

This items includes oversized  
document(s) which are available in  
the City Secretary's Office

ORDINANCE NO. 27904

An ordinance amending the zoning ordinances of the City of Dallas by permitting the following property, which is presently zoned as an A(A) Agricultural District:

BEING a tract of land in City Block 8462 fronting approximately 278.85 feet on the south line of Sanders Loop; beginning approximately 195 feet east of the ease line of south Belt Line Road; and containing approximately five acres,

to be used under Specific Use Permit No. 1806 for gas drilling and production; providing that this specific use permit shall be granted subject to certain conditions; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this specific use permit; and

WHEREAS, the city council finds that this use will complement or be compatible with the surrounding uses and community facilities; contribute to, enhance, or promote the welfare of the area of request and adjacent properties; not be detrimental to the public health, safety, or general welfare; and conform in all other respects to all applicable zoning regulations and standards; and

WHEREAS, the city council finds that it is in the public interest to grant this specific use permit, subject to certain conditions; Now, Therefore,

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

SECTION 1. That the zoning ordinances of the City of Dallas are amended to allow the property described in Exhibit A, which is attached to and made a part of this ordinance (“the Property”), which is presently zoned as an A(A) Agricultural District, to be used under Specific Use Permit No. 1806 for gas drilling and production.

SECTION 2. That this specific use permit is granted on the following conditions:

1. USE: The only use authorized by this specific use permit is gas drilling and production. If a gas well is in the drilling, fracturing, production, or reworking phase, an institutional and community service use, recreation use, or residential use (except trailers or mobile homes placed on the site as temporary residents for workers) is not permitted on the Property.
2. SITE/OPERATION PLANS: Use and development of the Property must comply with the attached site and operation plans:
  - (a) site plan showing existing/original conditions;
  - (b) site/operation plan for the drilling phase; and
  - (c) site/operation plan for the production phase.
3. TIME LIMIT:
  - (a) Except as provided in Section (3)(b), this specific use permit expires on June 9, 2030, but is eligible for automatic renewal for additional 10-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for the automatic renewal must be filed after the 180th day but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

- (b) The Operator shall notify the building official in writing at least 10 days before permanently stopping gas production (abandoning the well). Once the Operator permanently stops production, this specific use permit expires after the Operator restores the Property in accordance with Article XII of the Dallas Development Code, as amended. After the Operator restores the Property, a new specific use permit is required for any other gas drilling and production operation.

4. LANDSCAPING/SCREENING:

- (a) In general. Except as provided in this Section 4, landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code, as amended.
- (b) Perimeter landscaping and screening.
  - (1) Type required. If any portion of the perimeter of the Property is within 300 feet and visible from a right-of-way or private street or within 600 feet and visible from a lot or tract of land with an institutional or community service use or a residential use, one of the following additional landscaping and screening requirements must be provided:
    - (A) A minimum eight-foot-high solid masonry or concrete wall must be provided so that the perimeter of the Property is no longer visible from the right-of-way, private street, or the lot or tract of land with an institutional and community service use or a residential use. The masonry or concrete wall must have a split-faced stone or brick pattern. A landscape buffer strip that complies with Section 51A-10.125(b)(1) of the Dallas Development Code, as amended, must be provided on the side of the masonry or concrete wall closest to the right-of-way, private street, or lot or tract of land with an institutional and community service use or a residential use. This eight-foot-high solid masonry or concrete wall may count toward the fencing required in Section 51A-4.203(b)(3.2)(E)(viii) of the Dallas Development Code, as amended.

- (B) Evergreen plant materials recommended for local area use by the building official must be provided so that the perimeter of the Property is no longer visible from the right-of-way, private street, or a lot or tract of land with an institutional and community service use or a residential use. Plant materials must be placed a maximum of 24 inches on center over the entire length of the area being screened and must be capable of growing eight feet in height and having a solid appearance within three years after planting. The building official may approve an alternative planting density if a landscape professional certifies that the alternative planting density is cable of growing eight feet in height and having a solid appearance within three years after planting.
  - (2) When required. The perimeter landscaping and screening must be provided by the later of either:
    - (A) one year after the first gas well is in production, or
    - (B) the acceptance of the right-of-way by the municipality; the completion of the private street; or the final inspection of an institutional and community service use or a residential structure.
  - (3) Waiver. If a commercial structure, fence, vegetation, or topography is located between the Property and the right-of-way, private street, or lot or tract of land with an institutional and community service use or a residential use, and the Director determines that the commercial structure, fence, vegetation, or topography is equivalent to the perimeter landscaping and screening required in Section 4(b)(1), the Director may waive the perimeter landscaping and screening.
  - (4) Reinstatement. If the Director determines after waiving Section 4(b)(1) that the existing commercial structure, fence, vegetation, or topography has been altered such that it is no longer equivalent to the perimeter landscaping and screening required in Section 4(b)(1), the Operator must comply with the perimeter landscaping and screening requirements in Section 4(b)(1) within six months after the Director sends written notice to the Operator.
5. HEIGHT: Except temporary structures authorized by the building official, no structure may exceed 24 feet in height.

