

**Kathy Nealy**

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**From:** "Kedron, Suzan" <skedron@jw.com>  
**To:** "Bill Fisher (E-mail)" <bfisher8@airmail.net>; "Saleem A. Jafar (E-mail)" <sal123@swbell.net>;  
"Kathy L. Nealy (E-mail)" <kathy\_nealy@msn.com>  
**Sent:** Monday, September 20, 2004 9:29 AM  
**Attach:** Scan001.PDF  
**Subject:** SIMPSON STUART

Attached is the staff report for the Simpson Stuart case.

The City Council agenda (See Item #75) can be found at:

<http://www.councilagenda.dallascityhall.org/council/caoffice.nsf/011e2e4ca503a5b38625638b0060ca55/OpenDocument>

City Council will begin considering public hearing items at 1:00 pm on Wednesday, September 22nd. If you have any questions in the interim, please don't hesitate in calling.

Suzan Kedron  
JACKSON WALKER L.L.P.  
901 Main Street  
Suite 6000  
Dallas, Texas 75202

phone: 214.953.5943  
fax: 214.953.5822  
email: [skedron@jw.com](mailto:skedron@jw.com)

**GOVERNMENT  
EXHIBIT  
1991  
3:07-CR-0289-M**

**CATEGORY: PUBLIC HEARINGS AND RELATED ACTIONS**

**AGENDA DATE:** September 22, 2004  
**COUNCIL DISTRICT(S):** 8  
**DEPARTMENT:** Department of Development Services  
**CMO:** <sup>RSE</sup> Ryan S. Evans, 670-3314  
**MAPSCO:** 66 P

**SUBJECT**

An application for and an ordinance granting a Planned Development District for MU-1 Mixed Use District uses on property zoned an R-7.5(A) Single Family District on the north side of Simpson Stuart Road, west of Bonnie View Road and a resolution accepting deed restrictions volunteered by the applicant with consideration given to an MF-1(A) Multifamily District and an NS(A) Neighborhood Service District

Recommendation of Staff: Denial

Recommendation of CPC: Approval of a Planned Development District for MU-1 Mixed Use District uses, subject to a development plan and conditions, subject to deed restrictions volunteered by the applicant

Z034-244 (WE)

**HONORABLE MAYOR AND CITY COUNCIL WEDNESDAY, SEPTEMBER 22, 2004**

**ACM: Ryan S. Evans**

**FILE NUMBER:** Z034-244 (WE)                      **DATE FILED:** May 26, 2004  
**LOCATION:** North side of Simpson Stuart Road, west of Bonnie View Road  
**COUNCIL DISTRICT:** 8                                      **MAPSCO:** 66-P  
**SIZE OF REQUEST:** Approx 30.212 acres              **CENSUS TRACT:** 114.01

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**APPLICANT:** Provident Odyssey Partners, L.P. (see attached list of officers)

**OWNER:** Chickory Court – Simpson Stuart, L.P. (see attached list of Managers)

**REPRESENTATIVE:** Suzan Kedron / Jackson Walker, LLP

**REQUEST:** An application for a Planned Development District for MU-1 Mixed Use District uses on property zoned an R-7.5(A) Single Family District.

**SUMMARY:** The purpose of this request is to allow for the development of approximately 250 multifamily units and a retail use (restaurant) on 30-acres of land.

**CPC RECOMMENDATION:** Approval of a Planned Development District for MU-1 Mixed Use District uses, subject to a development plan and conditions and deed restrictions volunteered by the applicant.

