



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA [FOR OFFICE USE ONLY]

Data Relative to Subject Property: _____ Date: [FOR OFFICE USE ONLY]

Location address: 5114 McKinney Ave, Dallas, Texas 75205 Zoning District: PD 193 (LC)

Lot No.: 6-A Block No.: 2/2015 Acreage: 1.7444 Census Tract: 48113000706

Street Frontage (in Feet): 1) 326.29 2) 26.83 3) 181.11 4) 14.14 5) 332.00

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Lakemore LCS Leasing MW LLC, a Delaware limited liability company

Applicant: Michael Andreasen/Lakemore LCS Leasing MW LLC Telephone: 515-875-4511

Mailing Address: Capital Square, 400 Locust St, Suite 820, Des Moines, IA Zip Code: 50309

E-mail Address: andreasenmike@lcsnet.com

Represented by: Tommy Mann/ Mallory Muse / Winstead PC Telephone: 214-745-5689

Mailing Address: 2728 N. Harwood St, Suite 500, Dallas, TX Zip Code: 75201

E-mail Address: tmann@winstead.com; mmuse@winstead.com

Affirm that an appeal has been made for a Variance __, or Special Exception __, of Termination of existing deed restrictions that burden the subject property

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to Grant the described appeal for the following reason:

The owner of the property and the beneficiary of the existing deed restrictions wish to terminate the restrictions. The deed restrictions were placed on the property prior to the adoption of PD 193, and we are seeking the ability to allow the property to be developed in accordance with its existing zoning.

Note to Applicant: If the appeal requested in this application is granted by the Board of Adjustment, a permit must be applied for within 180 days of the date of the final action of the Board, unless the Board specifically grants a longer period.

Affidavit

Before me the undersigned on this day personally appeared Michael Andreasen

(Affiant/Applicant's name printed)

who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property

Respectfully submitted: [Signature] (Affiant/Applicant's signature)

Subscribed and sworn to before me this 10 day of February, 2025

[Signature] Notary Public in and for Dallas County, Texas

Polk County, Iowa



NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

Steven A. Kaye, Esq.
Arnall Golden Gregory LLP
171 17th Street, NW Suite 2100
Atlanta, Georgia 30363



SPECIAL WARRANTY DEED

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

THAT, NIC 16 MONTICELLO WEST OWNER LLC, a Delaware limited liability company, hereinafter called "Grantor", whose address is c/o Fortress Investment Group, 1345 Avenue of the Americas, 45th Floor, New York, New York 10105, Attn: Ivy Hernandez, for and in consideration of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration paid by ASPECT LCS LEASING MW LLC, a Delaware limited liability company, whose address is 400 Locust Street, Suite 820, Des Moines, Iowa 50309, Attn: David Laffey, hereinafter called "Grantee", the receipt and sufficiency of which is hereby acknowledged, does hereby GRANT, BARGAIN, SELL, AND CONVEY unto Grantee, all that certain lot, tract or parcel of land, together with all improvements thereon, lying and being situated in the County of Dallas, State of Texas, described as follows:

See Exhibit A attached hereto, incorporated herein, and made a part hereof by this reference (the "Property").

TOGETHER WITH all and singular the hereditaments and appurtenances thereto belonging or anyway appertaining; any rights-of-way or easements appurtenant thereto; and all of Grantor's interest, if any, in and to (a) any, water rights and water stock relating to the Property, (b) development, sewer and air rights relating to the Property; and (c) the reversion and reversions, remainder and remainders, rents, issues and profits thereof, but subject to all taxes and assessments for the current year and subsequent years not yet due and payable and the matters set forth on Exhibit B attached hereto and incorporated herein by reference (such matters being referred to herein as the "Permitted Exceptions").

Notwithstanding anything contained in this instrument to the contrary, Grantor does not own, and this instrument does not convey, the oil, gas and other minerals in, under and that may be produced from the Property.

TO HAVE AND TO HOLD the Property, subject to the Permitted Exceptions, as aforesaid, unto Grantee, its successors and assigns, forever; and Grantor does hereby bind itself and its successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, by, through or under Grantor, but not otherwise.

Dated to be effective as of December 19, 2017.

GRANTOR:

NIC 16 MONTICELLO WEST OWNER LLC,
a Delaware limited liability company

By: _____ (SEAL)

Name: Ivy Hernandez

Its: Vice President

STATE OF NEW YORK §

§

COUNTY OF NEW YORK §

This instrument was acknowledged before me by Ivy Hernandez, Vice President of NIC 16 Monticello West Owner LLC, on behalf of such limited liability company.

Given under my hand and official seal this 19th day of December, 2017.

Notary Public

Jose A. Torres
Notary's Name Printed

My Commission Expires: August 28, 2018

JOSE A. TORRES
NOTARY PUBLIC-STATE OF NEW YORK
No. 01TO6152076
Qualified in Bronx County
My Commission Expires August 28, 2018



Exhibit A

Property

BEING A PART OF LOT 6-A, BLOCK 2/2015 OF MONTICELLO WEST ADDITION, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, RECORDED IN VOLUME 78243, PAGE 1965 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING ON THE PRESENT NORTHWEST R.O.W LINE OF NORTH CENTRAL EXPRESSWAY (VARIABLE R O W.); SAID POINT BEING ON THE SOUTHWEST LINE OF LOT 20, BLOCK 2/2015 OF ARMSTRONG'S BOOKER WASHINGTON ADDITION, AN ADDITION TO THE CITY OF DALLAS, TEXAS, RECORDED INVOLUME 1, PAGE 175 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS, FROM WHICH A FENCE CORNER POST BEARING SOUTH 87 DEGREES 14 MINUTES WEST, A DISTANCE OF 1.2 FEET;

