

March 14, 1984

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 22, 1984, on Zoning Case #Z823-286/6158-N on property at the southeast corner of Lovers Lane and Greenway Boulevard; 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, TEXAS:

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 **18194**.

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.

APPROVED BY  
CITY COUNCIL

MAR 14 1984

*Robert J. Starn*  
City Secretary

cc: Planning and Development - 2  
Building Inspection - 2

Approved as to form:  
ANAESLIE MUNCY, City Attorney

By *Mark J. Byrnes*  
Assistant City Attorney

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

DEED RESTRICTION

840970

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF DALLAS

7756

0

.00 DEED  
1 03/29/84

That the undersigned, Corrigan Properties, Inc., as the owner of the following described property situated in Dallas County, Texas, being:

5.82 acres of land, a part of Greenway Crest Addition to the City of Dallas, Texas located in the A. Bledsoe Survey, Abstract Number 88 and more particularly described as follows:

6534

0

35.00 DEED  
1 03/19/84

BEGINNING at a point in the south boundary line of Lovers Lane 491 feet West of the west right-of-way line of Saint Louis and San Francisco Railroad Company, said point being also the northwest corner of Lovers Lane Addition to the City of Dallas, Texas;

THENCE, West 800 feet along the south boundary line of Lovers Lane to an iron stake set in the east boundary line of Greenway Boulevard;

THENCE, South along the east line of Greenway Boulevard 317 feet;

THENCE, East 800 feet to the west line of Lovers Lane Addition;

THENCE, North along the west line of Lovers Lane Addition 317 feet to the place of beginning, and being a portion of the property described in a deed from Woodlane, Inc., a dissolved Texas corporation, to Corrigan Properties, Inc., a corporation, dated April 28, 1949, recorded in Volume 3124, page 593, Deed Records, Dallas County, Texas.

does hereby impress all of the said property with the following deed restrictions to-wit:

- (1) The height of any building on the property shall not exceed 39 feet, except the following structures may project a maximum of 12 feet above the specified height of 39 feet; elevator, penthouse or bulkhead, mechanical equipment, skylights, parapet, heating and air conditioning equipment;
- (2) The floor area ratio (as defined in the Dallas Development Code in effect on the date of execution of this document) on any portion of the property devoted to any non-residential use allowed in a General Retail District shall be limited to .41;
- (3) The total floor area of retail uses shall not exceed 72,000 square feet;
- (4) Landscaping shall be provided as shown on the landscape plan attached hereto as Exhibit B prior to the issuance of a Certificate of Occupancy for any retail use on the property. Landscaping as shown on the landscape plan attached hereto as Exhibit B shall be maintained in a healthy and growing condition at all times;
- (5) Non-residential buildings shall be contained within the building envelope line shown on the site plan attached hereto as Exhibit A.

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 10 years unless amended or 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, State of Texas. Notice of such 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 of Dallas to exercise its legislative duties and

84063 0005  
39048

COUNTY CLERK'S MEMO  
PORTIONS OF THIS  
DOCUMENT NOT  
REPRODUCIBLE  
WHEN RECORDED

84055 3077

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/or 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 covenant.

EXECUTED this 23<sup>rd</sup> day of February, 1984.

Approved as to form:  
ANALESLIE MUNCY, City Attorney

By *Mark S. Boyce*  
Assistant City Attorney

Corrigan Properties, Inc.

By: *Leo F. Corrigan, Jr.*  
Leo F. Corrigan, Jr., President

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 Leo F. Corrigan, Jr., in his capacity as President of Corrigan Properties, Inc., a Texas Corporation, 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<sup>rd</sup> day of February, 1984.

*Eugene H. Turner*  
NOTARY PUBLIC IN AND FOR  
DALLAS COUNTY, TEXAS

My Commission expires: 1/24/85

84063 0006

8608 99078

84063 0021

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.

MAR 29 1984

*Earl Bullock*  
COUNTY CLERK, Dallas County, Texas



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.

MAR 19 1984



*Earl Bullock*  
COUNTY CLERK, Dallas County, Texas

No. 84-0970  
Return to City Secretary  
City Hall  
Dallas, Texas 75201

84 MAR 16 PM 12:49

FILED  
*Earl Bullock*  
COUNTY CLERK  
DALLAS COUNTY

RECEIVED  
MAR 6 1984  
ZONING OFFICE