**STAFF RECOMMENDATION:** Denial

**BACKGROUND INFORMATION:**

- The applicant is proposing to change the existing R-7.5(A) Single Family District to a Planned Development District for Mixed Use District uses to allow for the construction of a 250 multifamily unit development on 28 acres and a retail use (restaurant) on 2 acres of land. The proposed restaurant use will be developed on the southeast portion of the site, as identified on the development plan.
- The proposed multifamily development will be surrounded by a 6-foot chain link fence and will be accessible only through a controlled access gate, which is located off of Simpson Stuart Road.
- The applicant is requesting a Planned Development District to provide assurances to the community regarding their concerns of the proposed development. In addition, a local CDC will retain the property rights for the 2-acre tract that is designated for a retail use.
- The applicant has volunteered deed restrictions to restrict the type of building materials that will be used on the buildings façade.
- The applicant is seeking to receive funds from the Texas Department of Housing and Community Affairs (TDHCA) under their "Low Income Housing Tax Credit or Bond Financing" program. This program will provide the applicant with the necessary funds for land acquisition and for construction cost for the multifamily development.
- Under the new provisions of the TDHCA rules (the 2004 Qualified Allocation Plan and Rules), if the development is located in a municipality, which includes the City of Dallas, that has more than twice the State average of units per capita supported by Low Income Housing Tax Credits or private activity bonds, the applicant must obtain approval of the development from City Council.

**Zoning History:** There has not been any zoning change requested in the area.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Simpson Stuart Road	Principal Arterial	80 ft.	107 ft.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
Site	R-7.5(A)	Undeveloped
North	R-7.5(A)	Undeveloped/Trailer w/Horses
South	R-5(A), MF-2(A)	Single Family under construction/Undeveloped
East	MF-2(A)	Apartments
West	R-7.5(A)	Utility Easement

**STAFF ANALYSIS:**

**Land Use Compatibility:** Staff has reviewed the applicant's request and from a land use prospective, has determined that the proposed development may be compatible with the surrounding residential uses. The property is flat, irregular in shape and is undeveloped with a large amount of trees that transverse throughout the site. The site is situated with multifamily uses to the east and an 100-foot utility easement to the west that creates a natural barrier/buffer from the existing single family uses that are west of the proposed development. The remaining land uses contiguous to the site consist of a small trailer with horses to the north, multifamily uses to the east and undeveloped land and single family uses that are under construction south of Simpson Stuart Road.

Even though staff has reviewed and determined that the applicant's request may be compatible with the surrounding area, there is a concern regarding the amount of undeveloped land that is zoned for Multifamily uses in the area. Based on the City's 2003 land uses, there are several tracts of undeveloped land in the area that are zoned Multifamily. Staff believes that the applicant could construct their multifamily projects within these existing Multifamily Districts without rezoning any Single Family Districts. Furthermore, staff has the same concerns regarding the two acres of land that the applicant designated on the development plan for a retail use. The zoning map reveals that at the intersection of Simpson Stuart Road and Bonnie View Road, there are several areas that are zoned for Community Retail. The CR District permits various types of retail uses as well as a restaurant with or without drive through service.

The request represents a single use development even though there is a two acre tract designated on the development plan for retail uses. The applicant's representative has indicated that the surrounding community has been involved in drafting the PDD conditions as well as the possibility of a local Community Development Corporation receiving the property rights to the two acre tract for a retail use. While this involvement is encouraged, staff has determined that these issues can be addressed via other methods, such as straight zoning, if this application is approved.

The Dallas Development Code defines the purpose of a PDD as one that provides flexibility in the planning/construction of a development consisting of a combination of land uses that are sensitive to contiguous land use and environmental features.

**Traffic:** The Engineering Section of the Department of Development Services has reviewed the request and determined that the applicant's proposal will generate more than 1,000 trips per day. However, the street system will have the sufficient capacity to maintain the vehicles. In addition, BI staff has requested that the applicant provide a parking analysis for the development. The applicant will need to provide a parking analysis to the Building Inspection office prior to receiving a building permit.

**Landscaping:** Landscaping of any development will be in accordance with Article X requirements, as amended.

**Miscellaneous-Development Standards:** The applicant's proposed development can be accomplished via an MF-1(A) Multifamily District, with specifics addressed in the following table.