THENCE SOUTH 30 DEGREES 19 MINUTES 00 SECONDS WEST ALONG THE NORTHWEST RIGHT-OF-WAY LINE OF NORTH CENTRAL EXPRESSWAY, A DISTANCE OF 50.28 FEET FROM WHICH A FENCE CORNER POST, BEARS SOUTH 18 DEGREES 19 MINUTES WEST, A DISTANCE OF 1.6 FEET;

THENCE SOUTH 21 DEGREES 35 MINUTES 12 SECONDS WEST WITH THE NORTHWEST RIGHT-OF-WAY LINE OF NORTH CENTRAL EXPRESSWAY, A DISTANCE OF 22.52 FEET TO A TXDOT R.O.W. MONUMENT FOUND FOR CORNER;

THENCE SOUTH 28 DEGREES 20 MINUTES 05 SECONDS WEST CONTINUING ALONG SAID NORTHWEST RIGHT-OF-WAY LINE OF NORTH CENTRAL EXPRESSWAY, A DISTANCE OF 253.49 FEET TO A CUT "X" SET FOR CORNER AT THE NORTHERNMOST POINT OF A CORNER CLIP;

THENCE SOUTH 75 DEGREES 51 MINUTES 16 SECONDS WEST WITH SAID CORNER CLIP AND WITH THE NORTHWEST RIGHT-OF-WAY LINE OF NORTH CENTRAL EXPRESSWAY, A DISTANCE OF 26.83 FEET TO A 1/2" IRON ROD WITH YELLOW PLASTIC CAP MARKED "1ST AMER 4053785800" SET FOR CORNER, SAID IRON ROD BEING IN THE NORTHEAST RIGHT-OF-WAY LINE OF WEBB STREET (VARIABLE R.O.W);

THENCE NORTH 65 DEGREES 45 MINUTES 00 SECONDS WEST ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF WEBB STREET, A DISTANCE OF 181.11 FEET TO A 1/2" IRON ROD WITH YELLOW PLASTIC CAP MARKED "1ST AMER 4053785800" SET FOR CORNER ON THE SOUTHERNMOST POINT OF A CORNER CLIP;



THENCE NORTH 20 DEGREES 45 MINUTES 00 SECONDS WEST WITH SAID CORNER CLIP AND WITH THE NORTHEAST LINE OF WEBB STREET, A DISTANCE OF 14.14 FEET TO A 1/2" IRON ROD WITH YELLOW PLASTIC CAP MARKED "1ST AMER 4053785800" SET FOR CORNER, SAID IRON ROD BEING IN THE SOUTHEAST RIGHT-OF-WAY LINE OF MCKINNEY AVENUE (VARIABLE R.O.W.);

THENCE NORTH 24 DEGREES 15 MINUTES 00 SECONDS EAST ALONG THE SOUTHEAST RIGHT-OF-WAY LINE OF MCKINNEY AVENUE, A DISTANCE OF 332.00 FEET TO A 1/2" IRON ROD WITH YELLOW PLASTIC CAP MARKED "1 ST AMER 4053785800" SET FOR CORNER;

THENCE SOUTH 65 DEGREES 45 MINUTES 00 SECONDS EAST, A DISTANCE OF 234.46 WITH THE SOUTHWEST LINE OF LOT 5-A OF THE MCKINNEY SUBDIVISION, AN ADDITION TO THE CITY OF DALLAS, TEXAS RECORDED IN VOLUME 73228, PAGE 1396 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, TO THE POINT OF BEGINNING AND CONTAINING 75,985 SQUARE FEET OR 1.7444 ACRES OF LAND.

As shown on that certain Survey prepared by Joseph L. Roederer, RPLS No. 5727 on behalf of Commercial Due Diligence Services, dated September 29, 2017, last revised December 7, 2017 ("the Survey").



Exhibit B

Permitted Exceptions

1. Restrictive Covenants contained in Volume 80004, Page 2285, Real Property Records, Dallas County, Texas.
2. Standby fees, taxes and assessments by any taxing authority for the year 2018, and subsequent years and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership, but not those taxes or assessments for prior years because of an exemption granted to a previous owner of the property under Section 11.13, Texas Tax Code, or because of improvements not assessed for a previous tax year.
3. Rights of occupants, as occupants only, pursuant to unrecorded occupancy agreements for residential and/or care purposes for a term no more than one (1) year.
4. Non-exclusive Easement(s) and rights incidental thereto, as granted in a document:
Granted to: Dallas Power & Light Company
Purpose: As provided in said document
Recording Date: September 13, 1979
Recording No: Volume 79180, Page 1332, aforesaid records.
5. Non-exclusive Water and Wastewater Easement granted to the City of Dallas in Judgment on Suit styled "City of Dallas vs. Telesis/Monticello West Retirement Apartments I, Ltd., et al", filed in County Court At Law No. 2, Dallas County, Texas, under Case No. 93-01059-b, a copy of said Judgment is recorded in Volume 93118, Page 4312, aforesaid records.
6. An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document:
Entitled: Memorandum of Lease Assignment
Lessor: Telesis/Monticello West Retirement Apartments I, Ltd.
Lessee: Nextel of Texas, Inc. d/b/a Nextel Communications
Recording Date: March 11, 1997
Recording No: Volume 97048, Page 5778, aforesaid records.
Together with Memorandum of Amendment No. Two, filed April 11, 2012, recorded under Clerk's File No(s). 201200103208, aforesaid records.
7. Matters contained in that certain document:
Entitled: MDU Broadband Services Agreement
Dated: October 18, 2001
Executed by: Telesis/Monticello West Retirement Apartments I, Ltd., to TCI Cablevision of Dallas, Inc.
Recording Date: January 15, 2002
Recording No: Volume 2002011, Page 1122, aforesaid records.