6. MANEUVERING SURFACE: Vehicle maneuvering surfaces must be gravel or a similar material in the locations shown on the site/operation plans.
7. PERMITS: The building official may not issue a certificate of occupancy for a gas drilling and production use until the Operator obtains all required permits from the Railroad Commission of Texas, Texas Commission on Environmental Quality, and all other state, federal, and city agencies.
8. SIGNS: Signs must comply with the provisions for non-business zoning districts in Article VII of the Dallas Development Code, as amended, and gas drilling and production in Article XII of the Dallas Development Code, as amended.
9. TIME LIMITS ON OPERATIONS: The following limits on operations apply to the gas drilling and production use:
  - (a) DRILLING PHASE.
    - (1) Gas drilling activities may occur 24 hours a day, seven days a week.
    - (2) If a residential use is located within 600 feet of the Property, the Operator shall begin drilling all of the gas wells approved by this SUP within one year after receiving a gas well permit for the first gas well. See Sections 51A-12.105(a)(6) and (d)(6) of the Dallas Development Code, as amended.
  - (b) FRACTURING AND REWORKING PHASE.
    - (1) Except as provided in this subsection, fracturing may only occur during daylight hours, seven days a week, except that flowback operations may occur 24 hours a day, seven days a week. See Section 51A-12.107(m)(1) of the Dallas Development Code, as amended.
    - (2) Except as provided in this subsection, reworking may occur 24 hours a day, seven days a week.
    - (3) If a residential use is located within 600 feet of the Property, fracturing and reworking may occur no more than 90 days in any 365 day period.

(c) PRODUCTION PHASE.

- (1) Except as provided in this subsection, gas production may occur 24 hours a day, seven days a week.
- (2) The Operator must make any repairs or improvements, other than fracturing or reworking, between 6:00 a.m. to 9:00 p.m., Monday through Saturday, except that emergency repairs may be made at any time.

11. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
12. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas, including the gas drilling regulations.

SECTION 3. That all paved areas, permanent drives, streets, and drainage structures, if any, on the Property must be constructed in accordance with standard City of Dallas specifications, and completed to the satisfaction of the director of public works and transportation.

SECTION 4. That the building official shall not issue a building permit or a certificate of occupancy for a use authorized by this specific use permit on the Property until there has been full compliance with this ordinance, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the City of Dallas.

SECTION 5. That the director of sustainable development and construction shall correct Zoning District Map No. C-2 in the offices of the city secretary, the building official, and the department of sustainable development and construction to reflect the changes in zoning made by this ordinance.

SECTION 6. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 7. That the zoning ordinances of the City of Dallas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 8. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 9. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

BY

Assistant City Attorney

Passed JUN 09 2010



27904

101523

**FIELD NOTES DESCRIBING A WELL PAD SITE NEAR BELT LINE ROAD  
AND SANDERS LOOP, OFFICIAL CITY OF DALLAS BLOCK NO. 8462, IN THE  
MCKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 1054,  
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING a 5.000 acre tract of land situated in the McKinney & Williams Survey, Abstract Number 1054, and in Official City of Dallas Block Number 8462, in the City of Dallas, Dallas County, Texas, and being part of that tract of land described in Warranty Deed to Dallas Power & Light Company, as recorded in Volume 4424, Page 301, of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

COMMENCING at an "X" cut in concrete found for the northwest corner of said Dallas Power & Light Company tract, said corner also being in the centerline of Beltline Road (variable width right-of-way, 120 feet wide at this point);

THENCE North 89 degrees 39 minutes 38 seconds East, departing said centerline of Beltline Road and along the north line of said Dallas Power & Light Company tract, a distance of 253.00 feet to a point for corner;

THENCE South 00 degrees 20 minutes 22 seconds East, departing said north line, a distance of 50.00 feet to a point on the south right-of-way line of Sanders Loop (a 60 foot wide right-of-way) for the POINT OF BEGINNING from which a 1/2 inch set iron rod with yellow plastic cap stamped "HALFF ASSOC INC." (hereinafter referred to as "with cap") bears South 01 degree 49 minutes 51 seconds West, a distance of 2.01 feet;

THENCE North 89 degrees 39 minutes 38 seconds East, along said south right-of-way line, a distance of 278.85 feet to a point for corner from which a 1/2 inch set iron rod with cap bears South 36 degrees 15 minutes 30 seconds East, a distance of 2.41 feet, said point being the beginning of a non-tangent circular curve to the left having a radius of 510.00 feet and whose chord bears South 52 degrees 53 minutes 49 seconds East, a distance of 286.66 feet;

THENCE Southeasterly, departing said south right-of-way line and along said curve, through a central angle of 32 degrees 38 minutes 39 seconds, an arc distance of 290.57 feet to a point for corner and the end of said curve from which a 1/2 inch set iron rod with cap bears South 69 degrees 23 minutes 18 seconds East, a distance of 1.93 feet;

