

WHEREAS, the deed restrictions in the attached instrument have been volunteered in conjunction with a request for an NO(A) Neighborhood Office District zoning which was approved by the City Council on June 22, 1988, on Zoning Case #Z878-179/8514-N on property on the south side of Lovers Lane, east of Taos Road; 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 NO(A) Neighborhood Office District as described in Ordinance ~~19993~~ **19993**.

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.

c: Building Inspection - 2  
Planning and Development - 2

88-15/tr

APPROVED AS TO FORM:

ANALES LIE MUNCY, City Attorney

BY Angela Bowers  
Assistant City Attorney

**APPROVED BY  
CITY COUNCIL**

JUN 22 1988

Robert S. Lowe  
City Secretary

APPROVED [Signature] APPROVED \_\_\_\_\_ APPROVED \_\_\_\_\_  
HEAD OF DEPARTMENT CITY CONTROLLER CITY MANAGER

DEED RESTRICTIONS

THE STATE OF TEXAS X  
COUNTY OF DALLAS X

A

9264

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5.00 DEED  
1 06/27/88

KNOW ALL MEN BY THESE PRESENTS

That the undersigned, JOHN J. TOMAINO, is the owner of the property situated in Dallas County, Texas, being in particular Lot 14, Block 2/4993 in Greenway Terrace No. 2 an Addition to the City of Dallas, Texas according to the Map thereof recorded in Volume 9, page 153, Map Records, Dallas County, Texas situated in the City of Dallas, Dallas County, Texas, and being that same tract of land conveyed to John J. Tomaino by H. E. Jones by deed dated May 18, 1966, and duly recorded in Volume 75231, Page 595, in the Deed Records of Dallas County, Texas and being more particularly described as follows: Lot 14, Block 2/4993, Greenway Terrace No. 2 Addition, City and County of Dallas, Texas.

That the undersigned, JOHN J. TOMAINO, does hereby impress such described property, hereinafter referred to as "THE PROPERTY," with the following deed restrictions, to wit:

1. Reflective glass may not be used as an exterior building material on any building or structure on THE PROPERTY. For the purposes of these restrictions, reflective glass means glass with exterior visible reflectance percentages in excess of ten percent. Visible reflectance is the percentage of available visible light energy reflected away from the exterior of the glass. (The higher the percentage, the more visible light reflected and the more mirror-like the surface will appear.)

2. No structure on THE PROPERTY may exceed thirty (30) feet in height.

3. 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 10%;  
(b) increases the number of stories of any structure; or (c) increases the number of structures on THE PROPERTY.

4. Unless terms are defined specifically for the purposes of these restrictions, all definitions of CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," of the Dallas City 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 of this document, 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.

These restrictions contained herein are not in any manner intended to restrict the rights 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 the 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 23 day of March, 1988.

John J. Tomaino  
JOHN J. TOMAINO

STATE OF TEXAS \*

COUNTY OF DALLAS \*

BEFORE ME, the undersigned Notary Public, in and for the State of Texas, on this day personally appeared JOHN J. TOMAINO, 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 23 day of March, 1988.

Lisa Weatherford  
Notary Public in and for  
Dallas County, Texas

My commission expires:

4/91

APPROVED AS TO FORM:

ANALESIE MUNCY, City Attorney

By Angela Coates  
Assistant City Attorney

6937 72188

882001

FILED  
*Earl Buirok*  
COUNTY CLERK  
DALLAS COUNTY

88 JUN 27 AM 11:58

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.

STATE OF TEXAS  
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.

COUNTY OF DALLAS

JUN 27 1988



*Earl Buirok*

COUNTY CLERK, Dallas County, Texas

No. 88-2001  
Return to City Secretary  
City Hall  
Dallas, Texas 75201