	<u>Applicant's request</u>	<u>Staff's recommended MF-1(A) provisions</u>	<u>Staff's comments</u>
FRONT/ SIDE/ REAR	30'/20'/20'	15'/10'/10'	Applicant can restrict the yard setbacks to that requested*
DENSITY	250 dwelling units; approx. 9 dwelling units per acre	Maximum dwelling unit density of 43 units per acre (all one bedrooms); normally developed at 25-28 units/acre	Applicant can volunteer to limit density to that requested*
FAR/ FLOOR AREA	Clubhouse 3,500 square feet	No maximum	This use is considered an accessory to the main use (residential)
LOT COVERAGE	25%	60%	Applicant can volunteer to limit lot coverage to that requested*
HEIGHT/ STORIES	45'/2 stories (residential structures; clubhouse -36')	36'/ no maximum	
LANDSCAPING	Article X	Article X	
PARKING	250 dwelling units providing 458 off-street parking spaces	Dallas Development Code requires one space/500 sf of floor area with <1 nor >2 ½ spaces/unit	

	<u>Applicant's request</u>	<u>Staff's recommended MF-1(A) provisions</u>	<u>Staff's comments</u>
<b>ADDITIONAL PROVISIONS</b>	Creating an 'attached dwelling unit' definition: ≥3 dwelling units within a building site with <12 nor >14 units per structure; enclosed parking for units ≥2 bedrooms	Development of the site per the Uniform Building Code	Staff recommendation can provide for request, however, applicant can volunteer to address certain provisions offered to the community*
<b>PLANS</b>	Applicant has submitted a development plan in conjunction with the request, which is a requirement of a PDD	Development plan not required; flexibility of development afforded by straight zoning	Applicant can volunteer to attach a development plan*

\*These various provisions may be accommodated in a volunteered deed restriction instrument.

**CPC Action (July 15, 2004):**

**Motion:** It was moved to recommend **approval** of an application for a Planned Development District for MU-1 Mixed Use District uses on property zoned an R-7.5(A) Single Family District on Simpson Stuart Road, west of Bonnie view Road, subject to a detail development plan and conditions and deed restrictions volunteered by the applicant.

Maker: Brandon

Second: Lee

Result: Carried: 11 to 0

For: 11 - Vera, Gary, Emmons, Scott, Wilke, Brandon, Cunningham, Traylor, Alonzo, Lee and Perkett

Against: 0 -

Absent: 2 - Marshall, Avery

Vacancy: 2 - District 15 and District 2

**Notices:** Area: 400' Mailed: 27

**Replies:** For: 2 Against: 1

**Speakers:** For: Suzan Kedron 901 Main St. #6000, Dallas, TX 75205  
Against: None

**PROVIDENT ODYSSEY PARTNERS, L.P.**  
**PROVIDENT ODYSSEY GP, LLC (general partner)**

Leon J. Backes  
Saleem A. Jafar  
James R. Fisher  
Leon J. Backes  
Kevin Cherry

President  
Managing Director  
Vice President  
Treasurer  
Secretary

**CHICKORY COURT – SIMPSON STUART, LP  
LIST OF MANAGERS**

Leon J. Backes  
Leon J. Backes  
Kevin Cherry  
Leon J. Backes

President  
Vice President  
Secretary  
Treasurer

**CPC'S PROPOSED PLANNED DEVELOPMENT CONDITIONS**

**"ARTICLE \_\_\_\_\_**

**PD \_\_\_\_\_.**

**SEC. 51P - \_\_\_\_\_ .101. LEGISLATIVE HISTORY.**

PD \_\_\_\_\_ was established by Ordinance No. \_\_\_\_\_, passed by the Dallas City Council on August \_\_\_\_\_, 2004.

**SEC. 51P - \_\_\_\_\_ .102. PROPERTY LOCATION AND SIZE.**

PD \_\_\_\_\_ is established on property located north of Simpson Stuart Road between South Lancaster and Bonnie View Roads. The size of PD \_\_\_\_\_ is approximately 30.212 acres.

**SEC. 51P - \_\_\_\_\_ .103. DEFINITIONS AND INTERPRETATIONS.**

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

(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 mixed-use district.

**SEC. 51P - \_\_\_\_\_ .104. DEVELOPMENT PLAN.**

(a) Development and use of the portion of the Property labeled "Multifamily/Townhouse" must comply with the development plan (Exhibit \_\_\_\_\_ A). In the event of a conflict between the text of this article and the conceptual plan, the text of this article controls.

