

LAS COLINAS AREA XIX
DALLAS COUNTY, TEXAS.

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19473077

This Supplementary Declaration, made this 23rd day of April, 1980 by LAS COLINAS CORPORATION, hereinafter called Declarant.

WITNESSETH

WHEREAS, Declarant executed a Declaration (the Declaration) on the 22nd of August, 1973 applicable to certain real property described in Exhibit "A" thereto and located in or adjacent to the City of Irving, County of Dallas, State of Texas; and

WHEREAS, the Declaration was filed of record in Volume 73166, Page 1001 of the Deed Records of Dallas County, Texas, a Correction to Declaration was filed of record in Volume 77154, Page 1096, of the Deed Records of Dallas County, Texas, and a Second Correction to Declaration was filed of record in Volume 79122, Page 0749 of the Deed Records of Dallas County, Texas; and

WHEREAS, Article V, Section 1, of the Declaration (entitled Protective Covenants), as written is applicable only to the real property described in said Exhibit "A" thereto and to real property which may be added to the scheme of the Declaration by supplementary declaration; and

WHEREAS, Declarant desires to so add additional property, located within the boundaries of the property described in Exhibit "B" to the Declaration, to the scheme of the Declaration and to so modify Article V of the Declaration as it pertains to said additional property;

NOW THEREFORE, LAS COLINAS CORPORATION, Declarant, hereby declares as follows:

1. That the real property described in Exhibit "A-19" attached hereto and incorporated herein by reference for all purposes (designated as Area XIX for purposes of this Supplementary Declaration) is and shall be subject to the scheme of the Declaration, and is and shall be held, transferred, sold, conveyed, used, and occupied subject to covenants, restrictions, easements, charges, and liens set forth in the Declaration (the Declaration being incorporated herein by reference for all purposes) as modified herein.

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2. That Article V of the Declaration is hereby modified by the addition thereto of the following Section 19, which shall be applicable only to Area XIX.

Section 19. Covenants Applicable to Area XIX. The following provisions shall be applicable to any and all construction, improvement, addition, or use of, in, or to Area XIX of the properties:

a. Use Limitations. Sites in Area XIX may be used for office buildings and related facilities. Such sites may also be used for hotels, restaurants, and other retail sales facilities but only with the specific prior written approval of Declarant. The following uses of sites in Area XIX are not permitted:

- (1) Warehouses and manufacturing.
- (2) Single Family or Multifamily residential dwellings.
- (3) Any use which involves a noxious odor or any excessive noise level.
- (4) Any use contrary to law or which violates any part of Section 19 of this Article V.
- (5) Overnight parking of campers, mobile homes, boats, trailers or motor homes.
- (6) Any use which involves the raising, breeding, or keeping of any animals or poultry.

b. Minimum Setback Lines. No structure of any kind and no part thereof shall be placed within these setback lines:

- (1) 50 feet from Las Colinas Blvd.
- (2) 20 feet from the dry wall of Lake Carolyn.

The following improvements are expressly excluded from this restriction:

- (1) Structures below and covered by the ground;
- (2) Steps, walks, driveways, and curbing;
- (3) Planters, walls, fences, or hedges, not to exceed 4 feet in height;
- (4) Landscaping;
- (5) Guardhouses; 80086 1017
- (6) Gate Houses;
- (7) Aerial pedestrian crossings or connections;
- (8) Canopies;

- (9) Relatively minor encroachments of adequately screened parking structures or parking areas.

Declarant may grant exceptions to and/or variations from any setback lines established in this paragraph b. of this Section 19 except for b.2., Setback from Lake Carolyn; provided that any such variance or exception must be in writing.

Exceptions to and/or variations from b.2., Setback from Lake Carolyn may be granted only upon written approval of both the Board of Directors of Dallas County Municipal Utility District No. 1 and the Architectural Control Committee. In the event Dallas County Municipal Utility District No. 1 ceases to be an active municipal corporation organized under the laws of the State of Texas functioning as a separate political subdivision of the State, exceptions to and/or variations from b.2., Setback from Lake Carolyn, may be granted only by the Architectural Control Committee, provided any such exceptions or variations must be in writing.

c. Parking Areas. Parking areas shall

- (1) Be curbed and guttered with concrete or granite as approved by the Architectural Control Committee, and paved with 5" reinforced concrete placed on a 6" lime stabilized base.
- (2) Have a maximum grade slope of 5% and a minimum grade slope of 1 1/2%.
- (3) Not be provided in front of any building line fronting a street.
- (4) Be adequately screened by use of berm, trees, landscaping or other means acceptable to the committee.
- (5) Be provided in a manner and location acceptable to Declarant, and be sufficient to accommodate all parking needs for employees, company vehicles, residents, and visitors without the use of onstreet parking. If parking needs increase, additional offstreet parking shall be provided by the owner. In no event shall less than one parking space be provided for each of the following as applicable:
 - i. 300 net square feet of office space;
 - ii. 250 net square feet of banking or retail store space;
 - iii. each hotel guest room;
 - iv. each 2-1/2 restaurant or club seats;
 - v. each 3-1/2 theatre, auditorium or assembly seats.

