

February 12, 1986

WHEREAS, the deed restrictions in the attached instrument have been volunteered in conjunction with a request for a GR General Retail District zoning which was approved by the City Council on February 12, 1986, on Zoning Case #Z845-329/3268-E on property at 6914 Holly Hill Drive, east of Greenville Avenue 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 a GR General Retail District as described in Ordinance

19023

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.

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.

cc: Building Inspection - 2  
Planning & Development - 2

APPROVED BY  
CITY COUNCIL

M117rc

FEB 12 1986

Approved as to form  
ANABELLE MUNCY, City Attorney

*Robert S. Glavin*  
City Secretary

By *[Signature]*  
Assistant City Attorney

APPROVED *[Signature]*  
HEAD OF DEPARTMENT

APPROVED \_\_\_\_\_  
DIRECTOR OF FINANCE

APPROVED \_\_\_\_\_  
CITY MANAGER

RECEIVED

DEED RESTRICTIONS 1986 MAR -5 AM 9:59

CITY SECRETARY DALLAS TEXAS

8051

DEED 1 02/20/86

THE STATE OF TEXAS X  
COUNTY OF DALLAS X

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, Virginia M. Wolfe, an individual, is the owner of the following described property situated in Dallas County, Texas, being in particular Lot 16, City Block 5/5197 of the Lakeview Addition to the City of Dallas, Dallas County, Texas, and recorded in Volume 1, Page 219 in the Deed Records of Dallas County, Texas, and being more particularly described in Exhibit A.

That the undersigned, Virginia M. Wolfe, does hereby impress all of the following described property with the following deed restrictions, to-wit:

No structure on the described property may exceed 40 feet in height, unless the described property is combined with an adjacent lot, by platting as one lot, and the property combined with the described property is zoned to permit a greater building height, and no restriction exists which would prevent the construction of a building of a greater height. In such a case, the maximum height allowed on the described property shall be the height allowed on the property with which it is combined or 120 feet, whichever is lower. If a height of greater than 40 feet is allowed, any structure exceeding 40 feet in height must be set back 50 feet from any lot line which separates the described property from any adjacent property zoned or restricted to residential uses. This setback is applicable only to the portion of a building which exceeds 40 feet in height. For the purposes of these restrictions, all the definitions of the Dallas Development Code, as amended, apply.

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.

86035 1340

2845-329/3268-E

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 or 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 11 day of February, 1986.

Approved as to form:  
ANALESLIE MUNOY, City Attorney

By

  
Assistant City Attorney

  
by: Virginia M. Wolfe

86035 1341

THE STATE OF TEXAS    X  
                                  X  
COUNTY OF DALLAS    X

BEFORE ME, the undersigned, a Notary Public in and for Dallas County, Texas, on this day personally appeared Virginia M. Wolfe, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 11 day of February, 1986.



*[Handwritten Signature]*  
NOTARY PUBLIC in and for  
DALLAS COUNTY, TEXAS

86035 1342

860486

Exhibit A

Situated in Dallas County, Texas, and being Lot 16,  
Block 5/5197 of the Lakeview Addition, an addition to the  
City of Dallas, Texas, and recorded in Volume 1, Page 219,  
Deed Records of Dallas County, Texas.

86035 1343

86035 1344

FILED  
*E. Bullock*  
COUNTY CLERK  
DALLAS COUNTY  
1986 FEB 20 AM 10:01

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 re-  
corded in the volume and page of the named records  
of Dallas County, Texas as stamped hereon by me.

FEB 20 1986



*E. Bullock*  
COUNTY CLERK, Dallas County, Texas

No. 86-0486  
Return to City Secretary  
City Hall  
Dallas, Texas 75201