

6-25-14

ORDINANCE NO. 29387

An ordinance changing the zoning classification on the following property:

BEING a tract of land containing Lots 1 and 2 in City Block C/5410, all of City Blocks A/5411 and B/5411, part of City Block 5410, Lot 1A in City Block A/5412, Lots 1, 3, and 4 in City Block D/5414, Lots 1, 2A, 3, and 4 in City Block A/5413, Lot 1 in City Block C/5411, all of City Blocks D/5411, E/5411, and F/5411; fronting approximately 1,675 feet on the north line of Lovers Lane; fronting approximately 3,701 feet on the west line of Skillman Street; fronting approximately 4,528 feet on the south line of Northwest Highway; and containing approximately 309.77 acres,

from a CR Community Retail District, an MC-1 Multiple Commercial District, an MF-1(A) Multifamily District, an MF-2(A) Multifamily District, and an MU-3(SAH) Mixed Use (Affordable) District to Planned Development District No. 916 (The Village Special Purpose District); amending Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code by creating a new Article 916; establishing use regulations and development standards for this planned development district; 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 the rezoning of the property described in this ordinance; and

WHEREAS, the city council finds that it is in the public interest to establish this planned development district; Now, Therefore,

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

SECTION 1. That the zoning classification is changed from a CR Community Retail District, an MC-1 Multiple Commercial District, an MF-1(A) Multifamily District, an MF-2(A) Multifamily District, and an MU-3(SAH) Mixed Use (Affordable) District to Planned Development District No. 916 on the property described in Exhibit A, which is attached to and made a part of this ordinance (“the Property”).

SECTION 2. That Chapter 51P, “Dallas Development Code: Planned Development District Regulations,” of the Dallas City Code is amended by adding a new Article 916 to read as follows:

“ARTICLE 916.

PD 916.

The Village Special Purpose District

SEC. 51P-916.101. LEGISLATIVE HISTORY.

PD 916 was established by Ordinance No. _____, passed by the Dallas City Council on June 25, 2014.

SEC. 51P-916.102. PROPERTY LOCATION AND SIZE.

(a) PD 916 is established on property located between Skillman Street and the Onco right-of-way east of Greenville Avenue, north of Lovers Lane and south of Northwest Highway. The size of PD 916 is approximately 309.77 acres.

(b) This district is divided into three Subareas: Subarea A, Subarea B, and Subarea C, as shown on the subarea map (Exhibit 916A).

SEC. 51P-916.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article:

(1) GOURMET MARKETPLACE means a specialty food store that offers grocery items, prepared meals for on and off premise consumption, catered meals, and culinary demonstrations or instruction.

(2) OFF-SITE OPEN SPACE means the portion of the district that is accessible to all occupants of the district, open to the sky, but allows for architectural elements such as colonnades, pergolas, and gazebos.

(3) ON-SITE OPEN SPACE means the portion of a building site that is accessible to all occupants of the building site, open to the sky, but allows for architectural elements such as colonnades, pergolas, and gazebos; and may include multi-use, landscaped parking plazas for pedestrian use.

(4) OPEN SPACE means off-site and on-site open space.

(5) PEDESTRIAN AND/OR BICYCLE CONNECTION means an unobstructed area or path that is a minimum of six feet in width and illuminated to allow for pedestrian and/or bicycle traffic.

(6) PUBLIC STREETS means Amesbury Drive, Caruth Haven Lane, Lovers Lane, Old Town Drive, Shady Brook Lane, Skillman Street, and Southwestern Boulevard.

(7) STOOP means a small porch leading to the entrance of a residential structure.

(8) TANDEM PARKING means one parking space in front of another parking space making it necessary to pass through one parking space to gain vehicular access to the other parking space.

(9) TRANSPARENCY means the total area of a window and door opening filled with glass, expressed as a percentage of the total facade area by story.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a residential zoning district.

SEC. 51P-916.104. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 916A: subarea map.

(2) Exhibit 916B: supplement to building permit application.

- (3) Exhibit 916C: mixed use development parking chart.

SEC. 51P-916.105. CONCEPTUAL PLAN.

A conceptual plan is not required for this special purpose district.

SEC. 51P-916.106. DEVELOPMENT PLAN.

No development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

SEC. 51P-916.107. SUPPLEMENT TO BUILDING PERMIT APPLICATION.

Each application for a building permit for new construction must include a tabulation in the form required by Exhibit 916B (supplement to building permit application) which provides, as applicable:

- (1) the proposed number of dwelling units or the proposed floor area of nonresidential uses;
- (2) the existing number of dwelling units or existing floor area of nonresidential uses in all of the subareas on the Property; and
- (3) a calculation that provides sufficient information to verify that the proposed improvements comply with the maximum number of dwelling units, density, floor area, and floor area ratio requirements of this article.

SEC. 51P-916.108. MAIN USES PERMITTED.

(a) Subarea A. Except as provided in this subsection, the only main uses permitted are those main uses permitted in the MF-2(A) Multifamily District, subject to the same conditions applicable in the MF-2(A) Multifamily District, as set out in Chapter 51A. For example, a use permitted in the MF-2(A) Multifamily District only by specific use permit (SUP) is permitted in this district only by SUP. Residential adjacency review (RAR) and development impact review (DIR) are not required.

- (b) Subareas B and C. The following uses are the only main uses permitted:

- (1) Agricultural uses.
 - Crop production. *[Limited to community garden.]*
- (2) Commercial and business service uses.
 - Building repair and maintenance shop.
- (3) Industrial uses.

None permitted.
- (4) Institutional and community service uses.
 - Community service center.
- (5) Lodging uses.
 - Extended stay hotel or motel. *[Subarea C only. No more than 80 guest rooms permitted.]*
 - Hotel or motel. *[Subarea C only. No more than 80 guest rooms permitted.]*
- (6) Miscellaneous uses.

None permitted.
- (7) Office uses.
 - Financial institution without drive-in window.
 - Financial institution with drive-in window.
 - Medical clinic or ambulatory surgical center.
 - Office.
- (8) Recreation uses.
 - Private recreation center, club, or area.
- (9) Residential uses.
 - Multifamily.
 - Retirement housing.
- (10) Retail and personal service uses.
 - Alcoholic beverage establishments. *[See Section 51A-4.210(b)(4).]*

- Commercial amusement (inside).
- Commercial amusement (outside).
- Commercial parking lot or garage.
- Convenience store with drive-through.
- Dry cleaning or laundry store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Gourmet marketplace. *[Accessory seating area is permitted.]*
- Liquor store.
- Motor vehicle fueling station.
- Personal service uses.
- Restaurant without drive-in or drive-through service.
- Restaurant with drive-in or drive-through service.
- Surface parking.
- Theater.

(11) Transportation uses.

- Private street or alley.
- Transit passenger shelter.
- Transit passenger station or transfer center.

(12) Utility and public service uses.

- Local utilities.
- Radio, television, or microwave tower.
- Tower/antenna for cellular communication.
- Utility or government installation other than listed.

(13) Wholesale, distribution, and storage uses.

- Mini-warehouse.
- Recycling drop-off container. *[SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.]*

SEC. 51P-916.109. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(b) This district is considered one lot for uses accessory to a residential main use.

SEC. 51P-916.110. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general.

(1) Density. Maximum number of units for Subareas A, B, and C combined is 12,360.

(2) Residential proximity slope. The residential proximity slope provisions of Section 51A-4.125(f)(4)(E)(i) apply only if the site of origination is zoned an R or R(A) Single Family District, and is developed with a single family use before June 25, 2014.

(b) Subarea A.

(1) In general. Except as provided in this section, the yard, lot, and space regulations for the MF-2(A) Multifamily District apply.

(2) Lot coverage. Subarea A is considered one lot for purposes of calculating lot coverage. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(c) Subareas B and C.(1) Front yard.

(A) Except as provided in this subsection, no minimum front yard is required.

(B) Minimum front yard on Lovers Lane, Amesbury Drive, Southwestern Boulevard, Caruth Haven Lane, and Shady Brook Lane is 10 feet.

(2) Side and rear yard. No minimum side or rear yard is required.

(3) Encroachments. Window sills, bay windows, belt courses, cornices, other architectural features, and fireplace chimneys may project up to three feet into a required front yard. Unenclosed balconies, unenclosed patios, and stoops may project up to six feet into the required front yard, provided the width of the encroachment is not greater than 12 feet.

(4) Floor area.

(A) Residential uses. No maximum floor area.

(B) Non-residential uses.

(i) Except as provided in this subparagraph, the total maximum floor area for all nonresidential uses combined is 600,000 square feet.

(ii) In Subarea B, the maximum floor area for an individual retail or personal service use is 10,000 square feet.

(5) Height.

(A) Subarea B. Maximum structure height is 70 feet.

(B) Subarea C. Maximum structure height is 160 feet.

(C) Projections. Parapet walls, mechanical equipment, and related structures may project a maximum of four feet above the maximum structure height.

(D) Lighting. Lighting for athletic fields and tennis courts may not exceed 60 feet in height.

(6) Lot coverage.

(A) In general. Each subarea is considered one lot for purposes of calculating lot coverage.

(B) Subarea B. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(C) Subarea C. Maximum lot coverage is 65 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(7) Lot size. No minimum lot size is required.

(8) Stories. No maximum number of stories.

SEC. 51P-916.111.

OFF-STREET PARKING AND LOADING.

(a) In general. Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) Light rail parking reduction.

(1) For a nonresidential use located within 1,320 feet of a DART light rail station, required parking may be reduced by 20 percent if an enhanced sidewalk is provided between the non-residential use and the DART light rail station.

(2) The enhanced sidewalk must provide the shortest walking pathway to the DART light rail station.

(3) In this district, distance to a DART light rail station is calculated using a straight line from the nearest point of the DART light rail station to the nearest point of the building site containing a nonresidential use.

(c) Mixed use development parking reduction.

(1) In general.

(A) The off-street parking requirement for a mixed use development may be reduced in accordance with the mixed use development parking chart (Exhibit 916C).

(B) For purposes of this subsection, mixed use development means one or more buildings on a single building site containing at least one residential use and one nonresidential use.

(C) The off-street parking reduction may only be used if the parking is located on the same building site as the mixed use development.

(D) The off-street parking reduction may be used in combination with other parking reductions, except that the required parking for a mixed use development may not be reduced by more than 30 percent.

(2) Calculation of adjusted standard off-street parking requirement. The adjusted off-street parking requirement for a mixed use development is calculated as follows:

(A) The standard parking requirements for each use in the mixed use development must be calculated.

(B) The parking demand for each use must then be determined for each of the five times of day shown in the mixed use development parking chart by multiplying the standard off-street parking requirement for each use by the percentage in the chart assigned to the category of use. If a use in the development does not fall within one of the categories shown in the mixed use development parking chart, the percentage assigned to that use is 100 percent for all five times a day.

(C) The “time of day” columns are totaled to produce sums that represent the aggregate parking demand for the mixed use development at each time of day. The largest of these five sums is the adjusted off-street parking requirement for the mixed use development.

(3) Minimum parking requirement. If one or more of the main uses in a mixed use development is a retail or personal service use, the minimum parking requirement for the mixed use development cannot be reduced to a number of spaces that is less than the sum of the standard parking spaces required for each of the retail and personal service uses in the mixed use development.

(d) Tandem parking.

(1) Tandem parking is permitted for residential uses only.

(2) Two parking spaces in tandem must have a combined minimum dimension of nine feet in width by 34 feet in length.

(3) Up to 50 percent of the total required parking spaces may be tandem.

(4) Both parking spaces in a tandem parking space must be assigned to the same unit.

(5) Tandem parking may not be used for guest parking.

(e) Location of parking spaces.

(1) In Subarea A, off-street parking is prohibited within 25 feet of Skillman Street.

(2) Along public street frontages, no more than two rows of off-street parking may be located between the sidewalk and building facade.

SEC. 51P-916.112. ON-STREET PARKING.

(a) On-street parking reduction. Except as provided in this subsection, any on-street parking spaces may be counted as a reduction of the parking requirement of the use adjacent to the on-street parking space.

(1) An on-street parking space may not be used to reduce the required parking for more than one use, except that an on-street parking space may be used to reduce the combined total parking requirement of a mixed use project.

(2) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time that it is available. For example, a parking space that is available to the public only eight hours per day will be counted as one-third of a parking space ($8 \div 24 = \text{one-third}$). The total of the limited-availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(b) Striping. On-street parking must be striped in accordance with standard city specifications.

SEC. 51P-916.113. URBAN DESIGN STANDARDS FOR PUBLIC STREET FRONTAGES.

(a) Sidewalks.

(1) A minimum six-foot-wide sidewalk with at least four feet of unobstructed width must be provided along all public street frontages. Tree grates do not count toward the minimum unobstructed sidewalk width.

(2) If a sidewalk is located in the front yard, the property owner must dedicate a sidewalk easement to the city to assure its availability to the public as a permanent pedestrian way.

(b) Pedestrian amenities. A minimum of two of each of the following pedestrian amenities must be provided along each public street frontage:

- (1) benches;
- (2) trash receptacles; and
- (3) bicycle racks.

(c) Facade wall changes.

(1) Public street-facing facades must have a building articulation with a minimum depth of one foot for every 75 feet of length.

(2) A minimum of two different facade materials must be provided on each public street-facing facade.

(d) Transparency.

(1) For a building with nonresidential uses, public street-facing facades must have a minimum transparency of 50 percent.

(2) For a building with only residential uses and uses accessory to residential uses, public street-facing facades must have a minimum transparency of 30 percent.

(e) Ground floor dwelling units.

(1) A minimum of 50 percent of ground floor dwelling units facing a public street must have individual entries that access the public street and must have an improved path connecting to the sidewalk. Individual entries may be gated and private yards fenced if the fencing is at least 50 percent open.

(2) Stoops and/or porches at each public street-facing, ground floor dwelling unit are encouraged.

(f) Retail and personal service entry. Retail and personal service uses may not have a front entry facing Lovers Lane or Skillman Street.

(g) Connectivity.

(1) In Subarea B, a pedestrian and/or bicycle connection via sidewalk, crosswalk, trail, or a combination of these connections must be provided from every building site to Subarea C, and to the sidewalk on Lovers Lane.

(2) In Subarea C, a pedestrian and/or bicycle connection via sidewalk, crosswalk, trail, or a combination of these connections must be provided from every building site to Subarea B, and to the sidewalk on Lovers Lane.

(3) Pedestrian and/or bicycle connections may be located in Subarea A and may be located within the public right-of-way.

(4) If an off-site, publicly accessible hike and bike trail abuts a building site within this district at the time of submittal of a site plan, as required by Section 51P-916.116, a pedestrian and/or bicycle connection to the trail must be shown on the site plan for that building site.

(5) Trails and other pedestrian and/or bicycle connections may be located within the floodplain and must be constructed of a permeable, all-weather surface. Building permits may be issued for the construction of trails and other pedestrian and/or bicycle improvements regardless of whether the trail or other pedestrian and/or bicycle improvements are located on a building site.

(6) Sidewalks, crosswalks, trails, or bicycle paths within the public right-of-way may be used to satisfy the requirements in this section.

SEC. 51P-916.114. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-916.115. LANDSCAPING AND TREE MITIGATION.

(a) In general. Except as provided in this section, landscaping and tree mitigation must be provided in accordance with Article X.

(b) Northwest Highway street trees. Along Northwest Highway, street trees must be located on the Property within 20 feet of the Property line.

(c) Parkway trees. Trees planted in the parkway may be counted toward the tree replacement requirements in Article X.

(d) Tree mitigation. An existing healthy, protected, large tree, with a caliper of 16 inches or greater, that is preserved, may reduce the number of replacement inches by a factor of 0.5. For example, a tree with a caliper of 16 inches that is preserved reduces the tree replacement requirement eight inches. Trees must be protected before and during construction with the minimum standards approved by Article X. To qualify for a reduction in the number of replacement trees, the building official must determine that the tree protection requirements in Article X have been met.

(e) Skillman Street landscape buffer.

(1) In Subarea A, a 25-foot landscape buffer must be maintained along Skillman Street.

(2) The landscape buffer must include a berm, with a minimum of two feet and a maximum of four feet in height and irregular vertical and horizontal contours.

(3) Driveways, visibility triangles, streets, and related improvements are permitted within the landscape buffer.

(f) Private license granted.

