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AMENDMENT TO RESTRICTIVE COVENANTS AND  
CONDITIONS PERTAINING TO LAND OWNED BY  
THE FORT WORTH NATIONAL BANK, TRUSTEE

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WHEREAS, THE FORT WORTH NATIONAL BANK, TRUSTEE, did place certain restrictive covenants and conditions upon certain land owned by it in Tarrant County, Texas, such covenants and conditions being created by and the land affected thereby being described in the following instruments:

1. Instrument dated the 10th day of June, 1969, executed by THE FORT WORTH NATIONAL BANK, TRUSTEE, and recorded in Volume 4737 at Page 734 of the Deed Records of Tarrant County, Texas, and affecting an 8.69 acre tract of land out of the John Collett Survey as described by metes and bounds on Exhibit (A) attached to said instrument.
2. Instrument dated the 10th day of June, 1969, executed by THE FORT WORTH NATIONAL BANK, TRUSTEE, and recorded in Volume 4737 at Page 739 of the Deed Records of Tarrant County, Texas, and affecting a 12.29 acre tract of land out of the Peterson Pate Survey as described by metes and bounds on Exhibit (A) attached to said instrument.
3. Correction Deed from THE FORT WORTH NATIONAL BANK, TRUSTEE, to I. C. DEAL, dated January 30, 1969, recorded in Volume 4689 at Page 588 of the Deed Records of Tarrant County, Texas, covering, together with other lands, that certain 34 acre tract, more or less, out of the Peterson Pate Survey in Tarrant County, Texas, as described in Trustee's Deed dated January 2, 1979, from JENKINS GARRETT, TRUSTEE, to THE FORT WORTH NATIONAL BANK, TRUSTEE, recorded in Volume 6652 at Page 189, of the Deed Records of Tarrant County, Texas, and

WHEREAS, the non-exclusive right to enforce the observance and performance of said covenants and conditions was assigned to J. C. PENNEY COMPANY, INC., by THE FORT WORTH NATIONAL BANK, TRUSTEE, by instrument dated June 10, 1969, in connection with the sale by

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RCC AMEND 1

THE FORT WORTH NATIONAL BANK, TRUSTEE, to J. C. PENNEY COMPANY, INC., of a certain 118.890 acre tract of land out of the John Collett Survey, Peterson Pate Survey, the J. F. Elliott Survey and J. D. Farmer Survey, Tarrant County, Texas, by Deed dated June 19, 1969 and recorded in Volume 4737 at Page 723 of the Deed Records of Tarrant County, Texas, and

WHEREAS, the undersigned is the owner or lessee of a tract of land which is part of the said 118.890 acre tract of land conveyed to J. C. PENNEY COMPANY, INC., and

WHEREAS, THE FORT WORTH NATIONAL BANK, TRUSTEE, desires to amend the said restrictive covenants and conditions so that same will expire as hereinafter stated and the undersigned has no objection to the amendment thereof:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that THE FORT WORTH NATIONAL BANK, TRUSTEE, and the undersigned, do hereby agree and stipulate that the above mentioned restrictive covenants and conditions are hereby amended and modified so that they will expire and be of no further force and effect as to the respective tracts of land covered thereby and described below on the following dates, to wit:

1. As to the 8.69 acre tract of land described in the instrument recorded in Volume 4737 at Page 734 as set out above, the same will expire on January 31, 1981; and
2. As to the 12.29 acre tract of land described in the instrument recorded in Volume 4737 at Page 739 as set forth above, the same will expire on January 31, 1982; and
3. As to the 34 acre tract of land described in the Trustee's Deed recorded in Volume 6652 at Page 189 as set forth above, the same will expire on July 26, 1983,

and after the respective dates as set forth above, as to each respective tract of land, each of the parties hereto does hereby

release, relinquish and waive any and all rights, claims or demands which it might have against any other party for the enforcement of said restrictions.

Except as expressly amended and modified herein, all of said restrictive covenants and conditions shall remain in full force and effect as originally written.

This instrument shall be binding on the parties hereto and their respective heirs, successors, personal representatives and assigns.

This instrument has been prepared in various counterparts, and it shall be binding on any and all parties signing any counterpart.

EXECUTED this 1st day of October, 1980.

ATTEST: [Signature]  
THE FORT WORTH NATIONAL BANK, TRUSTEE  
By [Signature]  
Robert M. Lansford  
Vice President and Trust Officer

ATTEST: [Signature]  
WESTERN SAVINGS AND LOAN ASSOCIATION  
By [Signature]  
President

R. W. LEONARD, JR., TRUSTEE FOR PEL RIDGE  
By [Signature]  
R. W. Leonard, Jr.

RIDGMAR ASSOCIATES, A Limited Partnership  
By KRAVCO INC. and JCP REALTY, INC.,  
General Partners

ATTEST: [Signature]  
KRAVCO INC.  
By [Signature]  
JCP REALTY, INC.