8. Matters and non-exclusive Easements contained in that certain document:
Entitled: Rooftop Easement and Assignment Agreement
Dated: October 24, 2012
Executed by: Telesis/Monticello West Retirement Apartments I, Ltd., a Texas limited partnership and AP Wireless Investments II, LLC, a Delaware limited liability company
Recording Date: October 31, 2012
Recording No: under Clerk's File No(s). 201200324711, aforesaid records.
Assigned to AP Wireless Investments I, LLC by instrument filed June 24, 2013, recorded under Clerk's File No(s). 201300196644, aforesaid records.
9. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated June 30, 2014, recorded June 30, 2014 at under Clerk's File No(s). 201400162995, aforesaid records.
10. Non-exclusive Easement(s) and rights incidental thereto, as granted in a document:
Granted to: Timer Warner Cable Enterprises LLC
Purpose: As provided in said document
Recording Date: May 20, 2016
Recording No: under Clerk's File No(s). 201600136139, aforesaid records.
11. The following non-exclusive easements and/or building lines, as shown on plat recorded in Volume 78243, Page 1965, aforesaid records:
 - a. Restricted access along a portion of the East/Southeast line of subject property.
12. The following matters as shown and noted on the Survey prepared by Joseph L. Roederer, RPLS No. 5727 on behalf of Commercial Due Diligence Services, dated September 29, 2017, last revised December 7, 2017
 - a. Encroachment/protrusion of concrete, concrete rail, parking space, brick wall and fence.
13. Any titles or rights asserted by anyone, including, but not limited to, persons, the public, corporations, governments or other entities,
 - a. to tidelands, or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs or oceans, or
 - b. to lands beyond the line of harbor or bulkhead lines as established or changed by any government, or
 - c. to filled-in lands, or artificial islands, or
 - d. to statutory water rights, including riparian rights, or
 - e. to the area extending from the line of mean low tide to the line of vegetation, or the rights of access to that area or easement along and across that area.



14. The following matters and all terms of the documents creating or offering evidence of the matters:

- a. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records.

Filed and Recorded
Official Public Records
John F. Warren, County Clerk
Dallas County, TEXAS
12/20/2017 04:04:09 PM
\$50.00



JFW

201700354966



TAX CERTIFICATE



JOHN R. AMES, CTA
DALLAS COUNTY TAX ASSESSOR/COLLECTOR
500 Elm Street, Suite 3300
Dallas, Texas 75202

Issued To:

ASPECT LCS LEASING MW LLC
% DAVID LAFFEY
400 LOCUST ST STE 820
DES MOINES, IA 50309-0000

Legal Description

MONTICELLO WEST ADDN
BLK 2/2015 LT 6A ACS 1.7444
INT201700354966 DD12192017 CO-DC
2015 002 00600 1002015 002

Parcel Address: 5114 MCKINNEY AVE, DA

Legal Acres: .0000

Account Number: 000-001-948-67000000

Certificate No: 119418

Certificate Fee: \$10.00 CREDIT

Print Date: 02/10/2025 02:31:26 PM

Paid Date: 02/10/2025

Issue Date: 02/10/2025

Operator ID: TA_LESUEURPUB

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 AND 11.43(i) OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2024, AND THERE ARE NO TAXES DUE ON THIS PROPERTY.

Exemptions:

Certified Owner:

ASPECT LCS LEASING MW LLC
% DAVID LAFFEY
400 LOCUST ST STE 820
DES MOINES, IA 50309-0000

Certified Tax Unit(s):

1002 DALLAS COUNTY
1021 PARKLAND HOSPITAL
1031 DALLAS COLLEGE
1102 DALLAS ISD
1208 CITY OF DALLAS

Table with 2 columns: Description and Amount. Rows include 2024 Value (9,250,000), 2024 Levy (\$206,740.28), 2024 Levy Balance (\$0.00), Prior Year Levy Balance (\$0.00), Total Levy Due (\$0.00), P&I + Attorney Fee (\$0.00), and Total Amount Due (\$0.00).

Reference (GF) No: N/A
Issued By: TARSHA LESUEUR
JOHN R. AMES, CTA
DALLAS COUNTY TAX ASSESSOR/COLLECTOR



DEED RECORD

345 MCKINNEY SUBDIVISION

78243 1965

HAROLD TOPLETZ
AND
JACK TOPLETZ

LOT 5-A

LOT 20

S 65° 45' 00" E - 242.46'

50.0'

40.0'

SAM S. LEAKE

WM. L. HILL

BLOCK 5/2018

SPANISH PROPERTIES INC.

MC KINNEY AVE.

N 24° 15' 00" E - 350.00'

DEDICATED FOR STREET PURPOSES
S 24° 15' 00" W - 372.00'

BLOCK 2/2015
LOT 6-A

S 30° 19' 00" W - 50.28'
S 21° 35' 12" W - 50.05'

S 59° 17' 34" E

Δ = 02° 18' 22"
R = 5859.65'
L = 235.85'
C = 235.84

N 65° 45' 00" W - 200.00'

WEBB ST.

