

**TERMINATION OF RESTRICTIVE COVENANT**  
**FOR**  
**ZONING CASE: C14-03-0147**

Owner: Mickey Rich Plumbing and Heating, Inc., a Texas corporation

Address: 8409 South 1<sup>st</sup> Street, Austin, Texas 78748

City: The City of Austin, a home-rule city, municipal corporation and political subdivision of the State of Texas, in Travis County, Texas.

City Council: The City Council of the City of Austin.

Consideration: Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by the Owner to the City of Austin, the receipt and sufficiency of which is acknowledged.

WHEREAS, Mickey Rich Plumbing and Heating, Inc., a Texas corporation, of Travis County, Texas, as owner ("Owner") of all that certain property described in Zoning Case No. C14-03-0147 (the "Property"), as more particularly described in the restrictive covenant recorded in the Official Public Records of Travis County, Texas, in Document No. 2004105965, (the "Restrictive Covenant"), imposed certain restrictions and covenants on the Property by the Restrictive Covenant of record; and,

WHEREAS, the Restrictive Covenant provided that the covenant could be modified, amended, or terminated by joint action of both (a) a majority of the members of the City Council and (b) the Owner of the Property at the time of such modification, amendment or termination; and,

WHEREAS, the Owner of the Property now desires to terminate the Restrictive Covenant; and,

WHEREAS, the City Council and the Owner, as the sole and current owner of the Property, agree the Restrictive Covenant should be terminated;

NOW, THEREFORE, for and in consideration of the premises and mutual promises, covenants, and agreements hereinafter set forth, the City of Austin and the Owner, agree as follows:

1. The Restrictive Covenant is terminated by this termination. Each and every one of the terms, conditions, and provisions of the Restrictive Covenant, as set forth in the Restrictive Covenant, shall have no force or effect on and after the effective date of this termination.
2. The City Manager, or her designee, shall execute, on behalf of the City, this Termination of Restrictive Covenant for Zoning Case No. C14-03-0147 as authorized by the City Council of the City of Austin. This Termination of Restrictive Covenant shall be filed in the Official Public Records of Travis County, Texas, which will terminate the document of record in Document No. 2004105965.

**EXECUTED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2008.

**OWNER:**

**Mickey Rich Plumbing and Heating, Inc.,  
a Texas corporation**

By: \_\_\_\_\_  
Roger M. Rich, Jr.,  
President

**CITY OF AUSTIN:**

By: \_\_\_\_\_  
Laura J. Huffman,  
Assistant City Manager,  
City of Austin

**THE STATE OF TEXAS       §**  
**§**  
**COUNTY OF TRAVIS       §**

This instrument was acknowledged before me on this the \_\_\_\_\_ day of \_\_\_\_\_ 2008, by Roger M. Rich, Jr., President of Mickey Rich Plumbing and Heating, Inc., a Texas corporation, on its behalf.

\_\_\_\_\_  
Notary Public, State of Texas

**THE STATE OF TEXAS**  
**COUNTY OF TRAVIS**

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This instrument was acknowledged before me on this the \_\_\_\_\_ day of \_\_\_\_\_ 2008, by Laura J. Huffman, as Assistant City Manager of the City of Austin, a municipal corporation, on behalf of said municipal corporation.

\_\_\_\_\_  
Notary Public, State of Texas

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

