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84 SEP 6 DEED RESTRICTIONS

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7:00 DE: 1:03:00

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

That the undersigned LINCOLN PROPERTY COMPANY, a Texas corporation, is the owner of the following described properties situated in Dallas County, Texas, being in particular:

(a) A lot of approximately 9,600 square feet, and being a part of Block "P" of BOWSER & LEMMON'S OAK LAWN AND NORTH DALLAS ADDITION to the City of Dallas, Texas, according to Map thereof recorded in Volume 3, page 537 of the Map Records, Dallas County, Texas, said Block being also known as Block 1318/P of the City of Dallas, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point on the Northwest line of Oak Lawn Avenue (formerly Argyle Avenue) at a point 65 feet in a Southwesterly direction from the point of intersection of the said Northwest line of Oak Lawn Avenue with the West line of Lemmon Avenue; THENCE in a Northwesterly direction at right angles to Oak Lawn Avenue, and parallel with Lemmon Avenue 160 feet to a stake; THENCE in a Southwesterly direction, parallel with Oak Lawn Avenue 60 feet to a stake; THENCE in a Southeasterly direction parallel with Lemmon Avenue 160 feet to a stake in the Northwest direction along the Northwest line of Oak Lawn Avenue 60 feet to the place of Beginning (hereinafter referred to as "Tract A");

(b) A Leasehold Estate created by instrument dated July 15, 1975, between M.D. Kennemer, as Lessor and Plitt Properties, Inc. (successor in interest to ABC Interstate Theatres, Inc.) a memorandum of which has been filed for record in Volume 78206, Page 1966, County Clerk's Office, Dallas County, Texas, being more particularly described as follows:

Being a part of Lots 9 and 10 in Block "P" of BOWSER AND LEMMON'S OAK LAWN AND NORTH DALLAS ADDITION to the City of Dallas, according to the Map thereof recorded in Volume 3, Page 537 of the Map Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point on the Northwest line of Oak Lawn Avenue 130 feet Southwest from the Southwest line of Lemmon Avenue; THENCE in a Northwest direction parallel with Lemmon Avenue 160 feet; THENCE in a Southwest direction parallel with Oak Lawn Avenue 60 feet to a point on the Northeast line of alley; THENCE in a Southeast direction along said line of said alley 160 feet to a point on the Northwest line of Oak Lawn Avenue; THENCE in a Northeast direction along said Northwest line of Oak Lawn Avenue 60 feet to Place of Beginning (hereinafter referred to as "Tract B").

That the undersigned, LINCOLN PROPERTY COMPANY, does hereby impress the tracts of land described above with the following deed restrictions as follows, to wit:

(1) The undersigned does hereby agree: (a) to limit development on Tract A to a Floor To Area Ratio (hereinafter referred to as "F.A.R.") of

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1:1, and (b) to limit the height of any structure which might be built thereon to four (4) stories not to exceed forty-nine (49) feet in height;

(2) The undersigned does hereby agree: (a) to limit development on Tract B, so long as the undersigned holds said Tract B as lessee, to an F.A.R. of 1:1, and (b) to limit development on said Tract B, in the event the undersigned becomes the fee simple owner of such tract, to an F.A.R. of 1.75:1, and (c) in either event, i.e., so long as the undersigned holds Tract B as lessee or fee simple owner, to restrict the height of any structure which might be built thereon to four (4) stories not to exceed forty-nine (49) feet in height.

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 and Zoning 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.

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 inure to the benefit of the City of Dallas, and the undersigned owner hereof does 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, subject to the limitations of Paragraph (2) above, and shall be fully binding upon the persons acquiring property within the described tracts, 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.

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LINCOLN PROPERTY COMPANY,  
a Texas Corporation

Approved as to form:  
ANALESIE MUNCY, City Attorney

By: [Signature]  
Assistant City Attorney

By: [Signature]  
Its: [Signature]

THE STATE OF TEXAS     §  
  §  
COUNTY OF DALLAS     §

BEFORE ME, the undersigned authority, on this day personally appeared Marshall B. Sycher, Vice President of LINCOLN PROPERTY COMPANY, a Texas corporation, 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, in the capacity therein stated and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 7<sup>th</sup> day of August, 1984.

My Commission Expires:  
6-28-86

Cheryl D. Barajas  
Name: Cheryl D. BARAJAS  
(Print or Type Name)  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

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