THENCE South 00 degrees 20 minutes 22 seconds East, a distance of 302.72 feet to a point for corner from which a 1/2 inch set iron rod with cap bears North 89 degrees 45 minutes 58 seconds East, a distance of 1.85 feet;

(For SPRG use only)

Reviewed By: \_\_\_\_\_

Date: \_\_\_\_\_

SPRG NO.: \_\_\_\_\_

2078-309

Page 1 of 3

9/22/2008

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27904

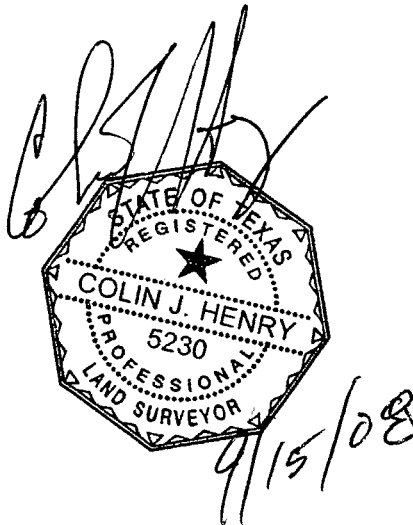
101523

**FIELD NOTES DESCRIBING A WELL PAD SITE NEAR BELT LINE ROAD  
AND SANDERS LOOP, OFFICIAL CITY OF DALLAS BLOCK NO. 8462, IN THE  
MCKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 1054,  
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

THENCE South 89 degrees 39 minutes 38 seconds West, a distance of 506.45 feet to a 1/2 inch set iron rod with cap for corner;

THENCE North 00 degrees 20 minutes 22 seconds West, a distance of 477.00 feet to the POINT OF BEGINNING and CONTAINING 217,800 square feet or 5.000 acres of land, more or less.

The Basis of Bearing of this Survey is NAD 83 (1993) Texas State Plane North Central Zone 4202 as observed by GPS from "DALLAS CORS ARP", "COLLIN CORS ARP", "ARLINGTON CORS", "DENTON CORS ARP". Convergence angle at "DALLAS CORS ARP" is - 03 degrees 01 minutes 49.9 seconds as computed by Corpscon for Windows Version 6.0. All coordinates shown are surface and may be converted to grid by dividing by the conversion factor of 0.99983043.



(For SPRG use only)

Reviewed By: \_\_\_\_\_

Date: \_\_\_\_\_

SPRG NO.: \_\_\_\_\_

Page 2 of 3

9/22/2008

LD5\_000 PAD A.doc

### Existing/Original Conditions

27904

**Legal Description**[illegible]

**COMMITMENTAL, RELEVANT**

CITY OF CORPUS CHRISTI

**COMMERCIAL IMPORTS**

CITY OF CHICAGO

**POLYMERIZATION CATALYZED BY CYTOSINE WATER SOLUBLE IN**

Abstracted in:



RADIO TOWER

A = 32.30.55  
R = 510.00'  
T = 149.35'  
L = 290.51'  
CL = 286.66'  
CB = 552.53.49'

**Experimental**

- Proposed Pad Limits
- 8' Chain Link Fences
- Property Boundaries
- Right of Way Limits
- City Boundary
- Surface Drainage Flow
- Water Line
- Sanitary Sewer Line
- Power Pole
- Gas
- Day Water
- Telephone Materials
- Easements

**General Notes**

- 1) There are no permanent structures on the site.
- 2) Contour Lines were surveyed by staff in August of 2008 and are not site specific.
- 3) Per Schedule 5.14.10, 100 ft. of the City of Dallas' jurisdiction extends to the south of the proposed development (see Schedule 5.14.10.101 (22XV)).  
The proposed development is located within the City of Dallas' jurisdiction and is not within the City of Irving's jurisdiction. The City of Irving is not the owner of the following right of way and is not responsible for the right of way. The City of Irving is not responsible for the proposed site.  
There are no utilities proposed at the site.
- 4) Per the FEMA Data Modernization Program (2007) there are no floodplains associated with the site.
- 5) No other features of current value or benefits exist within 500 feet of the boundaries of the excavation.

Compound	Concentration (mg/l)
Ethanol	280
Acetaldehyde	180
Acetone	150
Ethyl acetate	120
Propyl acetate	80
Butyl acetate	40
Hexyl acetate	20

~~SECRET~~

(NOT TO SCALE)