(1) The city council hereby grants a revocable, non-exclusive license to the owner or tenants (with the written consent of the owner) of all property in this district for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this article. "Parkway" means the portion of a street right-of-way between the street curb and the lot line. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit. This private license will not terminate at the end of any specific period, however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or a threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.

(2) An owner or tenant is not required to comply with any landscaping requirement to the extent that compliance is made impossible due to the city council's revocation of the private license granted by this subsection.

(3) Upon the installation of landscaping and related amenities, such as irrigation systems, in the public rights-of-way, the owner or tenant shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the private license granted under this subsection, with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence, and \$2,000,000 annual aggregate. Coverage under this liability policy must be on an occurrence basis and the city shall be named as additional insured. Proof of such insurance must be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, Dallas, Texas 75201, and the policy must provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal, or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent that they are covered by this liability insurance policy.

(4) Each owner or tenant is responsible for maintaining the landscaping in a healthy, growing condition, for keeping related amenities in good repair and condition, and for keeping the premises safe and from deteriorating in value or condition, at no expense to the city. The city is absolutely exempt from any requirements to make repairs or to maintain the landscaping, related amenities, or the premises. The granting of a license for landscaping and related amenities under this subsection does not release the owner or tenant from liability for the installation or maintenance of trees, landscaping, and related amenities in the public right-of-way.

(g) Parkway landscape permit.

(1) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees, landscaping, or related amenities in the parkway. An application for a parkway landscape permit must be made to the building official. The application must be in writing on a form approved by the building official and accompanied by plans or drawings showing the area of the parkway affected and the planting or other amenities proposed.

(2) Upon receipt of the application and any required fees, the building official shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the building official determines that the construction, planting, or other amenities proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, the building official shall issue a parkway landscape permit to the property owner; otherwise, the building official shall deny the permit.

(3) A property owner is not required to comply with any parkway landscaping requirement of this article if compliance is made impossible due to the building official's denial of a parkway landscape permit.

(4) A parkway landscape permit issued by the building official is subject to immediate revocation upon written notice if at any time the building official determines that the use of the parkway authorized by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way. The property owner is not required to comply with any parkway landscaping requirement of this section if compliance is made impossible due to the building official's revocation of a parkway landscape permit.

(5) The issuance of a parkway landscape permit under this subsection does not excuse the property owner, his agents, or employees from liability for the installation or maintenance of trees or other amenities in the public right-of-way.

SEC. 51P-916.116. OPEN SPACE.

(a) A minimum of four percent of a building site must be maintained as open space.

(b) In addition, one square foot of on-site or off-site open space must be provided for every 20 square feet of floor area on the building site. Fractions of open space are rounded up to the next whole number. Open space existing at the time of application for a building permit may be included in the calculation of the open space requirement.

(c) Compliance with the open space requirement must be shown on a site plan and demonstrated at the time of application for any building permit for new construction. The site plan must include a calculation of any off-site open space used to meet the requirements of this section, and this calculation must be updated on all subsequent site plans to ensure that no off-site open space is used more than once to satisfy a building site open space requirement.

SEC. 51P-916.117. SIGNS.

(a) Except as provided in this section, signs for residential uses must comply with the requirements for non-business zoning districts in Article VII.

(b) Except as provided in this section, signs for nonresidential uses must comply with the requirements for business zoning district in Article VII.

(c) Non-monument signs are prohibited.

SEC. 51P-916.118. ADDITIONAL PROVISIONS.

(a) Motor vehicle access to Skillman Street through Subarea A is prohibited, except as required by the city.

(b) The Property must be properly maintained in a state of good repair and neat appearance.

(c) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P-916.119. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.”

SECTION 3. That, pursuant to Section 51A-4.701 of Chapter 51A of the Dallas City Code, as amended, the property description in Section 1 of this ordinance shall be construed as including the area to the centerline of all adjacent streets and alleys.

SECTION 4. That development of this district must comply with the full-scale version of Exhibit 916A (subarea map) attached to this ordinance. A reduced-sized version of this plan shall be provided in Chapter 51P. Permits shall be issued based on information provided on the full-scale version of the plan.

SECTION 5. That the city attorney is authorized to insert the enrolled number of this ordinance in the legislative history section of Article 916 in Chapter 51P.

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

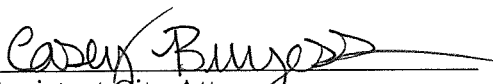
SECTION 7. That the zoning ordinances of the City of Dallas and Chapter 51P of the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

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:

WARREN M.S. ERNST, City Attorney

By 
Assistant City Attorney

Passed JUN 25 2014

Exhibit AOverallTRACT I

Being a tract of land situated in the John C. Cook Survey, Abstract 259, Dallas County, Texas and being part of the City of Dallas, same being all of Lot 2, Block C/5410 of VILLAGE PARK ADDITION, an addition to the City of Dallas, recorded in Volume 85166, Page 2001, Deed Records, Dallas County, Texas (D.R.D.C.T.), all of Lot 1, Block C/5410 of THE PARK, an addition to the City of Dallas, recorded in Volume 80144, Page 1211, D.R.D.C.T. and all of that tract of land called "TRACT 1" of "MAINTENANCE BUILDING & PARK EXCESS LAND", in the Special Warranty Deed to PC VILLAGE APARTMENTS DALLAS, LP and recorded in Volume 95165, Page 1114, D.R.D.C.T., and said tract of land being more particularly described as follows:

BEGINNING at the northeast corner of said Lot 1, Block C/5410 of THE PARK, said corner lying at the intersection of the south right of way line of Old Town Drive and the west right of way of Amesbury Drive and at the beginning of a curve to the right having a radius of 812.50 feet, a central angle of 30°03'50", and a chord that bears S14°08'00"E, 421.46 feet;

THENCE along said west right of way of Amesbury Drive and said curve to the right, an arc distance of 426.33 feet to a point for corner;

THENCE continuing along said west right of way of Amesbury Drive, S00°53'55"W, for a distance of 737.36 feet to a point for corner lying at the intersection of said west right of way of Amesbury Drive and the north right of way of Lovers Lane;

THENCE along said north right of way of Lovers Lane, N89°06'05"W, for a distance of 474.63 feet to a point for the southwest corner of said Lot 1, Block C/5410 of THE PARK and southeast corner of Lot 3, Block C/5410 of OLD TOWN - EAST, an addition to the City of Dallas, recorded in Volume 95021, Page 3324, D.R.D.C.T., said corner lying at the beginning of a non-tangent curve to the left having a radius of 1450.00 feet, a central angle of 9°23'55", and a chord that bears N03°48'03"W, 237.59 feet;

THENCE along the common line between said Lots 1 and 3, the following four (4) courses and distances:

Along said curve to the left, an arc distance of 237.85 feet to a point for corner;

N08°30'00"W, for a distance of 310.77 feet to a point for corner;

N73°30'00"W, for a distance of 116.00 feet to a point for corner at the beginning of a curve to the right having a radius of 100.00 feet, a central angle of 54°27'16", and a chord that bears N46°16'22"W, 91.50 feet;

Along said curve to the right, an arc distance of 95.04 feet to a point for the southeast corner of said "TRACT 1" of "MAINTENANCE BUILDING & PARK EXCESS LAND";

THENCE along the north line of said Lot 3, Block C/5410 of OLD TOWN - EAST and the south line of said "TRACT 1" of "MAINTENANCE BUILDING & PARK EXCESS LAND", N89°49'35"W, for a distance of 262.95 feet to a point for the southwest corner of said "TRACT 1" of "MAINTENANCE BUILDING & PARK EXCESS LAND" and lying on the east line of a 60 foot Dallas Power & Light ROW;

THENCE along said east line of 60 foot Dallas Power & Light ROW, N00°10'25"E, for a distance of 403.51 feet to a point for the northwest corner of said Lot 2, Block C/5410 of VILLAGE PARK ADDITION and lying on said south right of way line of Old Town Drive;

THENCE along said south right of way line of Old Town Drive, the following five (5) courses and distances:

S89°49'35"E, for a distance of 84.45 feet to a point for corner at the beginning of a curve to the right having a radius of 520.00 feet, a central angle of 11°29'35", and a chord that bears S84°04'47"E, 104.13 feet;

Along said curve to the right, an arc distance of 104.31 feet to a point for corner;

S78°20'00"E, for a distance of 218.74 feet to a point for corner at the beginning of a curve to the left having a radius of 455.00 feet, a central angle of 42°38'00", and a chord that bears N80°21'00"E, 330.81 feet;

Along said curve to the left, an arc distance of 338.56 feet to a point for corner;

N59°02'00"E, for a distance of 181.47 feet to the POINT OF BEGINNING, and containing a computed area of 719,086 square feet or 16.508 acres.

Said TRACT I totaling 16.508 acres.

TRACT II

Being a tract of land situated in the John C. Cook Survey, Abstract 259, Dallas County, Texas and being part of the City of Dallas, same being all of Block A/5411 of THE CHASE, an addition to the City of Dallas, recorded in Volume 78053, Page 1959, D.R.D.C.T. and all of Block B/5411 of THE CHASE NO. 2, an addition to the City of Dallas, recorded in Volume 78133, Page 3283, D.R.D.C.T.

Said TRACT II totaling 17.302 acres.

TRACT III

Being a tract of land situated in the John C. Cook Survey, Abstract 259, Dallas County, Texas and being part of the City of Dallas Block No. 5410, same being all of those tracts of land called

"TRACT 1" of "GATE I", "TRACT 1" of "GATE II" and "TRACT 1" of "GATE III", in the Special Warranty Deed to PC VILLAGE APARTMENTS DALLAS, LP and recorded in Volume 95165, Page 1114, D.R.D.C.T., and being more particularly described as follows:

BEGINNING at the northeast corner of said "TRACT 1" of "GATE III", same being at the intersection of the northwest right of way line of Southwestern Boulevard and southwest right of way line of Caruth Haven Lane;

THENCE along said northwest right of way line of Southwestern Boulevard, the following three courses and distances:

S11°01'20"W, at a distance of 209.39 feet passing the common easterly corner of said "TRACT 1" of "GATE III" and "TRACT 1" of "GATE II" and continuing for a total distance of 745.43 feet to a point for corner at the beginning of a tangent curve to the right having a radius of 455.00 feet, a central angle of 79°10'00", and a chord that bears S50°36'20"W, 579.85 feet;

Along said curve to the right, at an arc distance of 4.48 feet passing the common easterly corner of said "TRACT 1" of "GATE II" and "TRACT 1" of "GATE I" and continuing for a total arc distance of 628.68 feet to a point for corner;

N89°48'40"W, a distance of 248.11 feet to a point for the southwest corner of said "TRACT 1" of "GATE I";

THENCE along the west line of said "TRACT 1" of "GATE I", N00°11'20"E, a distance of 210.00 feet to a point for corner;

THENCE continuing along the west line of said "TRACT 1" of "GATE I", N05°24'40"E, at a distance of 217.62 feet passing the common westerly corner of said "TRACT 1" of "GATE I" and "TRACT 1" of "GATE II" and continuing along the west line of said "TRACT 1" of "GATE II" for a total distance of 517.82 feet to a point for corner;

THENCE continuing along the west line of said "TRACT 1" of "GATE II", N10°36'40"E, at a distance of 307.94 feet passing the common westerly corner of said "TRACT 1" of "GATE II" and "TRACT 1" of "GATE III" and continuing along the west line of said "TRACT 1" of "GATE III" for a total distance of 570.44 feet to a point for corner on said southwest right of way line of Caruth Haven Lane, said corner lying at the beginning of a non-tangent curve to the right having a radius of 348.64 feet, a central angle of 13°38'22", and a chord that bears N82°58'09"E, 82.80 feet;

THENCE along said southwest right of way line of Caruth Haven Lane and said curve to the right, an arc distance of 82.99 feet to a point for corner on said southwest right of way line of Caruth Haven Lane, said corner lying at the beginning of a compound curve to the right having a radius of 672.96 feet, a central angle of 23°22'15", and a chord that bears S78°31'32"E, 272.60 feet;

THENCE continuing along said southwest right of way line of Caruth Haven Lane and said compound curve to the right, an arc distance of 274.50 feet to a point for corner;

THENCE continuing along said southwest right of way line of Caruth Haven Lane, S66°50'25"E, a distance of 364.19 feet to the POINT OF BEGINNING, and containing a computed area of 823,258 square feet or 18.899 acres.

Said TRACT III totaling 18.899 acres.

TRACT IV

Being a tract of land situated in the John C. Cook Survey, Abstract 259, Dallas County, Texas and being part of the City of Dallas, same being all of Lot 1A, Block A/5412 of VILLAGE HILL, an addition to the City of Dallas, recorded in Volume 2004151, Page 20, D.R.D.C.T.

Said TRACT IV totaling 29.271 acres.

TRACT V

Being a tract of land situated in the John C. Cook Survey, Abstract 259 and Buffalo Bayou, Brazos and Colorado Railroad Company Survey, Abstract 191, Dallas County, Texas and being part of the City of Dallas, same being all of Lot 3, Block D/5414 of BLUFFS EAST, an addition to the City of Dallas, recorded in Volume 99005, Page 15, Deed Records, Dallas County, Texas (D.R.D.C.T.), all of Lot 1, Block D/5414 of VILLAGE GLEN NO. 4, an addition to the City of Dallas, recorded in Volume 73144, Page 2206, D.R.D.C.T., all of Lot 4, Block D/5414 of VILLAGE GLEN NO. 1, an addition to the City of Dallas, recorded in Volume 99005, Page 17, D.R.D.C.T., all of Lot 5, Block D/5414 of VILLAGE GLEN NO. III, an addition to the City of Dallas, recorded in Volume 2001021, Page 1506, D.R.D.C.T., all of Lot 4, Block A/5413 of SUMMIT ADDITION NO. 4, an addition to the City of Dallas, recorded in Volume 72177, Page 1344, D.R.D.C.T., all of Lot 3, Block A/5413 of SUMMIT ADDITION NO. 3, an addition to the City of Dallas, recorded in Volume 72138, Page 2174, D.R.D.C.T., all of Lot 1, Block A/5413 of SUMMIT ADDITION NO. 1, an addition to the City of Dallas, recorded in Volume 71194, Page 2259, D.R.D.C.T., and all of Lot 2A, Block A/5413 of VILLAGE NO. 2, an addition to the City of Dallas, recorded in Instrument No. 20070351412, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.).

Said TRACT V totaling 85.674 acres.