(b) A development plan for the portion of the Property labeled "Mixed-use" on the attached detailed development plan must be submitted and approved by the city plan commission prior to the issuance of a building permit.

(c) Except as provided, the development plan must comply with the requirements of Section 51A-4.702.

(1) Signs are only required to be shown on the development plan for the mixed-use portion of the Property.

(2) The portion of Section 51A-4.702(c) requiring submission of a development plan within six months of the city council's approval of this district does not apply.

**SEC. 51P - \_\_\_\_\_ .105. MAIN USES PERMITTED.**

The only uses permitted in the Property are those uses permitted in the Mixed Use (MU-1) District, subject to the same conditions applicable in the Mixed Use (MU-1) District, as set out in the Dallas Development Code, as amended. For example, a use permitted in the Mixed Use (MU-1)

District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the Mixed Use (MU-1) District is permitted in this district only by DIR.

**SEC. 51P - \_\_\_\_\_106.**

**ACCESSORY USES.**

(a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of 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) In this district, the following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical /infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

**SEC. 51P - \_\_\_\_\_107.**

**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. In the event of a conflict between this section and Division 51A-4.400, this section controls.)

(a) Front yard.

(A) For the portion of the Property labeled "Multifamily/Townhouse", as shown on the attached development plan.

(B) For the portion of the Property labeled "Mixed-use", as permitted in the Mixed Use (MU-1) District, subject to the same conditions applicable in the Mixed Use (MU-1) District, as set out in the Dallas Development Code, as amended. For example, if the front yard is subject to an urban form setback in the Mixed Use (MU-1) District the front yard shall also be subject to an urban form setback in this district.

(b) Side and rear yard.

(A) For the portion of the Property labeled "Multifamily/Townhouse", as shown on the attached development plan.

(B) For the portion of the Property labeled "Mixed-use", as permitted in the Mixed Use (MU-1) District, subject to the same conditions applicable in the Mixed Use (MU-1) District, as set out in the Dallas Development Code, as amended. For example, if the side and rear yard are subject to tower spacing requirements in the Mixed Use (MU-1) District the side and rear yards shall also be subject to tower spacing requirements in this district.

(c) Dwelling Unit Density.

(1) For the portion of the Property labeled "Multifamily/Townhouse", the maximum number of dwelling units is 250.

(2) For the portion of the Property labeled "Mixed-use", as permitted in the Mixed Use (MU-1) District, subject to the same conditions applicable in the Mixed Use (MU-1) District, as set out in the Dallas Development Code, as amended. For example, if the development meets the requirements for a mixed-use project and/or the density bonuses allowed in the Mixed Use (MU-1) then the project qualifies for the density as set out in the Dallas Development Code.

(d) Floor area and floor area ratio.

(1) For the portion of the Property labeled "Multifamily/Townhouse", as shown on the attached development plan.

(2) For the portion of the Property labeled "Mixed-use", as permitted in the Mixed Use (MU-1) District, subject to the same conditions applicable in the Mixed Use (MU-1) District, as set out in the Dallas Development Code, as amended. For example, if the floor area ratio meets the requirements for a mixed-use project as defined in the Mixed Use (MU-1) then the project qualifies for floor area ratio as set out in the Dallas Development Code.

(e) Height.

(1) For the portion of the Property labeled "Multifamily/Townhouse", as shown on the attached development plan.

(2) For the portion of the Property labeled "Mixed-use":

(i) As permitted in the Mixed Use (MU-1) District, subject to the same conditions applicable in the Mixed Use (MU-1) District, as set out in the Dallas Development Code, as amended. For example, if the height is subject to a residential proximity slope in the Mixed Use (MU-1) District height shall also be subject to a residential proximity slope in this district.

(ii) The maximum structure height is 45 feet.

(f) Lot coverage.

(1) For the portion of the Property labeled "Multifamily/Townhouse", as shown on the attached development plan.

