

6-18-14

ORDINANCE NO. 29389

An ordinance repealing Ordinance No. 22632, passed by the Dallas City Council on December 13, 1995, which amended the zoning ordinances of the City of Dallas by granting Specific Use Permit No. 1272 for a utility or government installation other than listed for a television and telephone receiving station, satellite dishes, and an antenna tower on the following property:

BEING a tract of land in City Block 5410; fronting 230.69 feet on the south line of Old Town Drive, beginning at a point approximately 585.03 feet west of the west line of Amesbury Drive; and containing 1.825 acres;

providing a saving 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 repeal Ordinance No. 22632; Now, Therefore,

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

SECTION 1. That Ordinance No. 22632, which amended the zoning ordinances of the City of Dallas by granting Specific Use Permit No. 1272 for a utility or government installation other than listed for a television and telephone receiving station, satellite dishes, and an antenna tower on the property described in Exhibit A, which is attached to and made a part of this ordinance, is repealed.

SECTION 2. That the zoning ordinances of the City of Dallas shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 3. 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 Casey Blythe
Assistant City Attorney

Passed JUN 25 2014

BEING a tract of land situated in the John C. Cook Survey, Abstract No. 259, City of Dallas, Dallas County, Texas, and being part of City Block Number 5410, also being a part of the 9.439 acre tract as recorded in Volume 81001, Page 2534 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 right-of-way), said point also being the northeast corner of Lot 2, Block C/5410 of Village Park Addition, an addition to the City of Dallas, Texas, as recorded in Volume 85166, Page 2001 of the Deed Records of Dallas County, Texas, a point for corner;

THENCE in an easterly direction along the south line of Old Town Drive, with a non-tangent curve to the right, said curve having a chord of 76.68 feet, a chord bearing of S 82°33'41" E, a central angle of 8°27'22" and a radius of 520.00 feet, an arc distance of 76.74 feet to a point for corner;

THENCE S 78°20'00" E, continuing along said south line, 153.74 feet to a point for corner;

THENCE S 22°15'00" W along the west line of Lot 1, Block C/5410 of the Park Addition, an addition to the City of Dallas, as recorded in Volume 80144, Page 1211 of the Deed Records of Dallas County, Texas, 160.00 feet to a point for corner;

THENCE in a southerly direction, continuing along said west line, with a curve to the left, said curve having a chord of 158.74 feet, a chord bearing of S 08°45'00" W, a central angle of 27°00'00" and a radius of 340.00 feet, an arc distance of 160.22 feet to a point for corner;

THENCE S 04°45'00" E, continuing along said west line, 33.00 feet to a 1/2 inch iron pin found for corner;