ATTEST: [Signature]  
By [Signature]  
EXECUTIVE VICE PRESIDENT



ATTEST: [Signature]  
CARTER HAWLEY HALE STORES, INC.  
By [Signature]  
VICE PRESIDENT



ATTEST:

*[Signature]*

CONSTRUCTION DEVELOPERS, INC.

By *[Signature]*  
SEARS, ROEBUCK AND CO.

ATTEST:

*[Signature]*

By *[Signature]*  
J. E. Cassidy, Facilities Planning Manager  
J.C. PENNEY PROPERTIES, INC.

ATTEST:

*[Signature]*  
ASST SECRETARY  
1988

By *[Signature]*  
VICE PRESIDENT  
BURTON LEHMAN, TRUSTEE UNDER FRANCES BRUNEL  
LA GATTA IRREVOCABLE TRUST f/b/o JOHN  
LA GATTA II, RUTLAND RODWELL BAKER, AND  
JEFFREY LIND EASTON

NOTARIAL  
1003

By *[Signature]*  
Burton Lehman, Trustee

STANLEY M. PESKIND and LAWRENCE R. BURK

By *[Signature]*  
Stanley M. Peskind

By *[Signature]*  
Lawrence R. Burk

ATTEST:

*[Signature]*

WAGNER-BLOUNT JOINT VENTURE NO. 1

By *[Signature]*  
Sherwood E. Blount, Jr., Partner  
BOLTS & BOLTS RETAIL STORES, INC.

ATTEST:

*[Signature]*

By *[Signature]*  
KENNETH A. ROBERSON, TRUSTEE

By *[Signature]*  
Kenneth A. Roberson

ATTEST:

*[Signature]*

HAYDN CUTLER COMPANY

By *[Signature]*

ATTEST:

*[Signature]*

PACIFIC STEREO INVESTMENT VENTURE  
VANTAGE PARTNERSHIP EQUITIES, INC., managing  
By *[Signature]* partner

DILLARD DEPARTMENT STORES Vice President

Attest: *[Signature]*

By *[Signature]*  
Vice Chairman

THE STATE OF TEXAS )  
COUNTY OF TARRANT )

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared ROBERT M. LANSFORD, 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 THE FORT WORTH NATIONAL BANK, TRUSTEE, 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 the 7<sup>th</sup> day of October, 1980.

*Jan Harrell*  
Notary Public in and for Tarrant County, Texas  
My Commission Expires December 18, 1981  
Jan Harrell, Notary Public  
Tarrant County, Texas

THE STATE OF TEXAS )  
COUNTY OF TARRANT )

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Reagan E. Ferguson, 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 WESTERN SAVINGS AND LOAN ASSOCIATION, 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.

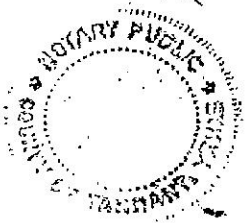
GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 24<sup>th</sup> day of November, 1980.

*Frances E. Sparks*  
Notary Public in and for Tarrant County, Texas  
FRANCES E. SPARKS

THE STATE OF TEXAS )  
COUNTY OF TARRANT )

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared R. W. LEONARD, JR., 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, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 17<sup>th</sup> day of November, 1980.



*Debbie A. Green*  
Notary Public in and for Tarrant County, Texas

THE STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ }

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared \_\_\_\_\_, 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 KRAVCO INC. 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 the \_\_\_\_\_ day of \_\_\_\_\_, 1980.

\_\_\_\_\_  
Notary Public in and for \_\_\_\_\_  
County, State of \_\_\_\_\_

THE STATE OF New York }  
COUNTY OF New York }

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared W. E. HARRIS, 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 JCP REALTY, INC., 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 the 24 day of June, 1980.

ANN MALONEY  
NOTARY PUBLIC, State of New York  
No. 31-4662636  
Qualified in New York County  
Commission Expires March 30, 1981

Ann Maloney  
Notary Public in and for  
New York County, State of New York

THE STATE OF California }  
COUNTY OF Los Angeles }

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared E. J. Caldecott, 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 CARTER HAWLEY HALE STORES, INC., 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 the 10<sup>th</sup> day of June, 1980.



Leticia Minda Alegria  
Notary Public in and for  
Los Angeles County, State of California

THE STATE OF ARKANSAS  
COUNTY OF POLASKI

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared E. Ray Kemp Jr., 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 CONSTRUCTION DEVELOPERS, INC., 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 the 28th day of JANUARY, 1980.