TRACT VI

Being a tract of land situated in the John C. Cook Survey, Abstract 259, Dallas County, Texas and being part of the City of Dallas, same being all of Lot 1, Block G/5411 of VILLAGE MEADOW NO. 1, an addition to the City of Dallas, recorded in Volume 78238, Page 2036, D.R.D.C.T., all of Lot 1, Block J/5411 of THE LAKES, an addition to the City of Dallas, recorded in Volume 84212, Page 2441, D.R.D.C.T. and refiled in Volume 84222, Page 0007, Map Records, Dallas County, Texas, all of Block H/5411 of THE CLIFFS NO. 1, an addition to the City of Dallas, recorded in Volume 79172, Page 2109, D.R.D.C.T., all of Block A/5411 of THE BEND, an addition to the City of Dallas,

recorded in Volume 75238, Page 1040, D.R.D.C.T., all of Lot 1, Block B/5411 of BEND NO. 2A AND BEND NO. 3A, an addition to the City of Dallas, recorded in Volume 95072, Page 2981, D.R.D.C.T. , all of Lot 1, Block C/5411 of BEND NO. 2A AND BEND NO. 3A, an addition to the City of Dallas, recorded in Volume 95072, Page 2981, D.R.D.C.T., all of Block F/5411 of THE BEND NO. 4, an addition to the City of Dallas, recorded in Volume 77239, Page 2025, D.R.D.C.T., all of Block D/5411 of VILLAGE GREEN NO. 1, an addition to the City of Dallas, recorded in Volume 77096, Page 709, D.R.D.C.T. , all of Block E/5411 of PHASE 2, VILLAGE GREEN APARTMENTS, an addition to the City of Dallas, recorded in Volume 77182, Page 1828, D.R.D.C.T., and all of that tract of land called "SOFTBALL FIELDS" and part of that tract of land called "VILLAGE COUNTRY CLUB", in the Special Warranty Deed to PC VILLAGE APARTMENTS DALLAS, LP and recorded in Volume 95165, Page 1114, D.R.D.C.T., and said tract of land being more particularly described as follows:

BEGINNING at the southwest corner of said Block D/5411 of VILLAGE GREEN NO. 1, said corner lying at the intersection of the north right of way line of Lovers Lane and east right of way line of Amesbury Drive;

THENCE along said east right of way line of Amesbury Drive, the following seven (7) courses and distances:

N00°53'55"E, for a distance of 737.33 feet to a point for corner at the beginning of a tangent curve to the left having a central angle of 31°51'55", a radius of 887.50 feet and a chord that bears N15°02'03"W, a distance of 487.25 feet;

Along said curve to the left, for an arc distance of 493.58 feet to a point for corner;

N30°58'00"W, for a distance of 131.99 feet to a point for corner at the beginning of a tangent curve to the right having a central angle of 31°22'00", a radius of 812.50 feet and a chord that bears N15°17'00"W, a distance of 439.27 feet;

Along said curve to the right, for an arc distance of 444.80 feet to a point for corner;

N00°24'00"E, for a distance of 153.60 feet to a point for corner, said corner lying at the beginning of a tangent curve to the left having a radius of 367.50 feet, a central angle of 34°42'40", and a chord that bears N16°57'20"W, 219.25 feet;

THENCE continuing along said east right of way line of Amesbury Drive and along said curve to the left, for an arc distance of 222.64 feet to a point for corner;

THENCE continuing along said east right of way line of Amesbury Drive, N34°18'40"W, for a distance of 175.02 feet to the most westerly corner of said Lot 1, Block G/5411 of VILLAGE MEADOW NO. 1, said corner lying at the intersection of the southerly right of way line of Southwestern Boulevard and the east right of way line of Amesbury Drive, said corner also

lying at the beginning of a curve to the left having a radius of 545.00 feet, a central angle of 40°43'16", and a chord that bears N31°22'58"E, 379.24 feet;

THENCE along said southerly right of way line of Southwestern Boulevard, the following five (5) courses and distances:

Along said curve to the left, for an arc distance of 387.34 feet to a point for corner;

N11°01'20"E, for a distance of 756.75 feet to a point for the northwest corner of said "VILLAGE COUNTRY CLUB" and west corner of said "SOFTBALL FIELDS", said corner lying at the beginning of a curve to the right having a radius of 500.00 feet, a central angle of 141°30'00", and a chord that bears N81°46'20"E, 944.09 feet;

Along said curve to the right, for an arc distance of 1234.82 feet to the east corner of said "SOFTBALL FIELDS" and north corner of said Lot 1, Block J/5411 of THE LAKES;

S27°28'40"E, for a distance of 250.41 feet to a point for corner, said corner lying at the beginning of a tangent curve to the left having a radius of 1,050.00 feet, a central angle of 37°15'00", and a chord that bears S46°06'10"E, 670.68 feet;

Along said curve to the left, for an arc distance of 682.64 feet to a point for corner;

S64°43'40"E, for a distance of 264.41 feet to a point for corner at the beginning of a tangent curve to the right having a central angle of 16°08'40", a radius of 1450.00 feet and a chord that bears S56°39'20"E, a distance of 407.22 feet;

Along said curve to the right, for an arc distance of 408.57 feet to a point for corner;

S48°35'00"E, for a distance of 446.75 feet to a point for the northeast corner of said Block H/5411 of THE CLIFFS NO. 1, said corner lying at the intersection of the southwest right of way line of Southwestern Boulevard and the northwest right of way line of Skillman Street;

THENCE along the southeast line of said Block H/5411 of THE CLIFFS NO. 1 and said northwest right of way line of Skillman Street, S41°25'00"W, for a distance of 36.38 feet to a point for corner at the beginning of a curve to the left having a radius of 5779.58 feet, a central angle of 24°19'41", and a chord that bears S29°15'10"W, 2435.64 feet;

THENCE continuing along said northwest right of way line of Skillman Street and along said curve to the left, at an arc distance of 622.80 feet passing the most easterly common corner of said Block H/5411 of THE CLIFFS NO. 1 and said Block F/5411 of THE BEND NO. 4, at an arc distance of 1718.90 feet passing the most southerly common corner of said Block F/5411 of THE BEND NO. 4 and Lot 1, Block C/5411 of BEND NO. 2A AND BEND NO. 3A, at an arc distance of 1778.90 feet passing the most easterly common corner of said Lot 1, Block C/5411 of BEND

NO. 2A AND BEND NO. 3A and said Block E/5411 of PHASE 2, VILLAGE GREEN APARTMENTS, continuing for a total arc distance of 2454.04 feet to a point for the southeast corner of said Block E/5411 of PHASE 2, VILLAGE GREEN APARTMENTS, said corner lying at the intersection of said northwest right of way line of Skillman Street and the north right of way line of Lovers Lane;

THENCE along said north right of way line of Lovers Lane, N89°06'05"W, for a distance of 1,115.50 feet to the POINT OF BEGINNING, and containing a computed area of 6,158,599 square feet or 141.382 acres.

Said TRACT VI totaling 141.382 acres.

Subarea A

Being a 5.799 acre tract of land situated in the John C. Cook Survey, Abstract 259, Dallas County, Texas and being part of the City of Dallas, same being part of Block H/5411 of THE CLIFFS NO. 1, an addition to the City of Dallas, recorded in Volume 79172, Page 2109, Deed Records, Dallas County, Texas (D.R.D.C.T.), part of Lot 1, Block C/5411 of BEND NO. 2A AND BEND NO. 3A, an addition to the City of Dallas, recorded in Volume 95072, Page 2981, D.R.D.C.T., part of Block F/5411 of THE BEND NO. 4, an addition to the City of Dallas, recorded in Volume 77239, Page 2025, D.R.D.C.T. and part of Block E/5411 of PHASE 2, VILLAGE GREEN APARTMENTS, an addition to the City of Dallas, recorded in Volume 77182, Page 1828, D.R.D.C.T., and 5.799 acre tract of land being more particularly described as follows:

BEGINNING at the northeast corner of said Block H/5411 of THE CLIFFS NO. 1, said corner lying at the intersection of the southwest right of way line of Southwestern Boulevard and the northwest right of way line of Skillman Street;

THENCE along the southeast line of said Block H/5411 of THE CLIFFS NO. 1 and said northwest right of way line of Skillman Street, S41°25'00"W, for a distance of 36.38 feet to a point for corner at the beginning of a curve to the left having a radius of 5779.58 feet, a central angle of 24°19'41", and a chord that bears S29°15'10"W, 2435.64 feet;

THENCE continuing along said northwest right of way line of Skillman Street and along said curve to the left, at an arc distance of 622.80 feet passing the most easterly common corner of said Block H/5411 of THE CLIFFS NO. 1 and said Block F/5411 of THE BEND NO. 4, at an arc distance of 1718.90 feet passing the most southerly common corner of said Block F/5411 of THE BEND NO. 4 and Lot 1, Block C/5411 of BEND NO. 2A AND BEND NO. 3A, at an arc distance of 1778.90 feet passing the most easterly common corner of said Lot 1, Block C/5411 of BEND NO. 2A AND BEND NO. 3A and said Block E/5411 of PHASE 2, VILLAGE GREEN APARTMENTS, continuing for a total arc distance of 2454.04 feet to a point for the southeast corner of said Block E/5411 of PHASE 2, VILLAGE GREEN APARTMENTS, said corner lying at the intersection of said northwest right of way line of Skillman Street and the north right of way line of Lovers Lane;

THENCE along said north right of way line of Lovers Lane, N89°06'05"W, for a distance of 104.06 feet to a point for corner at the beginning of a curve to the right having a radius of 5879.58 feet, a central angle of 24°36'39", and a chord that bears N29°06'41"E, 2506.14 feet, said corner lying 100.00 feet distant and perpendicular to said northwest right of way line of Skillman Street;

THENCE along said curve to the right, running 100.00 feet distant and parallel with said northwest right of way line of Skillman Street, for an arc distance of 2525.51 feet to a point for corner;

THENCE continuing to run 100.00 feet distant and parallel with said northwest right of way line of Skillman Street, N41°25'00"E, for a distance of 36.38 feet to a point for corner in the northeast line of said Block H/5411 of THE CLIFFS NO. 1 and said southwest right of way line of Southwestern Boulevard;

THENCE along said northeast line of said Block H/5411 of THE CLIFFS NO. 1 and said southwest right of way line of Southwestern Boulevard, S48°35'00"E, for a distance of 100.00 feet to the POINT OF BEGINNING, and containing a computed area of 252,616 square feet or 5.799 acres.

Subarea B

Tract 1

Being a 16.508 acre tract of land situated in the John C. Cook Survey, Abstract 259, Dallas County, Texas and being part of the City of Dallas, same being all of Lot 2, Block C/5410 of VILLAGE PARK ADDITION, an addition to the City of Dallas, recorded in Volume 85166, Page 2001, Deed Records, Dallas County, Texas (D.R.D.C.T.), all of Lot 1, Block C/5410 of THE PARK, an addition to the City of Dallas, recorded in Volume 80144, Page 1211, D.R.D.C.T. and all of that tract of land called "TRACT 1" of "MAINTENANCE BUILDING & PARK EXCESS LAND", in the Special Warranty Deed to PC VILLAGE APARTMENTS DALLAS, LP and recorded in Volume 95165, Page 1114, D.R.D.C.T., and said 16.508 acre tract of land being more particularly described as follows:

BEGINNING at the northeast corner of said Lot 1, Block C/5410 of THE PARK, said corner lying at the intersection of the south right of way line of Old Town Drive and the west right of way of Amesbury Drive and at the beginning of a curve to the right having a radius of 812.50 feet, a central angle of 30°03'50", and a chord that bears S14°08'00"E, 421.46 feet;

THENCE along said west right of way of Amesbury Drive and said curve to the right, an arc distance of 426.33 feet to a point for corner;

THENCE continuing along said west right of way of Amesbury Drive, S00°53'55"W, for a distance of 737.36 feet to a point for corner lying at the intersection of said west right of way of Amesbury Drive and the north right of way of Lovers Lane;

THENCE along said north right of way of Lovers Lane, N89°06'05"W, for a distance of 474.63 feet to a point for the southwest corner of said Lot 1, Block C/5410 of THE PARK and southeast corner of Lot 3, Block C/5410 of OLD TOWN - EAST, an addition to the City of Dallas, recorded in Volume 95021, Page 3324, D.R.D.C.T., said corner lying at the beginning of a non-tangent curve to the left having a radius of 1450.00 feet, a central angle of 9°23'55", and a chord that bears N03°48'03"W, 237.59 feet;

THENCE along the common line between said Lots 1 and 3, the following four (4) courses and distances:

Along said curve to the left, an arc distance of 237.85 feet to a point for corner;

N08°30'00"W, for a distance of 310.77 feet to a point for corner;

N73°30'00"W, for a distance of 116.00 feet to a point for corner at the beginning of a curve to the right having a radius of 100.00 feet, a central angle of 54°27'16", and a chord that bears N46°16'22"W, 91.50 feet;

Along said curve to the right, an arc distance of 95.04 feet to a point for the southeast corner of said "TRACT 1" of "MAINTENANCE BUILDING & PARK EXCESS LAND";

THENCE along the north line of said Lot 3, Block C/5410 of OLD TOWN - EAST and the south line of said "TRACT 1" of "MAINTENANCE BUILDING & PARK EXCESS LAND", N89°49'35"W, for a distance of 262.95 feet to a point for the southwest corner of said "TRACT 1" of "MAINTENANCE BUILDING & PARK EXCESS LAND" and lying on the east line of a 60 foot Dallas Power & Light ROW;

THENCE along said east line of 60 foot Dallas Power & Light ROW, N00°10'25"E, for a distance of 403.51 feet to a point for the northwest corner of said Lot 2, Block C/5410 of VILLAGE PARK ADDITION and lying on said south right of way line of Old Town Drive;

THENCE along said south right of way line of Old Town Drive, the following five (5) courses and distances:

S89°49'35"E, for a distance of 84.45 feet to a point for corner at the beginning of a curve to the right having a radius of 520.00 feet, a central angle of 11°29'35", and a chord that bears S84°04'47"E, 104.13 feet;

Along said curve to the right, an arc distance of 104.31 feet to a point for corner;

S78°20'00"E, for a distance of 218.74 feet to a point for corner at the beginning of a curve to the left having a radius of 455.00 feet, a central angle of 42°38'00", and a chord that bears N80°21'00"E, 330.81 feet;

Along said curve to the left, an arc distance of 338.56 feet to a point for corner;

N59°02'00"E, for a distance of 181.47 feet to the POINT OF BEGINNING, and containing a computed area of 719,086 square feet or 16.508 acres.

Tract 2

Being a 17.302 acre tract of land situated in the John C. Cook Survey, Abstract 259, Dallas County, Texas and being part of the City of Dallas, same being all of Block A/5411 of THE CHASE, an addition to the City of Dallas, recorded in Volume 78053, Page 1959, Deed Records, Dallas County, Texas (D.R.D.C.T.) and all of Block B/5411 of THE CHASE NO. 2, an addition to the City of Dallas, recorded in Volume 78133, Page 3283, D.R.D.C.T., and said 17.302 acre tract of land being more particularly described as follows:

BEGINNING at the southeast corner of said Block B/5411 of THE CHASE NO. 2 and lying at the intersection of the north right of way line of Old Town Drive and the west right of way of Amesbury Drive;

THENCE along said north right of way line of Old Town Drive and the south line of said Block B/5411 of THE CHASE NO. 2, the following five (5) courses and distances:

S59°02'00"W, for a distance of 181.87 feet to a point for corner at the beginning of a curve to the right having a radius of 395.00 feet, a central angle of 42°38'00", and a chord that bears S80°21'00"W, 287.18 feet;

Along said curve to the right, an arc distance of 293.92 feet to a point for corner;

N78°20'00"W, for a distance of 218.74 feet to a point for corner at the beginning of a curve to the left having a radius of 580.00 feet, a central angle of 11°29'35", and a chord that bears N84°04'48"W, 116.15 feet;

Along said curve to the left, an arc distance of 116.34 feet to a point for corner;

N89°49'35"W, for a distance of 84.45 feet to a point for the southwest corner of said Block B/5411 of THE CHASE NO. 2 and lying on the east line of a 60 foot Dallas Power & Light ROW;

THENCE along said east line of 60 foot Dallas Power & Light ROW, N00°10'25"E, for a distance of 1022.87 feet to a point for the northwest corner of said Block A/5411 of THE CHASE and lying on the south right of way line of Southwestern Boulevard;

THENCE along said south right of way line of Southwestern Boulevard, S89°48'40"E, for a distance of 247.74 feet to a point for corner at the beginning of a curve to the left having a radius of 545.00 feet, a central angle of 30°33'16", and a chord that bears N74°54'42"E, 287.20 feet;

THENCE continuing along said south right of way line of Southwestern Boulevard and along said curve to the left, an arc distance of 290.64 feet to a point for the northeast corner of said Block A/5411 of THE CHASE and lying at the intersection of said south right of way line of Southwestern Boulevard and said west right of way of Amesbury Drive;

THENCE along said west right of way of Amesbury Drive, the following five (5) courses and distances:

S34°18'40"E, for a distance of 175.01 feet to a point for corner at the beginning of a curve to the right having a radius of 292.50 feet, a central angle of 34°42'40", and a chord that bears S16°57'20"E, 174.51 feet;

Along said curve to the right, an arc distance of 177.20 feet to a point for corner;

S00°24'00"W, for a distance of 153.60 feet to a point for corner at the beginning of a curve to the left having a radius of 887.50 feet, a central angle of 31°22'00", and a chord that bears S15°17'00"E, 479.82 feet;

Along said curve to the left, an arc distance of 485.86 feet to a point for corner;

S30°58'00"E, for a distance of 97.52 feet to the POINT OF BEGINNING, and containing a computed area of 753,691 square feet or 17.302 acres.

