

December 18, 1985

WHEREAS, the deed restrictions in the attached instrument have been volunteered in conjunction with a request for an LC Light Commercial Subdistrict zoning in Planned Development District #193 which was approved by the City Council on December, 18, 1985, on Zoning Case #Z845-237/6598-N on property bounded by Howell Street, Vine Street, Leclde Street and Allen Street;

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 an LC Light Commercial Subdistrict in Planned Development District #193 as described in Ordinance **18988**

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.

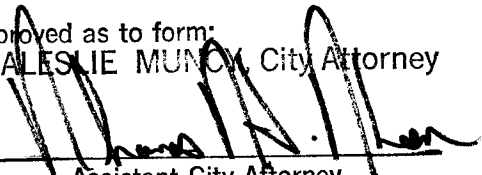
cc: Building Inspection - 2  
Planning & Development - 2

M117rc/ct

**APPROVED BY  
CITY COUNCIL**

OEC 18 1985

Approved as to form:  
ANALESLIE MUNCY, City Attorney

By  Assistant City Attorney

  
City Secretary

APPROVED   
HEAD OF DEPARTMENT

APPROVED \_\_\_\_\_  
DIRECTOR OF FINANCE

APPROVED \_\_\_\_\_  
CITY MANAGER

RECEIVED

1985 JAN -7 PM 9:51

DEED RESTRICTIONSCITY SECRETARY  
DALLAS TEXAS

1975

15.00 DEED  
1 12/26/85THE STATE OF TEXAS }  
                                  }  
COUNTY OF DALLAS    }

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, McKinney/Vineyard Partners, a Texas joint venture, is the owner of the following described property situated in Dallas County, Texas, being in particular two tracts of land in the Cole's Vineyard Addition to the City of Dallas, Texas, being all of Lots 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14 and parts of Lots 6 and 7 in City Block 962, City of Dallas, Dallas County, Texas, and being that same tract of land conveyed to McKinney/Vineyard Partners, a Texas joint venture, by Centre Development Co., Inc., Trustee by deed dated October 10, 1984, and recorded in Volume 84204, Page 0228 in the Deed Records of Dallas County, Texas, and being more particularly described in Exhibit A attached hereto.

That the undersigned, McKinney/Vineyard Partners, does hereby impress all of the following described property with the following deed restrictions, to-wit:

1. The total combined floor area as defined in the Dallas Development Code, as amended, of all buildings constructed on the herein described property shall not exceed 350,000 square feet (except as allowed in paragraph 4 below).
2. The maximum height, as defined in the Dallas Development Code, as amended, of any building constructed on the herein described property may not be greater than 190 feet.
3. The only uses permitted on the herein described property are those uses allowed in a General Retail District, an Office-2 District and a Multiple Family-3 District, as defined in the Dallas Development Code, as amended.

85250 5120

2845-237/6598-N

4. The total combined floor area of all buildings constructed on the herein described property may be increased to 409,000 square feet only if 118,000 square feet of the 409,000 square feet is constructed as residential uses on the herein 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. 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 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 or 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.

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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 18th day of December, 1985.

McKinney/Vineyard Partners,  
a Texas joint venture

by: FS/McKinney Partners,  
a Texas joint venture,  
manager and joint venturer

by: First Southwest Financial Corporation,  
a Texas corporation, manager and  
joint venturer

by: Michael R. Walker  
Michael R. Walker, Vice President

Approved as to form:  
ANALESLIE MUNCY, City Attorney

By [Signature]  
Assistant City Attorney

THE STATE OF TEXAS    )  
                                  )  
COUNTY OF DALLAS    )

BEFORE ME, a Notary Public, on this day personally appeared Michael R. Walker, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said First Southwest Financial Corporation, a Texas corporation that is manager and joint venturer of FS/McKinney Partners, a Texas joint venture that is manager and joint venturer of McKinney/Vineyard Partners, a Texas joint venture, and that he executed the same as the act of such joint venture for the purposes and consideration therein expressed, and in capacity therein stated.



