

DEED RESTRICTIONS

STATE OF TEXAS

COUNTY OF DALLAS

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

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, THOMAS S. MACKIE, is the owner of the following described property situated in Dallas County, Texas, being in particular a tract of land out of the Isaac Beeman Survey, Abstract No. 82, City Block 7364, City of Dallas, Dallas County, Texas and being that same tract of land conveyed to Thomas S. Mackie by Ottie Frank Cauthen Motley, Individually and as Trustee under that Trust Agreement dated January 15, 1971, Markham Lee Motley, John Charles Motley, Emily Ann Motley and Cistercian Monastery, Our Lady of Dallas, a non-profit charitable organization by deed dated March 5, 1984, and recorded in Volume 83048, Page 4128 in the Deed Records of Dallas County, Texas, and being more particularly described in Exhibit A attached hereto and made a part hereof for all purposes (the "Property"):

That the undersigned, Thomas S. Mackie does hereby impress that portion of the Property designated as Tract A in Exhibit B attached hereto and made a part hereof for all purposes with the following deed restrictions, to wit:

- A. The only permitted use on Tract A is Single-Family.
- B. No more than 71 dwelling units are permitted on Tract A.
- C. No structure on Tract A may exceed thirty-six feet in height or two-stories, whichever is lower.
- D. For the purposes of these restrictions, all definitions of the Dallas Development Code, as amended, are incorporated into this document, as if recited herein.

That the undersigned, Thomas S. Mackie, does hereby impress that portion of the Property designated as Tract B in Exhibit B with the following deed restrictions, to-wit:

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A. The only permitted uses on Tract B are:

1. Post Office
2. Day-Care Center
3. Medical Laboratory
4. Retail Optical Shop
5. Hotel/Motel
6. Medical Appliance Fitting & Sales Store
7. Business School
8. Art Gallery
9. Game Court Center
10. Restaurant, Without Drive-In Service
11. Catering Service
12. Office
13. Bank or Savings & Loan, With Or Without Drive-In Service
14. Barber and/or Beauty Shop
15. Custom Cleaning Shop
16. Laundry or Cleaning Pick-Up and Receiving Station
17. Travel Bureau
18. Safe Deposit Boxes
19. Antique Shop
20. Hobby and Arts Supply Store
21. Paint and Wallpaper Store
22. Swimming Pool Supply Store
23. Tool and Equipment Rental Store (inside display only)
24. Appliance Repair Shop
25. Duplication Shop
26. Garden, Plant Sales or Greenhouse Shop
27. Diamond and Precious Stones
28. Veterinary Office

- B. No alcoholic beverages of any kind may be sold, nor may the consumption thereof be permitted, upon the premises of any place of business situated on Tract B.
- C. No structure on Tract B may exceed seventy-five feet in height or 5 stories, whichever is lower.
- D. Non-premise signs are not permitted on Tract B.
- E. All signs within 100' of the south right-of-way line of Chenault Street must comply with the provisions for non-business zoning districts, with the exception of the number of signs permitted per premise, which are controlled by the provisions for business zoning districts, as defined in the Dallas Development Code as amended.
- F. For the purposes of these restrictions, all definitions of the Dallas Development Code, as amended, are incorporated into this document, as if recited herein.

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These restrictions shall continue in full force and effect for a period of twenty-five (25) years from the date of execution hereof, 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 insure 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, 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 full compliance with the restrictions described herein.

These restrictions are hereby declared covenants running with the land and shall be fully binding upon all persons acquiring any portion of the Property, and any person by acceptance of title to any of the Property shall thereby agree and covenant to abide by and perform fully the foregoing restrictions and covenants.

EXECUTED this the 14th day of April, 1986.

Approved as to form:
ANALESLIE MUNCY, City Attorney

By Carla S. Fletcher
Assistant City Attorney

Thomas S. Mackie
THOMAS S. MACKIE

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STATE OF TEXAS

COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for Dallas County, Texas, on this day personally appeared THOMAS S. MACKIE, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledge to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 14th day of April,
1986.