Tract 3

Being a 14.028 acre tract of land situated in the John C. Cook Survey, Abstract 259, Dallas County, Texas and being part of the City of Dallas Block No. 5410, same being all of those tracts of land called "TRACT 1" of "GATE I", "TRACT 1" of "GATE II" and "TRACT 1" of "GATE III", in the Special Warranty Deed to PC VILLAGE APARTMENTS DALLAS, LP and recorded in Volume 95165, Page 1114, Deed Records, Dallas County, Texas (D.R.D.C.T.), and said 14.028 acre tract of land being more particularly described as follows:

BEGINNING at the southwest corner of said "TRACT 1" of "GATE I", same being at the intersection of the northwest right of way line of Southwestern Boulevard and the east line of a 60 foot Dallas Power & Light ROW;

THENCE along said east line of 60 foot Dallas Power & Light ROW and the west line of said "TRACT 1" of "GATE I", N00°11'20"E, a distance of 210.00 feet to a point for corner;

THENCE continuing along said east line of 60 foot Dallas Power & Light ROW and the west line of said "TRACT 1" of "GATE I", N05°24'40"E, at a distance of 217.62 feet passing the common westerly corner of said "TRACT 1" of "GATE I" and "TRACT 1" of "GATE II" and continuing along the west line of said "TRACT 1" of "GATE II" for a total distance of 517.82 feet to a point for corner;

THENCE continuing along said east line of 60 foot Dallas Power & Light ROW and the west line of said "TRACT 1" of "GATE II", N10°36'40"E, at a distance of 307.94 feet passing the common westerly corner of said "TRACT 1" of "GATE II" and "TRACT 1" of "GATE III" and continuing along the west line of said "TRACT 1" of "GATE III" for a total distance of 570.44 feet to a point for corner on said southwest right of way line of Caruth Haven Lane, said corner lying at the beginning of a non-tangent curve to the right having a radius of 348.64 feet, a central angle of 13°38'22", and a chord that bears N82°58'09"E, 82.80 feet;

THENCE along said southwest right of way line of Caruth Haven Lane and said curve to the right, an arc distance of 82.99 feet to a point for corner on said southwest right of way line of Caruth Haven Lane, said corner lying at the beginning of a compound curve to the right having a radius of 672.96 feet, a central angle of 19°47'53", and a chord that bears S80°18'43"E, 231.38 feet;

THENCE continuing along said southwest right of way line of Caruth Haven Lane and said compound curve to the right, an arc distance of 232.54 feet to a point for corner at the beginning of a non-tangent curve to the left having a radius of 990.00 feet, a central angle of 4°12'59", and a chord that bears S13°07'47"W, 72.84 feet;

THENCE along curve to the left, an arc distance of 72.85 feet to a point for corner

THENCE S11°01'20"W, a distance of 509.24 feet to a point for corner;

THENCE S81°54'41"E, a distance of 400.52 feet to a point for corner on said northwest right of way line of Southwestern Boulevard;

THENCE along said northwest right of way line of Southwestern Boulevard, the following three courses and distances:

S11°01'20"W, for a distance of 268.02 feet to a point for corner at the beginning of a tangent curve to the right having a radius of 455.00 feet, a central angle of 79°10'00", and a chord that bears S50°36'20"W, 579.85 feet;

Along said curve to the right, at an arc distance of 4.48 feet passing the common easterly corner of said "TRACT 1" of "GATE II" and "TRACT 1" of "GATE I" and continuing for a total arc distance of 628.68 feet to a point for corner;

N89°48'40"W, a distance of 248.11 feet to the POINT OF BEGINNING, and containing a computed area of 611,078 square feet or 14.028 acres.

Tract 4

Being a 22.604 acre tract of land situated in the John C. Cook Survey, Abstract 259, Dallas County, Texas and being part of the City of Dallas, same being all of Lot 1A, Block A/5412 of VILLAGE HILL, an addition to the City of Dallas, recorded in Volume 2004251, Page 20, Deed

Records, Dallas County, Texas (D.R.D.C.T.), said 22.604 acre tract of land being more particularly described as follows:

BEGINNING at the northwest corner of said Lot 1A, Block A/5412 of VILLAGE HILL, same being at the intersection of the south right of way line of Northwest Highway and the east line of a 60 foot Dallas Power & Light ROW;

THENCE along said south right of way line of Northwest Highway, the following five (5) courses and distances:

N89°28'17"E, for a distance of 25.88 feet to a point for corner;

N00°28'55"E, for a distance of 5.00 feet to a point for corner;

N89°28'17"E, for a distance of 197.43 feet to a point for corner;

S77°37'53"E, for a distance of 60.64 feet to a point for corner;

N89°57'40"E, for a distance of 341.29 feet to a point for corner at the northwest end of a corner clip line at the intersection of said south right of way line of Northwest Highway and west right of way line of Shadybrook Lane;

THENCE along said corner clip line, S45°02'20"E, for a distance of 67.88 feet to a point for corner on the west right of way line of Shadybrook Lane;

THENCE along said west right of way line of Shadybrook Lane, the following five (5) courses and distances:

S00°02'20"E, for a distance of 79.96 feet to a point for corner at the beginning of a tangent curve to the right having a radius of 800.00 feet, a central angle of 17°00'00", and a chord that bears S08°27'40"W, 236.50 feet;

Along said curve to the right, an arc distance of 237.36 feet to a point for corner;

S16°57'40"W, for a distance of 148.87 feet to a point for corner at the beginning of a tangent curve to the left having a radius of 600.00 feet, a central angle of 34°25'45", and a chord that bears S00°15'12"E, 355.14 feet;

Along said curve to the left, an arc distance of 360.54 feet to a point for corner;

S17°28'05"E, for a distance of 128.25 feet to a point for corner at the beginning of a nontangent curve to the left having a radius of 990.00 feet, a central angle of 52°04'50', and a chord that bears S44°45'19"W, 869.23 feet;

THENCE across said Lot 1A, Block A/5412 of VILLAGE HILL and along said curve to the left, an arc distance of 899.89 feet to a point for corner at the beginning of a tangent curve to the left having a radius of 732.96 feet, a central angle of $19^{\circ}35'01''$, and a chord that bears $N80^{\circ}25'10''W$, 249.31 feet, said corner lying on the north right of way line of Caruth Haven Lane;

THENCE along said north right of way line of Caruth Haven Lane and said curve to the left, an arc distance of 250.52 feet to a point for corner at the beginning of a compound curve to the left having a radius of 408.64 feet, a central angle of $9^{\circ}51'59''$, and a chord that bears $S84^{\circ}51'21''W$, 70.28 feet;

THENCE continuing along said north right of way line of Caruth Haven Lane and long said compound curve to the left, an arc distance of 70.37 feet to a point for corner on said east line of 60 foot Dallas Power & Light ROW;

THENCE along said east line of 60 foot Dallas Power & Light ROW, $N10^{\circ}36'40''E$, for a distance of 1596.78 feet to the POINT OF BEGINNING, and containing a computed area of 984,618 square feet or 22.604 acres.

Tract 5

Being a 71.911 acre tract of land situated in the John C. Cook Survey, Abstract 259 and Buffalo Bayou, Brazos and Colorado Railroad Company Survey, Abstract 191, Dallas County, Texas and being part of the City of Dallas, same being all of Lot 3, Block D/5414 of BLUFFS EAST, an addition to the City of Dallas, recorded in Volume 99005, Page 15, Deed Records, Dallas County, Texas (D.R.D.C.T.), all of Lot 1, Block D/5414 of VILLAGE GLEN NO. 4, an addition to the City of Dallas, recorded in Volume 73144, Page 2206, D.R.D.C.T., all of Lot 4, Block D/5414 of VILLAGE GLEN NO. 1, an addition to the City of Dallas, recorded in Volume 99005, Page 17, D.R.D.C.T., all of Lot 5, Block D/5414 of VILLAGE GLEN NO. III, an addition to the City of Dallas, recorded in Volume 2001021, Page 1506, D.R.D.C.T., part of Lot 4, Block A/5413 of SUMMIT ADDITION NO. 4, an addition to the City of Dallas, recorded in Volume 72177, Page 1344, D.R.D.C.T., part of Lot 3, Block A/5413 of SUMMIT ADDITION NO. 3, an addition to the City of Dallas, recorded in Volume 72138, Page 2174, D.R.D.C.T., part of Lot 1, Block A/5413 of SUMMIT ADDITION NO. 1, an addition to the City of Dallas, recorded in Volume 71194, Page 2259, D.R.D.C.T., and all of Lot 2A, Block A/5413 of VILLAGE NO. 2, an addition to the City of Dallas, recorded in Instrument No. 20070351412, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), said 71.911 acre tract of land being more particularly described as follows:

BEGINNING at the northerly northwest corner of said Lot 2A, Block A/5413 of VILLAGE NO. 2, same being the northeast end of a corner clip line at the intersection of the south right of way line of Northwest Highway and the east right of way line of Shadybrook Lane, said corner lying at the beginning of a curve to the right having a central angle of $13^{\circ}06'58''$, a radius of 1828.08 feet and a chord that bears $S80^{\circ}31'06''E$, a distance of 417.57 feet;

THENCE along said south right of way line of Northwest Highway and the north line of said Lot 2A, Block A/5413 of VILLAGE NO. 2, the following eleven (11) courses and distances:

Along said curve to the right, for an arc distance of 418.48 feet to a point for corner

S74°17'17"E, for a distance of 199.60 feet to a point for corner at the beginning of a tangent curve to the right having a central angle of 9°05'47", a radius of 1840.08 feet and a chord that bears S63°11'02"E, a distance of 291.83 feet;

Along said curve to the right, for an arc distance of 292.13 feet to a point for corner;

S40°31'30"E, for a distance of 50.32 feet to a point for corner;

S56°23'07"E, for a distance of 47.79 feet to a point for corner;

S77°30'12"E, for a distance of 52.00 feet to a point for corner at the beginning of a tangent curve to the right having a central angle of 6°14'50", a radius of 1845.08 feet and a chord that bears S51°00'46"E, a distance of 201.08 feet;

Along said curve to the right, for an arc distance of 201.18 feet to a point for corner;

S40°52'51"E, for a distance of 122.92 feet to a point for corner;

S36°20'08"E, for a distance of 299.57 feet to a point for corner;

S24°30'43"E, for a distance of 84.43 feet to a point for corner;

S02°38'15"W, for a distance of 99.10 feet to a point for the northwest corner of said Lot 5, Block D/5414 of VILLAGE GLEN NO. III;

THENCE continuing along said south right of way line of Northwest Highway and along the north line of said Lot 5, Block D/5414 of VILLAGE GLEN NO. III, the following five (5) courses and distances:

S77°56'01"E, for a distance of 95.90 feet to a point for corner;

S84°41'41"E, for a distance of 89.30 feet to a point for corner;

S57°29'07"E, for a distance of 380.91 feet to a point for corner;

S33°51'01"E, for a distance of 103.08 feet to a point for corner;

S47°53'20"E, for a distance of 100.01 feet to a point for the northwest corner of said Lot 1, Block D/5414 of VILLAGE GLEN NO. 4;

THENCE continuing along said south right of way line of Northwest Highway and along the north line of said Lot 1, Block D/5414 of VILLAGE GLEN NO. 4, the following six (6) courses and distances:

S64°36'35"E, for a distance of 104.42 feet to a point for corner;

S53°36'00"E, for a distance of 100.50 feet to a point for corner;

S47°53'20"E, for a distance of 100.00 feet to a point for corner;

S42°10'40"E, for a distance of 100.50 feet to a point for corner;

S47°53'20"E, for a distance of 199.73 feet to a point for corner;

S25°31'00"E, for a distance of 65.23 feet to a point for corner at the northwest end of a corner clip line at the intersection of said south right of way line of Northwest Highway and the west right of way line of Skillman Street;

THENCE along said corner clip line, S03°42'00"W, for a distance of 684.70 feet to a point for corner on said west right of way line of Skillman Street;

THENCE along said west right of way line of Skillman Street, S22°33'30"W, for a distance of 151.41 feet to a point for corner;

THENCE continuing along said west right of way line of Skillman Street, S41°25'00"W, for a distance of 167.73 feet to a point for the southeast corner of said Lot 3, Block D/5414 of BLUFFS EAST and northeast corner of Lot 2, Block D/5411 of WEST WHITE ROCK COMMUNITY LIBRARY, an addition to the City of Dallas, recorded in Volume 94045, Page 1934, D.R.D.C.T.;

THENCE along the common line between said Lots 3 and 2, N48°35'00"W, for a distance of 185.00 feet to a point for corner on the east line of said Lot 1, Block D/5414 of VILLAGE GLEN NO. 4;

THENCE along the common line between said Lots 1 and 2, S41°25'00"W, for a distance of 247.00 feet to a point for corner on the north right of way line of Southwestern Boulevard;

THENCE along said north right of way line of Southwestern Boulevard, the following four (4) courses and distances:

N48°35'00"W, for a distance of 246.72 feet to a point for corner at the beginning of a tangent curve to the left having a central angle of 16°08'40", a radius of 1540.00 feet and a chord that bears N56°39'20"W, a distance of 432.50 feet;

Along said curve to the left, for an arc distance of 433.93 feet to a point for corner;

N64°43'40"W, for a distance of 264.41 feet to a point for corner at the beginning of a tangent curve to the right having a central angle of 21°38'24", a radius of 960.00 feet and a chord that bears N53°54'28"W, a distance of 360.43 feet;

Along said curve to the right, for an arc distance of 362.58 feet to a point for the southeast corner of said Lot 4, Block A/5413 of SUMMIT ADDITION NO. 4;

THENCE along the east line of said Lot 4, Block A/5413 of SUMMIT ADDITION NO. 4, N45°07'20"E, for a distance of 66.28 feet to a point for corner at the beginning of a tangent curve to the left having a central angle of 31°17'07", a radius of 670.00 feet and a chord that bears N29°28'46"E, a distance of 361.31 feet;

THENCE continuing along said east line of Lot 4, Block A/5413 of SUMMIT ADDITION NO. 4 and along said curve to the left, for an arc distance of 365.84 feet to a point for corner at the beginning of a non-tangent curve to the right having a central angle of 4°14'51", a radius of 560.00 feet and a chord that bears N29°36'05"W, a distance of 41.51 feet;

THENCE across said Lot 4, Block A/5413 of SUMMIT ADDITION NO. 4 and along said curve to the right, for an arc distance of 41.52 feet to a point for corner;

THENCE continuing across said Lot 4, Block A/5413 of SUMMIT ADDITION NO. 4, N27°28'40"W, for a distance of 250.41 feet to a point for corner at the beginning of a tangent curve to the left having a central angle of 78°15'15", a radius of 990.00 feet and a chord that bears N66°36'16"W, a distance of 1249.46 feet;

THENCE along said curve to the left, for an arc distance of 1352.13 feet to a point for corner on said east right of way line of Shadybrook Lane;

THENCE along said east right of way line of Shadybrook Lane, the following five (5) courses and distances:

N17°28'05"W, for a distance of 128.25 feet to a point for corner at the beginning of a tangent curve to the right having a central angle of 34°25'45", a radius of 540.00 feet and a chord that bears N00°15'12"W, a distance of 319.63 feet;

Along said curve to the right, for an arc distance of 324.49 feet to a point for corner;

N16°57'40"E, for a distance of 148.87 feet to a point for corner at the beginning of a tangent curve to the left having a central angle of 17°00'00", a radius of 860.00 feet and a chord that bears N08°27'40"E, a distance of 254.23 feet;

Along said curve to the left, for an arc distance of 255.17 feet to a point for corner;

N00°02'20"W, for a distance of 79.38 feet to a point for corner at the southwest end of said corner clip line at the intersection of the east right of way line of Shadybrook Lane and the south right of way line of Northwest Highway;

THENCE along said corner clip line, N46°09'05"E, for a distance of 66.68 feet to the POINT OF BEGINNING, and containing a computed area of 3,132,424 square feet or 71.911 acres.

