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SUPPLEMENTARY DECLARATION NO. 106

LAS COLINAS AREA CVI
DALLAS COUNTY, TEXAS

5547 2 17,00 DEED:
1 06/21/73

This Supplementary Declaration, made this 23 day of JUNE, 1987 by LAS COLINAS CORPORATION, hereinafter called Declarant.

W I T N E S S E T H:

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, a Second Correction to Declaration was filed of record in Volume 79122, Page 0749 of the Deed Records of Dallas County, Texas, and a Third Correction to Declaration was filed of record in Volume 82071, Page 3244 of the Deed Records of Dallas County, Texas; and

WHEREAS, additional real property has been added to the scheme of the Declaration as contemplated in Article I, Section 3 thereof by recording Supplementary Declarations in the Deed Records of Dallas County, Texas; and

WHEREAS, Article V of the Declaration (entitled Protective Covenants), as originally written and as modified by the previous Supplementary Declarations is applicable only to the real property described in Exhibit "A" to the Declaration and in Exhibits to the previous Supplementary Declarations and not to additional real property which may be added to the scheme of the Declaration by subsequent Supplementary Declarations; and

WHEREAS, Article I, Section 3 of the Declaration permits the addition of additional property to the scheme thereof by filing a Supplementary Declaration of record, which Supplementary Declaration may modify Article V of the Declaration as it pertains to such additional property; and

WHEREAS, Declarant desires to 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 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-106" attached hereto and incorporated herein by reference for all purposes (designated as Area CVI 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.

2. That Article V of the Declaration is hereby modified by the addition thereto of the following Section 106, which shall be applicable only to Area CVI.

Section 106. Covenants Applicable to Area CVI. The following provisions shall be applicable to any and all construction, improvement, alteration, addition, or use of, in, or to Area CVI of the Properties:

a. Use Limitations. Sites in Area CVI may be used for office, warehousing, wholesaling, research and development, training center, assembling, servicing, and distribution purposes and related facilities. Such sites may also be used for light manufacturing, multi-family residential, corporate dormitory, motels, hotels, restaurants, gasoline service stations, and other retail sales facilities but only with the specific prior written approval of Declarant. The following uses of sites in Area CVI are not permitted:

- (1) Single family detached residential dwellings.
- (2) Any use which involves a noxious odor or any excessive noise level.
- (3) Any use contrary to law or which violates any part of this Section 106.
- (4) Overnight parking of campers, mobile homes, boats, trailers, or motor homes, except that such parking is permitted in completely enclosed and screened areas.
- (5) Any use which involves the raising, breeding, or keeping of any animals or poultry for commercial purposes.
- (6) Uses not expressly permitted herein above.

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

- (1) 30 feet from Royal Lane and new Colwell Drive rights-of-way.
- (2) 10 feet from old Colwell Road right-of-way.
- (3) 10 feet from any other property line.

The following improvements are expressly excluded from this restriction:

- (1) Structures below and covered by the ground;
- (2) Steps, walks, pedestrian bridges, driveways, and curbing;
- (3) Planters, walls, fences, or hedges, not to exceed four feet in height;
- (4) Landscaping;
- (5) Guardhouses;
- (6) Gatehouses;
- (7) Aerial pedestrian crossings or connections;
- (8) Canopies; and
- (9) Relatively minor encroachments of adequately screened parking structures.

Declarant may grant exceptions to and/or variations from any setback lines established in this paragraph b. of this Section 106, provided that any such variances or exceptions must be in writing.

c. Parking Areas. Parking areas shall:

- (1) Be curbed, guttered, 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 1½%.
- (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 Architectural Control Committee.
- (5) 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. 1,000 net square feet of warehouse area;
- iii. 500 net square feet of wholesaling, research and development, assembling, servicing, distribution, and manufacturing (if such use is approved by Declarant) areas;
- iv. 250 net square feet of banking or retail store space if such uses are approved by Declarant;
- v. each 2½ restaurant or club seats if such use is approved by Declarant;
- vi. each 3½ theatre, auditorium or assembly seats if such use is approved by Declarant;
- vii. each corporate dormitory room or hotel or motel guest room if such use is approved by Declarant;
- viii. 2.0 for each residential dwelling unit if such use is approved by Declarant; and
- ix. 450 net square feet of training center area.

Declarant may grant exceptions to and/or variations from any part of this paragraph c., 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 block or detract from adjacent property.
- (4) Preserve the quality and atmosphere of the area.

No signs, symbols, advertising insignia or similar items will be permitted on top of or on the face of buildings at a location higher than the area immediately above those levels where there are outside entrances into such buildings; provided, Declarant may grant exceptions to and/or variations from the restrictions in this sentence as long as same are in writing. Signs of a flashing or moving character or 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 Architectural Control 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 purposes 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, except for temporary above-ground electric and telephone lines installed by Declarant for temporary service pending installation of permanent underground service.

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, except that Declarant may approve such encroachments in connection with the approval of side street loading areas for corner buildings.