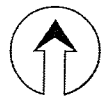
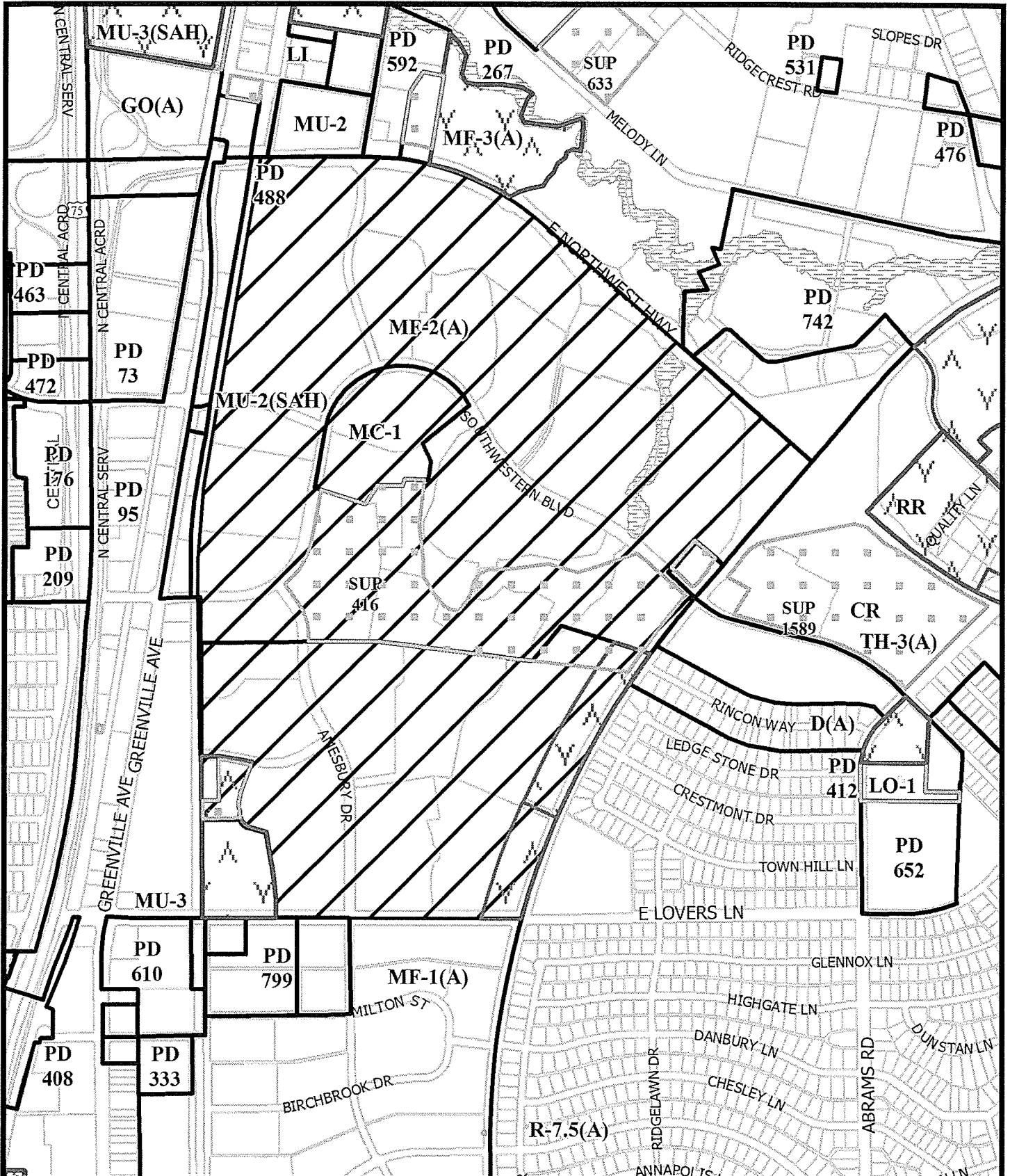
THENCE in a southerly direction continuing along said west line with a curve to the left, said curve having a chord of 24.89 feet, a chord bearing of S 11°53'52" E, a central angle of 14°17'44", and a radius of 100.0 feet, an arc distance of 24.95 feet to a point for corner;

THENCE N 89°49'35" W along the north line of Lot 3, Block C/5410 of Old Town-East, an addition to the City of Dallas, as recorded in Volume 95021, Page 3324 of the Deed Records of Dallas County, Texas, 262.95 feet to a point for corner;

THENCE N 00°10'25" E along the east line of a 60.00 foot Dallas Power and Light Company right-of-way, 121.51 feet to a point for corner;

THENCE S 89°49'35" E along the south line of said Lot 2, Block C/5410, 112.00 feet to a point for corner;

THENCE N 00°10'25" E along the east line of said Lot 2, Block C/5410, 281.27 feet to the PLACE OF BEGINNING, and containing 1.825 acres or 79,480 square feet of land.