Tract 6

Being a 101.765 acre tract of land situated in the John C. Cook Survey, Abstract 259, Dallas County, Texas and being part of the City of Dallas, same being part of Lot 1, Block J/5411 of THE LAKES, an addition to the City of Dallas, recorded in Volume 84212, Page 2441, Deed Records, Dallas County, Texas (D.R.D.C.T.) and refiled in Volume 84222, Page 0007, D.R.D.C.T., part of Block H/5411 of THE CLIFFS NO. 1, an addition to the City of Dallas, recorded in Volume 79172, Page 2109, D.R.D.C.T., all of Block A/5411 of THE BEND, an addition to the City of Dallas, recorded in Volume 75238, Page 1040, D.R.D.C.T., all of Lot 1, Block B/5411 of BEND NO. 2A AND BEND NO. 3A, an addition to the City of Dallas, recorded in Volume 95072, Page 2981, D.R.D.C.T., all of Lot 1, Block C/5411 of BEND NO. 2A AND BEND NO. 3A, an addition to the City of Dallas, recorded in Volume 95072, Page 2981, D.R.D.C.T., part of Block F/5411 of THE BEND NO. 4, an addition to the City of Dallas, recorded in Volume 77239, Page 2025, D.R.D.C.T., all of Block D/5411 of VILLAGE GREEN NO. 1, an addition to the City of Dallas, recorded in Volume 77096, Page 709, D.R.D.C.T., and part of Block E/5411 of PHASE 2, VILLAGE GREEN APARTMENTS, an addition to the City of Dallas, recorded in Volume 77182, Page 1828, D.R.D.C.T., and said 101.765 acre tract of land being more particularly described as follows:

BEGINNING at the southwest corner of said Block D/5411 of VILLAGE GREEN NO. 1, said corner lying at the intersection of the north right of way line of Lovers Lane and east right of way line of Amesbury Drive;

THENCE along said east right of way line of Amesbury Drive, the following five (5) courses and distances:

N00°53'55"E, for a distance of 737.33 feet to a point for corner at the beginning of a tangent curve to the left having a central angle of 31°51'55", a radius of 887.50 feet and a chord that bears N15°02'03"W, a distance of 487.25 feet;

Along said curve to the left, for an arc distance of 493.58 feet to a point for corner;

N30°58'00"W for a distance of 131.99 feet to a point for corner at the beginning of a tangent curve to the right having a central angle of 31°22'00", a radius of 812.50 feet and a chord that bears N15°17'00"W, a distance of 439.27 feet;

Along said curve to the right, for an arc distance of 444.80 feet to a point for corner;

N00°24'00"E, for a distance of 91.43 feet to a point for the northwest corner of said Block A/5411 of THE BEND and southwest corner of Lot 1, Block G/5411 of VILLAGE MEADOW NO. 1, an addition to the City of Dallas, recorded in Volume 78238, Page 2036, D.R.D.C.T.;

THENCE along the common line between said Block A/5411 of THE BEND and said Lot 1, Block G/5411 of VILLAGE MEADOW NO. 1, S89°36'00"E, for a distance of 407.49 feet to a point for the southeast corner of said Lot 1, Block G/5411 of VILLAGE MEADOW NO. 1 and southwest corner of said Lot 1, Block J/5411 of THE LAKES;

THENCE along the common line between said Lot 1, Block G/5411 of VILLAGE MEADOW NO. 1 and said Lot 1, Block J/5411 of THE LAKES, N08°24'00"E, for a distance of 590.00 feet to a point for corner;

THENCE continuing along said common line, N04°19'48"W, for a distance of 93.50 feet to a point for the southwest corner of that tract of land called "VILLAGE COUNTRY CLUB", in the Special Warranty Deed to PC VILLAGE APARTMENTS DALLAS, LP and recorded in Volume 95165, Page 1114, D.R.D.C.T.;

THENCE along the common line between said "VILLAGE COUNTRY CLUB" and said Lot 1, Block J/5411 of THE LAKES, S89°29'22"E, for a distance of 154.11 feet to a point for corner;

THENCE continuing along said common line, N00°30'38"E, for a distance of 72.21 feet to a point for corner;

THENCE across said Lot 1, Block J/5411 of THE LAKES, S89°29'22"E, for a distance of 154.49 feet to a point for corner;

THENCE continuing across said Lot 1, Block J/5411 of THE LAKES, N55°11'40"E, for a distance of 731.62 feet to a point for corner at the beginning of a non-tangent curve to the left having a central angle of 21°29'12", a radius of 1050.00 feet and a chord that bears S53°59'04"E, a distance of 391.46 feet, said corner lying on said southerly right of way line of Southwestern Boulevard;

THENCE along said southerly right of way line of Southwestern Boulevard, the following four (4) courses and distances:

Along said curve to the left, for an arc distance of 393.76 feet to a point for corner;

S64°43'40"E, for a distance of 264.41 feet to a point for corner at the beginning of a tangent curve to the right having a central angle of 16°08'40", a radius of 1450.00 feet and a chord that bears S56°39'20"E, a distance of 407.22 feet;

Along said curve to the right, for an arc distance of 408.57 feet to a point for corner;

S48°35'00"E, for a distance of 346.75 feet to a point for corner in the northeast line of said Block H/5411 of THE CLIFFS NO. 1;

THENCE across said Block H/5411 of THE CLIFFS NO. 1, S41°25'00"W, for a distance of 36.38 feet to a point for corner at the beginning of a tangent curve to the left having a central angle of 24°36'39", a radius of 5879.58 feet and a chord that bears S29°06'41"W, a distance of 2506.14 feet;

Along said curve to the left, for an arc distance of 2525.51 feet to a point for corner in said north right of way line of Lovers Lane;

THENCE along said north right of way line of Lovers Lane, N89°06'05"W, for a distance of 1011.44 feet to the POINT OF BEGINNING, and containing a computed area of 4,432,874 square feet or 101.765 acres.

Subarea C

Tract 1

Being a 4.871 acre tract of land situated in the John C. Cook Survey, Abstract 259, Dallas County, Texas and being part of the City of Dallas Block No. 5410, same being part of those tracts of land called "TRACT 1" of "GATE II" and "TRACT 1" of "GATE III", in the Special Warranty Deed to PC VILLAGE APARTMENTS DALLAS, LP and recorded in Volume 95165, Page 1114, Deed Records, Dallas County, Texas (D.R.D.C.T.), and said 4.871 acre tract of land being more particularly described as follows:

BEGINNING at the northeast corner of said "TRACT 1" of "GATE III", same being at the intersection of the northwest right of way line of Southwestern Boulevard and southwest right of way line of Caruth Haven Lane;

THENCE along said northwest right of way line of Southwestern Boulevard, S11°01'20"W, at a distance of 209.39 feet passing the common easterly corner of said "TRACT 1" of "GATE III" and "TRACT 1" of "GATE II" and continuing for a total distance of 477.41 feet to a point for corner;

THENCE N81°54'41"W, for a distance of 400.52 feet to a point for corner, said corner lying 400.00 feet distant and perpendicular to said northwest right of way line of Southwestern Boulevard;

THENCE running 400.00 feet distant and parallel with said northwest right of way line of Southwestern Boulevard, N11°01'20"E, for a distance of 509.24 feet to a point for corner at the beginning of a tangent curve to the right having a radius of 990.00 feet, a central angle of 04°12'58", and a chord that bears N13°07'47"E, 72.84 feet;

THENCE running 400.00 feet distant and parallel with said northwest right of way line of Southwestern Boulevard and along said curve to the right, for an arc distance of 72.85 feet to a point for corner on said southwest right of way line of Caruth Haven Lane, said corner lying at the beginning of a non-tangent curve to the right having a radius of 672.96 feet, a central angle of 03°34'22", and a chord that bears S68°37'36"E, 41.96 feet;

THENCE along said southwest right of way line of Caruth Haven Lane and said curve to the right, an arc distance of 41.96 feet to a point for corner;

THENCE continuing along said southwest right of way line of Caruth Haven Lane, S66°50'25"E, a distance of 364.19 feet to the POINT OF BEGINNING, and containing a computed area of 212,181 square feet or 4.871 acres.

Tract 2

Being a 6.667 acre tract of land situated in the John C. Cook Survey, Abstract 259, Dallas County, Texas and being part of the City of Dallas, same being part of Lot 1A, Block A/5412 of VILLAGE HILL, an addition to the City of Dallas, recorded in Volume 2004151, Page 20, Deed Records, Dallas County, Texas (D.R.D.C.T.), and said 6.667 acre tract of land being more particularly described as follows:

BEGINNING at the southeast corner of said Lot 1A, same being at the intersection of the northwest right of way line of Southwestern Boulevard and northeast right of way line of Caruth Haven Lane;

THENCE along said northeast right of way line of Caruth Haven Lane, N66°50'25"W, for a distance of 353.41 to a point for corner, said corner lying at the beginning of a tangent curve to the left having a radius of 732.96 feet, a central angle of 03°47'14", and a chord that bears N68°44'02"W, 48.44 feet;

THENCE continuing along said northeast right of way line of Caruth Haven Lane and along said curve to the left, an arc distance of 48.45 feet to a point for corner lying 400.00 feet distant and perpendicular to said northwest right of way line of Southwestern Boulevard, said also corner lying at the beginning of a non-tangent curve to the right having a radius of 990.00 feet, a central angle of 52°04'50", and a chord that bears N44°45'19"E, 869.23 feet;

THENCE running 400.00 feet distant and parallel with said northwest right of way line of Southwestern Boulevard and along said curve to the right, for an arc distance of 899.89 feet to a point for corner on the southwest right of way line of Shadybrook Lane;

THENCE along said southwest right of way line of Shadybrook Lane, S17°28'05"E, for a distance of 400.31 feet to the most easterly corner of said Lot 1A and lying at the intersection of said southwest right of way line of Shadybrook Lane and said northwest right of way line of Southwestern Boulevard, said corner also lying at the beginning of a non-tangent curve to the

left having a radius of 590.00 feet, a central angle of $53^{\circ}46'23''$, and a chord that bears $S42^{\circ}43'52''W$, 533.62 feet;

THENCE along said northwest right of way line of Southwestern Boulevard and said arc to the left, for an arc distance of 553.72 feet to the POINT OF BEGINNING, and containing a computed area of 290,421 square feet or 6.667 acres.

Tract 3

Being a 13.763 acre tract of land situated in the John C. Cook Survey, Abstract 259, Dallas County, Texas and being part of the City of Dallas, same being part of Lot 4, Block A/5413 of SUMMIT ADDITION NO. 4, an addition to the City of Dallas, recorded in Volume 72177, Page 1344, Deed Records, Dallas County, Texas (D.R.D.C.T.), part of Lot 3, Block A/5413 of SUMMIT ADDITION NO. 3, an addition to the City of Dallas, recorded in Volume 72138, Page 2174, D.R.D.C.T., and part of Lot 1, Block A/5413 of SUMMIT ADDITION NO. 1, an addition to the City of Dallas, recorded in Volume 71194, Page 2259, D.R.D.C.T., and said 13.763 acre tract of land being more particularly described as follows:

BEGINNING at the southwest corner of said Lot 1, same being at the intersection of the north right of way line of Southwestern Boulevard and northeast right of way line of Shadybrook Lane;

THENCE along said northeast right of way line of Shadybrook Lane, $N17^{\circ}28'05''W$, for a distance of 400.31 feet to a point for corner lying 400.00 feet distant and perpendicular to said north right of way line of Southwestern Boulevard, said corner also lying at the beginning of a nontangent curve to the right having a radius of 990.00 feet, a central angle of $78^{\circ}15'15''$, and a chord that bears $S66^{\circ}36'16''E$, 1,249.46 feet;

THENCE running 400.00 feet distant and parallel with said north right of way line of Southwestern Boulevard and along said curve to the right, for an arc distance of 1,352.13 feet to a point for corner;

THENCE continuing to run 400.00 feet distant and parallel with said north right of way line of Southwestern Boulevard, $S27^{\circ}28'40''E$, for a distance of 250.41 feet to a point for corner, said corner lying at the beginning of a tangent curve to the left having a radius of 560.00 feet, a central angle of $04^{\circ}14'51''$, and a chord that bears $S29^{\circ}36'05''E$, 41.51 feet;

THENCE continuing to run 400.00 feet distant and parallel with said north right of way line of Southwestern Boulevard and along said curve to the left, an arc distance of 41.52 feet to a point for corner on the east line of said Lot 4, said corner lying at the beginning of a nontangent curve to the right having a radius of 670.00 feet, a central angle of $31^{\circ}17'07''$, and a chord that bears $S29^{\circ}28'46''W$, 361.31 feet;

THENCE along said east line of Lot 4 and said curve to the right, for an arc distance of 365.84 feet to a point for corner;

THENCE continuing along said east line of Lot 4, S45°07'20"W, for a distance of 66.28 feet to a point for the southeast corner of said Lot 4 and lying in said north right of way line of Southwestern Boulevard, said corner also lying at the beginning of a non-tangent curve to the right having a radius of 960.00 feet, a central angle of 15°36'33", and a chord that bears N35°16'56"W, 260.73 feet;

THENCE along said north right of way line of Southwestern Boulevard and said curve to the right, for an arc distance of 261.53 feet to a point for corner;

THENCE continuing along said north right of way line of Southwestern Boulevard, N27°28'40"W, at a distance of 235.69 feet passing the common southerly corner of said Lots 3 and 4, continuing for a total distance of 250.41 feet to a point for corner, said corner lying at the beginning of a tangent curve to the left having a radius of 590.00 feet, a central angle of 77°04'34", and a chord that bears N66°00'55"W, 735.18 feet;

THENCE continuing along said north right of way line of Southwestern Boulevard and along said arc to the left, for an arc distance of 793.69 feet to the POINT OF BEGINNING, and containing a computed area of 599,517 square feet or 13.763 acres.

Tract 4

Being a 33.818 acre tract of land situated in the John C. Cook Survey, Abstract 259, Dallas County, Texas and being part of the City of Dallas, same being part of Lot 1, Block J/5411 of THE LAKES, an addition to the City of Dallas, recorded in Volume 84212, Page 2441, Deed Records, Dallas County, Texas (D.R.D.C.T.) and refiled in Volume 84222, Page 0007, D.R.D.C.T., all of that tract of land called "SOFTBALL FIELDS", all of Lot 1, Block G/5411 of VILLAGE MEADOW NO. 1, an addition to the City of Dallas, recorded in Volume 78238, Page 2036, D.R.D.C.T. and all of that tract of land called "VILLAGE COUNTRY CLUB", in the Special Warranty Deed to PC VILLAGE APARTMENTS DALLAS, LP and recorded in Volume 95165, Page 1114, Deed Records, Dallas County, Texas, and said 33.818 acre tract of land being more particularly described as follows:

BEGINNING at the most westerly corner of said Lot 1, Block G/5411 of VILLAGE MEADOW NO. 1, said corner lying at the intersection of the southerly right of way line of Southwestern Boulevard and the east right of way line of Amesbury Drive, said corner also lying at the beginning of a curve to the left having a radius of 545.00 feet, a central angle of 40°43'16", and a chord that bears N31°22'58"E, 379.24 feet;

THENCE along said southerly right of way line of Southwestern Boulevard, the following five (5) courses and distances:

Along said curve to the left, for an arc distance of 387.34 feet to a point for corner;

N11°01'20"E, for a distance of 756.75 feet to a point for the northwest corner of said "VILLAGE COUNTRY CLUB" and west corner of said "SOFTBALL FIELDS", said corner lying

at the beginning of a curve to the right having a radius of 500.00 feet, a central angle of $141^{\circ}30'00''$, and a chord that bears $N81^{\circ}46'20''E$, 944.09 feet;

Along said curve to the right, for an arc distance of 1234.82 feet to the east corner of said "SOFTBALL FIELDS" and north corner of said Lot 1, Block i/5411 of THE LAKES;

$S27^{\circ}28'40''E$, for a distance of 250.41 feet to a point for corner, said corner lying at the beginning of a tangent curve to the left having a radius of 1,050.00 feet, a central angle of $15^{\circ}45'48''$, and a chord that bears $S35^{\circ}21'34''E$, 287.97 feet;

Along said curve to the left, for an arc distance of 288.88 feet to a point for corner;

THENCE leaving said southerly right of way line of Southwestern Boulevard and across said Lot 1, Block J/5411 of THE LAKES, $S55^{\circ}11'40''W$, for a distance of 731.62 feet to a point for corner;

THENCE $N89^{\circ}29'22''W$, for a distance of 154.49 feet to a point on the east line of said "VILLAGE COUNTRY CLUB";

THENCE along the common line between said "VILLAGE COUNTRY CLUB" and said Lot 1, Block J/5411 of THE LAKES, $S00^{\circ}30'38''W$, for a distance of 72.21 feet to a point for corner;

THENCE continuing along said common line, $N89^{\circ}29'22''W$, for a distance of 154.11 feet to a point for corner on the east line of said Lot 1, Block G/5411 of VILLAGE MEADOW NO. 1;