- (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 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 and the spandrel area between window openings shall not be faced with a glass material 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, except for multi-family residential buildings of three stories or less;
 - 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.
- (4) The collection, storage, sorting, removing, and disposing of all trash and 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 through public sanitary sewers (such other methods including, without limitation, shredding, compaction, incineration, reclamation, or chemical dissolution) must be approved in writing by the Architectural Control Committee.
- (5) Each kitchen facility shall contain a water flushing garbage grinder disposal.
- (6) All structures will be equipped with gutters, downspouts, and/or other drainage conveyances.
- (7) It shall be the responsibility of the owner to install in conjunction with the construction of any

building, and at the owner's sole expense, a conduit separate from other conduits and for the sole purpose of permitting the connection of The Las Colinas Association Communications System to an individual dwelling, building or other permanent facility. The termination points of the conduit, the conduit size and type, the type of pullwire or rope to be installed with the conduit and the physical routing and the depth of the conduit shall be in accordance with plans and specifications approved in writing by the Architectural Control Committee of The Las Colinas Association.

- (8) 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.
- (9) 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 force and effect and is hereby ratified and confirmed.

EXECUTED as of the day and year first written above.

LAS COLINAS CORPORATION

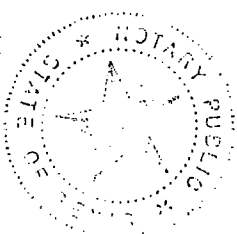
BY: Richard W. Douglas
Richard W. Douglas
President

ATTEST:

By: B. Carl Klinke
B. Carl Klinke
Assistant Secretary

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on June 23, 1987, by Richard W. Douglas, President of Las Colinas Corporation, a Texas corporation, on behalf of said corporation.



Gayle Wolford
Notary Public
Notary's Printed Name: Gayle Wolford
My commission expires: 1-25-90

EXHIBIT "A-106"
Las Colinas Area CVI

BEING a 22.00 acre tract of land situated in the J.E. Fields Survey, Abstract No. 487 in the City of Irving, Dallas County, Texas; and being a part of a 41.112 acre tract of land owned by Las Colinas Properties, Inc., as recorded in Volume 83012, Page 3683 of the Deed Records, Dallas County, Texas (DRDCT); and being a part of a 57.737 acre tract of land owned by Las Colinas Corporation, as recorded in Volume 77211, Page 0428 of the DRDCT; and being more particularly described as follows:

COMMENCING at a 5/8 inch iron rod found at the North intersection of a corner clip of the East right-of-way line of Colwell Drive (70 feet wide) with the South line of Royal Lane (variable right-of-way); said point bearing South 51 deg. 20 min. 00 sec. East a distance of 64.00 feet from the Northeast corner of T.A. Glass Survey, Abstract No. 1665, and the Northwest corner of the said J.E. Field Survey;

THENCE along said corner clip, South 45 deg. 02 min. 57 sec. West a distance of 21.23 feet to a point for corner;

THENCE along the East right-of-way line of Colwell Drive, South 00 deg. 05 min. 40 sec. West a distance of 12.22 feet to the POINT OF BEGINNING;

THENCE parallel to and 27.00 feet South of the existing Southerly Royal Lane right-of-way (80 feet wide), North 89 deg. 10 min. 44 sec. East a distance of 229.34 feet to a 1/2 inch iron rod found for corner, said corner being the beginning of a curve to the right having a radius of 90.00 feet, a central angle of 89 deg. 59 min. 16 sec., a chord length of 127.27 feet bearing South 45 deg. 49 min. 38 sec. East, said point also being on the West right-of-way line of New Colwell Boulevard (100 feet wide) dedicated to the City of Irving as recorded in Volume 85064, Page 5173 of the DRDCT;

THENCE along the west right-of-way of said Colwell Boulevard as follows:

Continuing along said curve to the right an arc distance of 141.35 feet to a 1/2 inch iron rod found for corner;

South 00 deg. 50 min. 00 sec. East a distance of 143.08 feet to a 1/2 inch iron rod found for corner, said corner being the beginning of a curve to the left having a radius of 675.00 feet, a central angle of 52 deg. 40 min. 00 sec., a chord length of 598.85 feet bearing South 27 deg. 10 min. 00 sec. East;

Continuing along said curve to the left an arc distance of 620.46 feet to a 1/2 inch iron rod found for corner;

South 53 deg. 30 min. 00 sec. East a distance of 794.50 feet to a 1/2 inch iron rod set for corner;

THENCE departing said right-of-way of Colwell Boulevard as follows:

South 36 deg. 30 min. 00 sec. West a distance of 253.37 feet to a 1/2 inch iron rod set for corner;

North 89 deg. 54 min. 20 sec. West a distance of 1086.43 feet to a 1/2 inch iron rod set for corner in the east right-of-way line of said Colwell Drive;

THENCE along said east right-of-way line of Colwell Drive, North 00 deg. 05 min. 40 sec. East a distance of 1435.72 feet to the POINT OF BEGINNING, containing 22.00 acres of land (958,320 square feet) more or less.

DALLAS TITLE
4956 N. O'Connor Rd
Irving, Texas 75062

John H.

COUNTY CLERK, Dallas County, Texas



Earl B. Wood

JUN 24 1987

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

PROVISIONS CONTAINED IN ANY DOCUMENT WHICH RESTRICT
THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED
THEREIN BECAUSE OF RACE OR COLOR ARE INVALID UNDER
FEDERAL LAW AND ARE UNENFORCEABLE.
ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL,
OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR
OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL
LAW.

FILED
Earl B. Wood
COUNTY CLERK
DALLAS COUNTY
87 JUN 24 PM 2:30

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