

**AMENDMENT OF RESTRICTIVE COVENANT
FOR
ZONING CASE NO. C14-81-113**

Owners: George W. Godwin and Janice Godwin

Address: 2307 Farnswood Circle, Austin, TX 78704

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, George W. Godwin and Janice Godwin are the sole and current owners (the "Owner") of real property consisting of approximately 1.722 acres of land, more particularly described in Exhibit "A" attached to this restrictive covenant (the "Released Property") on the date of this Amendment.

WHEREAS, the Released Property is also known as Lot One, C.T. Baker Subdivision, Travis County, a portion of all that certain property described in Zoning File No. C14-81-113, consisting of two tracts of land more particularly described as Lot One and Lot Two of the C.T. Baker Subdivision in Travis County, Texas (the "Property"), in the restrictive covenant of record in Volume 8492, Page 830, of the Real Property Records of Travis County, Texas (the "Restrictive Covenant").

WHEREAS, the Restrictive Covenant imposed certain restrictions and covenants on the Property.

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.

WHEREAS, the Owner desires to amend the Restrictive Covenant as to the Released Property.

WHEREAS, the City Council and the Owner agree the Restrictive Covenant should be amended as to the Released Property.

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is amended to release the Released Property from the terms and provisions under the Restrictive Covenant which are no longer applicable to or binding on the Released Property.

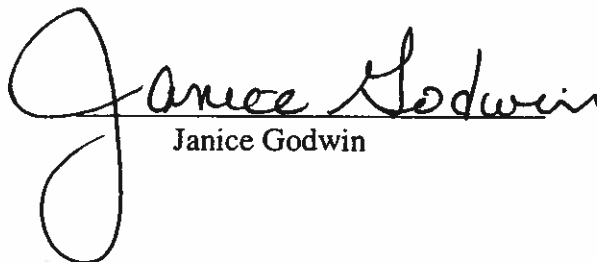
2. Except as expressly provided for in this Amendment, each and every one of the terms, conditions, and provisions of the Restrictive Covenant, as set forth in the Restrictive Covenant, shall continue in full force and effect on and after the effective date of this Amendment.

3. The City Manager, or his designee, shall execute, on behalf of the City, this Amendment of Restrictive Covenant for Zoning File No. C14-81-113, as authorized by the City Council of the City of Austin. This Amendment of Restrictive Covenant shall be filed in the Official Property Records of Travis County, Texas.

Executed this the 2 day of July, 2008.

OWNER:


George W. Godwin


Janice Godwin

CITY OF AUSTIN:

By: _____
Sue Edwards,
Acting Assistant City Manager
City of Austin

THE STATE OF TEXAS

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COUNTY OF TRAVIS

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This instrument was acknowledged before me on this the 2 day of July, 2008, by George W. Godwin.



Dora E. Anguiano
Notary Public, State of Texas

THE STATE OF TEXAS

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COUNTY OF TRAVIS

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This instrument was acknowledged before me on this the 2 day of July, 2008, by Janice Godwin.



Dora E. Anguiano
Notary Public, State of Texas

THE STATE OF TEXAS

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COUNTY OF TRAVIS

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This instrument was acknowledged before me on this the _____ day of _____, 2008, by Sue Edwards, as Acting 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:

The City of Austin Law Department
P.O. Box 1546
Austin, Texas 78767-1546
Attn: Diana Minter, Paralegal



FIELD NOTES DESCRIBING 1.722 ACRES OF LAND OUT OF THE THEODORE BISSELL SURVEY No. 18 SITUATED IN TRAVIS COUNTY, TEXAS AND BEING ALL OF THAT CERTAIN TRACT OF LAND IN THE NAME OF DIANE E. TOMINAGA RECORDED IN VOLUME 12463, PAGE 927, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID 1.722 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1" square bolt found in the curving West right-of-way line of Manchaca Road, same being the Northwest corner of that certain SAVE & EXCEPT tract conveyed to the City of Austin for street purposes per Volume 8493, Page 997, and being in the North line of Lot 1, Woods At Manchaca Amended Condominium, a subdivision in Travis County, Texas, recorded in Document No. 2001216453 of the Official Public Records of Travis County, Texas, for the Southeast corner and the **PLACE OF BEGINNING** hereof;

THENCE with the dividing line of said Lot 1, and the herein described tract, the following two (2) courses and distances:

- (1) N 74° 33' 33" W, a distance of 72.16 ft. to a 3/8" iron rod found for an angle point hereof
- (2) N 63° 31' 55" W, a distance of 454.74 ft. to a 1/2" iron rod found in concrete in the Southeast right-of-way line of a 20 ft. wide private lane for the Southwest corner hereof;

THENCE with the dividing line of said private lane and the herein described tract, the following two (2) courses and distances:

- (1) N 62° 50' 12" E, a distance of 221.56 ft. to a 1/2" iron rod found for the Northwest corner hereof
- (2) S 60° 01' 45" E, a distance of 370.98 ft. to a 1" square bolt found in the said curving right-of-way line of Manchaca Road, same being the Northwest corner of said SAVE & EXCEPT tract, for the Northeast corner hereof;

THENCE along said right-of-way line, an arc distance of 143.96 ft. along said curve to the left, whose radius is 1953.44 ft. and whose chord bears S 16° 54' 20" W, a distance of 143.93 ft. to the **PLACE OF BEGINNING** and containing 1.722 acres. Bearings shown herein are oriented to the common line of said Lot 1, C. T. Baker Subdivision and said Tominaga tract (N 63° 31' 55" W). These field notes to accompany a survey plat of the area herein described.

David Bell

date 1-6-03

DAVID BELL

Registered Professional Land Surveyor No. 3994

JOB No. 06R09600

FILE: 06R09600 FIELD NOTES.doc

Revised: January 6, 2003



1-6-05
DATE

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P.O. Box 1546
Austin, Texas 78767-1546
Attn: Diana Minter, Paralegal**