S 71° 02' 33" W - 14.58'
N 65° 45' 00" W - 9.24'
S 24° 15' 00" W - 5.00'

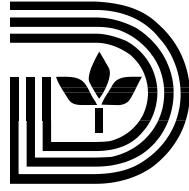
BEGINNING POINT

BLOCK 4/2017

BLOCK 3/2016

M K E M P L L

NORTH CENTRAL EXPRESS



CITY OF DALLAS

February 10, 2025

ADDRESS: 5114 McKinney Ave

RE: **CAD # 0000019486700000**

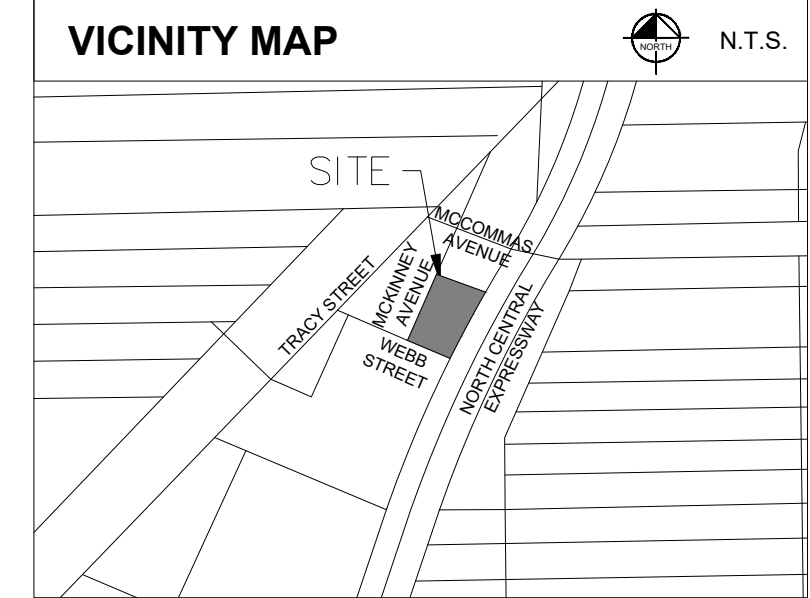
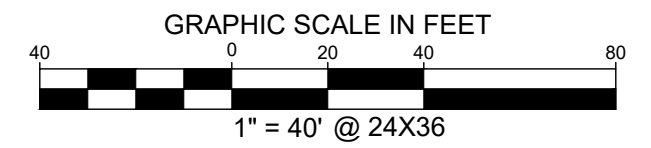
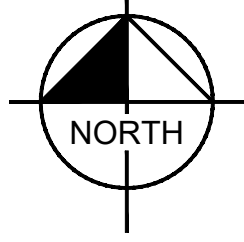
DEAR SIR/MADAM,

No information was found responsive to your request for identification of City liens in the records of Special Collections. This response does not constitute legal advice regarding the status of the real property at **5114 McKinney Ave**. There may be additional liens of record in the County Clerk's office. This response is made to your request for public information and constitutes neither estoppel against the City of Dallas nor relinquishment, waiver, release, or other change in any lien interest of record.

Should you have any further questions please contact Special Collections at 214-670-3438.

Sincerely,
Naomi Garcia

Special Collections Division
Dallas Water Utilities



LEGEND	
☐	ROOF DRAIN
☐	CABLE TV BOX
☐	CABLE TV HANDHOLE
☐	CABLE TV MANHOLE
☐	CABLE TV MARKER FLAG
☐	CABLE TV MARKER SIGN
☐	CABLE TV VAULT
☐	COMMUNICATIONS BOX
☐	COMMUNICATIONS HANDHOLE
☐	COMMUNICATIONS MANHOLE
☐	COMMUNICATIONS MARKER FLAG
☐	COMMUNICATIONS MARKER SIGN
☐	COMMUNICATIONS VAULT
☐	ELEVATION BENCHMARK
☐	FIBER OPTIC BOX
☐	FIBER OPTIC HANDHOLE
☐	FIBER OPTIC MANHOLE
☐	FIBER OPTIC MARKER FLAG
☐	FIBER OPTIC MARKER SIGN
☐	FIBER OPTIC VAULT
☐	MONITORING WELL
☐	GAS HANDHOLE
☐	GAS METER
☐	GAS MANHOLE
☐	GAS MARKER FLAG
☐	GAS SIGN
☐	GAS TANK
☐	GAS VAULT
☐	GAS VALVE
☐	TELEPHONE BOX
☐	TELEPHONE HANDHOLE
☐	TELEPHONE MANHOLE
☐	TELEPHONE MARKER FLAG
☐	TELEPHONE MARKER SIGN
☐	TELEPHONE VAULT
☐	PIPELINE MARKER SIGN
☐	ELECTRIC BOX
☐	FLOOD LIGHT
☐	GUY ANCHOR
☐	GUY ANCHOR POLE
☐	ELECTRIC HANDHOLE
☐	LIGHT STANDARD
☐	ELECTRIC METER
☐	ELECTRIC MANHOLE
☐	ELECTRIC MARKER FLAG
☐	ELECTRIC MARKER SIGN
☐	UTILITY POLE
☐	ELECTRIC TRANSFORMER
☐	ELECTRIC VAULT
☐	HANDICAPPED PARKING
☐	MARKET/BILLBOARD
☐	BIPOLE LOCATION
☐	FLAG POLE
☐	GREASE TRAP
☐	MAIL BOX
☐	SANITARY SEWER CLEAN OUT
☐	SANITARY SEWER MANHOLE
☐	SANITARY SEWER MARKER FLAG
☐	SANITARY SEWER MARKER SIGN
☐	SANITARY SEWER SEPTIC TANK
☐	SANITARY SEWER VAULT
☐	STORM SEWER BOX
☐	STORM SEWER DRAIN
☐	STORM SEWER MANHOLE
☐	STORM SEWER VAULT
☐	TRAFFIC BARRIER
☐	TRAFFIC BOLLARD
☐	TRAFFIC BOX
☐	CROSS WALK SIGNAL
☐	TRAFFIC HANDHOLE
☐	TRAFFIC MANHOLE
☐	TRAFFIC MARKER SIGN
☐	TRAFFIC SIGNAL
☐	UNIDENTIFIED BOX
☐	UNIDENTIFIED HANDHOLE
☐	UNIDENTIFIED METER
☐	UNIDENTIFIED MANHOLE
☐	UNIDENTIFIED MARKER FLAG
☐	UNIDENTIFIED MARKER SIGN
☐	UNIDENTIFIED POLE
☐	UNIDENTIFIED TANK
☐	UNIDENTIFIED VAULT
☐	TREE
☐	WATER BOX
☐	FIRE DEPT. CONNECTION
☐	WATER HAND HOLE
☐	FIRE HYDRANT
☐	WATER METER
☐	WATER MANHOLE
☐	WATER MARKER FLAG
☐	WATER MARKER SIGN
☐	WATER VAULT
☐	WATER VALVE
☐	AIR RELEASE VALVE
☐	WATER WELL
☐	IRON ROD W/ W/ CAP SET
☐	IRON ROD WITH CAP FOUND
☐	PKS PK NAIL SET
☐	PKF PK NAIL FOUND
☐	IFP IRON ROD FOUND
☐	IFP IRON PIPE FOUND
☐	ALUMINUM DISK FOUND
☐	X" CUT IN CONCRETE SET
☐	X" CUT IN CONCRETE FOUND
☐	P.O.B. POINT OF BEGINNING
☐	P.O.C. POINT OF COMMENCING