*Deborah Del Regno*  
Notary Public in and for  
Dallas County, Texas  
DEBORAH DEL REGNO

My Commission Expires:  
8/31/88

Being all of Lots 1, 2, 3, 4 and 5, parts of Lots 6 and 7, all of Lots 8, 9, 10, 11, 12, 13 and 14, and part of the Alley adjoining said Lots, all in Block 962, Official City Number, of Cole's Vineyard, an Addition to the City of Dallas, Texas, according to the plat thereof recorded in Volume 12, Page 322 of the Minutes of the 14th. District Court of Dallas County, Texas; and being described more particularly as follows:

Beginning at a cross cut in concrete at the south corner of said Lot 1 at the intersection of the northwest line of Howell Street, 50.0 feet wide, with the northeast line of Vine Street, 49.0 feet wide, and at the south corner of the 35 sq. ft. Easement For Street Purposes conveyed to the City of Dallas by deed recorded in Volume 77014, Page 1992 of the Deed Records of Dallas County, Texas;

Thence N 45° 16' 30" W, along the northeast line of Vine Street,  
 At 10.0 feet passing the west corner of said Street Easement,  
 At 165.0 feet passing the west corner of Lot 1,  
 At 180.0 feet passing the south corner of Lot 14,  
 At 335.0 feet passing the south corner of the 25 sq. ft. Easement for Street Purposes conveyed to the City of Dallas by deed recorded in Volume 76152, Page 2641 of said Deed Records  
 In all a distance of 345.0 feet to a cross cut in concrete at the west corner of said Lot 14 on the southeast line of Laclede Street, 50.0 feet wide;

Thence N 44° 25' 30" E, along the southeast line of Laclede Street,  
 At 5.0 feet passing the north corner of said 25 sq. ft. Easement,  
 At 343.95 feet passing the west corner of the Easement for Street Purposes, called, 608 sq. ft., conveyed to the City of Dallas by deed recorded in Volume 71210, Page 1957 of said Deed Records,  
 In all a distance of 350.0 feet to a cross cut in concrete at the north corner of said Lot 8 on the original southwest line of Allen Street;

S 45° 16' 30" E, along said original southwest line of Allen Street, a distance of 165.0 feet to a cross cut in concrete at the east corner of said Lot 8 on the northwest line of said Alley, 15.0 feet wide;

EXHIBIT A

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Thence S 44° 25' 30" W, along the northwest line of said Alley and the southeast line of Lot 8, a distance of 3.0 feet to a cross cut in concrete at the south corner of said 608 sq. ft. Street Easement on the widened southwest line of Allen Street;

Thence S 45° 16' 30" E, along said widened line of Allen Street, at 15.0 feet passing the southeast line of said Alley at the west corner of the 698 sq. ft. tract conveyed to the City of Dallas by deed recorded in Volume 71011, Page 2008 of said Deed Records, in all a distance of 42.58 feet to a steel nail in concrete at the beginning of a curve to the right;

Thence southeasterly, along the southwest line of Allen Street, as widened, along said curve having a radius of 321.22 feet and a central angle of 18° 52' 40", at 88.58 feet passing the south corner of said 698 sq. ft. tract and the west corner of the 1,395 square foot tract conveyed to the City of Dallas by deed recorded in Volume 70039, Page 1082 of said Deed Records, in all a distance of 105.84 feet to the end of said curve and the beginning of a curve to the right having a radius of 50.0 feet, and southeasterly, along said curve, having a central angle of 70° 49' 20", an arc distance of 61.80 feet to a steel rod at the south corner of said 1,395 sq. ft. tract on the northwest line of Howell Street 67.33 feet S 44° 25' 30" W from the east corner of said Lot 7;

Thence S 44° 25' 30" W, along said line of Howell Street, at 275.67 feet passing the east corner of said 35 sq. ft. Easement, in all a distance of 282.67 feet to the place of beginning;

Containing 118,612 square feet of land including 35 square feet, 25 square feet, and 598 square feet in said Street Easements, or 117,954 square feet net.

EXHIBIT A

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FILED  
*Earl Bullock*  
COUNTY CLERK  
DALLAS COUNTY

'85 DEC 26 AM 11 37

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.

DEC 26 1985



*Earl Bullock*  
COUNTY CLERK, Dallas County, Texas

No. 85-4064  
Return to City Secretary  
City Hall  
Dallas, Texas 75201