

6/4911

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WHEREAS, the deed restrictions in the attached instrument have been volunteered in conjunction with a request for a Townhouse-2 District zoning which was approved by the City Council on December 17, 1980 on Zoning Case #Z790-317/22-N on property generally located at Inwood Road and Wateka, southeast corner; 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 Townhouse-2 District, as described in Ordinance # 16842.

Section 2. That said deed restrictions shall be filed with the County Clerk 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.

Approved as to form:

LEE E. HOLT, City Attorney

By Barry R. Knight
Assistant City Attorney

cc: Urban Planning - 1
Building Inspection - 2
City Secretary - 1

APPROVED BY
CITY COUNCIL

JAN 28 1981

[Signature]
City Secretary

APPROVED E. Jack Schoup APPROVED _____ APPROVED _____
HEAD OF DEPARTMENT CITY AUDITOR CITY MANAGER

DEED RESTRICTIONS

DEED RECORD

STATE OF TEXAS
COUNTY OF DALLAS

KNOW ALL MEN BY THESE PRESENTS

0458

9.00 DEED
0 1 03/10/81

WHEREAS, STANLEY S. HICKMAN (the "Applicant") is an applicant for a change of zoning on that certain tract of real property located and situated in the City of Dallas, Dallas County, Texas, more particularly described on Exhibit A attached hereto and made a part hereof for all purposes (the "Real Property"); and

WHEREAS, Applicant desires to restrict the construction of improvements on the Real Property in the manner and to the extent set forth herein;

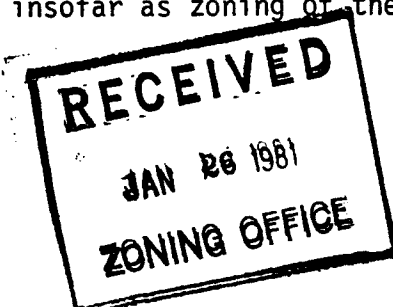
NOW, THEREFORE, Applicant does hereby agree to impress the Real Property with the following deed restrictions, to-wit:

Vertical construction of buildings on the Real Property shall be limited to two (2) stories, plus additional height for architectural features, however, in no event shall such vertical construction exceed thirty (30) feet in height as defined in the Dallas Comprehensive General Zoning Ordinance.

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 Real Property.

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 power insofar as zoning of the Real Property is concerned.



VOL PAGE

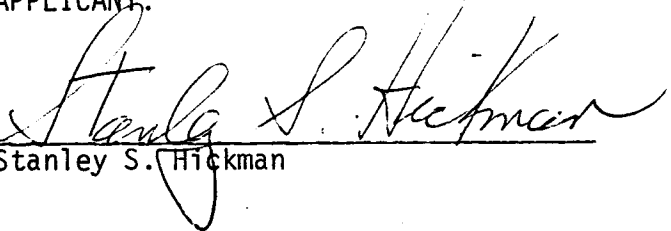
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These restrictions inure to the benefit of the City of Dallas, and Applicant does hereby grant to the City of Dallas the right to prosecute, at law and in equity, against the person violating or attempting to violate such restrictions, both to prevent 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 Real 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 all or any portion of the Real Property, and any person by acceptance of title to all or any portion of the Real Property shall thereby agree and covenant to abide by and fully perform the foregoing restrictions and covenants.

IN WITNESS WHEREOF, Applicant has executed these Deed Restrictions as of the 23 day of January, 1981.

APPLICANT:


Stanley S. Hickman

VOL PAGE

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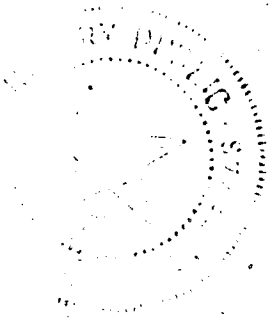


ACKNOWLEDGEMENTS

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, this day personally appeared STANLEY S. HICKMAN, 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 23rd day of January, 1981.



