



RESTRICT 2008171542

3 PGS

AUSTIN CITY CLERK
POSTING: DATE/TIME

TERMINATION OF RESTRICTIVE COVENANT
FOR

ZONING CASE: C14-06-0069 and C14-06-0071

2008 OCT 29 PM 3 31

OWNER: Walton Stacy Office Partners IV, L.P., a Delaware limited partnership

ADDRESS: 823 Congress Ave., Suite 1111, Austin, Texas 78701

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 City of Austin to the Owner, the receipt and sufficiency of which is acknowledged.

WHEREAS, Walton Stacy Office Partners IV, L.P., a Delaware limited partnership, as owner (the "Owner") of all that certain property described in Zoning Cases No. C14-06-0069 and C14-06-0071 consisting of certain lots in Block 56, Original City of Austin, Travis County (the "Property"), as more particularly described in the restrictive covenant recorded in the Real Property Records of Travis County, Texas, in Document No. 2006113691 (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 majority of the members of the City Council and 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, agree the Restrictive Covenant should be terminated;

NOW, THEREFORE, for and in consideration of the premises and mutual promises, covenants, and agreements set forth in this covenant, 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 his designee, shall execute, on behalf of the City, this Termination of Restrictive Covenant for Zoning Cases No. C14-06-0069 and C14-06-0071 (the "Termination of Restrictive Covenant") 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. 2006113691, Official Public Records, Travis County, Texas.

EXECUTED this the 22nd day of September, 2008.

OWNER:

**Walton Stacy Office Partners IV, L.P.,
a Delaware limited partnership**

By: Walton Stacy Congress GP IV, L.L.C.,
a Delaware limited liability company,
its General Partner

By: Walton Stacy Congress Investors IV, L.P.,
a Delaware limited partnership,
its Sole Member

By: Tom Stacy
Tom Stacy, Authorized Agent

CITY OF AUSTIN:

By Sue Edwards
Sue Edwards,
Assistant City Manager
City of Austin

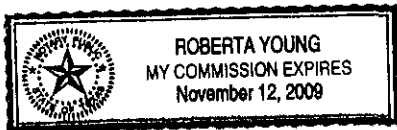
APPROVED AS TO FORM:

Tom M.
Assistant City Attorney
City of Austin

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 22th day of September, 2008, by Tom Stacy, as authorized agent of Walton Stacy Congress Investors IV, L.P., a Delaware limited partnership, sole member of Walton Stacy Congress GP IV, L.L.C., a Delaware limited liability company, general partner of Walton Stacy Office Partners IV, L.P., a Delaware limited partnership, on behalf of the limited partnerships, and limited liability companies.



Roberta Young
Notary Public, State of Texas

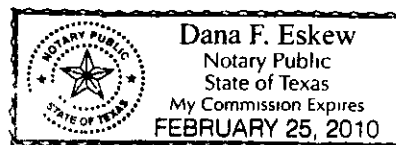
THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 2 day of October, 2008, by Sue Edwards, as Assistant City Manager of the City of Austin, a municipal corporation, on behalf of the municipal corporation.

Dana F. Eskew
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



FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

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CARTERT \$24 00

DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS