

March 18, 1981

WHEREAS, the deed restrictions in the attached instrument were volunteered in conjunction with an application for a change of zoning from an Agricultural District to a Residential-7,500 Square Feet District on two tracts of land which was approved by the City Council at a public hearing held on December 17, 1980 on Zoning Case Z790-239/5218-E on property generally located on the northeast side of Barnes Bridge Road, northwest of La Prada Drive; 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 Residential-7,500 Square Feet District, as described in Ordinance #

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.

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

APPROVED

HEAD OF DEPARTMENT

APPROVED

CITY AUDITOR

APPROVED

CITY MANAGER

Z 790-239/5218E

DEED RESTRICTIONS

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF DALLAS §

That the undersigned, Cambridge-Spyglass D.A.C. Joint Venture (hereinafter referred to as "Cambridge"), is the owner of that certain tract or parcel of land situated in Dallas County, Texas, being more particularly described on Exhibit "A" attached hereto and made a part hereof by this reference ("Property").

That the undersigned, Cambridge, does hereby impress all of the Property with the deed restrictions as follows, to-wit:

1. Screening walls along Barnes Bridge Road shall not exceed four feet (4') in height on lots located within the Property and facing Barnes Bridge Road nor exceed six feet (6') in height on lots located within the Property siding or backing onto Barnes Bridge Road, as described on Exhibit "B" attached hereto.
2. Screening walls shall be of brick or stone construction and, on the lots located within the Property and facing Barnes Bridge Road, shall be of a combination of brick or stone construction and open wrought iron or steel. Screening walls shall be incorporated into and be harmonious with the overall landscaping plan developed in connection with the parkway area located within the Property and adjoining Barnes Bridge Road.
3. The maintenance of all private streets, screening walls and landscaping areas located within the Property shall be the sole responsibility of and guaranteed by a Homeowners' Association to be created by Cambridge prior to the sale of any of the above described Property.

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, Texas. Notice of such public 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 Council of the City of Dallas to exercise its legislative duties and powers insofar as zoning of the Property is concerned.

These restrictions shall inure to the benefit of the City of Dallas, and Cambridge 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 this the 12 day of Feb., 1981.

CAMBRIDGE-SPYGLASS D.A.C. JOINT VENTURE

BY: SPYGLASS HILL INVESTMENTS, INC., Manager

By: William D. Parsons
William D. Parsons, 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 William D. Parsons, President of Spyglass Hill Investments, Inc., known to me to be the person and officer 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 and as the act and deed of Cambridge-Spyglass D.A.C. Joint Venture.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 12th day of February, 1981.

Barbara Kelley
NOTARY PUBLIC in and for
Dallas County, Texas

Approved as to form:
LEE E. HOLT, City Attorney

By: Barry L. Knight
Assistant City Attorney

EXHIBIT "A"

Being two tracts of land situated in the Theophalus Thomas Survey, Abstract No. 1461, Dallas County, Texas and being more particularly described as follows:

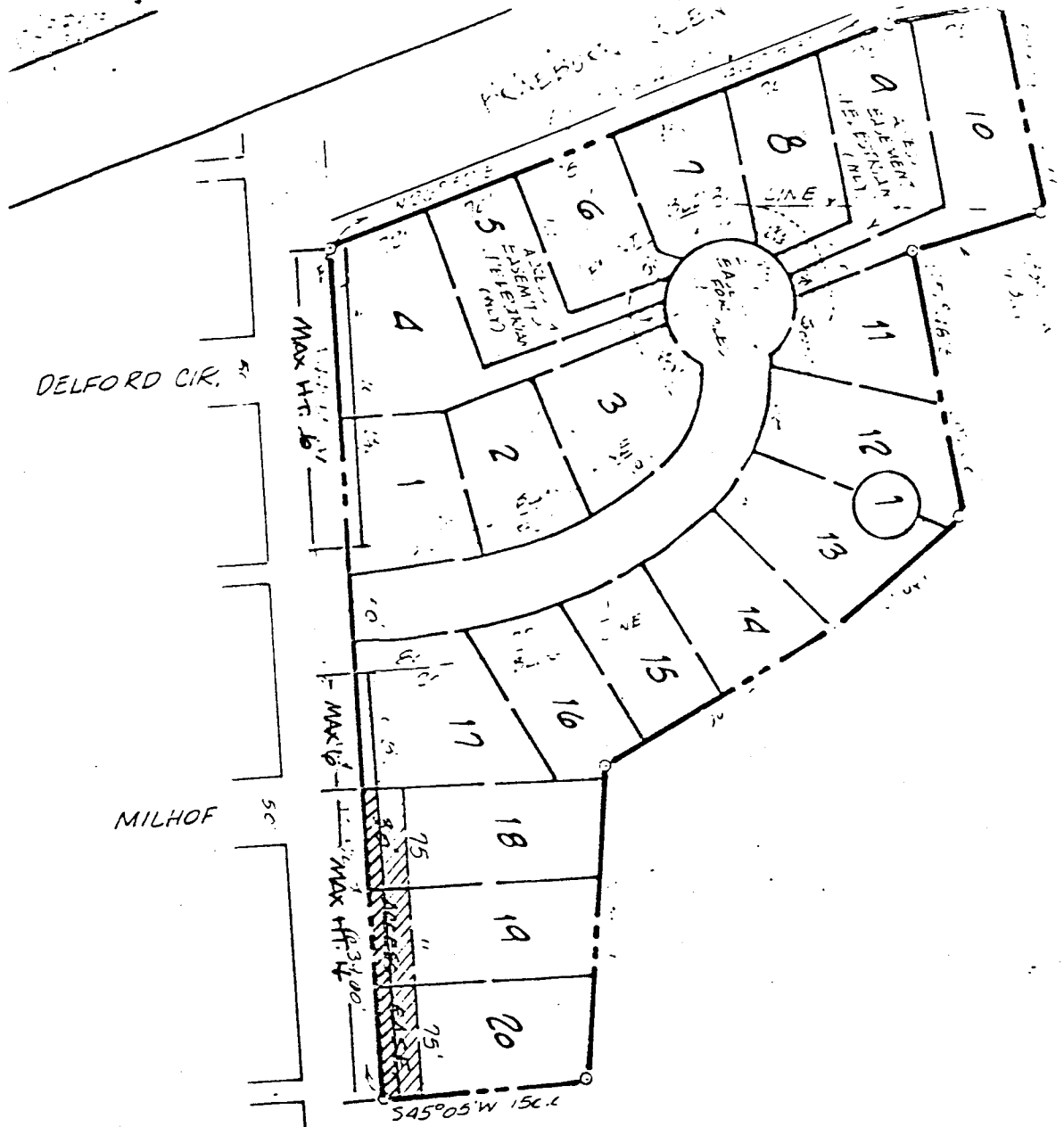
BEGINNING at a point in the northeasterly line of Barnes Bridge Road (a 60 foot R.O.W.); said point being the present most *westerly* corner of the Dallas Athletic property, an iron stake set by a fence post for corner;

THENCE N 26° 52' E, 447.33 feet;
THENCE N 36° 57' E, 87.64 feet;
THENCE S 53° 03' E, 161.00 feet;
THENCE S 33° 17' W, 103.00 feet;
THENCE S 51° 48' E, 207.09 feet;
THENCE S 08° 25' 31" W, 130.13 feet;

THENCE S 17° 16' 00" W, 200.00 feet;
THENCE S 38° 18' E, 235.75 feet;
THENCE S 45° 05' W, 150.00 feet to a point in the northeasterly line of Barnes Bridge Road;
THENCE N 44° 55' W, 639.00 feet along said northeasterly line of Barnes Bridge Road to the Place of Beginning and containing 5.611 acres of land.

COMMENCING at the intersection of the northwest line of La Prada Drive and the northeast line of Barnes Bridge Road; THENCE in a northwesterly direction along said northeast line with a curve to the right, Tangent Bearing N 68° 02' 08" W, said curve having a central angle of 23° 07' 08" and a radius of 140.00 feet, an arc distance of 56.49 feet; THENCE N 44° 55' 00" W continuing along said northeast line, 608.83 feet to the place of beginning;

THENCE FROM THE PLACE OF BEGINNING N 44° 55' 00" W along the northeast line of Barnes Bridge Road, 908.47 feet;
THENCE N 45° 05' 00" E, 142.00 feet;
THENCE S 52° 52' 17" E, 445.13 feet;
THENCE S 44° 53' 00" E, 503.00 feet;
THENCE N 51° 38' 00" E, 500.00 feet;
THENCE S 21° 10' 00" E, 622.57 feet;
THENCE S 64° 18' 00" W, 264.02 feet;
THENCE N 44° 55' 00" W, 575.59 feet;
THENCE S 45° 01' 00" W, 200.00 feet to the place of beginning and containing 8.918 acres of land.



D.A.C. Countr.

EXHIBIT "B"

Barnes Bridge F

BLOCK 7349

ERHARD

MILHOF

DELFORD CIR.

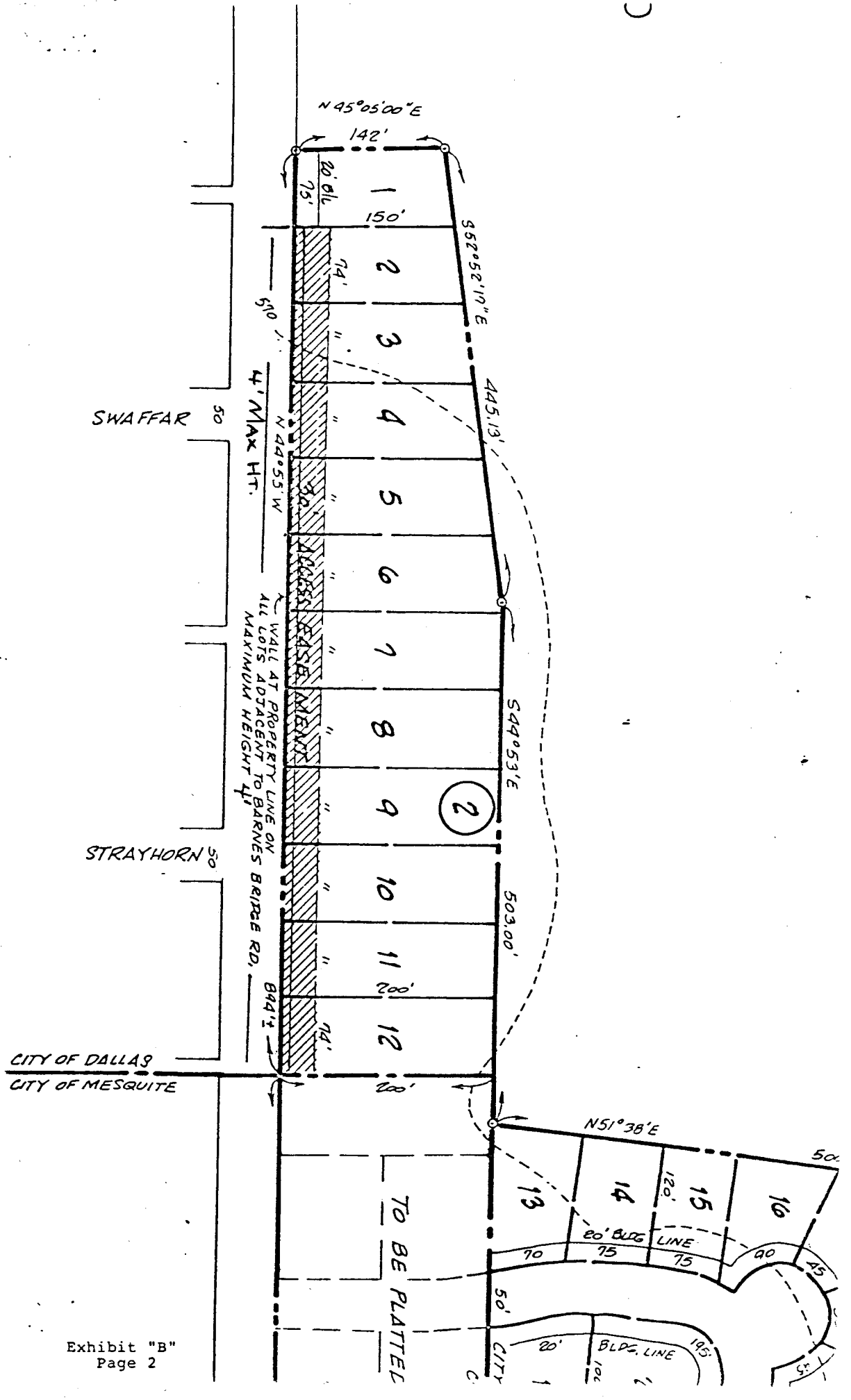


Exhibit "B"
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