THENCE along the common line between said Lot 1, Block G/5411 of VILLAGE MEADOW NO. 1 and said Lot 1, Block J/5411 of THE LAKES, $S04^{\circ}19'48''E$, for a distance of 93.50 feet to a point for corner;

THENCE continuing along said common line, $S08^{\circ}24'00''W$, for a distance of 590.00 feet to a point for corner on the north line of Block A/5411 of THE BEND, an addition to the City of Dallas, recorded in Volume 75238, Page 1040, D.R.D.C.T.;

THENCE along the common line between said Lot 1, Block G/5411 of VILLAGE MEADOW NO. 1 and said Block A/5411 of THE BEND, $N89^{\circ}36'00''W$, for a distance of 407.49 feet to a point for corner, said corner lying on said east right of way line of Amesbury Drive;

THENCE along said east right of way line of Amesbury Drive, $N00^{\circ}24'00''E$, for a distance of 62.17 feet to a point for corner, said corner lying at the beginning of a tangent curve to the left having a radius of 367.50 feet, a central angle of $34^{\circ}42'40''$, and a chord that bears $N16^{\circ}57'20''W$, 219.25 feet;

THENCE continuing along said east right of way line of Amesbury Drive and along said curve to the left, for an arc distance of 222.64 feet to a point for corner;

29387

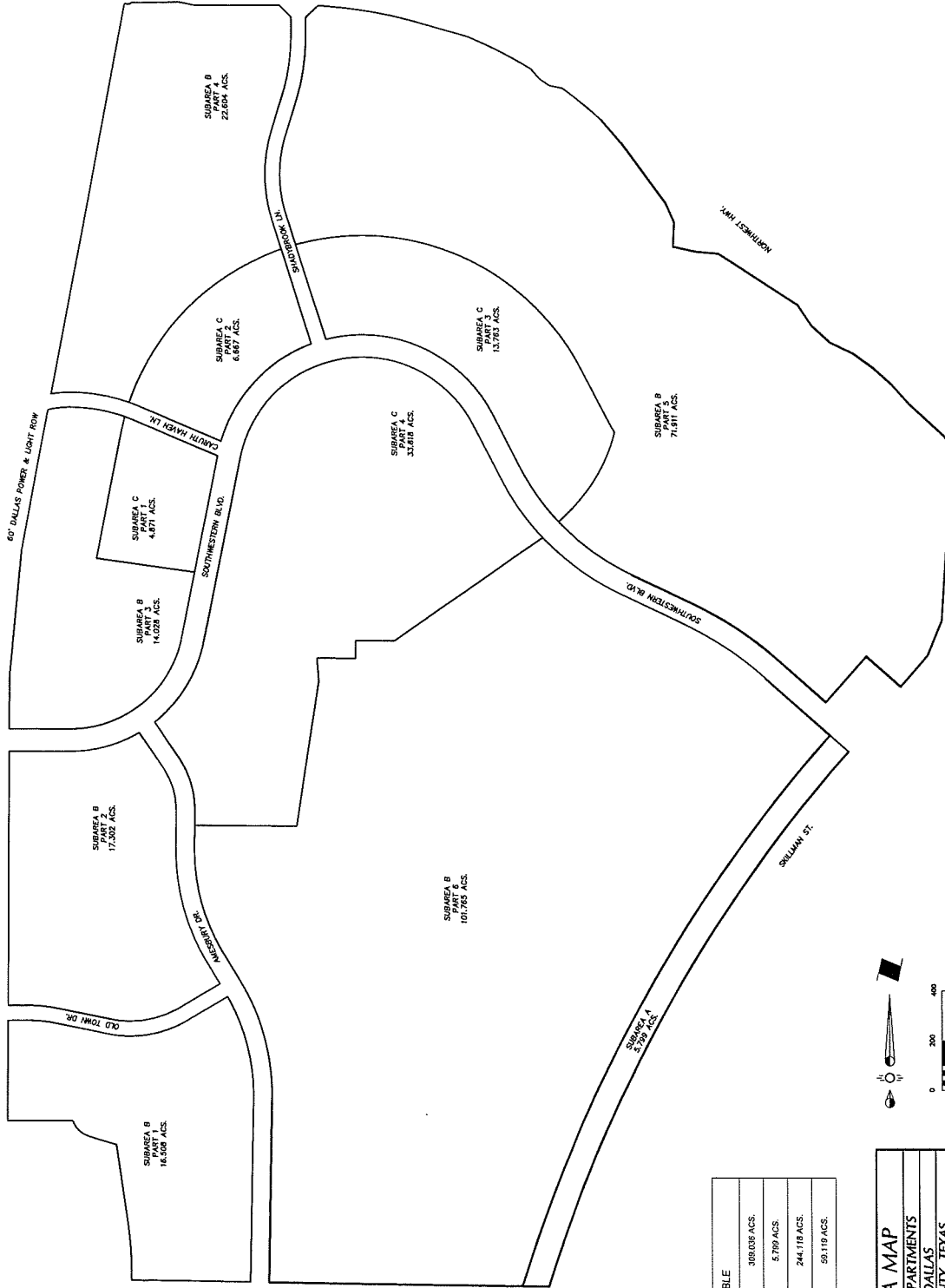
141067

Exhibit A

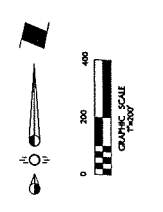
GIS Approved

THENCE continuing along said east right of way line of Amesbury Drive, N34°18'40"W, for a distance of 175.02 feet to the POINT OF BEGINNING, and containing a computed area of 1,473,114 square feet or 33.818 acres.

2134-110



AREA TABLE	
THE VILLAGES	309,038 ACES
SUBAREA A	5,799 ACES
SUBAREA B	244,118 ACES
SUBAREA C	59,319 ACES



SUBAREA MAP
 THE VILLAGES APARTMENTS
 CITY OF DALLAS
 DALLAS COUNTY, TEXAS
 BROCKETT/DAVIS/DRAKE, INC.
 CONSULTING ENGINEERS
 1201 Ross Street, Suite 1000
 Dallas, Texas 75202
 1/23/2008 - 4th City Review

CHKD BY	DATE	SCALE	NOTES	PAGE	TOTAL
SDF	10/27/10	1"=200'	X	12/100	1

© Copyright 2010 Brockett/Davis/Drake, Inc. All Rights Reserved. This drawing is the property of Brockett/Davis/Drake, Inc. and is to be used only for the project and site shown. Any reproduction, in any form, without the written consent of Brockett/Davis/Drake, Inc. is prohibited.

EXHIBIT 916B

Supplement to Building Permit Application

This tabulation is for NEW CONSTRUCTION ONLY. Use a separate tabulation sheet for multi-family and for commercial uses – do not add square footage of renovation or reconstruction of existing buildings shown on the attached exhibit.

Number of Units / Square Feet

- 1. Total cumulative number of existing dwelling units or total square footage of non-residential uses in PDD No.916, the Village Special Purpose District.

_____ units / _____

- 2. Total cumulative pending applications for new construction of dwelling units or total square footage of non-residential uses in PDD No.916, the Village Special Purpose District.

_____ / _____

- 3. Total square footage of new construction of existing dwelling units or total square footage of non-residential uses requested in this application in PDD No.916, the Village Special Purpose District.

_____ / _____

- 4. Less the total number of existing dwelling units or total square footage of non-residential uses in PDD No. 916, the Village Special Purpose District for which demolition permits have been issued or which will be eliminated upon the completion of the improvements contemplated by this Applicant.

_____ / _____

- 5. The sum of the number of dwelling units and/or the non-residential square footages in 1. 2. and 3. less the total number of dwelling units or the lot square footage in 4. equals the total number of dwelling units existing or requested or the total square footage of non-residential uses built or requested in this application in the PDD No. 916, the Village Special Purpose District. Total number of dwelling units for all subdistrict combined cannot exceed 12,360. Total square footage of non-residential uses in Subareas B and C cannot exceed 600,000 square feet.

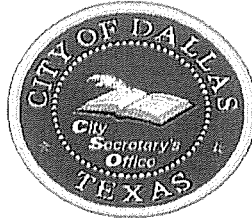
EXHIBIT 916C

MIXED USE DEVELOPMENT PARKING CHART
 (for calculating adjusted standard parking requirement)

<u>USE CATEGORIES</u>	<u>STANDARD PARKING REQUIREMENT</u>	<u>PARKING ADJUSTMENT PERCENTAGES BY THE TIME OF DAY (weekday)</u>				
		Morning	Noon	Afternoon	Late Afternoon	Evening
Residential uses	1 space/bedroom	80%	60%	60%	70%	100%
Office uses	1/366 sq.ft.	100%	80%	100%	85%	35%
Retail and personal service uses	1/220 sq.ft.	60%	75%	70%	65%	70%
Bar & restaurant uses	1/100 sq.ft.	20%	100%	30%	30%	100%
Any other use	Must be ascertained	100%	100%	100%	100%	100%

The adjusted standard off-street parking requirement for the development is the largest of the five "time of day" column sums.

Note: If the use does not fit into one of the first four categories listed above, 100 percent assignment must be used in each of the "time of day" columns. If one or more of the main uses in the development is a retail and personal service use, the minimum parking requirement for the development under this reduction option is the sum of the standard parking requirements for each of the retail and personal service uses in the development.



PROOF OF PUBLICATION – LEGAL ADVERTISING

The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

DATE ADOPTED BY CITY COUNCIL JUN 25 2014

ORDINANCE NUMBER 29387

DATE PUBLISHED JUN 28 2014

ATTESTED BY:

A handwritten signature in cursive script, appearing to read "Rose C. Liss".

WHEREAS, the termination of deed restrictions in the attached instrument has been volunteered in connection with property located on the west line of Skillman Street, north of Lovers Lane, which is the subject of Zoning Case No. Z134-110(MW); and

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

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

Section 1. That the termination of deed restrictions in the attached instrument is 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. Z134-110(MW).

Section 2. That this termination of 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:

WARREN M.S. ERNST, City Attorney

By Casey Byron
Assistant City Attorney

APPROVED BY
CITY COUNCIL

JUN 25 2014

Lucas A. Diaz
City Secretary

APPROVED _____ APPROVED _____ APPROVED _____
HEAD OF DEPARTMENT DIRECTOR OF FINANCE CITY MANAGER

TERMINATION OF DEED RESTRICTIONS

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

I.

The undersigned, VILLAGE GREEN TWO ASSOCIATES, LTD. (“the Owner”), is the owner of the following described property (“the Property”), being in particular a tract of land out of the John C. Cook Survey, Abstract No. 259, all of City Block 5411, City of Dallas (“City”), Dallas County, Texas, and being that same tract of land conveyed to the Owner by William W. Caruth, Jr. and First National Bank, by deed dated September 9, 1977, and recorded in Volume 77180, Page 0759, in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

See attached Exhibit “A”.

II.

The Property was impressed with certain deed restrictions (“restrictions”) as shown in an instrument dated April 4, 1977, signed by William W. Caruth, Jr. and recorded in Volume 77083, Page 2009, of the Deed Records of Dallas County, Texas, a true and correct copy of which is attached to this instrument as Exhibit “B” and made a part of this instrument.

III.

The Owner does hereby terminate and release the following restrictions as they apply to the Property, to wit:

1. That parking of motor vehicles shall be prohibited at all times.
2. That no motor vehicle access to Skillman Street shall be permitted across such tracts.
3. That said tracts shall be used for landscaping purposes only, including a berm, and no building shall be constructed thereon. Said berm shall have irregular contours, both vertical and horizontal, a minimum of two (2) feet and a maximum of four (4) feet in height.

IV.

The above termination was made following 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 was given as would have been required by law for a zoning change on the Property. The Owner must file this 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 termination becomes effective.

V.

The termination of these restrictions is 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 to defend, indemnify, and hold harmless the City from and against all claims or liabilities arising out of or in connection with this termination.

VII.

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

VIII.

The Owner certifies and represents that there are no mortgages or liens, other than liens for ad valorem taxes, against the Property if there are no signatures of mortgagees or lienholders subscribed below.

IX.

The invalidation of any provision in this instrument 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.

EXECUTED at the City of Dallas, Dallas County, this the 17th day of June, 2014.

VILLAGE GREEN TWO ASSOCIATES LIMITED,
a Texas limited partnership

By: DALLAS VILLAGE GREEN COMPANY, L.P.,
a Texas limited partnership, its general partner

By: LINCOLN AKARD CORPORATION,
a Texas corporation, its general partner

By: [Signature]
Mack Pogue,
Chairman of Board/President

CONSENT AND CONCURRENCE OF
LIENHOLDER OR MORTGAGEE

Bank of America, N.A.
Owner Lender
By: [Signature]
Printed Name: Shane M. Bowen
Title: Senior Vice President

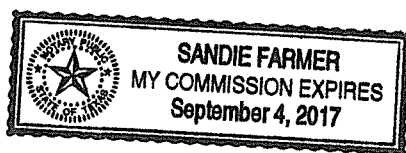
APPROVED AS TO FORM:
WARREN M. S. ERNST, City Attorney

By: [Signature]
Assistant City Attorney

STATE OF TEXAS §

COUNTY OF DALLAS §

This instrument was acknowledged before me on June 19, 2014 by MACK POGUE, Chairman of Board/President of Lincoln Akard Corporation, a Texas corporation, the general partner of Dallas Village Green Company, L.P., a Texas limited partnership, the general partner of Village Green Two Associates Limited, on the 19 day of June, 2014, as the authorized act of Village Green Two Associates Limited.



Sandie Farmer
NOTARY PUBLIC, in and for
The State of Texas

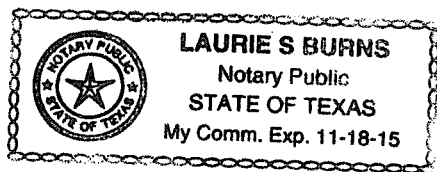
My Commission Expires: 9/4/17

STATE OF TEXAS §

COUNTY OF DALLAS §

This instrument was acknowledged before me on June 19th, 2014 by Shane M. Bowen, as SVP, of Bank of America, N.A., a national banking association (corporation, limited liability company, limited partnership), on behalf of said National association.

(Notary's stamp here)



Laurie S. Burns
(Notary's signature)
NOTARY PUBLIC, in and for
The State of Texas

EXHIBIT "A"**TRACT A:**

BEGINNING at the point of intersection of the north R.O.W. line of Lovers Lane (100 ft. R.O.W.) with the northwest R.O.W. line of Skillman Street (100 ft. R.O.W.);

THENCE N 89° 06' 05" W, along the north R.O.W. line of Lovers Lane, a distance of 26.03 ft.;

THENCE in a northeasterly direction with a curve to the right, said curve having a tangent bearing of N 17° 0' 59" E, a central angle of 6° 45' 58" and a radius of 5804.58 ft., a distance of 685.47 ft. to a point in the southwest R.O.W. line of Village Bend Drive (60 ft. R.O.W.);

THENCE S 65° 55' 17" E, along the southwest R.O.W. line of Village Bend Drive, a distance of 25.0 ft. to a point in the northwest R.O.W. line of Skillman Street;

THENCE in a southwesterly direction along the northwest R.O.W. line of Skillman Street with a curve to the left, said curve having a tangent bearing of S 23° 46' 52" W, a central angle of 6° 41' 35" and a radius of 5779.58 ft., a distance of 675.15 ft. to the Point of Beginning and containing 0.3904 acres (17,008 sq. ft.) of land.

TRACT B:

BEGINNING at the point of intersection of the northeast R.O.W. line of Village Bend Drive (60 ft. R.O.W.) with the northwest R.O.W. line of Skillman Street (100 ft. R.O.W.);

THENCE N 65° 55' 17" W, along the northeast R.O.W. line of Village Bend Drive, a distance of 25.0 ft.;

THENCE in a northeasterly direction with a curve to the right, said curve having a tangent bearing of N 24° 22' 29" E, a central angle of 12° 46' 18" and a radius of 5804.58 ft., a distance of 1293.89 ft.;

THENCE S 69° 54' 30" E a distance of 26.16 ft. to a point in the northwest R.O.W. line of Skillman Street;

THENCE in a southwesterly direction, along the northwest R.O.W. line of Skillman Street with a curve to the left, said curve having a tangent bearing of S. 37° 13' 20" W, a central angle of 12° 50' 47" and a radius of 5779.58 ft., a distance of 1295.85 ft. to the Point of Beginning and containing 0.7431 acres (32,371 Sq. Ft.) of land.

