



AMEND

2008132849

6 PGS

AUSTIN CITY CLERK

POSTING: DATE/TIME

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

2008 AUG 20 PM 1. 50

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

7-24-08

# 121

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

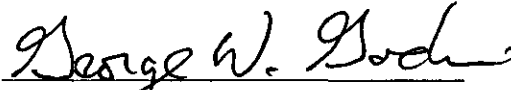
1 The Restrictive Covenant is amended to release the Released Property from the terms and provisions under the Restrictive Covenant which are no longer applicable to or binding on the Released Property

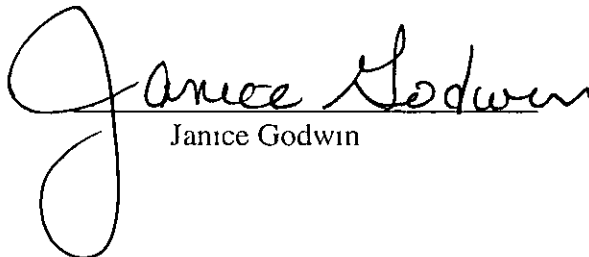
2 Except as expressly provided for in this Amendment, each and every one of the terms, conditions, and provisions of the Restrictive Covenant, as set forth in the Restrictive Covenant, shall continue in full force and effect on and after the effective date of this Amendment

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

§  
§  
§

COUNTY OF TRAVIS

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

§  
§  
§

COUNTY OF TRAVIS

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



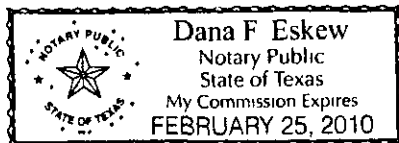
*Dora E. Anguiano*  
Notary Public, State of Texas

THE STATE OF TEXAS

§  
§  
§

COUNTY OF TRAVIS

This instrument was acknowledged before me on this the 1 day of August, 2008, by Sue Edwards, as ~~Acting~~ Assistant City Manager of the City of Austin, a municipal corporation, on behalf of said municipal corporation



*Dana F. Eskew*  
Notary Public, State of Texas

## EXHIBIT A



**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



ADDRESS

611 SOUTH CONGRESS • SUITE 100  
AUSTIN, TX 78704

TOLL FREE

1 800 482 0071

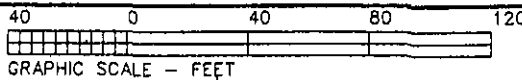
TELEPHONE

512 440 0071

FAX

512 440 0199

WWW.LANDATA.COM



LEDGER  
1604  
FILE NUMBER

SCALE 1"=40'

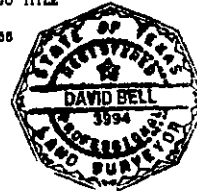
LANDATA FIELD SERVICES  
DOES NOT CERTIFY TO OR  
WARRANT ANY FLOOD  
ZONE DETERMINATION

LEGEND

IRF Iron Rod Found  
IR Set Iron Rod Set  
IPF Iron Pipe Found  
PUE Public Utility Easement  
BL Building Line (Setback)  
DE Drainage Easement  
D Chainlink Fence  
W Wood Fence  
X Wire Fence  
E Overhead Electric Line  
( ) Record Information

JOB NUMBER 08R09500  
REFERENCE TERESA HARRIS  
TITLE COMPANY CHICAGO TITLE

G.F. NUMBER 2001555  
FIELD JS  
CADD GK



**SURVEY OF 1.722  
ACRES OF LAND OUT  
OF THE THEODORE  
BISSELL SURVEY No.  
18, SITUATED IN  
TRAVIS COUNTY,  
TEXAS.**

(See Attached Field Notes)

1.722 Ac.

PLACE OF BEGINNING

SOURCE BOLT FOUND

①

6700 MANCHACA RD.  
(ROW Varies)

SAVE & EXCEPT  
Vol 8493, Pg 997 (For Street Purposes)

SURVEYED BY

DAVID BELL - REGISTERED PROFESSIONAL  
LAND SURVEYOR No 3994

1-6-03  
DATE

CURVE RADIUS LENGTH CHORD CH BEARING  
① 1953.44' 143.96' 143.93' S 16°54'20"W  
② (1953.44' 144.71' 144.68' S 16°53'04"W)

WOODS AT MANCHACA AMENDED CONDOMINIUM  
LOT 1  
DOC NO 2001-216453

REVISED 08-07-2000

LEDGER  
1604  
FILE NUMBER

CHERRY CREEK PH 3  
SEC FOUR  
Bk 63, Pg 68  
N 62°50'12"E 221.56'  
(20' Private Lane)  
(N 62°48'22"E 221.66')  
15' Landscape Buffer, Vol 8493 Pg 767

NOTE Private lane  
is overgrown with  
trees and  
vegetation  
Ownership is unknown

Subject tract  
restrictive covenant  
quitclaims all rights  
to said lane per  
Volume 8493, Page 767

Metal Chicken  
Coop

HOUSE

ROCK WALK

Asphalt Drive

Covered  
Asphalt  
Carport

Asphalt Drive

Asphalt Drive

Asphalt Drive

Asphalt Drive

Asphalt Drive

Asphalt Drive

Asphalt Drive

Asphalt Drive

Asphalt Drive

Asphalt Drive

Asphalt Drive

Asphalt Drive

Asphalt Drive

After recording please return to

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

**FILED AND RECORDED**  
OFFICIAL PUBLIC RECORDS  
*Dana DeBeauvoir*  
2008 AUG 05 04 44 PM 2008132849  
FERGUSONLL \$36 00  
DANA DEBEAUVOIR COUNTY CLERK  
TRAVIS COUNTY TEXAS

**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