

aggregate with other use on the Property exceeds 32,000 square feet of floor area on the Property, a right turn lane ~~lane~~ be constructed on Skillman Street to provide right turn movement from Skillman Street onto Eastridge Drive.

III.

These restrictions shall continue in full force and effect for a period of twenty (20) years from the date of execution, and shall automatically be extended for additional periods of ten (10) years unless amended or terminated in the manner specified in this document.

IV.

These restrictions may be amended or terminated only after a public hearing before the City Plan Commission and a public hearing before and approval by the City Council of the City. Notice of the public hearing must be given as would be required by law for a zoning change on the Property. The amending or terminating instrument must be approved as to form by the city attorney. If the City Council approves an amendment or termination of these restrictions, the owner must then file the amending or terminating instrument in the Deed Records of the county or counties where the Property is located at his or her sole cost and expense before the amendment or termination becomes effective.

V.

These restrictions are not intended to restrict the right of the City Council of the City to exercise its legislative duties and powers insofar as zoning of the Property is concerned.

VI.

The Owner agrees that these restrictions inure to the benefit of the City. The Owner hereby grants the City the right to enforce these restrictions by any lawful means, including filing an action in a court of competent jurisdiction, at law or in equity, against the party violating or attempting to violate these restrictions, either to prevent the violation or to require its correction. If the City substantially prevails in a legal proceeding to enforce these restrictions, the Owner agrees that the City shall be entitled to recover damages, reasonable attorney's fees, and court costs. For further remedy, the Owner

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agree that the City may withhold any certificate of occupancy or final inspection necessary for the lawful use of the Property until these restrictions are complied with. The right of the City to enforce these restrictions shall not be waived, expressly or otherwise.

VII.

The Owner agrees to defend, indemnify, and hold harmless the City from and against all claims or liabilities arising out of or in connection with the provisions of this document.

VIII.

The provisions of this document are hereby declared covenants running with the land and are fully binding on all successors, heirs, and assigns of the Owner who acquired any right, title, or interest in or to the Property, or any part thereof. Any person who acquires any right, title, or interest in or to the Property, or any part thereof, hereby agrees and covenants to abide by and fully perform the provisions of this document.

IX.

Unless stated otherwise in this document, the definitions and provisions of CHAPTER 51A, "SUBDIVISION II OF THE DALLAS DEVELOPMENT CODE," as amended, apply and are incorporated into this document as if recited in this document.

X.

The Owner understands and agrees that this document shall be governed by the laws of the State of Texas.

XI.

The invalidation of any provision in this document by any court shall in no way affect any other provision, which shall remain in full force and effect, and to this end the provisions are declared to be severable.

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EXECUTED at the City of St. Louis, Missouri County,
St. Louis, on this 1st day of April, 1992.

FN PROJECTS, INC.

By: Samuel E. Uhl
Its: First Vice President

THE STATE OF Missouri
COUNTY OF St. Louis

Before me, the undersigned authority, on this day personally appeared Samuel E. Uhl First Vice President of FN Projects, Inc., 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 and in the capacity therein stated.

Given under my hand and seal of office on this 1st day of April, 1992.

Susan Hunter
Notary Public, State of Missouri
SUSAN HUNTER
NOTARY PUBLIC, STATE OF MISSOURI
My Commission Expires 4/94
ST. LOUIS COUNTY

Approved as to form:
SAM LINDSAY, Acting City Attorney

By: John Reynolds
Assistant City Attorney

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EXHIBIT "A"

BEING a tract of land situated in the City and county of Dallas, Texas and being part of the B.B.S. and C.R.R. Company Survey, Abstract Survey No. 191, and part of City of Dallas Block 5414 and being more particularly described as follows:

BEGINNING at the intersection of the southeasterly right-of-way of Skillman Avenue (60 feet from center line at this point) and the northeasterly right-of-way of Impala Lane (60 feet right-of-way);