EXHIBIT "B"

DEED RESTRICTIONS

DEED RECORD

STATE OF TEXAS)
)
 COUNTY OF DALLAS)

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, WILLIAM W. CARUTH, JR., Trustee of Trusts created by Earle Clark Caruth on October 22, 1952, and the FIRST NATIONAL BANK IN DALLAS, Trustee of the six Trusts created by Earle Clark Caruth on October 22, 1952, the owners of the following described property situated in Dallas County, Texas, and being two tracts of land situated in the John C. Cook Survey, Abstract No. 259, and being part of City of Dallas Block No. 5411, Dallas County, Texas, and being more particularly described as follows, to-wit:

TRACT A.

BEGINNING at the point of intersection of the north R.O.W. line of Lovers Lane (100 ft. R.O.W.) with the northwest R.O.W. line of Skillman Street (100 ft. R.O.W.);

THENCE N 89° 08' 05" W, along the north R.O.W. line of Lovers Lane, a distance of 26.03 ft.;

THENCE in a northeasterly direction with a curve to the right, said curve having a tangent bearing of N 17° 0' 59" E, a central angle of 6° 45' 58" and a radius of 5804.38 ft., a distance of 685.47 ft. to a point in the southwest R.O.W. line of Village Bend Drive (60 ft. R.O.W.);

THENCE S 65° 55' 17" E, along the southwest R.O.W. line of Village Bend Drive, a distance of 25.0 ft. to a point in the northwest R.O.W. line of Skillman Street;

THENCE in a southwesterly direction along the northwest R.O.W. line of Skillman Street with a curve to the left, said curve having a tangent bearing of S 23° 46' 52" W, a central angle of 6° 41' 35" and a radius of 5779.58 ft., a distance of 675.15 ft. to the Point of Beginning and containing 0.3804 acres (17,008 sq. ft.) of land.

TRACT B.

BEGINNING at the point of intersection of the northeast R.O.W. line of Village Bend Drive (60 ft. R.O.W.) with the northwest R.O.W. line of Skillman Street (100 ft. R.O.W.);

THENCE N 65° 55' 17" W, along the northeast R.O.W. line of Village Bend Drive, a distance of 25.0 ft.;

THENCE in a northeasterly direction with a curve to the right, said curve having a tangent bearing of N 24° 22' 29" E, a central angle of 12° 46' 18" and a radius of 5804.58 ft., a distance of 1293.89 ft.;

THENCE S 69° 54' 30" E a distance of 26.16 ft. to a point in the northwest R.O.W. line of Skillman Street;

THENCE in a southwesterly direction, along the northwest R.O.W. line of Skillman Street with a curve to the left,

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77023 2005

said curve having a tangent bearing of S. 37° 13' 20" W, a central angle of 12° 50' 47" and a radius of 5779.58 ft., a distance of 1285.85 ft. to the Point of Beginning and containing 0.7431 acres (32,371 Sq. Ft.) of land.

That the undersigned owners do hereby impress all of the above described property with the following deed restrictions, to-wit:

1. That parking of motor vehicles shall be prohibited at all times.
2. That no motor vehicle access to Skillman Street shall be permitted across such tracts.
3. That said tracts shall be used for landscaping purposes only, including a berm, and no building shall be constructed thereon. Said berm shall have irregular contours, both vertical and horizontal, a minimum of two (2) feet and a maximum of four (4) feet in height.

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 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 City Council of the City of Dallas. Notice of 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 the zoning of the property is concerned.

These restrictions inure to the benefit of the City of Dallas, and the undersigned owners hereof do 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 and to correct such violations and for further remedy, the City of Dallas may withhold the certi-

ificates 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 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 14th day of April, 1977.

William W. Caruth, Jr.
WILLIAM W. CARUTH, JR., Trustee of
Trusts created by Earle Clark
Caruth on October 22, 1952.

FIRST NATIONAL BANK IN DALLAS,
Trustee of the Six Trusts created
By Earle Clark Caruth on
October 22, 1952

By Carl E. Andrews AUP
CARL E. ANDREWS Asst. VP-TRUST

ATTEST
John R. ...
ASST. CASHIER

STATE OF TEXAS)
COUNTY OF DALLAS)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared WILLIAM W. CARUTH, JR., Trustee of Trusts created by Earle Clark Caruth on October 22, 1952, 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 therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 14th day of April, 1977.

Mary Branch Scott
Notary Public, Dallas County, Texas

My Commission expires:

6/1/77

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77083 2011

STATE OF TEXAS)
COUNTY OF DALLAS)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Carl E. Andrews, ~~Asst. Mgr. - Trust~~ of FIRST NATIONAL BANK IN DALLAS, Trustee of the Six Trusts created by Earle Clark Caruth on October 22, 1932, 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 NATIONAL BANK IN DALLAS, a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 4th day of April, 1977.

[Signature]
Notary Public, Dallas County, Texas

My Commission expires:

June 1, 1977

Approved as to form:

LEE E. HOLT, City Attorney

By [Signature]
Assistant City Attorney

FILED
L.E. Munsbach
COUNTY CLERK
DALLAS COUNTY

77 APR 28 PM 2:27

NO. 113
RECORDS SECTION
200 CITY CENTER, DALLAS

	<p>WILLIAM W. CARUTH, JR., TRUSTEE, and FIRST NATIONAL BANK IN DALLAS, TRUSTEE</p> <p>TO</p> <p>CITY OF DALLAS</p>	<p><u>DEED RESTRICTIONS</u></p>		<p>BANER, JACK SALLINGER & NICHOLS ATTORNEYS AND COUNSELORS 1800 REPUBLIC NATIONAL BANK BUILDING DALLAS, TEXAS 75201</p>
--	--	---------------------------------	--	--

STATE OF TEXAS
I hereby certify that the foregoing and
true and correct copy of the original
and copy of the same recorded in Dallas
County, Texas as required herein by law.



APR 29 1977

L.E. Munsbach

COUNTY CLERK, Dallas County, Texas

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APR 29 1977 11:52 AM

WHEREAS, the termination of deed restrictions in the attached instrument has been volunteered in connection with property located on the west line of Skillman Street, north of Lovers Lane, which is the subject of Zoning Case No. Z134-110(MW); and

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

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

Section 1. That the termination of deed restrictions in the attached instrument is 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. Z134-110(MW).

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

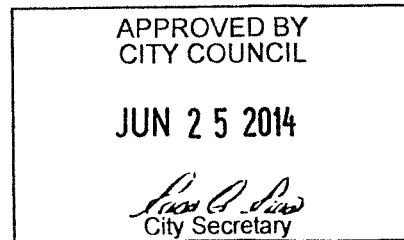
Section 3. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:

WARREN M.S. ERNST, City Attorney

By


Assistant City Attorney



APPROVED _____ APPROVED _____ APPROVED _____
HEAD OF DEPARTMENT DIRECTOR OF FINANCE CITY MANAGER

TERMINATION OF DEED RESTRICTIONS

THE STATE OF TEXAS §
 COUNTY OF DALLAS §

KNOW ALL PERSONS BY THESE PRESENTS:

I.

The undersigned, PC VILLAGE APARTMENTS DALLAS, L.P. (“the Owner”), is the owner of the following described property (“the Property”), being in particular a tract of land out of the John C. Cook Survey, Abstract No. 259, all of City Block H/5411, City of Dallas (“City”), Dallas County, Texas, and being that same tract of land conveyed to the Owner by Crow Village, L.P. and Pogue Brothers No. 2 Limited Partnership, by deed dated August 17, 1995, and recorded in Volume 95165, Page 01114, in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

See attached Exhibit “A”.

II.

The Property was impressed with certain deed restrictions (“restrictions”) as shown in an instrument dated April 4, 1977, signed by William W. Caruth, Jr. and the First National Bank and recorded in Volume 77083, Page 2009, of the Deed Records of Dallas County, Texas, a true and correct copy of which is attached to this instrument as Exhibit “B” and made a part of this instrument.

III.

The Owner does hereby terminate and release the following restrictions as they apply to the Property, to wit:

1. That parking of motor vehicles shall be prohibited at all times.
2. That no motor vehicle access to Skillman Street shall be permitted across such tracts.
3. That said tracts shall be used for landscaping purposes only, including a berm, and no building shall be constructed thereon. Said berm shall have irregular contours, both vertical and horizontal, a minimum of two (2) feet and a maximum of four (4) feet in height.

IV.

The above termination was made following 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 was given as would have been required by law for a zoning change on the Property. The Owner must file this 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 termination becomes effective.

V.

The termination of these restrictions is 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 to defend, indemnify, and hold harmless the City from and against all claims or liabilities arising out of or in connection with this termination.

VII.

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

VIII.

The Owner certifies and represents that there are no mortgages or liens, other than liens for ad valorem taxes, against the Property if there are no signatures of mortgagees or lienholders subscribed below.

IX.

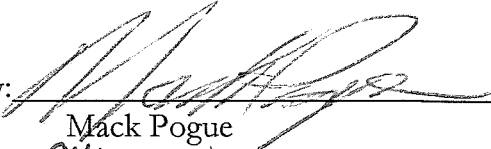
The invalidation of any provision in this instrument by any court shall in no way affect any other provision, which shall remain in full force and effect, and to this end the provisions are declared to be severable.

EXECUTED at the City of Dallas, Dallas County, this the 23 day of June, 2014.

PC VILLAGE APARTMENTS DALLAS, L.P.,
a Texas limited partnership

By: Pogue Family No. 2 Limited Partnership,
a Texas limited partnership, its general partner

By: Pogue Family No. 2 Companies, Inc.
a Texas corporation, its general partner

By: 
Mack Pogue
Its: CHAIRMAN

CONSENT AND CONCURRENCE OF
LIENHOLDER OR MORTGAGEE

FEDERAL HOME LOAN MORTGAGE
CORPORATION, a corporation organized
and existing under the laws of the United
States, Owner

By: _____
Printed Name: _____
Title: _____

APPROVED AS TO FORM:

WARREN M. S. ERNST, City Attorney

By: 
Assistant City Attorney

EXECUTED at the City of Dallas, _____ County, this the ____ day of June, 2014.

PC VILLAGE APARTMENTS DALLAS, L.P.,
a Texas limited partnership

By: Pogue Family No. 2 Limited Partnership,
a Texas limited partnership, its general partner

By: Pogue Family No. 2 Companies, Inc.
a Texas corporation, its general partner

By: _____
Mack Pogue

Its: _____

CONSENT AND CONCURRENCE OF
LIENHOLDER OR MORTGAGEE

FEDERAL HOME LOAN MORTGAGE
CORPORATION, a corporation organized
and existing under the laws of the United
States

By:  _____
R. Stephen Power

Printed Name: Director

Title: Multifamily Asset Management

APPROVED AS TO FORM:

WARREN M. S. ERNST, City Attorney

By: _____
Assistant City Attorney

STATE OF TEXAS §

COUNTY OF DALLAS §

CHAIRMAN

This instrument was acknowledged before me on June 23, 2014 by MACK POGUE, ~~President~~ of Pogue Family No. 2 Companies, Inc., a Texas corporation, the general partner of Pogue Family No. 2 Limited Partnership, a Texas limited partnership, the general partner of PC Village Apartments Dallas, L.P., on the 23 day of June, 2014, as the authorized act of PC Village Apartments Dallas, L.P.



Sandie Farmer
NOTARY PUBLIC, in and for
The State of Texas

My Commission Expires: 9-4-17

STATE OF _____ §

COUNTY OF _____ §

This instrument was acknowledged before me on June _____, 2014 by _____, as _____, of the Federal Home Loan Mortgage Corporation, a corporation organized and existing under the laws of the United States on behalf of said corporation.

(Notary's stamp here)

(Notary's signature)
NOTARY PUBLIC, in and for
The State of _____

STATE OF TEXAS §

COUNTY OF DALLAS §

This instrument was acknowledged before me on June _____, 2014 by MACK POGUE, _____ of Pogue Family No. 2 Companies, Inc., a Texas corporation, the general partner of Pogue Family No. 2 Limited Partnership, a Texas limited partnership, the general partner of PC Village Apartments Dallas, L.P., on the _____ day of June, 2014, as the authorized act of PC Village Apartments Dallas, L.P.

NOTARY PUBLIC, in and for
The State of Texas

My Commission Expires: _____

STATE OF Virginia §

COUNTY OF Fairfax §

This instrument was acknowledged before me on June 20th, 2014 by R. Stephen Power, as Director, MF-Am, of the Federal Home Loan Mortgage Corporation, a corporation organized and existing under the laws of the United States on behalf of said corporation.

(Notary's stamp)



Patricia B Johnson

(Notary's signature)
NOTARY PUBLIC, in and for
The State of Virginia

EXHIBIT "A"**TRACT A:**

BEGINNING at the point of intersection of the north R.O.W. line of Lovers Lane (100 ft. R.O.W.) with the northwest R.O.W. line of Skillman Street (100 ft. R.O.W.);

THENCE N 89E 06' 05" W, along the north R.O.W. line of Lovers Lane, a distance of 26.03 ft.;

THENCE in a northeasterly direction with a curve to the right, said curve having a tangent bearing of N 17E 0' 59" E, a central angle of 6E 45' 58" and a radius of 5804.58 ft., a distance of 685.47 ft. to a point in the southwest R.O.W. line of Village Bend Drive (60 ft. R.O.W.);

THENCE S 65E 55' 17" E, along the southwest R.O.W. line of Village Bend Drive, a distance of 25.0 ft. to a point in the northwest R.O.W. line of Skillman Street;

THENCE in a southwesterly direction along the northwest R.O.W. line of Skillman Street with a curve to the left, said curve having a tangent bearing of S 23E 46' 52" W, a central angle of 6E 41' 35" and a radius of 5779.58 ft., a distance of 675.15 ft. to the Point of Beginning and containing 0.3904 acres (17,008 sq. ft.) of land.

TRACT B:

BEGINNING at the point of intersection of the northeast R.O.W. line of Village Bend Drive (60 ft. R.O.W.) with the northwest R.O.W. line of Skillman Street (100 ft. R.O.W.);

THENCE N 65E 55' 17" W, along the northeast R.O.W. line of Village Bend Drive, a distance of 25.0 ft.;

THENCE in a northeasterly direction with a curve to the right, said curve having a tangent bearing of N 24E 22' 29" E, a central angle of 12E 46' 18" and a radius of 5804.58 ft., a distance of 1293.89 ft.;

THENCE S 69E 54' 30" E a distance of 26.16 ft. to a point in the northwest R.O.W. line of Skillman Street;

THENCE in a southwesterly direction, along the northwest R.O.W. line of Skillman Street with a curve to the left, said curve having a tangent bearing of S. 37E 13' 20" W, a central angle of 12E 50' 47" and a radius of 5779.58 ft., a distance of 1295.85 ft. to the Point of Beginning and containing 0.7431 acres (32,371 Sq. Ft.) of land.

EXHIBIT "B"

DEED RESTRICTIONS

DEED RECORD

STATE OF TEXAS)
)
 COUNTY OF DALLAS)

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, WILLIAM W. CARUTH, JR., Trustee of Trusts created by Earle Clark Caruth on October 22, 1952, and the FIRST NATIONAL BANK IN DALLAS, Trustee of the six Trusts created by Earle Clark Caruth on October 22, 1952, the owners of the following described property situated in Dallas County, Texas, and being two tracts of land situated in the John C. Cook Survey, Abstract No. 259, and being part of City of Dallas Block No. 5411, Dallas County, Texas, and being more particularly described as follows, to-wit:

TRACT A.

