

**Zoning Case No C14 06-0157****RESTRICTIVE COVENANT**

OWNER The London Management Trust

ADDRESS 3302 Hickory Creek Cove Austin, Texas 78735

CONSIDERATION Ten and No/100 Dollars (\$10 00) and other good and valuable consideration paid by the City of Austin to the Owner the receipt and sufficiency of which is acknowledged

PROPERTY Tract One Lot 1 Turtle Rock Estates Subdivision a subdivision in the City of Austin Williamson County Texas according to the map or plat of record in Cabinet E Slide 347 Plat Records of Williamson County Texas and

Tract Two A 5 871 square foot tract of land more or less out of Lot 1 Turtle Rock Estates Subdivision in Williamson County the tract of land being more particularly described by metes and bounds in Exhibit A incorporated into this covenant and

Tract Three A 756 square foot tract of land more or less out of Lot 1 Turtle Rock Estates Subdivision in Williamson County the tract of land being more particularly described by metes and bounds in Exhibit A incorporated into this covenant

WHEREAS the Owner of the Property and the City of Austin have agreed that the Property should be impressed with certain covenants and restrictions

NOW THEREFORE it is declared that the Owner of the Property for the consideration shall hold sell and convey the Property subject to the following covenants and restrictions impressed upon the Property by this restrictive covenant These covenants and restrictions shall run with the land and shall be binding on the Owner of the Property its successors and assigns

- 1 Permanent signage shall be installed on the Property at driveway entries to prohibit motorcycle parking in the alleyway at the rear of the Property
- 2 Permanent signage shall be installed along the property line between the residential property to the west and Tract Two that designates the parking spaces in the alleyway at the rear of the Property as employee parking only
- 3 Outdoor speakers are prohibited on the Property
- 4 The following applies to Tract Three (the deck area)

a Permanent signage shall be installed on the deck on Tract Three for noise mitigation

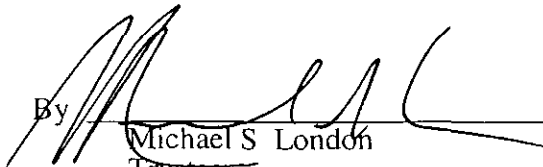
4-12 07  
# 27

- b An eight foot high masonry or sound retardant fence shall be provided and maintained around the deck area on Tract Three that mitigates sound emanating from the deck
- c Any noise emanating from Tract Three may not exceed 85 decibels
- d A pool table is not permitted on the deck area
- 5 If any person or entity shall violate or attempt to violate this agreement and covenant it shall be lawful for the City of Austin to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate such agreement or covenant to prevent the person or entity from such actions and to collect damages for such actions
- 6 If any part of this agreement or covenant is declared invalid by judgment or court order the same shall in no way affect any of the other provisions of this agreement and such remaining portion of this agreement shall remain in full effect
- 7 If at any time the City of Austin fails to enforce this agreement whether or not any violations of it are known such failure shall not constitute a waiver or estoppel of the right to enforce it
- 8 This agreement may be modified amended or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin and (b) by the owner(s) of the Property subject to the modification amendment or termination at the time of such modification amendment or termination

EXECUTED this the 12<sup>th</sup> day of April 2007

**OWNER**

**The London Management Trust**

By   
Michael S London  
Trustee

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 12<sup>th</sup> day of April  
2007 by Michael S London as Trustee of The London Management Trust



Sharon H. Farmer  
Notary Public State of Texas

APPROVED AS TO FORM

Deborah Thomas  
Assistant City Attorney  
City of Austin

① After Recording Please Return to  
City of Austin  
Department of Law  
P O Box 1088  
Austin, Texas 78767  
Attention Diana Minter Paralegal

**HOLT CARSON, INC.**  
**PROFESSIONAL LAND SURVEYORS**

**1904 FORTVIEW ROAD  
AUSTIN, TEXAS 78704  
TELEPHONE (512) 442-0990  
FACSIMILE (512) 442-1084**

FIELD NOTE DESCRIPTION OF 5,871 SQUARE FEET OF LAND, BEING A PORTION OF LOT 1, TURTLE ROCK ESTATES, A SUBDIVISION IN WILLIAMSON COUNTY TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN CABINET E SLIDE 347 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

BEGINNING FOR REFERENCE at a ½" iron rod found in the Northeast right-of-way line of Pond Springs Road for the West corner of Lot 1 and the South corner of Lot 38 of Turtle Rock Estates, a subdivision in Williamson County Texas and from which a ½" iron rod found in the Northeast right-of-way line of Pond Springs Road for the South corner of Lot 1 and the West corner of Lot 2 of said Turtle Rock Estates bears S 48 deg 01' 51" E 226 43 ft

THENCE leaving the Northeast right-of-way line of Pond Springs Road with the Northwest line of said Lot 1 the following two (2) courses

