

March 29, 1978

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WHEREAS, the deed restrictions in the attached instrument have been volunteered in conjunction with a request for Office-1 zoning which was approved by the City Council on February 22, 1978, on Zoning Case #Z767-294/3361-E on property located near the southwest corner of Kingsley Road and White Rock Trail; and,

WHEREAS, said deed restrictions have been approved as to form and content. Now, Therefore,

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

Section 1. That the deed restrictions as set forth in the attached instrument be, and are hereby accepted by the City Council of the City of Dallas, Texas to be used in conjunction with the development of property zoned Office-1, as described in Ordinance # 15778.

Section 2. That said deed restrictions shall be filed with the County Clerk to be recorded in the Deed Records of Dallas County, Texas.

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

APPROVED AS TO FORM:  
LEE E. HOLT, City Attorney

By:   
Charles Hinton  
Assistant City Attorney

cc: Urban Planning  
Building Inspection  
City Secretary

APPROVED BY  
CITY COUNCIL

MAR 29 1978

  
City Secretary

APPROVED

HEAD OF DEPARTMENT

APPROVED

CITY AUDITOR

APPROVED

CITY MANAGER

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DEED RECORD

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THE STATE OF TEXAS  
COUNTY OF DALLAS

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, KARL C. LIPPARD, Trustee, is the owner of the following described property situated in Dallas County, Texas, being in particular a tract of land out of the W. P. Wyche Survey, Abstract No. 1522, City Block 8124, City of Dallas, Dallas County, Texas, and being that same tract of land conveyed to Karl C. Lippard, Trustee, by Larry M. Jenniges and wife, Katherine A. Jenniges, by a deed dated June 10, 1974, and recorded in Volume 74122, Page 1086 in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

Being a tract of land in City Block 8124 and further described as follows:

Beginning at a point on the west line of White Rock Trail (60 feet wide), said point being south 4° 20' east, 48.10 feet from the intersection of the south line of Kingsley Road (100 feet wide) and the west line of White Rock Trail;

THENCE south 4° 20' west along the west line of White Rock Trail, a distance of 485.70 feet to a point for corner;

THENCE south 85° 46' west, a distance of 433.78 feet to a point for corner on the east line of the M K & T Railroad right-of-way;

THENCE north 1° 7' 6" west along said railroad right-of-way, a distance of 269.87 feet to a point;

THENCE north 10° 42' 5" west, continuing along said railroad right-of-way line, a distance of 207.51 feet to a point for corner;

THENCE north 86° 4' 43" east, a distance of 139.94 feet to a point;

THENCE north 73° 34' 33" east, a distance of 72.18 feet to a point;

THENCE north 85° 18' east, a distance of 154.31 feet to a point on the west line of White Rock Trail, the point of BEGINNING, and containing approximately 5 acres of land.

That the undersigned, Karl C. Lippard, does hereby impress all the above described property, hereinafter referred to as "the property" with the following deed restrictions:

1. The property may be used for the following purposes, as defined in the Comprehensive General Zoning Ordinance of the City of Dallas, and no other:

a. Single family detached houses;

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b. Bank or Savings and Loan office without drive-in windows;

c. Medical, dental or optical clinic;

d. General office.

2. The property shall not be used for the treatment of drug addiction, alcoholism, abnormal behaviorism, or mental health oriented practices or physical fitness training, other than incidentally related to the practice of a licensed medical doctor, psychiatrist or psychologist.

3. The property shall not be used for any type of retail sales.

4. All buildings shall be set back a minimum of 33 feet from the property line along White Rock Trail as it exists on January 25, 1978.

5. No building located within 150 feet of White Rock Trail shall exceed twelve (12) feet in height; no building on the property shall exceed twenty-four (24) feet in height; buildings shall be of masonry construction.

6. Signs visible from White Rock Trail shall not exceed 5 feet in height measured from the top of the sign to ground level. Signs along White Rock Trail shall be limited to the name of the office or medical park, tenant lists, and traffic control signs. Individual office signs shall not be visible from White Rock Trail except door plaques.

7. Landscaping shall be provided in a manner commensurate with the surrounding single family residential area. Trees existing on the property shall be maintained in their natural state if reasonably possible.

8. Light poles in the parking area shall not exceed 4 feet in height.

9. Any fence located adjacent to and parallel to White Rock Trail shall be of masonry construction.

10. Access to the property from White Rock Trail shall be from a single driveway located as near to Kingsley Road as is reasonably possible, unless a second access to White Rock Trail is required by the City of Dallas.

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 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.

The restrictions contained herein are not in any manner intended to restrict the right of the City Council of the City of

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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 doing so 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 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 15 day of March, 1978

*Karl C. Lippard*  
KARL C. LIPPARD, Trustee

THE STATE OF TEXAS  
COUNTY OF DALLAS

X  
X  
X

BEFORE ME, the undersigned, a Notary Public in and for Dallas County, Texas, on this day personally appeared Karl C. Lippard, Trustee, 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 15th day of March, 1978.



*Conroy L. Cloud*  
Notary Public in and for  
Dallas County, Texas

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Approved as to form:

LEE E. HOLT, City Attorney

By *Charles M. [Signature]*  
Assistant City Attorney


FILED  
*L. E. Marshall*  
COUNTY CLERK  
DALLAS COUNTY

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Return to  
City Secretary  
~~City Hall~~  
City Hall  
Dallas 75201

STATE OF TEXAS COUNTY OF DALLAS  
I hereby certify that the foregoing is a true and correct copy of the original as the same appears on the records of the County Clerk of Dallas County, Texas, and is subject to the provisions of the Public Health Act in connection therewith.

APR 5 1978

  
*L. E. Marshall*  
COUNTY CLERK, Dallas County, Texas

01442 (4/28/78)