PARKING TABLE	
TYPE	NUMBER
REGULAR	39
HANDICAPPED	7
TOTAL	46

ALTA/NSPS LAND TITLE SURVEY
 1.744 ACRES
 MONTICELLO WEST ADDITION
 JOHN H. COLE SURVEY, ABSTRACT NO. 272
 JOHN H. SMITH SURVEY, ABSTRACT NO. 1334
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
 2500 Pacific Avenue, Suite 1100
 Dallas, Texas 75226 FIRM # 10115500 Tel No. (469) 718-8849

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JZ	JAD	Jun. 2024	060011600	1 OF 1

PROPERTY DESCRIPTION

BEING a tract of land situated in the John H. Cole Survey, Abstract No. 272, and John H. Smith Survey, Abstract No. 1334, Dallas County, Texas, and being part of Lot 6A, Block 2/2015, Monticello West Addition, an addition to the City of Dallas, according to the plat recorded in Volume 73243, Page 1965, Deed Records, Dallas County, Texas, and being all of a called 1.744 acre tract of land recorded in Special Warranty Deed to ASPECT LCS LEASING MW LLC, recorded in Instrument No. 201700354966, Official Public Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found for the north end of a corner clip of the intersection of the southeast right-of-way line of McKinney Avenue and the northwest line of said Lot 6A, North 23°18'50" East, a distance of 332.00 feet to the north corner of said Lot 6A;

THENCE departing said southeast right-of-way line of McKinney Avenue and with the northeast line of said Lot 6A, South 66°41'10" East, a distance of 234.46 feet to a 4-inch brass disk stamped "TEXAS DEPARTMENT OF TRANSPORTATION" found for the east corner of said Lot 6A, in the northwest right-of-way line of North Central Expressway (a variable width right-of-way);

THENCE with said northwest right-of-way line of North Central Expressway, the following courses and distances:
 South 29°22'50" West, a distance of 50.28 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;
 South 21°14'18" West, a distance of 22.52 feet to a 4-inch brass disk stamped "TEXAS DEPARTMENT OF TRANSPORTATION" found for corner;
 South 27°20'23" West, a distance of 253.49 feet to an "X" cut in concrete set for the east end of a corner clip of said northwest right-of-way line of North Central Expressway and said northeast right-of-way line of Webb Street;

THENCE with said corner clip, South 75°01'06" West, a distance of 26.83 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE with said northeast right-of-way line of Webb Street, North 66°41'10" West, a distance of 181.11 feet to a 5/8-inch iron rod found for the south end of said corner clip;

THENCE with said corner clip, North 21°41'10" West, a distance of 14.14 feet to the **POINT OF BEGINNING** and containing 75,958 square feet or 1.744 acres of land.

FLOOD STATEMENT:
 According to Federal Emergency Management Agency's Flood Insurance Rate Map No. 48113C0335K, for Dallas County, Texas and incorporated areas, dated July 7, 2014, this property is located within:

Zone X (unshaded) defined as "Areas determined to be outside the 0.2% annual chance floodplain"

If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

NOTES:

- No visible evidence of current earth moving work, building construction or building additions were observed at the time of survey.
- The surveyor did not abstract the surveyed property. This survey was performed without the benefit of a current title abstract.
- Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

SURVEYORS CERTIFICATION:

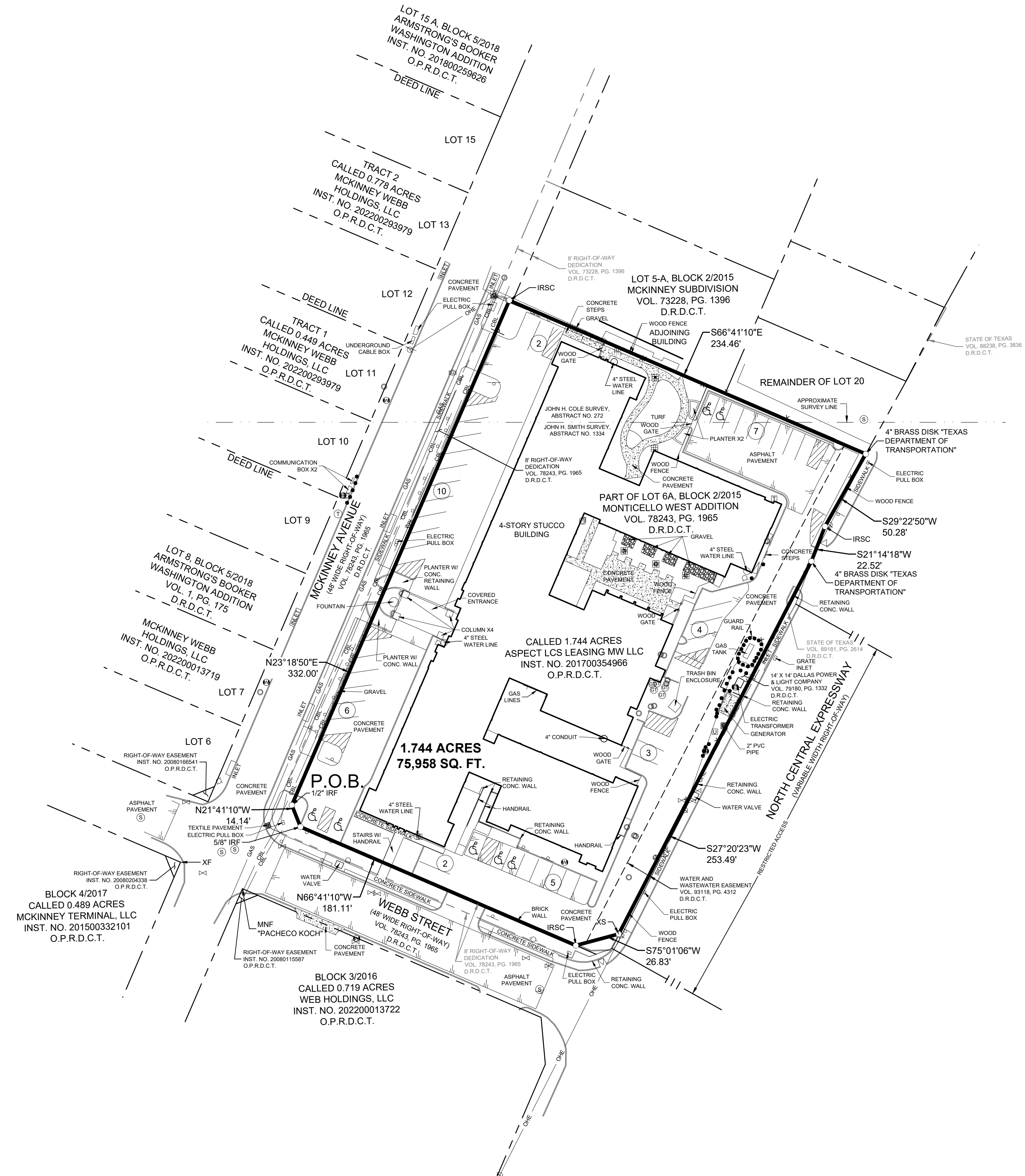
To: ASPECT LCS LEASING MW LLC:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1,2,3,4,8,9,13 and 16 of Table A thereof. The field work was completed on June 12, 2024.

Survey Date: June 13, 2024

J. Andy Dobbs
 Registered Professional Land Surveyor No. 6196
 Kimley-Horn and Associates, Inc.
 2500 Pacific Avenue, Suite 1100
 Dallas, Texas 75226
 Ph. 469-718-8849
 andy.dobbs@kimley-horn.com

PRELIMINARY
 THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT



DEED RESTRICTIONS

THE STATE OF TEXAS
COUNTY OF DALLAS

X
X
X

A

KNOW ALL MEN BY THESE PRESENTS

0923

7.00 DEED
01/07/80

The undersigned, Overcash, Goodman, Telesis, a Joint Venture, is the owner of that property described in Exhibit "A" which is attached hereto and made a part hereof for all purposes, hereinafter referred to as "the property".

The undersigned owner does hereby impress upon the property the following deed restrictions, to wit:

1. The individual living units shall not be leased to persons younger than 65 years.
2. No more than thirty (30) automobiles owned or operated by residents of the property may be kept on the property.

These restrictions shall continue in full force and effect for so long as the property is used as a residence home for the aged.

These restrictions shall not be altered, amended or terminated without a public hearing before the Board of Adjustment of the City of Dallas. Notice of such public hearing shall be given as would be required by law for an appeal to the Board of Adjustment.

These restrictions inure to the benefit of the City of Dallas, and the undersigned owner does hereby grant to the City 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. The City of Dallas may withhold or suspend 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 binding upon all persons acquiring all or a portion of the property and any person by acceptance of title to all or a portion of the property shall thereby agree and covenant to abide by and fully perform the foregoing restrictions and covenants.

EXECUTED this the 18 day of October, 1978.

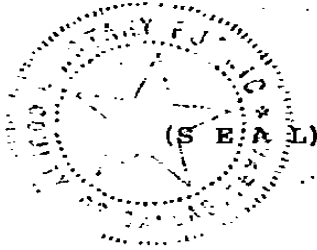
Overcash, Goodman, Telesis, a Joint Venture

By:

Steve Rush
Steve Rush, Venture Manager

BEFORE ME, the undersigned authority, on this day personally appeared Steve Rush, Venture Manager of Overcash, Goodman, Telesis, a Joint Venture, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration of therein expressed, in the capacity therein stated and as the act and deed of said joint venture.

Given under my hand and seal of office this the 18th
day of October, 1978.



