

WHEREAS, the deed restrictions in the attached instruments have been volunteered in conjunction with a request for an RR Regional Retail District which was approved by the City Council on August 8, 1990, on Zoning Case #Z890-182/8883-S on property on the north side of Eighth Street, west of South R. L. Thornton Freeway; and

WHEREAS, said deed restrictions have been approved as to form; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That the deed restrictions set forth in the attached instruments 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 RR Regional Retail District as described in Ordinance 20701.

Section 2. That said deed restrictions shall be filed 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 and Development - 2

90-14/ct

**APPROVED BY
CITY COUNCIL**

AUG 8 1990

Robert B. Brown
City Secretary

APPROVED AS TO FORM

Chris Bowers
ANALES LIE MUNCY, CITY ATTORNEY

APPROVED

[Signature]
HEAD OF DEPARTMENT

APPROVED

DIRECTOR OF FINANCE

APPROVED

CITY MANAGER

RECEIVED

1990 AUG 30 AM 10:08

DEED RESTRICTION

CITY SECRETARY
DALLAS TEXAS

2 7.00 DEED
2 08/13/90

THE STATE OF TEXAS }
COUNTY OF DALLAS }

KNOW ALL PERSONS BY THESE PRESENTS:

I.

The undersigned, Collection Finance Corporation ("OWNER"), is the owner of the following described property ("THE PROPERTY") situated in Dallas County, Texas, being in particular all of Lot 5 out of the E. Robertson Survey, Abstract No. 1211, City Block 80/3061, City of Dallas, Dallas County, Texas and being that same tract of land conveyed to Collection Finance Corporation by Hardin Grady Calvert, by deed dated March 27, 1990, and recorded in Volume 90065, Page 725, in the Deed Records of Dallas County, Texas.

II.

The OWNER does hereby impress all THE PROPERTY with the following deed restriction, to wit:

The maximum floor area ratio, as defined in the DALLAS DEVELOPMENT CODE, as amended, is 1:1.

III.

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 amended or terminated in the manner specified herein.

IV.

These restrictions may not be amended or terminated without a public hearing before the City Plan Commission and a public hearing and approval by the City Council of the City of Dallas. Notice of the public hearings must be given as would be required by law for a zoning change on THE PROPERTY. If the City Council approves an amendment or termination of these restrictions, the terminating or amending instrument must be filed in the Deed Records of the county or counties where THE PROPERTY is located by the owner at his 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 of Dallas to exercise its legislative duties and powers insofar as zoning of THE PROPERTY is concerned.

VI.

These restrictions inure to the benefit of the City of Dallas, Texas, and OWNER does hereby grant to the City of Dallas the right to enforce these restrictions by any lawful means, including prosecuting, at law or in equity, against the person violating or attempting to violate these restrictions, either to prevent him from so doing or to correct such violation. For further remedy, the City of Dallas may withhold the certificate of occupancy or final inspection necessary for the lawful use of THE PROPERTY until these restrictions are complied with.

VII.

The OWNER and any successors, heirs, and assigns of OWNER agree to defend, indemnify, and hold harmless the City of Dallas from and against all claims or liabilities arising out of or in connection with these restrictions.

VIII.

These restrictions are hereby declared covenants running with the land and are fully binding on any successors, heirs, and assigns of OWNER who acquire any interest in any property within THE PROPERTY. Any person who acquires any interest in any portion of THE PROPERTY thereby agrees and covenants to abide by and fully perform the foregoing restrictions and covenants.

EXECUTED this the 24th day of July, 19 90.

Collection Finance Corporation

By: Jimmy B. Watson
Jimmy B. Watson
President

APPROVED AS TO FORM:

Chris Bowers
ANALESIE MUNCY, CITY ATTORNEY

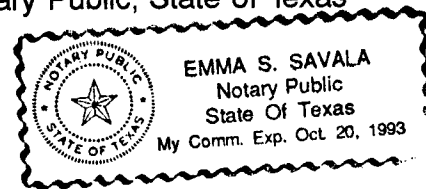
THE STATE OF TEXAS }

COUNTY OF DALLAS }

BEFORE ME, the undersigned authority, on this day personally appeared Jimmy B. Watson, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 24th day of July, 19 90.

Emma S. Savala
Notary Public, State of Texas



My commission expires 10-20-93.

7167 79106

FILED

Earl Burch
COUNTY CLERK
DALLAS COUNTY

90 AUG 13 AM 11:04

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

STATE OF TEXAS COUNTY OF DALLAS

I hereby certify this instrument was filed on the date and time stamped hereon by me and was duly recorded in the volume and page of the named records of Dallas County, Texas as stamped hereon by me.

AUG 13 1990



Earl Burch

COUNTY CLERK, Dallas County, Texas

No. 90-2554
Return to City Secretary
City Hall
Dallas, Texas 75201

Received

JUL 25 1990

ZONING ADMINISTRATION