Thomas Mackie

NOTARY PUBLIC in and for
the State of Texas

NAME(print): Thomas Mackie

My Commission Expires: 11/10/87

PROPERTY DESCRIPTION
TRACT A

BEING a tract of land situated in the Isaac Beeman Survey, Abstract No. 82, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point for corner situated in the South line of John West Road (a 70' R.O.W.), said point being $501^{\circ} 32' 00''W$ a distance of 20.00 feet from the Northeast corner of said Isaac Beeman Survey;

THENCE $501^{\circ} 25' 32''W$ departing the South line of John West Road a distance of 1007.29 feet to a point for corner;

THENCE $S29^{\circ} 16' 12''W$ a distance of 120.00 feet to a point for corner;

THENCE $N89^{\circ} 56' 30''W$ a distance of 366.31 feet to a point for corner;

THENCE $N01^{\circ} 51' 25''E$ a distance of 1112.29 feet to a point for corner in the South line of John West Road;

THENCE $S89^{\circ} 56' 30''E$ along the South line of said John West Road a distance of 414.00 feet to the POINT OF BEGINNING and containing 461,982 square feet or 10.6056 acres of land;

PROPERTY DESCRIPTION
TRACT B

BEING a tract of land situated in the Isaac Beeman Survey, Abstract No. 82, Dallas County, Texas and being more particularly described as follows:

COMMENCING at the Northeast corner of the Isaac Beeman Survey;

THENCE $501^{\circ} 32' 00''W$ a distance of 20.00 feet to a point;

THENCE $501^{\circ} 25' 32''W$ a distance of 1606.50 feet to the POINT OF BEGINNING;

THENCE $501^{\circ} 25' 32''W$ a distance of 332.81 feet to a point for corner in the Northwest line of Interstate Highway 30, said point also being the Southwest corner of Eastfield Plaza, an addition to the City of Mesquite as filed in Volume 73106, Page 789, Deed Records, Dallas County, Texas;

THENCE along the Northwest line of Interstate Highway 30 the following:

$S61^{\circ} 04' 00''W$ a distance of 234.16 feet to a point for corner;

$S69^{\circ} 05' 17''W$ a distance of 142.70 feet to a point for the beginning of a curve to the right having a central angle of $05^{\circ} 03' 59''$ a radius of 1130.88 feet and a chord bearing and distance of $S74^{\circ} 58' 21''W$, 99.97 feet;

Along said curve to the right an arc distance of 100.00 feet to a point for corner;

THENCE $N01^{\circ} 51' 25''E$ departing the Northwest line of Interstate Highway 30, a distance of 523.68 feet to a point for corner;

THENCE $S89^{\circ} 55' 30''E$ a distance of 426.10 feet to the POINT OF BEGINNING and containing 189,006 square feet or 4.3390 acres of land.

PROPERTY DESCRIPTION
TRACT C

BEING a tract of land situated in the Isaac Beeman Survey, Abstract No. 82, Dallas County, Texas and being more particularly described as follows:

COMMENCING at the Northeast corner of the Isaac Beeman Survey;

THENCE $501^{\circ} 32' 00''W$ a distance of 20.00 feet to a point;

THENCE $501^{\circ} 25' 32''W$ a distance of 1007.29 feet to the POINT OF BEGINNING;

THENCE $501^{\circ} 25' 32''W$ a distance of 599.21 feet to a point for corner;

THENCE $N89^{\circ} 55' 30''W$ a distance of 426.10 feet to a point for corner;

THENCE $N01^{\circ} 51' 25''E$ a distance of 494.42 feet to a point for corner;

THENCE $S89^{\circ} 56' 30''E$ a distance of 366.31 feet to a point for corner;

THENCE $N29^{\circ} 16' 12''E$ a distance of 120.00 feet to the POINT OF BEGINNING and containing 212,611 square feet or 4.8809 acres of land.

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