BEGINNING at the point of intersection of the north R.O.W. line of Lovers Lane (100 ft. R.O.W.) with the northwest R.O.W. line of Skillman Street (100 ft. R.O.W.);

THENCE N 89° 06' 05" W, along the north R.O.W. line of Lovers Lane, a distance of 28.03 ft.;

THENCE in a northeasterly direction with a curve to the right, said curve having a tangent bearing of N 17° 0' 59" E, a central angle of 6° 45' 58" and a radius of 5804.58 ft., a distance of 685.47 ft. to a point in the southwest R.O.W. line of Village Bend Drive (60 ft. R.O.W.);

THENCE S 85° 55' 17" E, along the southwest R.O.W. line of Village Bend Drive, a distance of 25.0 ft. to a point in the northwest R.O.W. line of Skillman Street;

THENCE in a southwesterly direction along the northwest R.O.W. line of Skillman Street with a curve to the left, said curve having a tangent bearing of S 23° 46' 52" W, a central angle of 6° 41' 35" and a radius of 5779.58 ft., a distance of 675.15 ft. to the Point of Beginning and containing 0.3904 acres (17,008 sq. ft.) of land.

TRACT B.

BEGINNING at the point of intersection of the northeast R.O.W. line of Village Bend Drive (60 ft. R.O.W.) with the northwest R.O.W. line of Skillman Street (100 ft. R.O.W.);

THENCE N 65° 55' 17" W, along the northeast R.O.W. line of Village Bend Drive, a distance of 25.0 ft.;

THENCE in a northeasterly direction with a curve to the right, said curve having a tangent bearing of N 24° 22' 28" E, a central angle of 12° 46' 18" and a radius of 5804.58 ft., a distance of 1293.89 ft.;

THENCE S 69° 54' 30" E a distance of 26.16 ft. to a point in the northwest R.O.W. line of Skillman Street;

THENCE in a southwesterly direction, along the northwest R.O.W. line of Skillman Street with a curve to the left,

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said curve having a tangent bearing of S. 37° 13' 20" W, a central angle of 12° 50' 47" and a radius of 5779.58 ft., a distance of 1295.85 ft. to the Point of Beginning and containing 0.7431 acres (32,371 Sq. Ft.) of land.

That the undersigned owners do hereby impress all of the above described property with the following deed restrictions, to-wit:

1. That parking of motor vehicles shall be prohibited at all times.
2. That no motor vehicle access to Skillman Street shall be permitted across such tracts.
3. That said tracts shall be used for landscaping purposes only, including a berm, and no building shall be constructed thereon. Said berm shall have irregular contours, both vertical and horizontal, a minimum of two (2) feet and a maximum of four (4) feet in height.

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 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 City Council of the City of Dallas. Notice of 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 the zoning of the property is concerned.

These restrictions inure to the benefit of the City of Dallas, and the undersigned owners hereof do 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 and to correct such violations and for further remedy, the City of Dallas may withhold the certi-

ificate 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 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 4th day of April, 1977.

William W. Caruth, Jr.
WILLIAM W. CARUTH, JR., Trustee of
Trusts created by Earle Clark
Caruth on October 22, 1952.

FIRST NATIONAL BANK IN DALLAS,
Trustee of the Six Trusts created
By Earle Clark Caruth on
October 22, 1952

By Carl E. Andrews ASST.
CARL E. ANDREWS ASST. VP-TRUST

APPROVE
Edward A. ...
ASST. CASHIER

STATE OF TEXAS)
COUNTY OF DALLAS)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared WILLIAM W. CARUTH, JR., Trustee of Trusts created by Earle Clark Caruth on October 22, 1952, 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 therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 5th day of April, 1977.

Mary Branch Scott
Notary Public, Dallas County, Texas

My Commission expires:

6/1/77

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STATE OF TEXAS)
)
COUNTY OF DALLAS)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Caec
E. Andrews, ~~Asst. VP - Trust~~ of FIRST NATIONAL BANK IN DALLAS, Trustee of the Six Trusts created by Earle Clark Caruth on October 22, 1952, 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 NATIONAL BANK IN DALLAS, a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 14th
day of April, 1977.

[Signature]
Notary Public, Dallas County, Texas

My Commission expires:
June 1, 1977

Approved as to form
LEE E. WOLT, City Attorney
By [Signature]
Assistant City Attorney

FILED
L.E. Maddox
COUNTY CLERK
DALLAS COUNTY

APR 28 PM 2:27

NO. 113
RECORDS SECTION
200 CITY CENTER, DALLAS

	<p>WILLIAM W. CARUTE, JR., TRUSTEE, and FIRST NATIONAL BANK IN DALLAS, TRUSTEE</p> <p>TO</p> <p>CITY OF DALLAS</p>	<p><u>DEED RESTRICTIONS</u></p>		<p>BANER, JACK, SALLINGER & NICHOLS ATTORNEYS AND COUNSELORS 1500 REPUBLIC NATIONAL BANK BUILDING DALLAS, TEXAS 75201</p>
--	--	---------------------------------	--	---

STATE OF TEXAS COUNTY OF DALLAS
I hereby certify that this instrument was
filed in the office of the County Clerk of Dallas
County, Texas on the 29th day of April, 1977.



APR 29 1977

L.E. Maddox
COUNTY CLERK, Dallas County, Texas

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APR 29 1977

WHEREAS, the termination of deed restrictions in the attached instrument has been volunteered in connection with property located on the south line of Old Town Drive, west of Amesbury Drive, which is the subject of Zoning Case No. Z134-110(MW); and

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

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

Section 1. That the termination of deed restrictions in the attached instrument is 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. Z134-110(MW).

Section 2. That this termination of 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:

WARREN M.S. ERNST, City Attorney

By Casey Blum
Assistant City Attorney

APPROVED BY
CITY COUNCIL

JUN 25 2014

Paul C. Lewis
City Secretary

APPROVED _____ APPROVED _____ APPROVED _____
HEAD OF DEPARTMENT DIRECTOR OF FINANCE CITY MANAGER

TERMINATION OF DEED RESTRICTIONS

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

I.

The undersigned, PC VILLAGE APARTMENTS DALLAS, L.P. ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land out of the John C. Cook Survey, Abstract No. 259, all of City Block 5410, City of Dallas ("City"), Dallas County, Texas, and being that same tract of land conveyed to the Owner by Crow Village, L.P. and Pogue Brothers No. 2 Limited Partnership, by deed dated August 17, 1995, and recorded in Volume 95165, Page 01114, in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

See attached Exhibit "A".

II.

The Property was impressed with certain deed restrictions ("restrictions") as shown in an instrument dated May 12, 1982, signed by Mack Pogue and recorded in Volume 82174, Page 3004, of the Deed Records of Dallas County, Texas, a true and correct copy of which is attached to this instrument as Exhibit "B" and made a part of this instrument.

III.

The Owner does hereby terminate and release the following restrictions as they apply to the Property, to wit:

1. That such property may be used only for a building repair and maintenance shop, and for all uses authorized in a "MF-2" Multiple Family District under the Comprehensive Zoning Ordinance of the City of Dallas.
2. That said building repair and maintenance shop may be used only to provide maintenance and repairs for the apartment projects owned and operated by Lincoln Property Company XIX, LTD., a Texas Limited Partnership, in the area bounded by Northwest Highway, Skillman Avenue, Lovers Lane, and the Dallas Power and Light Company right-of-way on the West.

IV.

The above termination was made following 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 was given as would have been required by law for a zoning change on the Property. The Owner must file this 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 termination becomes effective.

V.

The termination of these restrictions is 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 to defend, indemnify, and hold harmless the City from and against all claims or liabilities arising out of or in connection with this termination.

VII.

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

VIII.

The Owner certifies and represents that there are no mortgages or liens, other than liens for ad valorem taxes, against the Property if there are no signatures of mortgagees or lienholders subscribed below.

IX.


The invalidation of any provision in this instrument 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.

EXECUTED at the City of Dallas, Dallas County, this the 23 day of May, 2014.

PC VILLAGE APARTMENTS DALLAS, L.P.,
a Texas limited partnership

By: Pogue Family No. 2 Limited Partnership,
a Texas limited partnership, its general partner

By: Pogue Family No. 2 Companies, Inc.
a Texas corporation, its general partner

By: 
Mack Pogue
Its: CHAIRMAN

CONSENT AND CONCURRENCE OF
LIENHOLDER OR MORTGAGEE

FEDERAL HOME LOAN MORTGAGE
CORPORATION, a corporation organized
and existing under the laws of the United
States, Owner

By: _____
Printed Name: _____
Title: _____

APPROVED AS TO FORM:

WARREN M. S. ERNST, City Attorney

By: 
Assistant City Attorney

EXECUTED at the City of Dallas, _____ County, this the ____ day of May, 2014.

PC VILLAGE APARTMENTS DALLAS, L.P.,
a Texas limited partnership

By: Pogue Family No. 2 Limited Partnership,
a Texas limited partnership, its general partner


By: Pogue Family No. 2 Companies, Inc.
a Texas corporation, its general partner

By: _____
Mack Pogue

Its: _____

CONSENT AND CONCURRENCE OF
LIENHOLDER OR MORTGAGEE

FEDERAL HOME LOAN MORTGAGE
CORPORATION, a corporation organized
and existing under the laws of the United
States

By:  _____
Printed Name: **Director**
Title: **Multifamily Asset Management**

APPROVED AS TO FORM:

WARREN M. S. ERNST, City Attorney

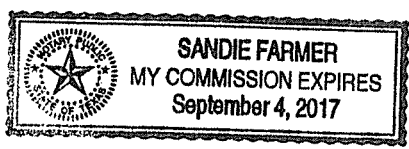
By: _____
Assistant City Attorney

STATE OF TEXAS §

COUNTY OF DALLAS §

CHAIRMAN

This instrument was acknowledged before me on June 23, 2014 by MACK POGUE, ~~President~~ of Pogue Family No. 2 Companies, Inc., a Texas corporation, the general partner of Pogue Family No. 2 Limited Partnership, a Texas limited partnership, the general partner of PC Village Apartments Dallas, L.P., on the 23 day of June, 2014, as the authorized act of PC Village Apartments Dallas, L.P.



Sandie Farmer

NOTARY PUBLIC, in and for
The State of Texas

My Commission Expires: 9-4-17

STATE OF _____ §

COUNTY OF _____ §

This instrument was acknowledged before me on June _____, 2014 by _____, as _____, of the Federal Home Loan Mortgage Corporation, a corporation organized and existing under the laws of the United States on behalf of said corporation.

(Notary's stamp here)

(Notary's signature)
NOTARY PUBLIC, in and for
The State of _____

STATE OF TEXAS §

COUNTY OF DALLAS §

This instrument was acknowledged before me on June _____, 2014 by MACK POGUE, _____ of Pogue Family No. 2 Companies, Inc., a Texas corporation, the general partner of Pogue Family No. 2 Limited Partnership, a Texas limited partnership, the general partner of PC Village Apartments Dallas, L.P., on the _____ day of June, 2014, as the authorized act of PC Village Apartments Dallas, L.P.

NOTARY PUBLIC, in and for
The State of Texas

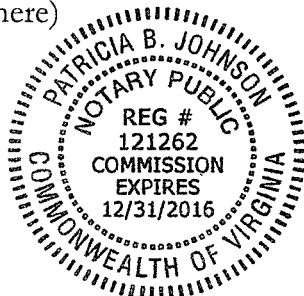
My Commission Expires: _____

STATE OF Virginia §

COUNTY OF Fairfax §

This instrument was acknowledged before me on June 20th, 2014 by R Stephen Power, as Director, MF-Am, of the Federal Home Loan Mortgage Corporation, a corporation organized and existing under the laws of the United States on behalf of said corporation.

(Notary's stamp here)



Patricia B Johnson

(Notary's signature)
NOTARY PUBLIC, in and for
The State of Virginia

EXHIBIT "A"
LEGAL DESCRIPTION

TRACT 2

BEING a tract of land situated in the John C. Cook Survey, Abstract No. 259 and being all of Lot 2, Block C/5410 of Village Park Addition, an Addition to the City of Dallas as recorded in Volume 85166, Page 2001 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point in the South line of Old Town Drive (at this point a 60.0 foot R.O.W.) said point also being the Northwest corner of said Lot 2, Block C/5410, a 1/2 inch iron pin set for corner;

THENCE South 89 degrees 49 minutes 35 seconds East, along the South line of said Old Town Drive, 84.45 feet, to an "X" set in concrete for corner;

THENCE in an easterly direction continuing along the South line of Old Town Drive, with a curve to the right, said curve having a chord of 27.56 feet, a chord bearing of South 88 degrees 18 minutes 28 seconds East, a central angle of 3 degrees 02 minutes 13 seconds and a radius of 520.00 feet, for an arc distance of 27.56 feet, to a 1/2 inch iron pin set for corner;

THENCE South 00 degrees 10 minutes 25 seconds West, along the East line of said Lot 2, Block C/5410, 281.27 feet, to a 5/8 inch iron pin found for corner;

THENCE North 89 degrees 49 minutes 35 seconds West, along the South line of said Lot 2, Block C/5410, 112.00 feet to a point in the East line of a 60.00 foot Dallas Power and Light Co. R.O.W., a 1/2 inch iron pin found for corner;

THENCE North 00 degrees 10 minutes 25 seconds East, along the West line of said Lot 2, Block C/5410, and the East line of said 60.00 foot Dallas Power and Light Co. R.O.W., 282.00 feet to the PLACE OF BEGINNING and containing 0.725 acre (31,577 sq. ft.) of land, to a 1/2 inch iron pin set for corner.

EXHIBIT "B"

822642

DEED RESTRICTIONS

STATE OF TEXAS	X	A	44507	7.00 DEED
COUNTY OF DALLAS	X	KNOW ALL MEN BY THESE PRESENTS:	0	2 09/07/82

That the undersigned, LINCOLN PROPERTY COMPANY XIX, LTD., a Texas Limited Partnership, is the owner of the following described property situated in Dallas, Dallas County, Texas, being in particular a tract of land out of the John C. Cook Survey, Abstract No. 259, City Block No. 5410, City of Dallas, Dallas County, Texas, and being more particularly described as follows:

SITUATED in the John C. Cook Survey, Abstract No. 259, Dallas County, Texas, and being a part of City Block No. 5410 and being more particularly described as follows:

BEGINNING at the intersection of the south line of OLD TOWN DRIVE and the east line of the 60 foot Dallas Power & Light Company right-of-way;

THENCE S 89° 49' 35" E, 84.45 feet along the south line of Old Town Drive;

THENCE in a southerly direction with a curve to the right, said curve having a central angle of 3° 02' 12", a radius of 520.00 feet and an arc distance of 27.56 feet;

THENCE S 0° 10' 25" W, 281.27 feet;

THENCE N 89° 49' 35" W, 112.00 feet to a point in the east line of the 60 foot Dallas Power & Light Co. R.O.W.;

THENCE N 0° 10' 25", 282.00 feet along said east line to the Place of Beginning and containing 0.725 acres of land.

That the undersigned, LINCOLN PROPERTY COMPANY XIX, LTD., does hereby impress all of the above described property with the following deed restrictions, to-wit:

1. That such property may be used only for a building repair and maintenance shop, and for all uses authorized in a "MF-2" Multiple Family District under the Comprehensive Zoning Ordinance of the City of Dallas.

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82174 3004

RECEIVED
MAY 18 1982
ZONING OFFICE

70L 1986
82174 3005

822642

2. That said building repair and maintenance shop may be used only to provide maintenance and repairs for the apartment projects owned and operated by Lincoln Property Company XIX, LTD., a Texas Limited Partnership, in the area bounded by Northwest Highway, Skillman Avenue, Lovers Lane, and the Dallas Power and Light Company right-of-way on the West.

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.

These 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 and 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.

These restrictions are hereby declared covenants

822642

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 12 day of MAY, 1982.

LINCOLN PROPERTY COMPANY XIX, LTD.

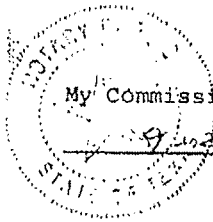
By *Mack Pogue*
Mack Pogue, General Partner

STATE OF TEXAS X
COUNTY OF DALLAS X

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Mack Pogue, 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 therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 12th day of May, 1982.

Nancy J. Gissen
Notary Public, Dallas County, Texas



My Commission Expires:

RECEIVED
MAY 19 1982
ZONING OFFICE

Return to
Robert S. Sloan
City Secretary
5FS City Hall
Dallas, Texas 75201

STATE OF TEXAS COUNTY OF DALLAS
I hereby certify that this instrument was filed on the
date and time stamped herein by me and was duly re-
corded in the volume and page of the public records
of Dallas County, Texas as indicated herein by me.

SEP 7 1982
[Signature]
COUNTY CLERK, Dallas County, Texas

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[Signature]
FILED

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