CHIEF OIL & GAS LLC.  
EXISTING/ORIGINAL CONDITIONS  
NORTH LAKE A 1H - A 32H  
Dallas, Texas



**HALFF**  
1281 NORTH BOWSER ROAD  
HOUSTON, TEXAS 77057-2879  
281-291-3300

**CHIEF**  
diagnostico

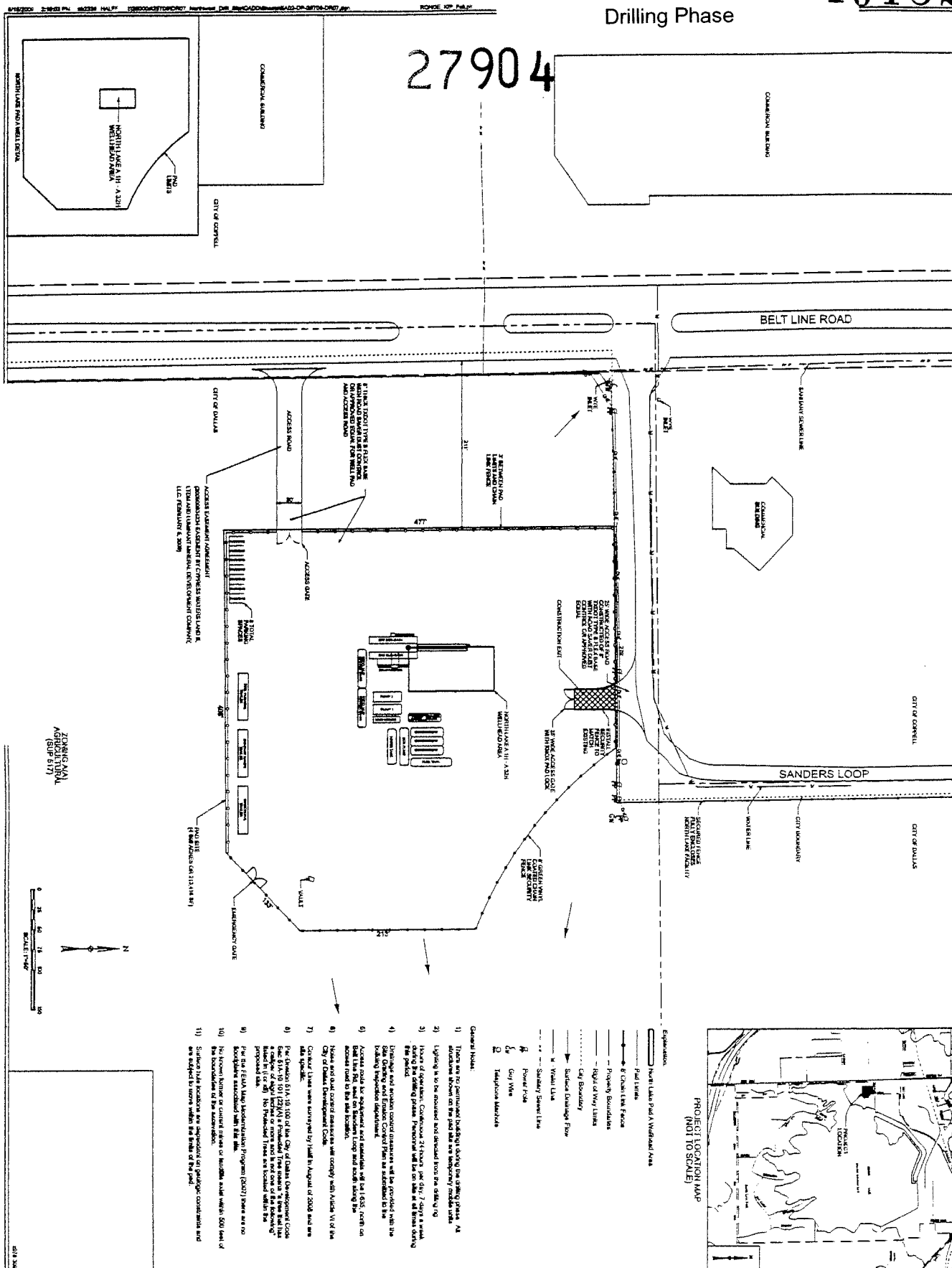
## CONDITIONS

EA1.01

Approved  
City Plan Commission  
May 7, 2009

Specific Use Permit  
No. 1806

27904



CHIEF OIL & GAS LLC.  
SITE/OPERATION PLAN  
FOR THE DRILLING PHASE  
NORTH LAKE A 1H - A 32H  
Dallas, Texas



Project No.	24708
Issued	02/16/00
Drawn By	CJM
Checked By	AKL
Scale	AS NOTED
Sheet Title	SEWER OPERATION PLAN FOR THE CRILLING PHASE
EA 2.01	
Sheet Number	

Approved  
City Plan Commission  
May 7, 2009

Specific Use Permit  
No. 1806

[illegible]

CHIEF OIL & GAS LLC.  
SITE/OPERATION PLAN  
FOR THE PRODUCTION PHASE  
NORTH LAKE A 1H - A 32H  
Dallas, Texas


**HALFF**

EAS.01

Approved  
City Plan Commission  
May 7, 2009

Specific Use Permit  
No. 1806

City of  
Coppell

SANDERS LOOP

BELT LINE RD

E BELT LINE RD

SUP  
517

A(A)

SUP  
3



1:4,800

# **ZONING AND LAND USE**

Map no: C-2  
Case no: Z078-309

101523

COUNCIL CHAMBER

June 9, 2010

**WHEREAS**, the deed restrictions in the attached instrument have been volunteered in connection with property that is a tract of land in City Block 8462 south of Sanders Loop and east of Belt Line Road, which is the subject of Zoning Case No. Z078-309; and

**WHEREAS**, the City Council desires to accept the deed restrictions in the attached instrument; Now, Therefore,

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

**Section 1.** That the deed restrictions in the attached instrument are accepted by the City Council of the City of Dallas to be used in conjunction with the development of property that is the subject of Zoning Case No. Z078-309.