Declarant may grant exceptions to and/or variations from any part of paragraph c of this Section 13, provided that any such variations and/or exceptions must be in writing.

d. Driveways. Driveways shall

- (1) Not intersect public roads, streets or thoroughfares within 30 feet of intersections.
- (2) Be constructed as specified in "c (1)" above.
- (3) Have a minimum width of 12 feet.

e. Signs. All signs must be approved by the Architectural Control Committee in writing prior to installation. Normally, such approval will be limited to those signs which:

- (1) Identify the name and business of the occupant, or which give directions, or which offer the premises for sale or for lease.
- (2) Are not of an unusual size or shape when compared to the building or buildings on the premises.
- (3) Do not project above the roof line of a building.
- (4) Do not block or detract from adjacent property.
- (5) Preserve the quality and atmosphere of the area.

Signs of a flashing or moving character and inappropriately colored signs will not be permitted. The Association shall have the right to enter on and remove any sign erected without such written approval.

f. Landscaping. Landscaping shall

- (1) Be required on all sites contemporaneously with completion of other improvements, but in no event later than 180 days after first occupancy or completion of buildings, whichever shall first occur.
- (2) Conform to a landscaping plan approved by the Committee pursuant to Article IV of the Declaration.

Normally, such approval will be limited to landscaping plans which:

- i. Provide automatic underground sprinkling systems for all landscaped areas;
- ii. Do not obstruct sight lines at street or driveway intersections;
- iii. Preserve existing trees to the extent practical;
- iv. Permit reasonable access to public and private utility lines and easements for installation and repair.

g. Screening.

(1) Storage areas, incinerators, storage tanks, trucks based on the premises, roof objects (including fans, vents, cooling towers, skylights and all roof mounted equipment which rises above the roof line), trash containers and maintenance facilities, shall either be housed in closed buildings or otherwise completely screened from public view in a manner and at a location approved in writing by the Architectural Control Committee. Such screening at ground level would normally include landscaping or permanent fences of solid materials and be located as far from property lines as reasonably possible.

(2) No antenna or tower shall be erected on any property for any purpose without prior written approval from the Architectural Control Committee.

(3) Any and all lines and/or wires for communication or for transmission of sound or current, not within a building shall be constructed or placed and maintained underground.

h. Loading Docks and Areas.

(1) Loading docks and areas shall not be located on the street side of any building or structure, except that the Architectural Control Committee may approve such location in writing (subject to express screening requirements).

(2) Loading areas may not encroach setback areas.

(3) Loading docks and areas shall be screened in a manner approved in writing by Declarant, considering such things as location and views from adjacent and nearby properties.

i. Exterior Illumination. Illumination will be required on all exterior walls facing public streets or proposed public streets and for all parking areas and walkways between buildings and parking areas unless otherwise waived or modified by Declarant in writing. All exterior illumination must conform to plans approved in writing by the Architectural Control Committee pursuant to Article IV of the Declaration.

j. Construction Standards.

(1) All building sides must be faced with face brick or stone, or with such other quality face materials as may be approved in writing by the Architectural Control Committee. Windows shall not be glazed or reglazed with mirrored or reflective glass without prior written approval of both the Architectural Control Committee and Declarant.

(2) Construction must conform to plans and specifications approved in writing by the Architectural Control Committee pursuant to Article IV of the Declaration. Normally, such approval will be limited to those plans which:

- i. Do not include wooden frames;
- ii. Provide adequate fire protection systems;
- iii. Provide for all underground utilities (public and private);
- iv. Preserve the quality and atmosphere of the area and do not detract from adjacent property;
- v. Do not include exterior fire escapes;
- vi. Do not make extensive use of reflective or mirrored glass.

(3) Each commercial building, complex of buildings, or separate commercial business enterprise shall have a trash compactor on the premises adequate to handle the trash and waste items generated, manufactured, or acquired thereon by such commercial activities. The sorting, removing, and disposing of all such waste materials must be housed or screened in a manner approved in writing by the Architectural Control Committee. All facilities and plans for the disposal of wastes other than by public sewerage methods (such as shredding, compaction, incineration, reclamation, or chemical dissolution) must be approved in writing by the Architectural Control Committee.

