGINNING AND CONTAINING 256,195.31 square feet or 5.88 acres of land, more or less.

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That the undersigned, ~~The~~ Annuity Board of the Southern Baptist Convention, Herman Evans, Don Mann and Stewart Carrell, do hereby impress all of the above described property with the following deed restrictions, to-wit:

That no structures shall be erected on the herein described property which shall exceed three stories in height, as more particularly defined by the general zoning ordinance of the City of Dallas;

Further, the two open particles of water located on such property shall be maintained in their general configurations.

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 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 owners hereof do 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 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 _____ day of _____, 1977.

DM SC. vity

~~The~~ Annuity Board of the Southern Baptist Convention

By: *Marvin T. York Jr.*
Its: SENIOR VICE PRESIDENT

Herman Evans

Herman Evans

Don Mann

Don Mann

Stewart Carrell

Stewart Carrell

THE STATE OF TEXAS
COUNTY OF DALLAS

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*H.G.
DM SC.*

BEFORE ME, the undersigned, a Notary Public in and for Dallas County, Texas, on this day personally appeared MARVIN T. YORK, JR., SENIOR VICE PRESIDENT of ~~The~~ Annuity Board of the Southern Baptist Convention, 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 this the 11th day of

January, 1978.

Louise Harris
NOTARY PUBLIC in and for
DALLAS COUNTY, TEXAS

Approved as to form:
LEE E. HOLT, City Attorney
By: Charles M. Hervey
Assistant City Attorney

THE STATE OF TEXAS §
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COUNTY OF DALLAS §

BEFORE ME, the undersigned, a Notary Public in and for Dallas County, Texas, on this day personally appeared Herman Evans, 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 2nd day of December, 1977.

Judith L. Cardwell
NOTARY PUBLIC in and for
DALLAS COUNTY, TEXAS

THE STATE OF TEXAS §
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COUNTY OF DALLAS §

BEFORE ME, the undersigned, a Notary Public in and for Dallas County, Texas, on this day personally appeared Don Mann, 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 2nd day of December, 1977.

Judith L. Cardwell
NOTARY PUBLIC in and for
DALLAS COUNTY, TEXAS

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 Stewart Carrell, 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 28th day of November, 1977.

Carol J. Underwood
NOTARY PUBLIC in and for
DALLAS COUNTY, TEXAS