- 1) N 41 deg 48' 34" E 82 40 ft to a ½" iron rod found,
- 2) N 67 deg 10' 40" E 101 0 ft to a point and from which a ½" iron rod found for the North corner of said Lot 1 bears N 67 deg 10' 40" E 182 38 ft

THENCE entering the interior of said Lot 1 S 22 deg 49' 48" E 25 17 ft to a point on the Northwesterly wall face of a one story concrete and glass building for the West corner and **PLACE OF BEGINNING** of the herein described tract,

THENCE continuing across the interior of said Lot 1 with the Northwesterly wall face of said concrete and glass building N 67 deg 10' 12" E 108 19 ft to an angle corner of said building being a Northerly angle corner of this tract

THENCE continuing across the interior of said Lot 1 with the Northeasterly wall face of said concrete and glass building S 47 deg 36' 46" E 39 41 ft to a point for an Easterly angle corner of this tract

THENCE continuing across the interior of said Lot 1 and crossing the interior of said concrete and glass building S 42 deg 23' 14" W 60 00 ft to a point on the Southwesterly wall face of said building for a Southeasterly corner of this tract,

EXHIBIT A

PAGE 2 OF 2  
5,871 SQUARE FEET

THENCE continuing across the interior of said Lot 1 with the Southwesterly wall face of said building, the following two (2) courses

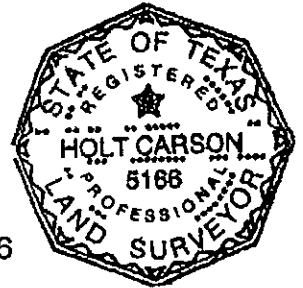
- 1) N 47 deg 36' 46" W 12' 14 ft to a building corner
- 2) S 67 deg 10' 12" W 65' 14 ft to a point for a Southwesterly corner of this tract

THENCE continuing across the interior of said Lot 1 and crossing through the interior of said building, N 22 deg 49' 48" W 49' 91 ft to the **PLACE OF BEGINNING**, containing 5,871 square feet of land

