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SOUTHWESTERN
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SUPPLEMENTARY DECLARATION NO. 200
LAS COLINAS AREA CC
DALLAS COUNTY, TEXAS

879910

Deed 01/27/00 1966541 \$27.00

This Supplementary Declaration, made this 20th day of January, 2000 by LAS COLINAS LAND LIMITED PARTNERSHIP, a Delaware limited partnership (Declarant).

W I T N E S S E T H:

- A. Declarant's predecessor in interest, Las Colinas Corporation (LCC), executed a Declaration (as previously corrected and supplemented the Declaration) on the 22nd of August, 1973, applicable to certain real property described in Exhibit "A" attached thereto and located in or adjacent to the City of Irving, County of Dallas, State of Texas.
- B. 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.
- C. LCC assigned all of its rights as "Declarant" under the Declaration to Declarant under a Corrected Assignment and Transfer of Rights of Declarant under Declaration dated as of June 29, 1989, recorded in Volume 92041, Page 0446, of the Deed Records of Dallas County, Texas.
- D. 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.
- E. 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.
- F. 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 the additional property.

- G. Declarant desires to add additional property located within the boundaries of the property described in Exhibit "A-200" to the Declaration to the scheme of the Declaration and to modify Article V of the Declaration as it pertains to the additional property.
- H. The following term has the following definition: **Architectural Control Committee** means the Architectural Control Committee of The Las Colinas Association.

NOW THEREFORE, Declarant declares as follows:

- 1. The real property described in Exhibit "A-200" attached hereto and incorporated herein by reference for all purposes (designated as Area CC 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. Article V of the Declaration is modified by the addition thereto of the following Section 200, which is applicable only to Area CC:

Section 200. Covenants Applicable to Area CC. The following provisions are applicable to any and all construction, improvement, alteration, addition, and use of, in, or to Area CC of the Properties:

- a. Use Limitations. Sites in Area CC may be used for office buildings and related uses, public utility uses, experimental laboratories, testing laboratories, light manufacturing and assembly and warehousing and distribution completely within an enclosed building.

The following uses of sites in Area CC are not permitted:

- (1) Any use which involves a noxious odor or any excessive noise level which constitutes a nuisance.
- (2) Any use contrary to law.
- (3) Any use which violates any part of this Section 200.
- (4) Overnight parking of trucks, trailers, campers, mobile homes, boats or motor homes.

- (5) Any use which involves the raising, breeding, or keeping of any animals or poultry for commercial purposes.

b. Minimum Setback Lines.

- (1) No structure of any kind and no part thereof may be placed within these setback lines:
 - (A) 50 feet from Royal Lane.
 - (B) 30 feet from any other public street right-of-way.
 - (C) 20 feet from the easterly most exterior boundary line of Area CC.
- (2) The following improvements are expressly excluded from this restriction:
 - (A) Structures below and covered by the ground.
 - (B) Steps, walks, driveways, and curbing.
 - (C) Planters, walls, fences, or hedges, not to exceed four feet in height.
 - (D) Landscaping.
 - (E) Guardhouses.
 - (F) Gatehouses.
 - (G) Aerial pedestrian crossings or connections.
 - (H) Canopies.
- (3) No parking area and no part thereof may be placed within these setback lines:
 - (A) 50 feet from Royal Lane.
 - (B) 25 feet from any other public street right-of-way.

(C) 10 feet from the easterly most exterior boundary line of Area CC.

(4) Declarant may grant exceptions to or variances from any setback lines established in b(1) and b(3) above, provided that any variances or exceptions must be in writing.

c. Maximum Building Height Requirements. Principal structures erected on the site in Area CC shall conform to the maximum height requirements set forth below:

(1) Not more than six (6) stories above the top of curb elevation of any public street or boulevard abutting the site.

Exceptions to or variances from minimum building heights established in this paragraph c may be granted only upon written approval of the Declarant.

d. Parking Areas. Parking areas shall:

(1) Be curbed and guttered with concrete and paved with 5" reinforced concrete placed on a 6" lime stabilized base or an equivalent pavement section engineered by a registered professional engineer as approved by the Architectural Control Committee.

(2) Have a maximum grade slope of 5% and a minimum grade slope of 1 1/2%.

(3) Not be provided in front of the minimum parking setback lines established above, nor be provided in front of any building facing a public street unless expressly approved in writing by the Architectural Control Committee, which may not approve parking in front of minimum setback lines unless a written variance approving same is granted by Declarant.

(4) Be adequately screened by use of berms, trees, landscaping or other means reasonably acceptable to the Architectural Control Committee in accordance with its customary use of discretion. Screening shall occur between all surfaced parking lots, adjacent public streets and adjacent exterior boundary lines.