(2) For the portion of the Property labeled "Mixed-use", as permitted in the Mixed Use (MU-1) District, subject to the same conditions applicable in the Mixed Use (MU-1) District, as set out in the Dallas Development Code, as amended.

(3) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not included in lot coverage calculations.

(g) Lot size. No minimum lot size.

(h) Stories. No maximum number of stories.

**SEC. 51P - \_\_\_\_\_.108.**

**OFF-STREET PARKING AND LOADING.**

(a) Off-street parking and loading. Except as modified in this section, consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use. Except as modified in this section, consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(b) For the portion of the Property labeled "Multifamily/Townhouse":

(i) As shown on the attached development plan.

(ii) Enclosed garage parking will be provided for dwelling units with a minimum of 2 bedrooms.

**SEC. 51P - \_\_\_\_\_.109.**

**ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

**SEC. 51P - \_\_\_\_\_.110.**

**LANDSCAPING.**

Landscaping must be provided in accordance with Article X.

**SEC. 51P - \_\_\_\_\_.111.**

**SIGNS.**

Signs must comply with the provisions for non-business zoning districts contained in Article VII.

**SEC. 51P - \_\_\_\_\_.112.**

**ADDITIONAL PROVISIONS.**

(a) Number of Dwelling Units in a Building. For the portion of the Property labeled "Multifamily/Townhouse", dwelling units within a single building site may have no fewer than 12, and no more than 14, dwelling units in any separate building.

(b) Building Spacing. For the portion of the Property labeled "Multifamily/Townhouse", a minimum of 12 feet is required between all structures.

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

(d) 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 - \_\_\_\_\_.113.**

**COMPLIANCE WITH CONDITIONS.**

(a) Except as otherwise provided herein, 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 director of public works and transportation.

(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 in this district 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.

**SEC. 51P - \_\_\_\_ .114. ZONING MAP.**

PD \_\_\_\_ is located on Zoning Map No. O-8.

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 versions of the development plan attached to this ordinance. Reduced-sized versions of this plan shall be provided in CHAPTER 51P. Permits shall be issued based on information provided on the full-scale versions of the plan.

SECTION 5. That the director of development services shall correct Zoning District Map No. O-8 in the offices of the city secretary, the building official, and the department of development services to reflect the changes in zoning made by this ordinance.

SECTION 6. That the city attorney is authorized to insert the enrolled number of this ordinance in the legislative history section of Article \_\_\_\_ in CHAPTER 51P.

SECTION 7. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 8. 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 9. 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 10. That this ordinance shall take effect immediately from and after its passage and publication, in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

MADELEINE B. JOHNSON, City Attorney

By: \_\_\_\_\_  
Assistant City Attorney

Passed: \_\_\_\_\_

**DEED RESTRICTIONS**

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

**I.**

The undersigned, CHICORY COURT-SIMPSON STUART, L.P., a Texas limited partnership ("the Owner"), is the owner of the following described property ("the Property"), being in particular 30.212 acre tract of land situated in the J. B. Richards Survey, Abstract No. 1192, City of Dallas ("City"), Dallas County, Texas, and being that same tract of land conveyed to the Owner by deed dated 5/13/02, and recorded in Volume 2004098, Page 00684, in the Deed Records of Dallas County, Texas, and being more particularly described in Exhibit A attached hereto and incorporated herein for all purposes.

**II.**

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

- (1) Exterior building materials (exclusive of windows, doors, breezeways, hallways, and other openings) shall consist of a minimum of 65% stucco and 25% stone.

**III.**

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

**IV.**

This restriction may be amended or terminated only after public hearing before the City Plan Commission and a public hearing before and approval by the City Council of the City. Notice of the public hearings must be given as would be required by law for a zoning change on the Property. The amending or terminating instrument must be approved as to form by the city attorney. If the City Council approves an amendment or termination of this restriction, the Owner must then file the amending or terminating instrument in the Deed Records of the county or counties where the Property is located at his or her sole cost and expense before the amendment or termination becomes effective.

**V.**

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

VII.

The Owner agrees to defend, indemnify, and hold harmless the City from and against all claims or liabilities arising out of or in connection with the provisions of this document.