Mary Bellows
Notary Public in and for
Dallas County, Texas

My commission expires:

August 7, 1980

80004 2286

DEED RESTRICTIONS - PAGE TWO

EXHIBIT "A"

Being all of lots 6 thru 12 and part of lots 13 thru 18, Block 2/2015 of ARMSTRONG'S BOOKER T. WASHINGTON ADDITION, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 1, Page 175 of the Map Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod at the present intersection of the Northeast ROW line of Webb Street (a 40' ROW) with the Southeast ROW line of McKinney Avenue (a 40' ROW);

THENCE N 24° 15' 00" E, 350.00 ft. with the Southeast line of McKinney Ave. to an iron rod at the North corner of lot 6;

THENCE S 65° 45' E, 150.00 ft. with the common line of lot 6 and lot 5A of 345 McKinney Subdivision to an iron rod at the common corner of lots 5A, 6 & 19;

THENCE S 24° 15' W, 50.00 ft. with the common line of lots 6 & 19 to an elm tree at the common corner of lots 6, 18 & 19;

THENCE S 65° 45' 00" E, 87.15 ft. with the common line of lots 18 & 19 to an iron rod in the Northwest ROW line of North Central Expressway;

THENCE S 21° 35' 12" W, 50.05 ft. with the Northwest line of North Central Expressway to an iron rod for corner on a curve to the left having a central angle of 2° 18' 22" and a radius of 5859.65 ft.;

THENCE around said curve & with the northwest line of North Central Expressway, and being 130 ft. from and parallel to the centerline of North Central Expressway, a distance of 235.85 ft. to an iron rod for corner;

THENCE S 71° 02' 33" W, 14.58 ft. to an iron rod for corner;

THENCE N 65° 45' 00" W, 9.24 ft. to an iron rod for corner;

THENCE S 24° 15' 00" W, 5.00 ft. to an iron rod for corner in the Northeast line of Webb Street;

THENCE N 65° 45' 00" W, 200.00 ft. with the Northeast line of Webb Street to the place of beginning and containing 76,347.68 square feet, more or less, or 1.7527 acres of land, more or less.

80004 2287

FILED
Y. F. MURDOCH
COUNTY CLERK
DALLAS, TEXAS

'80 JAN 4 PM 2:35

S. Stanley Knight
909 One Main Place
Dallas, Texas 75260
(214) 744-3221

STATE OF TEXAS COUNTY OF DALLAS
I, Y. F. MURDOCH, County Clerk, do hereby certify that this instrument was filed on the
4th day of January, 1980, at Dallas, Texas, and was duly recorded in the volume and page of the named record
at Dallas County, Texas as stamped hereon by me.

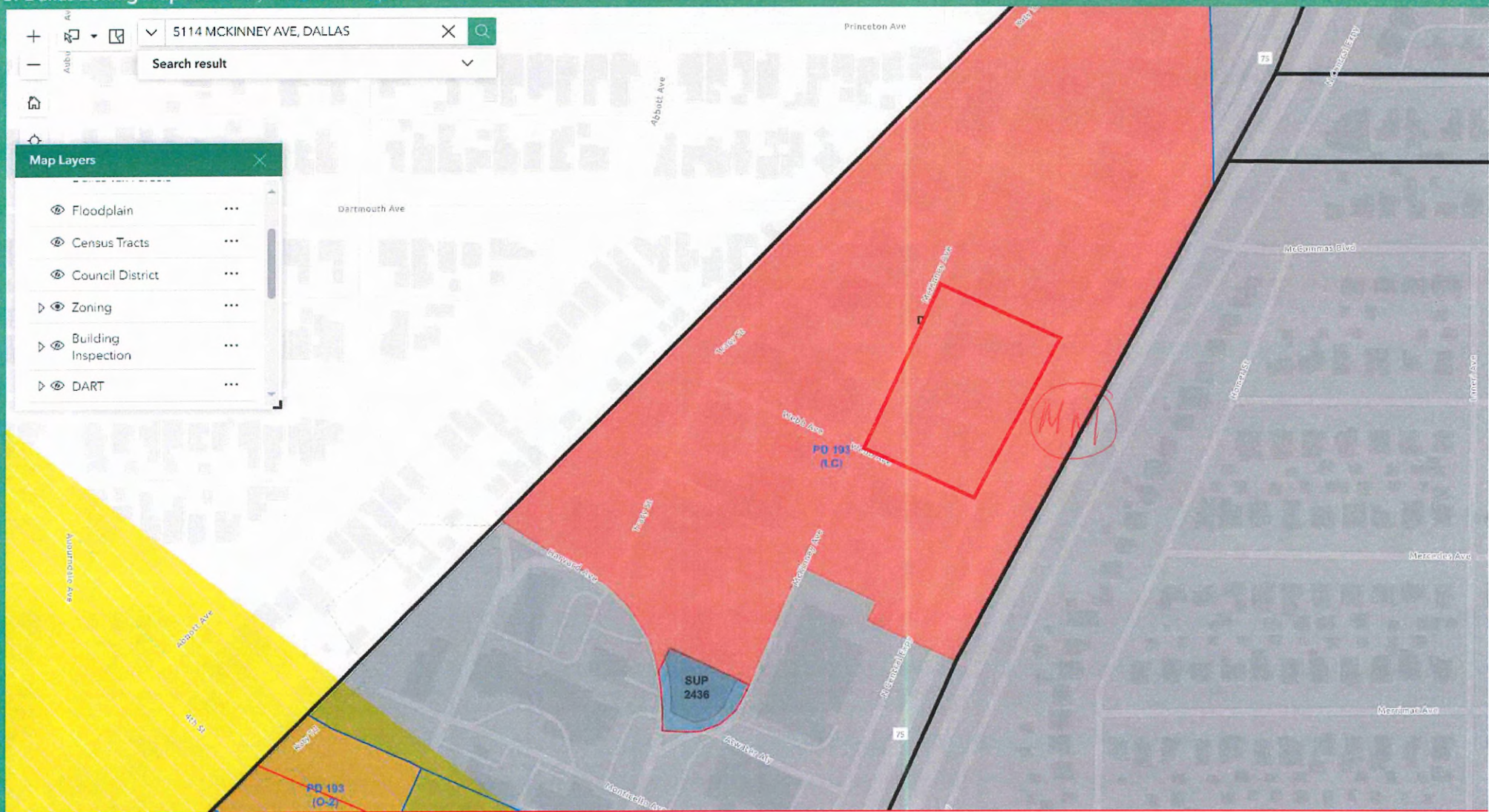
JAN 7 1980

Y. F. Murdoch
COUNTY CLERK, Dallas County, Texas

80004 2288

5114 MCKINNEY AVE, DALLAS
Search result

- Map Layers
- Floodplain
 - Census Tracts
 - Council District
 - Zoning
 - Building Inspection
 - DART



