

WHEREAS, the deed restrictions in the attached instrument have been volunteered in conjunction with a request for an LO Limited Office District zoning which was approved by the City Council on April 15, 1987, on Zoning Case #Z856-108/4839-N on property at the northeast corner of Lemmon Avenue and West Lovers 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 an LO Limited Office District as described in Ordinance 19538.

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

87-21/tr

Approved as to form:  
ANAESLIE MUNCY, City Attorney

**APPROVED BY  
CITY COUNCIL**

By Cara S. Hatcher  
Assistant City Attorney

MAY 13 1987

Robert B. Glavin  
City Secretary

APPROVED James Gilligan HEAD OF DEPARTMENT APPROVED \_\_\_\_\_ DIRECTOR OF FINANCE APPROVED \_\_\_\_\_ CITY MANAGER



ZONING ADMINISTRATION

MAY 05 1987

Received

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 Planning 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 zoning of the property is concerned.

These restrictions inure to the benefit of the City of Dallas, and the undersigned owner 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 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 on this the 15<sup>th</sup> day of November, 1986.

  
BERT A. NELSON

Approved as to form:  
ANALESIE MUNCY, City Attorney

By Carla S. Hatcher  
Assistant City Attorney



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 BERT A. NELSON, 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 15<sup>th</sup> day of November 1986.

Frank J. Sam  
Notary Public in and for Dallas County,  
Texas

My Commission expires:

8-3-89

No. 87-154  
Return to City Secretary  
City Hall  
Dallas, Texas 75201

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.

MAY 26 1967



*Earl Bullock*  
COUNTY CLERK, Dallas County, Texas

PROVISIONS CONTAINED IN ANY DOCUMENT WHICH RESTRICT  
THE SALE, RENTAL OR USE OF THE REAL PROPERTY DESCRIBED  
THEREIN BECAUSE OF RACE OR COLOR ARE INVALID UNDER  
FEDERAL LAW AND ARE UNENFORCEABLE.  
ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL  
OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR  
OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL  
LAW.

87 MAY 26 AM 8:16

*Earl Bullock*  
COUNTY CLERK  
DALLAS COUNTY

87100 0773

DEED RESTRICTIONS

871541

THE STATE OF TEXAS )  
COUNTY OF DALLAS )

KNOW ALL MEN BY THESE PRESENTS:

7599 2 7.00 DEED  
1 05/26/87

That the undersigned, Bert A. Nelson, is the owner of the following described property situated in Dallas, County, Texas, being in particular certain lots located in the City of Dallas, Dallas County, Texas being located in City Block D-5060 and being the same tracts of land conveyed to Bert A. Nelson by Texas Starker, Inc., Grantor, by deed dated September 24, 1984 and recorded in Volume 84215, Page 3830, in the deed records of Dallas County, Texas, deed dated September 24, 1984 and recorded in Volume 84215, Page 3832, in the deed records of Dallas County, Texas, deed dated September 24, 1984 and recorded in Volume 84215, Page 3834, in the deed records of Dallas County, Texas, deed dated September 24, 1984 and recorded in Volume 84215, Page 3836, deed records of Dallas County, Texas and deed dated September 24, 1984, and recorded in Volume 84215, Page 3838, deed records of Dallas County, Texas, and being more particularly described as follows:

Being all of Lots 1, 12, 13, 14 and the East 60 feet of lot 11, in Block D5060 of the Midway Manor Addition, an Addition to the City of Dallas, Dallas County, Texas according to the map thereof recorded in Volume 5, Page 475, Map Records, Dallas County, Texas.

The undersigned, Bert A. Nelson, does hereby impress all of the above described property, hereinafter referred to as "THE PROPERTY", with the following deed restrictions, to wit:

1. Metal facades are prohibited on THE PROPERTY, provided, however, that siding material made of aluminum (or other metal in common use in residential construction) which is fabricated and painted in such a way as to resemble wood, shall not be considered a metal facade for purposes of these restrictions.
2. No structure may be constructed on THE PROPERTY without a hipped or gable roof.
3. No more than fifty (50) percent of the facade of any building or structure on THE PROPERTY may be constructed with glass as a building material. Any facade using glass as a building material shall not be constructed of reflective glass with an exterior reflectance percentage in excess of ten (10) percent. Visible reflectance is the percentage of available visible light energy reflected away from the exterior surface of the glass. (The higher the percentage, the more visible light reflected and the more mirror-like the surface will appear.

DEED RESTRICTIONS - 1

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ZONING ADMINISTRATION

MAY 05 1987

Received

4. These deed restrictions apply to all new construction on THE PROPERTY. New construction includes any development that (a) increases the floor area of any structure more than ten percent (10%); (b) increases the number of stories of any structure; (c) increases the number of structures on THE PROPERTY; (d) or involves any modification of an existing structure which eliminates an existing gable roof or results in a change in the exterior building material over (covering) any exterior surface area in excess of ten percent of the total exterior surface area of any individual front, back or side of the structure.

5. Unless terms are defined specifically for the purposes of these restrictions, all definitions of the Dallas Development Code, as amended, apply and are incorporated into this document as if recited herein.

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 approval of the City of Dallas after a public hearing before the City Planning 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, and shall also be given to Briarwood Place Homeowners Association, Briarwood Place Homeowners, Bluffview Homeowners Association, Northpark/Love Field Civic League, Inwood Northwest Homeowners Association and the West Lovers Lane Homeowners Association.

These restrictions inure to the benefit of the Briarwood Homeowners Association, Briarwood Place Homeowners, Bluffview Homeowners Association, Northpark/Love Field Civic League and Inwood Northwest Homeowners Association, West Lovers Lane Homeowners Association and the undersigned owner does hereby grant to the Board of Directors of the above associations and organizations 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.

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 are hereby declared covenants running with the land and shall be fully binding upon all persons acquiring property within the above described tract,

ZONING ADMINISTRATION

APR 29 1987

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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 on this the 17<sup>th</sup> day of April, 1986.

Bert A. Nelson  
BERT A. NELSON

THE STATE OF TEXAS     §  
  §  
COUNTY OF DALLAS     §

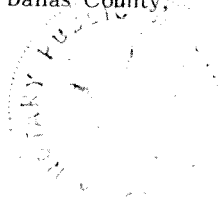
**BEFORE ME**, the undersigned, a Notary Public in and for Dallas County, Texas,  
on this day personally appeared BERT A. NELSON, known to me to be the person  
whose name is subscribed to the foregoing instrument and acknowledged to me that he  
executed the same for the purposes and consideration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

**GIVEN UNDER MY HAND AND SEAL OF OFFICE** this the 17<sup>th</sup> day of April,  
19 86.

Frank T. Jones  
Notary Public in and for Dallas County,  
Texas

My Commission expires:

8-89



ZONING ADMINISTRATION

APR 22 1987

Received

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.

MAY 26 1987



Earl Bullock  
COUNTY CLERK, Dallas County, Texas

No. 87-154  
Return to City Secretary  
City Hall  
Dallas, Texas 75201

PROVISIONS CONTAINED IN ANY DOCUMENT WHICH RESTRICT THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR ARE INVALID UNDER FEDERAL LAW AND ARE UNENFORCEABLE.  
ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

87 MAY 26 AM 8:16

FILED  
Earl Bullock  
COUNTY CLERK  
DALLAS COUNTY

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