



Zoning Case No. C14-07-0014

4

RESTRICTIVE COVENANT

OWNER: Judd Olson

ADDRESS: 2903 Cameron Loop, Austin, Texas 78745

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: Lot 2, J.A. Bowles Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 47, Page 69 of the Plat Records Travis County, Texas and,

A 6.561 acre tract of land, more or less out of Lot 3, J.A. Bowles Subdivision, Original City of Austin, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

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 heirs, successors, and assigns.

1. Development on the Property is subject to the recommendations contained in the Neighborhood Traffic Analysis ("NTA") memorandum from the Transportation Review Section of the Watershed Protection and Development Review Department dated April 25, 2007.
2. 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.
3. 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.
4. 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.
5. 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

6-21-07
#124

owner(s) of the Property subject to the modification, amendment or termination at the time of such modification, amendment or termination.

EXECUTED this the 19 day of June, 2007.

OWNER:

Judd Olson
Judd Olson

APPROVED AS TO FORM:

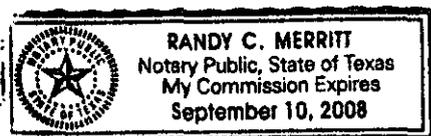
Richard Thomas
Assistant City Attorney
City of Austin

THE STATE OF TEXAS

COUNTY OF TRAVIS

§
§
§

This instrument was acknowledged before me on this the 19th day of June, 2007, by Judd Olson.



Randy C. Merritt
Notary Public, State of Texas

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

C14-07-0014

EXHIBIT "A"
METES AND BOUNDS DESCRIPTION

BEING ALL OF LOT 2 AND A 6.561 ACRE PORTION OF LOT 3
OF THE J.A. BOWLES SUBDIVISION, A SUBDIVISION IN
TRAVIS COUNTY, TEXAS, AS RECORDED IN PLAT BOOK
47, PAGE 69, OF THE TRAVIS COUNTY PLAT RECORDS, SAID
TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED
BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a rebar found on the southwest right-of-way line of Cameron Loop, at the common northerly corner between Lots 1 and 2 of said J.A. Bowles Subdivision, for the most northerly northwest corner and PLACE OF BEGINNING hereof;

THENCE with the southwest right-of-way line of Cameron Loop, the following two courses:

- 1) S 59°45'04" E 60.07 feet to a rebar found at the common northerly corner between Lots 2 and 3 of said J.A. Bowles Subdivision;
- 2) S 59°48'34" E 237.99 feet to a rebar set at the northwest corner of a portion of Lot 3 which was conveyed to Harold Hicks and Al Schuster by deed recorded in Volume 6707, Page 499 of the Travis County Deed Records, for the northeast corner hereof, from which point a rebar found on the southwest right-of-way line of Cameron Loop, at the northeast corner of said Hicks/Schuster tract, also the northeast corner of said Lot 3, bears S 59°48'34" E 220.00 feet;

THENCE with the west line of said Hicks/Schuster tract, S 29°49'58" W 784.54 feet to a rebar set on the southerly line of said Lot 3, at Hicks/Schuster's southwest corner, for the southeast corner hereof, from which point a rebar found at Hicks/Schuster's southeast corner, also the southeast corner of said Lot 3, bears S 59°35'59" E 220.00 feet;

THENCE with the southerly line of said Lot 3, also the northerly line of Cherry Creek Section 9-F and Cherry Creek Section 9-D1, recorded respectively in Plat Book 85, Page 68D-69A and Plat Book 86, Page 18D of the Travis County Plat Records, N 59°35'59" W 583.72 feet to a rebar found at the southwest corner of said Lot 3, also an ell corner of Lot 20, Block F, of said Cherry Creek Section 9-D1, for the southwest corner hereof;

THENCE with the westerly line of Lot 3 and Lot 2 of said J.A. Bowles Subdivision, also an easterly line of said Lot 20, Block F, Cherry Creek Section 9-D1, the following two courses:

- 1) N 29°42'30" E 284.83 feet to a rebar found at the common westerly corner between said Lots 3 and 2, from which point a rebar found bears N 26°11'45" E 5.17 feet;
- 2) N 29°49'16" E 299.39 feet to a rebar found at the common westernmost corner between Lots 1 and 2 of said J.A. Bowles Subdivision, for the most westerly northwest corner hereof;

THENCE with the common line between said Lots 1 and 2, the following two courses:

- 1) S 59°44'57" E 202.11 feet to a rebar found;
- 2) N 52°52'50" E 215.11 feet to the PLACE OF BEGINNING and containing 9.397 acres of land, more or less.

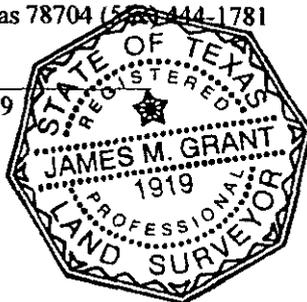
ALL REBARS (FOUND OR SET) ARE 1/2" IN DIAMETER. REBARS SET ARE CAPPED "1729".
SEE SURVEY MAP PREPARED TO ACCOMPANY THIS DESCRIPTION.
PREPARED 11-01-01 FROM A SURVEY DONE ON THE GROUND IN DEC., 2000
RALPH HARRIS SURVEYOR, INC.

1406 Hether Street, Austin, Texas 78704 (512) 444-1781

JAMES M. GRANT, RPLS 1919

November 1, 2001

Jg c:\mydocs\38668



Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

2007 Jun 27 03:21 PM 2007118413

RANEYJ \$28.00

DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS