

WHEREAS, the deed restrictions in the attached instrument have been volunteered in conjunction with a request for General Retail zoning which was approved by the City Council, May 24, 1978, on Zoning Case #Z778-177/17-E on property generally located at the southeast corner of Park Lane and Shady Brook 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 General Retail, as described in Ordinance #15853

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:

LEE E. HOLT, City Attorney

By [Signature]
Assistant City Attorney

APPROVED BY
CITY COUNCIL

JUN 14 1978

[Signature]
City Secretary

APPROVED

HEAD OF DEPARTMENT

[Signature]

APPROVED

CITY AUDITOR

APPROVED

CITY MANAGER

RESTRICTIONS

DEED RECORD

DEED RESTRICTIONS

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

That the undersigned, TIM BYRNE, is the owner of the following described property situated in Dallas County, Texas, being in particular a tract of land out of Lakeview Addition, all of Lot 9, City Block 13/5204, City of Dallas, Dallas County, Texas.

That the undersigned, TIM BYRNE, does hereby impress all of the above described property with the following deed restrictions, to-wit:

Use of the property shall be limited to the following types of retail business:

- (1) Eating place with beer, wine or liquor;
- (2) Pet shop;
- (3) Plant store;
- (4) Animal clinic or hospital (without outside run);
and
- (5) all other uses permitted in a Neighborhood Service District as defined in Chapter 51 of the Dallas City Code.

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 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 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.

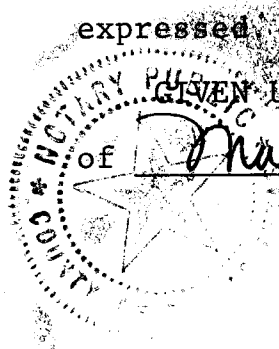
EXECUTED this the 25th day of May, 1978.

Tim Byrne
TIM BYRNE

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 TIM BYRNE, 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 25th day of May, 1978.



Cathryn A. Haynes
Cathryn A. Haynes, Notary Public in and for Dallas County, Texas

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Approved as to form:
LEE. E. HOLT, City Attorney
By [Signature]
Assistant City Attorney

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STATE OF TEXAS
 COUNTY CLERK, DALLAS COUNTY, TEXAS
 JUN 21 1978
 I hereby certify that this instrument was
 filed on the day and time stamped hereon
 by me and was duly recorded in the
 and page of the record books at Dallas
 County, Texas as stamped hereon by me.



78 JUN 20 PM 3:08

FILED
 COUNTY CLERK
 DALLAS COUNTY
X. E. Maddox

RECEIVED
 MAY 30 1978
 ZONING OFFICE

Return to
 City Secretary
 DALLAS CITY HALL
 75201