**Section 2.** That these deed restrictions must be filed in the Deed Records of Dallas County, Texas.

**Section 3.** That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:

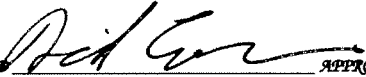
THOMAS P. PERKINS, JR., City Attorney

By   
Assistant City Attorney

APPROVED BY  
CITY COUNCIL

JUN 09 2010

  
City Secretary

APPROVED  HEAD OF DEPARTMENT APPROVED \_\_\_\_\_ DIRECTOR OF FINANCE APPROVED \_\_\_\_\_ CITY MANAGER

After recording, return to:  
 Paul A. Martin  
 Vinson & Elkins L.L.P.  
 2001 Ross Avenue, Suite 3700  
 Dallas, TX 75201

### DEED RESTRICTIONS

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

#### I.

The undersigned **CYPRESS WATERS LAND B, LTD.**, a Texas limited partnership and **CYPRESS WATERS LAND C, LTD.**, a Texas limited partnership (collectively, the "Owner"), is the owner of the following described property (the "Property"), being in particular a tract of land out of the McKinney & Williams Survey, Abstract No. 1054 and the G.W. Laws Survey, Abstract No. 843, being in City Block 8462 in the City of Dallas, Dallas County, Texas, and being part of that same tract of land conveyed to the Owner by Luminant Generation Company LLC, a Texas limited liability company, by deed dated November 24, 2008, and recorded in Document No. 20080370203 in the Deed Records of Dallas County, Texas, and being more particularly described in Exhibit A attached hereto.

#### II.

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

Buildings containing residential uses (except enclosed parking spaces, nonhabitable areas within a structure, garbage storage areas, and trailers or mobile homes placed on the gas drilling and production use site as temporary residence for workers) and buildings for institutional and community service uses are not permitted within 300 feet from the wellhead area shown on the site plan attached to the SUP, a copy of which is attached hereto as Exhibit B, for so long as a gas well is in the drilling, fracturing, production, or reworking phase.

#### III.

These restrictions shall continue in full force and effect for a period of 20 years from the date of execution, and shall automatically be extended for additional periods of 10 years unless amended or terminated in the manner specified in this document.



**IV.**

These restrictions may be amended or terminated as to any portion of the Property, upon application to the City of Dallas by the current owner of that portion of the Property, without the concurrence of the owners of the remaining portion of the Property. These restrictions may be amended or terminated only after a public hearing before the City Plan Commission and a public hearing before and approval by the City Council of the City. Notice of the public hearings must be given as would be required by law for a zoning change on the Property. The amending or terminating instrument must be approved as to form by the city attorney. If the City Council approves an amendment or termination of these restrictions, the Owner must then file the amending or terminating instrument in the Deed Records of the county or counties where the Property is located at his or her 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 to exercise its legislative duties and powers insofar as zoning of the Property is concerned.

**VI.**

The Owner agrees that these restrictions inure to the benefit of the City. The Owner hereby grants the City the right to enforce these restrictions by any lawful means, including filing an action in a court of competent jurisdiction, at law or in equity, against the person violating or attempting to violate these restrictions, either to prevent the violation or to require its correction. If the City substantially prevails in a legal proceeding to enforce these restrictions, the Owner agrees that the City shall be entitled to recover damages, reasonable attorney's fees, and court costs. For further remedy, the Owner agrees that the City may withhold any certificate of occupancy or final inspection necessary for the lawful use of the Property until these restrictions are complied with. The right of the City to enforce these restrictions shall not be waived, expressly or otherwise.

**VII.**

The Owner agrees to defend, indemnify, and hold harmless the City from and against all claims or liabilities arising out of or in connection with a violation of the restrictions in Paragraph II.

**VIII.**

The provisions of this document are hereby declared covenants running with the land and are fully binding on all successors, heirs, and assigns of the Owner who acquire any right, title, or interest in or to the Property, or any part thereof. Any person who acquires any right, title, or interest in or to the Property, or any part thereof, thereby agrees and covenants to abide by and fully perform the provisions of this document.

**IX.**

Unless stated otherwise in this document, the definitions and provisions of Chapter 51A of the Dallas City Code, as amended, apply and are incorporated into this document as if recited in this document.

**X.**

The Owner understands and agrees that this document shall be governed by the laws of the State of Texas.

**XI.**

The Owner certifies and represents that there are no mortgages or liens, other than liens for ad valorem taxes, against the Property.

**XII.**

The invalidation of any provision in this document by any court shall in no way affect any other provision, which shall remain in full force and effect, and to this end the provisions are declared to be severable.


101523

EXECUTED this the 23<sup>rd</sup> day of April, 2010.