(5) Be sufficient to accommodate all parking needs for employees, company vehicles, customers and visitors without the use of onstreet parking. If

parking needs increase, additional offstreet parking shall be provided by the Owner. Parking shall meet or exceed the off-street parking requirements of the City of Irving, Development Codes, Zoning and Subdivision Ordinances as amended from time to time or as otherwise approved by the City of Irving.

Declarant may grant exceptions to or variances from any part of this subsection d, provided that any variances or exceptions must be in writing.

e. Driveways. Driveways must:

- (1) Be constructed as specified in paragraph d(1) above.
- (2) Have a minimum width of 12 feet.

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

- (1) Identify the name and business of the occupant, or give directions, or 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) Preserve the quality and atmosphere of the area.

No signs, symbols, advertising insignia or similar items are permitted on top of or on the face of buildings at a location higher than the area immediately above those levels where there are ground level outside entrances into the buildings; provided, Declarant may grant exceptions to or variances from the restrictions in this subsection f, provided that any variances or exceptions must be in writing. Signs of a flashing or moving character or inappropriately colored signs are not permitted. The Association may, but is not obligated to, remove any sign erected without written approval.

g. Landscaping. Landscaping shall:

- (1) Be completed on all sites contemporaneously with completion of other improvements, but in no event later than 180 days after first occupancy of buildings.

- (2) Conform to a landscaping plan approved by the Architectural Control Committee under Article IV of the Declaration. Normally, approval will be limited to landscaping plans that:
 - (A) Provide automatic underground sprinkling systems for all landscaped areas;
 - (B) Permit reasonable access to public and private utility lines and easements for installation and repair;
 - (C) Preserve existing trees to the extent practical; and
 - (D) Include at least one tree for each 4,500 square feet of area between exterior building walls (including parking areas or structures), and public street right-of-way lines and adjacent boundary lines.
- (3) Owners shall provide landscaping, including hardscape structures and walks as well as plant materials within the area adjacent to any public or private street in accordance with plans submitted by the Owners and subjectively approved by the Architectural Control Committee. Owners shall maintain the improvements within these areas in accordance with standards established from time to time by the Association.

h. 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 must either be housed in closed buildings or otherwise screened from public view in a manner and at a location approved in writing by the Architectural Control Committee. Screening at ground level would normally include landscaping, earthen berms or permanent fences of solid materials and be located as far from property lines as reasonably possible.
- (2) Antennas, including, without limitation, dish type antennas, and towers must be approved by the Architectural Control Committee, which may consider things like size, location, and ability to screen the antenna(s) and tower(s) from view from adjacent properties, from public and private streets and highways.

i. Loading Docks and Areas.

- (1) Loading docks and areas may not be located on the street-side of any building or structure, except that the Architectural Control Committee may approve a street-side location in writing (subject to express screening requirements).
 - (2) Loading areas may not encroach setback areas, except that Declarant may give written approval for such encroachments.
 - (3) Loading docks and areas must be screened in a manner approved in writing by the Architectural Control Committee considering factors like location and views from adjacent and nearby properties and public rights-of-way.
- j. Exterior Illumination. Illumination is required for all exterior building walls that face existing or proposed public or private streets and for all parking areas and walkways unless otherwise waived or modified by Declarant in writing. All exterior illumination must conform to plans approved in writing by the Architectural Control Committee.
- k. Construction Standards.
- (1) All building sides must be faced with face brick, stone, architectural concrete pre-cast or with other quality face materials approved in writing by the Architectural Control Committee. Windows may not be glazed or reglazed with mirrored or reflective glass and the spandrel area between window openings may 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 under Article IV of the Declaration. Normally, approval will be limited to those plans which:
 - (A) Preserve the quality and atmosphere of the area and do not detract from adjacent property.
 - (B) Do not include exterior fire escapes.
 - (3) The collection, storage, sorting, removing, and disposing of all 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 (including,

without limitation, shredding, compaction, incineration, reclamation, or chemical dissolution) must be approved in writing by the Architectural Control Committee and the District.

- (4) All structures must be equipped with gutters, downspouts, or other drainage conveyances approved by the Architectural Control Committee.
- (5) All utility lines (public or private) shall be underground.
- (6) No excavation shall commence except in conjunction with construction of an improvement approved by the Architectural Control Committee. When such improvement is completed, all exposed excavation shall be filled, graded and landscaped.
- (7) Once commenced, construction must be diligently pursued so it is not left in a partly finished condition for any longer than ninety (90) days without written approval from the Architectural Control Committee.

