

DECLARATION OF RESTRICTIONS

STATE OF TEXAS)
)
COUNTY OF DALLAS)

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, 9100 Midway Corporation is the owner of a certain tract of land located in City of Dallas Block 5573, fronting approximately 450 feet on the South line of Northwest Highway and 540 feet on the East line of Midway Road; and,

WHEREAS, in connection with City of Dallas Zoning Case No. Z72-210/2782-A, wherein 9100 Midway Corporation has made application for change of zoning to Townhouse District zoning under the Comprehensive Zoning Ordinance of the City of Dallas, the applicant has agreed to restrict the number of townhouses to be constructed on said tract of land to not more than 7.4 townhouse units per acre; and,

WHEREAS, the 9100 Midway Corporation desires to deed restrict said property in order to limit the number of townhouse units to not more than 7.4 units per acre on the hereinafter described tract of land: NOW, THEREFORE,

9100 MIDWAY CORPORATION, the owner of the hereinafter described tract of land located in City of Dallas Block 5573, and being more particularly described as follows, to-wit:

BEING a survey of a tract of 4.300 Acres of land in the WILSON BAKER SURVEY ABST. NO. 54 and the J. L. FARGUHAR SURVEY ABST. NO. 455, Dallas County, Texas; and being in City of Dallas Block No. 5573; and being part of two certain tracts of land which were conveyed to the 9100 MIDWAY CORPORATION by W. R. Goddrad et ux by deed dated Dec. 28, 1961, recorded in Vol. 5689, page 352, DRDCT; and said 4.300 Acres being more particularly described as follows:

BEGINNING at the point of intersection of the South line of Northwest Highway with the East line of the 4.2 acre tract (2nd Tr.) Vol. 5689, Pg. 352, an iron rod 0.2 ft. East of a fence;

THENCE SW 07° 05' 00", along the East line of said 4.2 acre tract, and passing thru a point on the Northbank of Bachman Branch that is 1.5 ft. West of the South end of above mentioned fence, in all on this line 423.0 ft. to a point in Bachman Branch;

THENCE SW 66° 42' 00", down Bachman Branch, 168.80 ft.;

THENCE NW 70° 27' 00", leaving said Branch and running along a fence line, 100.0 ft. to a fence corner post;

THENCE SW 58° 00' 00", along a fence line, 114.34 ft. to a point in the present Easterly line of Midway Road;

THENCE in a Northerly direction, along the Easterly line of Midway Road, as follows:

- 1st. Northwesterly; around a curve to the left that has a Central Angle of 41° 52' 12", a Radius of 581.8 ft. (bearing of radius at this point being NW 73° 16' 08"), a Tangent of 222.57 ft.; for a distance of 425.16 ft.
- 2nd. NW 25° 08' 20" - 115.24 ft. to the beginning of a curve to the right that has a Central Angle of 122° 13' 20", a Radius of 35.0 ft. and a Tangent of 63.43 ft.
- 3rd. Northeasterly, around said curve, 74.66 ft. to a point in said South line of the Northwest Highway;

THENCE SE 82° 55' 00", along the South line of the Northwest Highway, 445.23 ft. to the point of beginning and containing 4.300 Acres of land.

does hereby state and declare that the above described tract of land shall be, and is hereby made subject to the following restrictions, covenants and conditions hereby imposed thereon, as follows:

1. That there shall not be constructed upon the above described tract of land more than 7.4 residential townhouse units per acre, and that the total number of townhouse units on the above described tract shall not exceed 32 in number.
2. That these restrictions shall continue in full force and effect for a period of fifteen (15) years from this date, and may not be removed, altered, modified or amended without first obtaining consent in writing from the governing body of the City of Dallas.

EXECUTED this the 12 day of August, 1972.

9100 MIDWAY CORPORATION

By *W. R. [Signature]*

President

Approved as to form:

N. ALEX BICKLEY, City Attorney

By *[Signature]*

Assistant City Attorney

STATE OF TEXAS)
)
COUNTY OF DALLAS)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared W. R. Goddard, President of 9100 MIDWAY CORPORATION, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act of the said 9100 MIDWAY CORPORATION, a 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 the 7th day of August, 1972.

Notary Public in and for Dallas
County, Texas WM. M. JOHNS, Notary Public
In and for Dallas County, Texas

My Commission expires:
June 1, 1973.