THENCE in a northeasterly direction along said southeasterly right-of-way of Skillman Avenue and along a curve to the right whose chord bears North $57^{\circ}14'47''$ East, having a radius of 2804.79 feet, a central angle of $16^{\circ}05'25''$ and an arc length of 787.68 feet to a point for corner at the intersection of said southeasterly line of Skillman Avenue with the southwesterly right-of-way of Eastridge Drive (60 feet right-of-way);

THENCE South $24^{\circ}07'15''$ East along said southwesterly right-of-way of Eastridge Drive, a distance of 50.21 feet to a point and the beginning of a curve to the right;

THENCE in a southeasterly direction continuing along said curve to the left having a radius of 470.74 feet, a central angle of $46^{\circ}30'00''$ and an arc length of 382.04 feet to a point at the end of said curve to the left and the beginning of a curve to the right;

THENCE in a southwesterly direction continuing along said southwesterly right-of-way of Eastridge Drive according to the easement to the City of Dallas for street purposes as recorded in Volume 69222, Page 1648 of the Deed Records of Dallas County, Texas and along said curve to the right having a radius of 358.96 feet, a central angle of $50^{\circ}08'00''$, and an arc length of 314.10 feet to a point and the end of said curve;

THENCE South $20^{\circ}29'15''$ East along the southwest right-of-way of Eastridge Drive, a distance of 276.48 feet to a point for corner;

THENCE South $36^{\circ}27'27''$ West along a northerly line of a tract of land conveyed by deed to Dorman Development Company and Buddy Hackett as recorded in Volume 71041, Page 161 of the deed records of Dallas County, Texas, a distance of 251.94 feet to a point for corner;

THENCE North $79^{\circ}42'00''$ West continuing along the said northerly line, a distance of 76.68 feet to a point for corner;

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THENCE South 41°24'40" West continuing along said line, a distance of 32.42 feet to a point for corner;

THENCE North 49°31'50" West continuing along said line, a distance of 23.12 feet to a point for corner;

THENCE South 43°00'30" West continuing along said line, a distance of 17.93 feet to a point for corner;

THENCE North 49°26'30" West continuing along said line, a distance of 6.72 feet to a point for corner;

THENCE South 60°42'20" West continuing along said line, a distance of 42.43 feet to a point for corner;

THENCE North 48°54'00" West continuing along said line, a distance of 107.18 feet to a point for corner;

THENCE North 79°42'00" West continuing along said line, a distance of 96.33 to a point for corner and the beginning of a curve to the left;

THENCE in a westerly and southwesterly direction, continuing along said line and along said curve to the left having a radius of 407.00 feet and a central angle of 55°00' and an arc length of 370.69 feet to a point and the end of said curve to the left;

THENCE South 45°18'00" West, continuing along said line, a distance of 44.00 feet to a point for corner;

THENCE South 44°42'00" East along the southwest line of said Dorman and Hackett tract, a distance of 105.00 feet to a point for corner;

THENCE South 45°18'00" West along the northwest line of said tract, a distance of 102.00 feet to a point for corner in the northeast right-of-way of Impala Lane;

THENCE North 44°42'00" West along said northeasterly right-of-way of Impala Lane, a distance of 315.00 feet to a point and the beginning of a curve to the left;

THENCE in a northwesterly direction continuing along said northeasterly right-of-way of Impala Lane and along said curve to the right having a radius of 258.00 feet, a central angle of 57°50'00", an arc length of 260.42 feet to a point and an angle point;

THENCE North 13°08'00" East continuing along said northerly right-of-way of Impala Lane, a distance of 0.05 feet to the beginning of a curve to the left;

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THENCE in a northerly northwesterly direction along said northeasterly right-of-way of Impala Lane and along said curve to the left having a radius of 318.00 feet, a central angle of $57^{\circ}50'00''$, and an arc length of 320.98 feet to a point and the end of said curve to the left;

THENCE North $44^{\circ}42'00''$ West continuing along said northeasterly line of Impala Lane, a distance of 16.08 feet to the PLACE OF BEGINNING, and containing 19.578 acres of land more or less.