3. No approval of plans and specifications and no publication of requirements or guidelines herein or in the Declaration or otherwise by the Association or the Architectural Control Committee or granting of any exceptions or variances by Declarant may be construed as representing or implying that improvements built in accordance therewith will be free of defects or comply with applicable laws or ordinances. Any approvals and observations incident thereto concern matters of an aesthetic nature. No approvals and guidelines may be construed as representing or guaranteeing that any improvements built in accordance therewith will be designed or built in a good and workmanlike manner. The granting of any exceptions or variances by Declarant shall be in Declarant's sole discretion. Declarant, the Association, their respective directors, officers, employees, and agents, the Architectural Control Committee, and members of the Architectural Control Committee are not responsible or liable in damages or otherwise to anyone submitting plans and specifications for approval or to any owner of land subject to the Declaration for any defects in any plans or specifications submitted, revised, or approved, any loss or damages to any person arising out of approval or disapproval or failure to approve or disapprove any plans or specifications, any loss or damage arising from the noncompliance of the plans or specifications with any governmental ordinance or regulation, or any defects in construction undertaken pursuant to the plans and specifications. Approval of plans and specifications by the Architectural Control Committee may not be construed as approval by the City of Irving, Texas, as the approval processes are mutually exclusive. Unconditional approval of a complete set of plans and specifications by the Architectural Control Committee satisfies the requirements of all applicable subsections of this Supplementary Declaration that require written approval by the Architectural Control Committee for the plans and specifications. Any determination made by

Declarant under this Supplementary Declaration, and the grant or denial of any exception or variance by Declarant under this Supplementary Declaration, is in Declarant's sole discretion.

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

EXECUTED as of the day and year first written above.

LAS COLINAS LAND LIMITED PARTNERSHIP, a
Delaware limited partnership

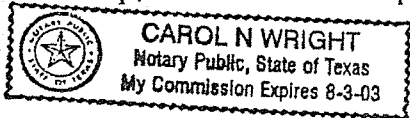
By: Cousins Stone LP, a Texas limited partnership,
Manager

By: Cousins Stone Texas, Inc.
a Georgia corporation, its General Partner

By: David H. Brune
David H. Brune
As its: Senior Vice President

THE STATE OF TEXAS §
COUNTY OF DALLAS §

This instrument was acknowledged before me on January 20, 2000 by David H. Brune, Senior Vice President of Cousins Stone Texas, Inc., a Georgia corporation, General Partner of Cousins Stone LP, a Texas limited partnership, Manager of Las Colinas Land Limited Partnership, a Delaware limited partnership, on behalf of said corporation and partnerships.



Carol N Wright
Notary Public in and for
the State of T E X A S

[SEAL]

EXHIBIT "A-200"

LEGAL DESCRIPTION

Being a 3.35 acre tract of land situated in the Antonio Hernandez Survey, Abstract No. 550 and the Samuel P. Brown Survey, Abstract No. 158, and being a portion of that tract of land conveyed to Las Colinas Land Limited Partnership as recorded in Volume 89128, Page 714 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found for the northeast corner of a tract of land conveyed to Southwestern Bell Telephone Company as recorded in Volume 81057, Page 420, of the Deed Records of Dallas County, Texas, and being an interior corner of said tract of land conveyed to Las Colinas Land Limited Partnership;

THENCE N 89 degrees 39 minutes 43 seconds W, along the north line of said Southwestern Bell Telephone Company tract a distance of 290.40 feet to a 1/2 inch iron rod set for corner, said point being in the northeast corner of said Southwestern Bell Telephone Company tract;

THENCE S 00 degrees 20 minutes 17 seconds W, along the west line of said Southwestern Bell Telephone Company tract a distance of 296.69 feet to a 1/2 inch iron rod set in the new right-of-way line of Royal Lane;

THENCE N 89 degrees 57 minutes 26 seconds W, along the new right-of-way line of said Royal Lane a distance of 25.00 feet to a 1/2 inch iron rod set for corner;

THENCE N 00 degrees 20 minutes 17 seconds E, a distance of 602.75 feet to a 1/2 inch iron rod set for corner, said point being in a curve to the right having a radius of 29.50 feet and a delta angle of 90 degrees 00 minutes 00 seconds;

THENCE along the said curve to the right an arc distance of 46.34 feet and a chord bearing and distance of N 45 degrees 20 minutes 17 seconds E, 41.72 feet to a 1/2 inch iron rod set for corner;

THENCE S 89 degrees 39 minutes 43 seconds E, a distance of 337.90 feet to a 1/2 inch iron rod set for corner;

THENCE S 00 degrees 20 minutes 17 seconds W, through the interior of said Las Colinas Land Limited Partnership tract a distance of 632.00 feet to a 1/2 inch iron rod set for corner, said point being in the new right-of-way line of said Royal Lane;

THENCE S 89 degrees 49 minutes 50 seconds W along the new right-of-way line of said Royal Lane a distance of 52.00 feet to a 1/2 inch iron rod set for corner;

THENCE N 00 degrees 20 minutes 17 seconds E, along the common line of said Las Colinas Land Limited Partnership tract and said Southwestern Bell Telephone Company tract a distance of 297.03 feet to the POINT OF BEGINNING and containing 145, 903 square feet or 3.35 acres of land.

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