VIII.

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

IX.

Unless stated otherwise in this document, the definitions and provisions of CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," as amended, apply and are incorporated into this document as if recited in this document.

X.

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

XI.

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

XII.

The invalidation of any provision of 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 this 13<sup>th</sup> day of August, 2004.

OWNER:

By: Chicory Court-Simpson Stuart, L.P.

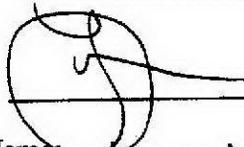
a Texas limited partnership

By: Chicory GP-Simpson Stuart, L.L.C.

a Texas limited liability company,

Its General Partner

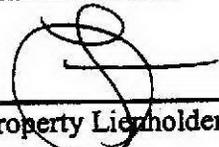
By:



Name: Leon J. Backes

Title: Member

CONSENT AND CONCURRENCE OF  
LIENHOLDER:



Property Lienholder

Name: PRA Investments, Ltd.

Title: President

THE STATE OF TEXAS

§  
§  
§

COUNTY OF DALLAS

This instrument was acknowledged before me on the 13<sup>th</sup> day of August, 2004  
by Leon J. Backes, President of CHICORY COURT-SIMPSON  
STUART, L.P., on behalf of CHICORY GP-SIMPSON STUART, L.L.C., as its general partner.

  
Notary Public - State of Texas

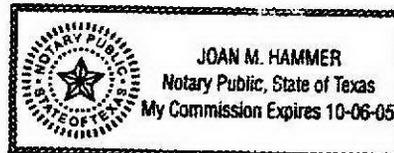
After Recording Return to:

CHICORY COURT - SIMPSON STUART, L.P.