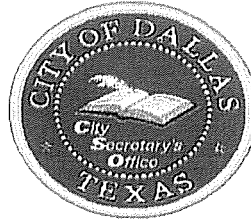


1:10,800

ZONING MAP

Case no: Z134-110

Date: 11/21/2013



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 29389

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 Blyden
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: Steve M. Bowen
Title: Senior Vice President

APPROVED AS TO FORM:

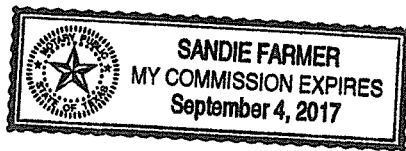
WARREN M. S. ERNST, City Attorney

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

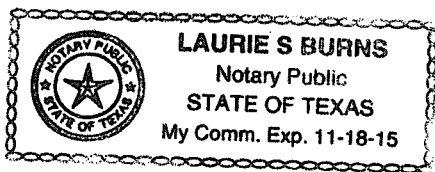
My Commission Expires: 9/4/17

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 5804.58 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 0.3804 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,

VOL 7 2005

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 APT
CARL E. ANDREWS Asst. VP-TRUST

ATTEST
[Signature]
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

VOL 7050
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 as the same were recorded in the public
and true as the same were recorded in the public
County, Texas as required herein by law.



APR 29 1977

L.E. Munsbach

COUNTY CLERK, Dallas County, Texas

VOL PAGE
77083 2013

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.

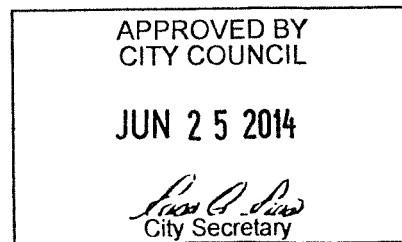
Section 3. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

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.

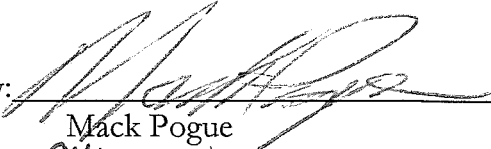
The invalidation of any provision in this instrument by any court shall in no way affect any other provision, which shall remain in full force and effect, and to this end the provisions are declared to be severable.

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,

VOL 6 2005

77083 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 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

VOL PAGE
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 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, at
Dallas, Texas, and that the same is a true and
correct copy of the original as recorded in the
public records of Dallas County, Texas.



APR 29 1977

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

VOL PAGE

77083 2013

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 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

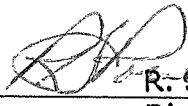
By: Pogue Family No. 2 Limited Partnership,
a Texas limited partnership, its general partner

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

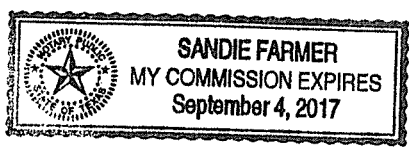
By: _____
Assistant City Attorney

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

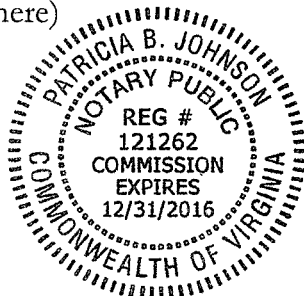
My Commission Expires: _____

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 KNOW ALL MEN BY THESE PRESENTS: 44507 7.00 DEED
COUNTY OF DALLAS X 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.

VOL. 1 PAGE 1
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.

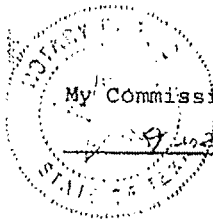
By *Mack Pogue*
Mack Pogue, General Partner

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. Bissen
Notary Public, Dallas County, Texas



My Commission Expires:

RECEIVED
MAY 19 1982
ZONING OFFICE

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

STATE OF TEXAS COUNTY OF DALLAS
I hereby certify that this instrument was filed on the
date and time shown 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

82 SEP 3 AM 10 05

[Signature]
FILED

8003 02120
104