OWNER:

CYPRESS WATERS LAND B, LTD.,  
a Texas limited partnership

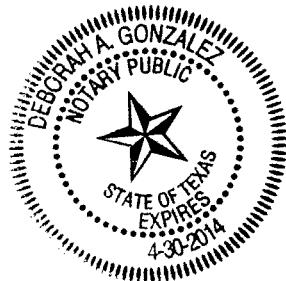
By: Billingsley 380 North GP, L.L.C.,  
a Texas limited liability company  
Its General Partner

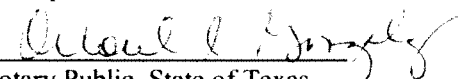
By:   
Name: Joel M. Overton, Jr.  
Title: Manager

STATE OF TEXAS }

COUNTY OF DALLAS }

This instrument was acknowledged before me on this 23<sup>rd</sup> day of April, 2010, by  
Joel M. Overton, Jr., as Manager of Billingsley 380 North GP, L.L.C., a Texas  
limited liability company, the general partner of Cypress Waters Land B, Ltd., a Texas limited  
partnership, for and on behalf of said limited partnership.




  
Notary Public, State of Texas  
My commission expires: 4/30/2014  
Printed name of notary public: Deborah A. Gonzalez

101523

CYPRESS WATERS LAND C, LTD.,  
a Texas limited partnership

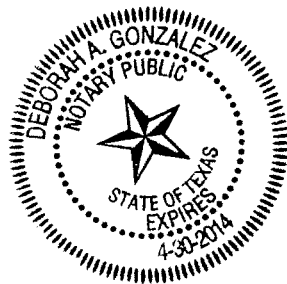
By: Billingsley 380 North GP, LLC  
a Texas limited liability company  
Its General Partner

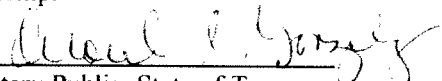
By:   
Name: Joel M. Overton, Jr.  
Title: Manager

STATE OF TEXAS }

COUNTY OF DALLAS }

This instrument was acknowledged before me on this 23<sup>rd</sup> day of April, 2010, by  
Joel M. Overton, Jr., as Manager of Billingsley 380 North GP, LLC, a Texas  
limited liability company, the general partner of Cypress Waters Land C, Ltd., a Texas limited  
partnership, for and on behalf of said limited partnership.



  
Notary Public, State of Texas  
My commission expires: 4/30/2014  
Printed name of notary public: Deborah A. Gonzalez

101523

APPROVED AS TO FORM:  
THOMAS P. PERKINS, JR., City Attorney

By: 

Assistant City Attorney

**EXHIBIT A****Legal Description of the Property****FIELD NOTES DESCRIBING DEED RESTRICTIONS FOR TRACT 1 AND TRACT 2  
NEAR BELT LINE ROAD AND SANDERS LOOP, OFFICIAL CITY OF DALLAS  
BLOCK NO. 8462, IN THE MCKINNEY & WILLIAMS SURVEY,  
ABSTRACT NO. 1054, CITY OF DALLAS, DALLAS COUNTY, TEXAS****TRACT 1**

BEING a 0.6947 acre tract of land situated in the McKinney & Williams Survey, Abstract Number 1054, and in Official City of Dallas Block Number 8462, in the City of Dallas, Dallas County, Texas, and being part of that tract of land described in Special Warranty Deed to Cypress Waters Land B, Ltd., as recorded in Instrument No. 20080370203 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described as follows:

COMMENCING at an "X" cut in concrete found for the northwest corner of that tract of land described in Warranty Deed to Dallas Power & Light Company, as recorded in Volume 4424, Page 301, of the Deed Records of Dallas County, Texas (D.R.D.C.T.), said corner also being in the centerline of Belt Line Road (variable width right-of-way, 120 feet wide at this point);

THENCE North 89 degrees 39 minutes 38 seconds East, departing said centerline of Belt Line Road and along the north line of said Dallas Power & Light Company tract, a distance of 531.85 feet to a point for corner;

THENCE South 00 degrees 20 minutes 22 seconds East, departing said north line, a distance of 50.00 feet to a 3-1/2-inch pipe found on the south right-of-way line of Sanders Loop (a 60 foot wide right-of-way) for the POINT OF BEGINNING, said point being on the north line of said Cypress Waters tract;

THENCE North 89 degrees 39 minutes 38 seconds East, along said south right-of-way line, a distance of 68.42 feet to a point for corner on the east right-of-way line of said Sanders Loop, from which a 5/8-inch found iron rod with cap stamped "CB" bears North 89 degrees 39 minutes 38 seconds East, a distance of 0.86 feet;

THENCE North 00 degrees 38 minutes 48 seconds West, departing said south right-of-way line and along said east right-of-way line, a distance of 140.38 feet to a point for corner;

THENCE South 39 degrees 59 minutes 48 seconds East, departing said east right-of-way line, a distance of 244.40 feet to a point for corner;