Marie Welton
Notary Public in and for
Dallas County, Texas

My Commission Expires:
July 11, 1984

Approved as to form:
LEE E. HOLT, City Attorney
By Gary R. Knight
Assistant City Attorney

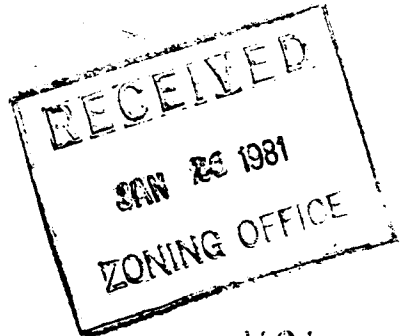


EXHIBIT A

ATTACHED TO AND MADE A PART OF
DEED RESTRICTIONS
BY STANLEY S. HICKMAN

LEGAL DESCRIPTION OF REAL PROPERTY

All that certain lot, tract or parcel of land situated in the City of Dallas, Texas, and being the South 110 feet of Lot 1, Block 1/4912, and the North 100 feet of Lot 4, Block 1/4912, SHANNON ESTATES ADDITION, an Addition to the City of Dallas, Texas, according to the Map recorded in Volume 5, Page 83, Map Records, Dallas County, Texas; all of Lot 1-A, B. CLESI RESUBDIVISION of part of Lot 1, Block 1/4912 of SHANNON ESTATES ADDITION, an Addition to the City of Dallas, Texas, according to the Map recorded in Volume 27, Page 161, Map Records, Dallas County, Texas; all of Lots 6 and 7, in Block 6/4911 of GREENWAY VILLAGE ADDITION, an Addition to the City of Dallas, Texas, according to the Map recorded in Volume 2311, Page 412, Map Records, Dallas County, Texas; and also all of a 10 foot alley strip lying between said Lot 7, in Block 6/4911, GREENWAY VILLAGE ADDITION and Lot 1-A, B. CLESI RESUBDIVISION of part of Lot 1, Block 1/4912, SHANNON ESTATES ADDITION, and being more particularly described in one tract as follows:

BEGINNING at the Northeast corner of Lot 6, Block 6/4911 of GREENWAY VILLAGE ADDITION, said point being on the west Right-of-Way line of Inwood Road;

THENCE South with said West line of Inwood Road a distance of 440.00 feet to a point for a corner, said point being 100 feet South of the Northeast corner of Lot 4, Block 1/4912, SHANNON ESTATES ADDITION;

THENCE West, severing said Lot 4, a distance of 200 feet to a point for a corner;

THENCE North, with the West line of Lot 4 and partially with the West line of Lot 1, Block 1/4912, SHANNON ESTATES ADDITION, a distance of 210 feet to a point for a corner;

THENCE East a distance of 7.5 feet to a point for a corner, said point being the Southwest corner of Lot 1-A, B. CLESI RESUBDIVISION of part of Lot 1, Block 1/4912, SHANNON ESTATES ADDITION;

THENCE North with the West line of said Lot 1-A, a distance of 75.0 feet to a point for a corner;

THENCE Northeasterly, continuing with the boundary line of said Lot 1-A, a distance of 21.21 feet;

THENCE East continuing with the boundary line of said Lot 1-A, a distance of 57.5 feet to a point for a corner;

THENCE North, passing at 5 feet, a corner of said Lot 1-A, and continuing a distance of 135 feet to a point for a corner, said point being the Northwest corner of Lot 6, Block 6/4911, GREENWAY VILLAGE ADDITION,

THENCE East, with the North line of said Lot 6, 123 feet to the PLACE OF BEGINNING.

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COUNTY CLERK, Dallas County, Texas

L. E. [Signature]



MAR 10 1981

STATE OF TEXAS
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.

81 MAR 9 AM 9:33

[Signature]
COUNTY CLERK
DALLAS COUNTY

Return to:
CITY SECRETARY
CITY HALL
DALLAS, TEXAS 75201