(4) Each kitchen facility within a commercial building or complex of buildings shall contain a water flushing garbage grinder disposal.

(5) All structures will be equipped with gutters, downspouts, and/or other drainage conveyances.

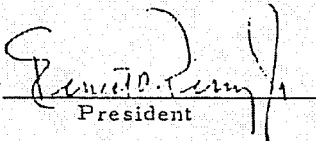
(6) No excavation shall be made except in conjunction with construction of an improvement. When such improvement is completed, all exposed openings shall be back filled and graded.

(7) Once commenced, construction shall be diligently pursued to the end that it may not be left in a partly finished condition any longer than reasonably necessary.

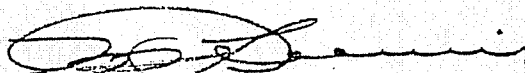
3. The Declaration, except as expressly modified herein, remains in full force and effect and is hereby ratified and confirmed.

EXECUTED as of the day and year first written above.

LAS COLINAS CORPORATION

BY: 
President

ATTEST:


Assistant Secretary

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COUNTY OF DALLAS |

STATE OF TEXAS |

BEFORE ME, the undersigned authority, in and for said county and state, on this day personally appeared ERNEST O. PERRY, JR., PRESIDENT, 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 LAS COLINAS CORPORATION, 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 23rd day of April, 1980.

Michelle W. ...
Notary Public in and for Dallas County, Texas

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EXHIBIT "A-19"
LAS COLINAS AREA XIX

BEING a 6.342 acre tract of land situated in the Elizabeth Crocket Survey, Abstract No. 217, Dallas County, Texas, said 6.342 acre tract being more particularly described as follows:

Commencing at the intersection of the northeasterly right-of-way line of Las Colinas Boulevard (a 100 foot R.O.W.) with the southeasterly right-of-way line of O'Connor Boulevard (a 110 foot R.O.W.): Thence South 22 degrees 25 minutes 19 seconds East, 332.56 feet to the beginning of a curve to the left having a central angle of 22 degrees 46 minutes 14 seconds and a radius of 768.51 feet; thence Southeasterly an arc distance of 305.42 feet to the Point of Beginning.

THENCE along the back (dry side) of a retaining wall along Lake Carolyn as follows:

North 46 degrees 05 minutes 16 seconds East, a distance of 33.96 feet to the beginning of a curve to the right having a central angle of 133 degrees 57 minutes 20 seconds and a radius of 14.33 feet;

Easterly an arc distance of 33.5 feet to end of said curve;

South 0 degrees 02 minutes 36 seconds West, a distance of 15.89 feet to a point for corner;

North 89 degrees 55 minutes 36 seconds East, a distance of 61.32 feet to a point for corner;

North 0 degrees 35 minutes 21 seconds east, a distance of 13.89 feet to a curve to the right having a central angle of 82 degrees 07 minutes 00 seconds and a radius of 11.33 feet;

Northeasterly an arc distance of 16.24 feet to end of said curve;

North 82 degrees 42 minutes 21 seconds East, a distance of 134.62 feet to the beginning of a curve to the right having a central angle of 7 degrees 16 minutes 27 seconds and a radius of 2399.33 feet;

Easterly an arc distance of 304.62 feet to end of said curve;

North 89 degrees 58 minutes 48 seconds East, a distance of 109.19 feet to the beginning of a curve to the right having a central angle of 49 degrees 49 minutes 01 seconds and a radius of 418.47 feet;

Southeasterly an arc distance of 363.85 feet to the most easterly corner of the tract herein described;

THENCE South 50 degrees 23 minutes 14 seconds West, a distance of 587.21 feet to a point on said Northeasterly line of Las Colinas Boulevard, said point being on a curve to the left having a central angle of 9 degrees 48 minutes 56 seconds and a radius of 1482.39 feet, said radius bears South 48 degrees 42 minutes 00 seconds West from said point;

THENCE Northwesterly an arc distance of 253.95 feet to end of said curve;

THENCE North 51 degrees 06 minutes 56 seconds West along said right-of-way a distance of 374.78 feet to the beginning of a curve to the right having a central angle of 5 degrees 55 minutes 23 seconds and a radius of 768.51 feet;

THENCE Northwesterly an arc distance of 79.45 feet to the Point of Beginning and containing 276,250 square feet or 6.342 acres of land.

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COUNTY CLERK, Dallas County, Texas

Handwritten signature



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STATE OF TEXAS
I hereby certify that this return
of Dallas County, Texas as shown
and the signed copy of the
date and time signed and
of Dallas County, Texas as shown

Return to:

B. Carl Klinke, Esq.
1111 Southland Center
Dallas, Texas 75201

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