THENCE South 00 degrees 20 minutes 22 seconds East, a distance of 124.95 feet to a point for corner and the beginning of a non-tangent circular curve to the right having a radius of 510.00 feet, whose chord bears North 52 degrees 39 minutes 31 seconds West, a distance of 282.59 feet;

**FIELD NOTES DESCRIBING DEED RESTRICTIONS FOR TRACT 1 AND TRACT 2  
NEAR BELT LINE ROAD AND SANDERS LOOP, OFFICIAL CITY OF DALLAS  
BLOCK NO. 8462, IN THE MCKINNEY & WILLIAMS SURVEY,  
ABSTRACT NO. 1054, CITY OF DALLAS, DALLAS COUNTY, TEXAS**

THENCE Northwesterly, along said curve, through a central angle of 32 degrees 10 minutes 04 seconds, an arc distance of 286.33 feet to the POINT OF BEGINNING and CONTAINING 30,260 square feet or 0.6947 acres of land, more or less.

**TRACT 2**

BEING a 1.202 acre tract of land situated in the McKinney & Williams Survey, Abstract Number 1054, and in Official City of Dallas Block Number 8462, in the City of Dallas, Dallas County, Texas, and being part of that tract of land described in Special Warranty Deed to Cypress Waters Land B, Ltd., as recorded in Instrument No. 20080370203 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described as follows:

COMMENCING at an "X" cut in concrete found for the northwest corner of that tract of land described in Warranty Deed to Dallas Power & Light Company, as recorded in Volume 4424, Page 301, of the Deed Records of Dallas County, Texas (D.R.D.C.T.), said corner also being in the centerline of Belt Line Road (variable width right-of-way, 120 feet wide at this point);

THENCE North 89 degrees 39 minutes 38 seconds East, departing said centerline of Belt Line Road and along the north line of said Dallas Power & Light Company tract, a distance of 253.00 feet to a point for corner;

THENCE South 00 degrees 20 minutes 22 seconds East, departing said north line, a distance of 50.00 feet to a 3-1/2-inch pipe found on the south right-of-way line of Sanders Loop (a 60 foot wide right-of-way) for the POINT OF BEGINNING, said point being on the north line of said Cypress Waters tract;

THENCE South 00 degrees 20 minutes 22 seconds East, departing said south right-of-way line and said north line of said Cypress Waters tract, a distance of 436.81 feet to a point for corner and the beginning of a non-tangent circular curve to the right having a radius of 300.00 feet, whose chord bears North 30 degrees 20 minutes 22 seconds West, a distance of 300.00 feet;

THENCE Northwesterly, along said curve, through a central angle of 60 degrees 00 minutes 00 seconds, an arc distance of 314.16 feet to the point of tangency;

THENCE North 00 degrees 20 minutes 22 seconds West, a distance of 30.00 feet to the beginning of a tangent circular curve to the right having a radius of 300.00 feet, whose chord bears North 14 degrees 19 minutes 51 seconds East, a distance of 151.95 feet;

**FIELD NOTES DESCRIBING DEED RESTRICTIONS FOR TRACT 1 AND TRACT 2  
NEAR BELT LINE ROAD AND SANDERS LOOP, OFFICIAL CITY OF DALLAS  
BLOCK NO. 8462, IN THE MCKINNEY & WILLIAMS SURVEY,  
ABSTRACT NO. 1054, CITY OF DALLAS, DALLAS COUNTY, TEXAS**

THENCE Northeasterly, along said curve, through a central angle of 29 degrees 20 minutes 26 seconds, an arc distance of 153.63 feet to a point for corner and the end of said curve, said point being on said south right-of-way line of said Sanders Loop;