5400 LBJ Freeway #975

DALLAS, Texas

75240

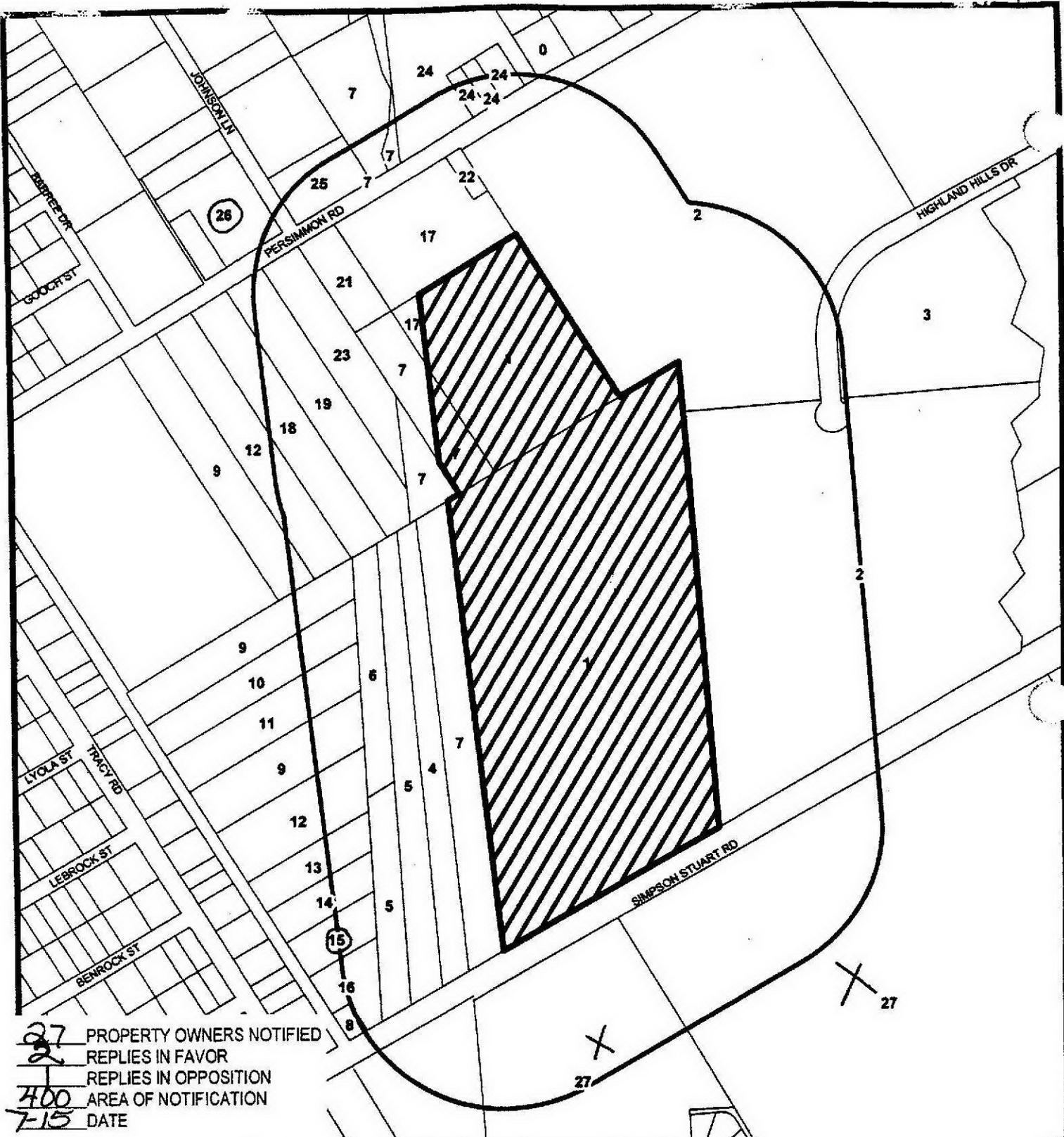


DEED RESTRICTIONS - Page 3









The number '0' indicates City of Dallas Ownership

# NOTIFICATION

↑  
1:4,800

**400'** AREA OF NOTIFICATION  
**27** NUMBER OF PROPERTY OWNERS NOTIFIED

Map no: 0-8  
Case no: Z034-244/12183(WE)

6/14/2004

# Notification List of Property Owners

Z034-244/12183(WE)(EA)

26 Property Owners Notified

Label #	Address	Owner
1		RD MARTELLA ANTHONY JODIE &
2		RD PERSIMMON TOWNHOMES LTD
3		DR HIGHLAND HILLS LTD
4		RD PALM MINOR JR ET AL
5		RD RUSSELL ANNIE M
6		RD JOHNSON WILLIE WINFORD
7		RD TEXAS UTILITIES ELEC CO
8		RD ELLISON WILLIAM C
9		RD JENKINS W M JR
10		ST BATTLES B K JR
11		ST CRAWFORD ARTULA
12		RD PICKENS LEOLA
13		RD PICKENS EARNEST
14		RD DAVIS MARY ALICE
15		ST OZENDES DENNIS C & DEBBIE
16		ST WILSON GEORGIA
17		RD DUKES RAY
18		RD WILSON GEORGIA
19		RD WILSON CHARLES H JR
21		RD MILLER MRS WILLIE
22		RD IDEAL CHRISTIAN CHILD
23		RD ELIZABETH CHAPEL CHURCH
24		RD HART DONALD R &
25		LN CRINER JANICE MAE
26		RD COXSON WILL
X 27		RD HARGROVE CLYDE L

\*James L. Fantroy  
Councilmember  
District 8  
5FN

Al Romero  
[REDACTED]  
Mesquite, TX 75150

Bridge Ballowe c/o Nextel  
[REDACTED]  
Ricardson, TX 75081

Jeff Bosse  
[REDACTED]  
Dallas, TX 75208

Mike Sultan  
[REDACTED]  
Dallas, TX 75203

Robert P. Garza  
[REDACTED]  
Dallas, TX 75203

Steve Craft  
[REDACTED]  
Dallas, TX 75354

.Alpha Testing, Inc  
Virginia Brown  
[REDACTED]  
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.Minyards Properties Inc  
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.Kiestwood Neighbors  
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.Master Plan  
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.Oak Cliff Chamber  
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.Reed Construction Data  
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