**PREPARED** February 5, 2007

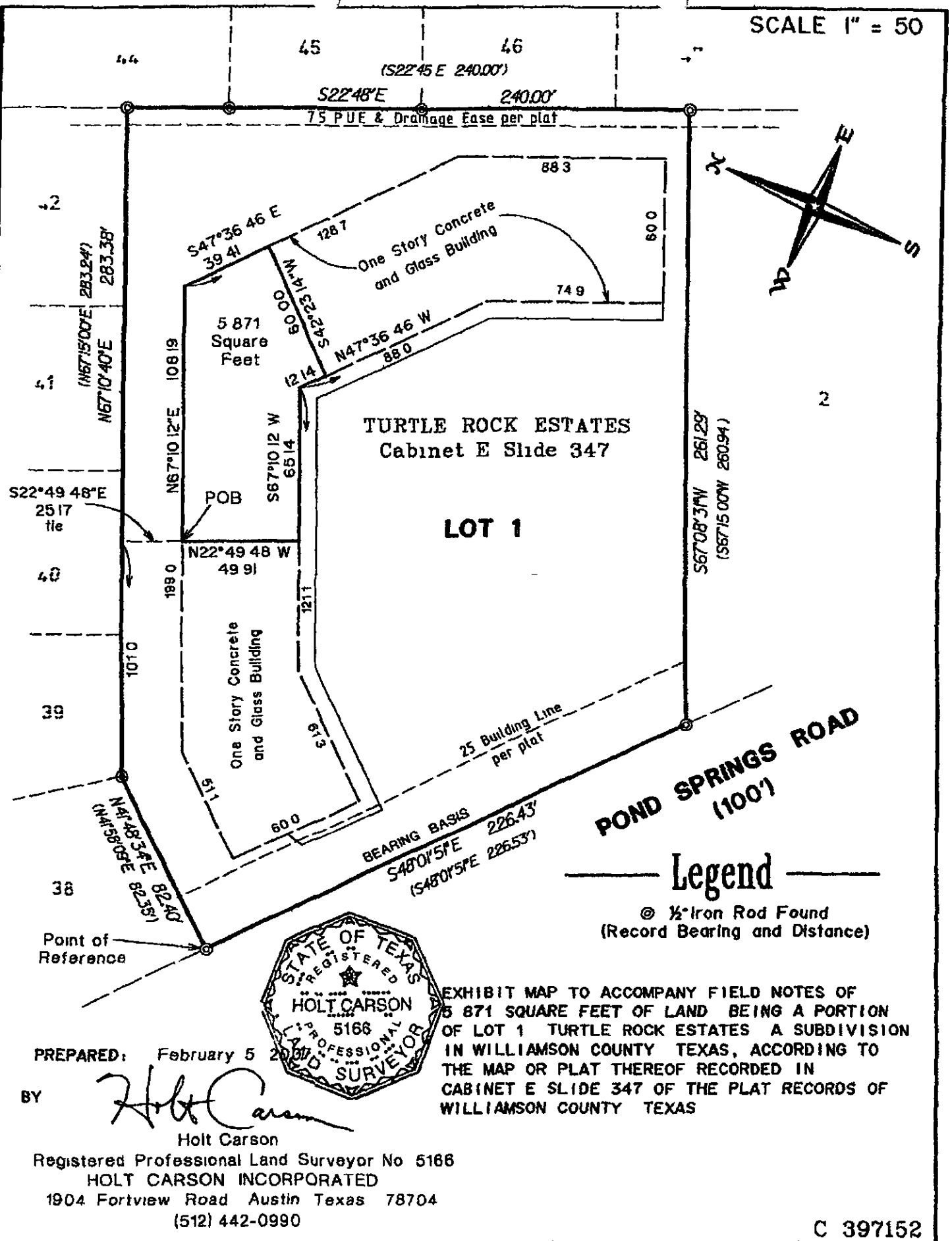


Holt Carson  
Registered Professional Land Surveyor No 5166



see accompanying sketch C 397152

SCALE 1" = 50



C 397152

**HOLT CARSON, INC.**  
**PROFESSIONAL LAND SURVEYORS**

1904 FORTVIEW ROAD  
AUSTIN, TEXAS 78704  
TELEPHONE (512) 442-0990  
FACSIMILE (512) 442 1084

FIELD NOTE DESCRIPTION OF 756 SQUARE FEET OF LAND BEING A PORTION OF LOT 1 TURTLE ROCK ESTATES A SUBDIVISION IN WILLIAMSON COUNTY TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN CABINET E SLIDE 347 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

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THENCE leaving the Northeast right-of-way line of Pond Springs Road with the Northwest line of said Lot 1 the following two (2) courses

- 1) N 41 deg 48' 34" E 82 40 ft to a ½" iron rod found,
- 2) N 67 deg 10' 40" E 101 0 ft to a point, and from which a ½" iron rod found for the North corner of said Lot 1 bears N 67 deg 10' 40" E 182 38 ft ,

THENCE entering the interior of said Lot 1, S 22 deg 49' 48" E 25 17 ft to a point on the Northwesterly wall face of a one story concrete and glass building,

THENCE continuing across the interior of said Lot 1 with the Northwesterly wall face of said concrete and glass building N 67 deg 10' 12" E 108 19 ft to an angle corner of said building for the West corner and **PLACE OF BEGINNING** of the herein described tract

THENCE departing the wall line of said building and continuing across the interior of said Lot 1, the following three (3) courses,

- 1) N 62 deg 00' E 17 50 ft ,
- 2) S 85 deg 00' E 8 42 ft ,
- 2) S 47 deg 36' 46" E 26 84 ft

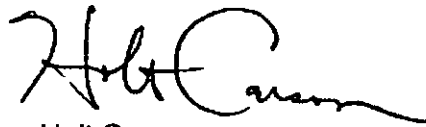
EXHIBIT A

PAGE 2 of 2  
756 Square Feet

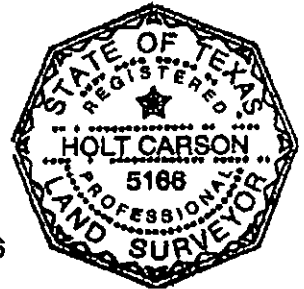
THENCE continuing across the interior of said Lot 1, S 42 deg 23' 14" W 21 60 ft to a point on the Northeasterly wall face of said concrete and glass building for the South corner of this tract,

THENCE continuing across the interior of said Lot 1 with the Northeasterly wall face of said concrete and glass building, N 47 deg 36' 46" W 39 41 ft to the **PLACE OF BEGINNING**, containing 756 square feet of land

PREPARED February 5, 2007



Holt Carson  
Registered Professional Land Surveyor No 5166



see accompanying sketch C 397152



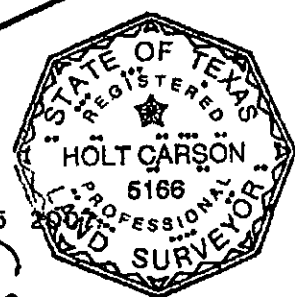


EXHIBIT MAP TO ACCOMPANY FIELD NOTES OF  
756 SQUARE FEET OF LAND BEING A PORTION  
OF LOT 1 TURTLE ROCK ESTATES, A SUBDIVISION  
IN WILLIAMSON COUNTY, TEXAS ACCORDING TO  
THE MAP OR PLAT THEREOF RECORDED IN  
CABINET E SLIDE 347 OF THE PLAT RECORDS OF  
WILLIAMSON COUNTY TEXAS

© ½" Iron Rod Found  
(Record Bearing and Distance)  
POR = Point of Reference  
POB = Place of Beginning

C 397152

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**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS 2007035004

*Nancy E Rister*

04/30/2007 01 11 PM

SURRATT \$48 00

NANCY E RISTER COUNTY CLERK

WILLIAMSON COUNTY TEXAS