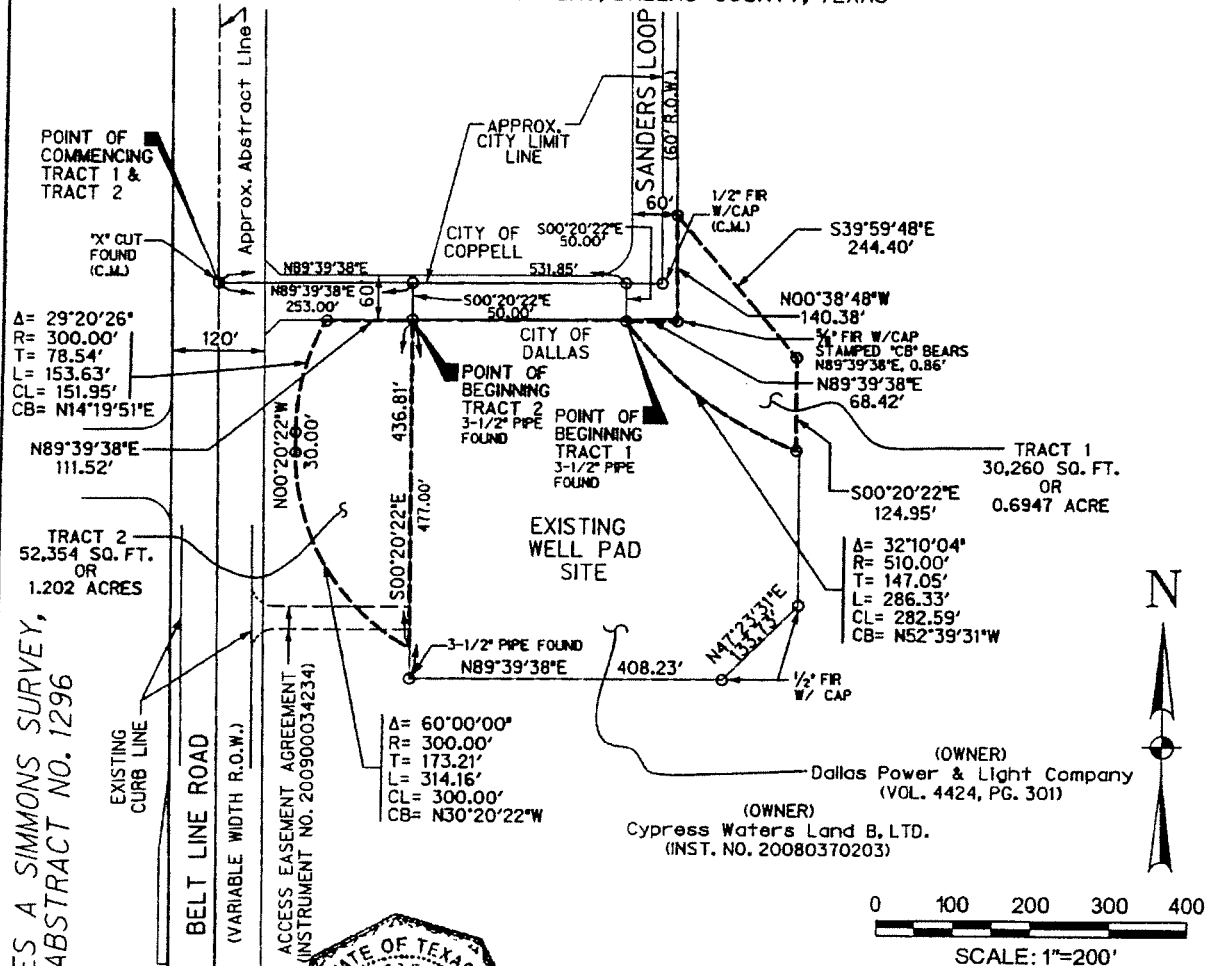
THENCE North 89 degrees 39 minutes 38 seconds East, along said south right-of-way line, a distance of 111.52 feet to the POINT OF BEGINNING and CONTAINING 52,354 square feet or 1.202 acres of land, more or less.

The Basis of Bearing of this Survey is NAD 83 (1993) Texas State Plane North Central Zone 4202 as observed by GPS from "DALLAS CORS ARP", "COLLIN CORS ARP", "ARLINGTON CORS", "DENTON CORS ARP". Convergence angle at "DALLAS CORS ARP" is - 03 degrees 01 minute 49.9 seconds as computed by Corpscon for Windows Version 6.0. All coordinates shown are surface and may be converted to grid by multiplying by the conversion factor of 0.99983043.

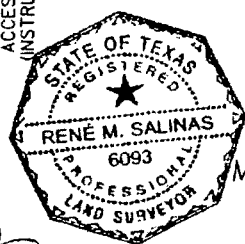


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DEED RESTRICTIONS FOR TRACT 1 AND TRACT 2  
NEAR BELT LINE ROAD AND SANDERS LOOP,  
OFFICIAL CITY OF DALLAS BLOCK NO. 8462, IN THE  
MCKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 1054  
CITY OF DALLAS, DALLAS COUNTY, TEXAS



JAMES A. SIMMONS SURVEY,  
ABSTRACT NO. 1296



*René M. Salinas*  
RENE M. SALINAS  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS NO. 6093

BLOCK 8462  
MCKINNEY & WILLIAMS SURVEY,  
ABSTRACT NO. 1054

NOTES

The Base of Bearing of this Survey is NAD 83 (1993) Texas State Plane North Central Zone 4202 as observed by GPS from "DALLAS CORS ARP", "COLLIN CORS ARP", "ARLINGTON CORS", "DENTON CORS ARP", "CONVERGENCE ANGLE AT "DALLAS CORS ARP" is - 03 degrees 01 minute 43.3 seconds as computed by Corposon for Windows Version 5.0. All coordinates shown are surface and may be converted to grid by dividing by the conversion factor of 0.99983043.

LEGEND

1/2" FIR W/CAP 1/2 INCH FOUND IRON ROD WITH YELLOW PLASTIC  
(C.M.) CAP STAMPED "HALFF ASSOC. INC." CONTROLLING MONUMENTS



HALFF ASSOCIATES INC., ENGINEERS ~ SURVEYORS  
1201 NORTH BOWSER ROAD ~ RICHARDSON, TEXAS ~ 75081-2275  
SCALE: 1"=200' (214)346-6200 AVO. 25706 JANUARY 2010

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