SHIPPED DATE: 5-2-94 RECEIVED DATE: 7-1-96

CITY OF DALLAS PLAT BOOKS

ANNEXED APRIL 1, 1919 ORD. NO. SURVEY J. W. SMITH ABST. 1334

ADDITION ARMSTRONG'S BOOKER WASHINGTON

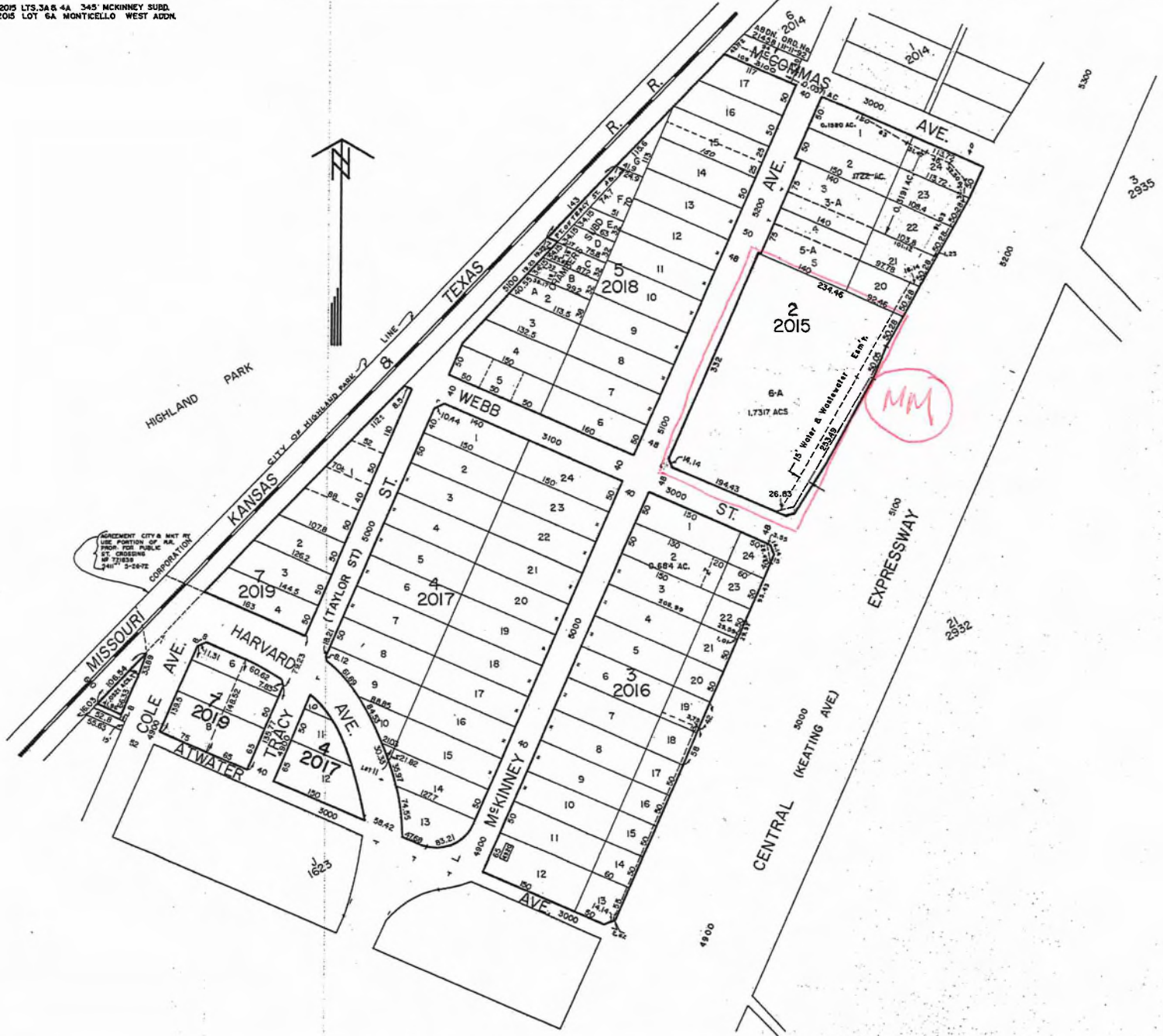
BLOCKS 2, 3, 4, 5, 7
2015, 2016, 2017, 2018, 2019

SCALE 100 FT. EQUALS 1 INCH

PHA 6-10-87

SCHOOL DISTRICT DALLAS

FILED: FEBRUARY 12, 1908
FILED: 11-20-73 BLK. 2/2015 LTS. 3A & 4A 345 MCKINNEY SUBD.
FILED: 12-5-78 BLK. 2/2015 LOT 6A MONTICELLO WEST ADDN.



REPLACEMENT CITY & RAILWAY CO. CORPORATION
USE PORTION OF RAILROAD FOR PUBLIC ST. CROSSING OF TRUCKS
2411 3-2672