MY COMMISSION EXPIRES December 28, 1981  
Cecil H. Summis  
Notary Public in and for  
POLASKI County, State of ARKANSAS

THE STATE OF Georgia  
COUNTY OF Fulton

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared J. E. Cassidy Facilities Planning Manager, 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 SEARS, ROEBUCK AND CO., 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 the 30th day of March, 1980.

Notary Public, Georgia, State At Large  
My Commission Expires April 16, 1982

M. Berna Stewart  
Notary Public in and for  
Fulton County, State of Georgia

THE STATE OF New York  
COUNTY OF New York

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared A. H. AMON, JR. VICE 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 J. C. PENNEY PROPERTIES, INC., 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 the 24th day of June, 1980.

ANN MALONEY  
NOTARY PUBLIC, State of New York  
No. 314662636  
Qualified in New York County  
Commission Expires March 30, 1982

Ann Maloney  
Notary Public in and for  
New York County, State of New York

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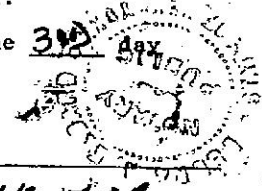
THE STATE OF New York }  
COUNTY OF New York }

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared BURTON LEHMAN, 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 31<sup>st</sup> day of June, 1989.

DEBRA A. ELDRAD  
Notary Public, State of New York  
No. 41-4626663  
Qualified in Queens County  
Commission Expires March 30, 1992

Debra A. Eldrad  
Notary Public in and for  
New York County, State of New York



\* THE STATE OF Texas }  
COUNTY OF Dallas }

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared STANLEY M. PESKIND, 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 20 day of Feb., 1989.

Margaret W. White  
Notary Public in and for  
Dallas County, State of Texas

\* THE STATE OF Texas }  
COUNTY OF Dallas }

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared LAWRENCE R. BURK, 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 20 day of Feb., 1989.

Margaret W. White  
Notary Public in and for  
Dallas County, State of Texas



THE STATE OF TEXAS }  
COUNTY OF DALLAS }

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Sherwood E. Blount, Jr., as Partner, 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 WAGNER-BLOUNT JOINT VENTURE NO. 1, and that he executed the same as the act of such Joint Venture, for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 20th day of April, 1988.

MY COMMISSION EXPIRES:  
Sept. 12, 1984

Walter L. Berry  
Notary Public in and for  
Dallas County, State of Texas

THE STATE OF Delaware }  
COUNTY OF NEW CASTLE }

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Bert G. Forstetter, 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 BOLTS & BOLTS RETAIL STORES, INC., 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 the 10 day of May, 1988.

MY COMMISSION EXPIRES:  
Dec. 22, 1984

John A. Welch  
Notary Public in and for  
New Castle County, State of Delaware

THE STATE OF Texas }  
COUNTY OF Harris }

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared KENNETH A. ROBERSON, 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, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 26th day of February, 1988.

MY COMMISSION EXPIRES:  
November 14, 1982

Barbara Buchanan  
Notary Public in and for  
Harris County, State of Texas

THE STATE OF TEXAS }  
COUNTY OF TARRANT }

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Haydn Cutler, 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 HAYDN CUTLER COMPANY, ~~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 the 9th day of February, 1980.

Rita A. Singleton  
Notary Public in and for  
Tarrant County, State of Texas

THE STATE OF TEXAS }  
COUNTY OF DALLAS }

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Robert T. Gowen, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said PACIFIC STEREO INVESTMENT VENTURE, and that he executed the same as the act of such ~~company/corporation/venture~~ for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 14th day of April, 1980.

Constance R. York  
Notary Public in and for  
Dallas County, State of Texas

THE STATE OF ARKANSAS }  
COUNTY OF POLASKI }

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared E. Ray Kemp, Jr., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said DILLARD DEPARTMENT STORES, and that he executed the same as the act of such company/corporation/venture for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 28th day of January, 1980.

Cliff H. Sumlin  
Notary Public in and for  
POLASKI County, State of ARKANSAS

MY COMMISSION exp 12/28/1981

FILED  
TARRANT COUNTY TEXAS

81 JUL 6 8 01

BY M DEP

CLERK OF COURTS  
STATE OF TEXAS  
I hereby certify that this instrument was FILED on the  
date and at the time stamped herein by me and was duly  
RECORDED in the Public Records of TARRANT COUNTY,  
Texas as stamped herein by me.

JUL 6 1981



*Madeline Huffman*  
COUNTY CLERK  
TARRANT COUNTY, TEXAS

*Return to:  
Robert Stahala  
1705 Commerce Building  
Fort Worth, Tx, 76102*