

EXHIBIT

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1-16-2933

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THE STATE OF TEXAS

COUNTY OF TRAVIS

CLARIFICATION AND MODIFICATION  
OF LICENSE AGREEMENT

WHEREAS, on the 9th day of February, 1973, the City of Austin granted a license agreement to construct dwellings over a wastewater easement belonging to the City containing an existing 8-inch cast iron main buried approximately five to seven feet deep; and,

WHEREAS, said license agreement is recorded in Volume 4551, at Page 805, of the Deed Records of Travis County, Texas; and,

WHEREAS, both Licensor and Licensee under said license agreement desire to clarify and modify said agreement to preserve the City's easement rights and to avoid unnecessary harm to the dwelling structures already constructed on Lots 17, 20, 25, 27, and 28, of Woodstone Square Resubdivision Number 1, a subdivision; and,

WHEREAS, Woodstone Square Development Company, Incorporated, is the present owner of said lots, being the successor in interest to Woodstone Square Development Company, a Texas general partnership consisting of Larry Niemann, Robert L. Smithers, and W. R. Coleman; Now, Therefore,

KNOW ALL MEN BY THESE PRESENTS:

That it is agreed that Licensor, the City of Austin, shall tunnel or bored drill under the actual dwelling structures on said lots in the event it ever becomes necessary to repair, modify, replace or otherwise maintain said 8-inch cast iron main underneath said dwellings instead of tearing down or

DEED RECORDS  
Travis County, Texas

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removing such homes or dwelling structures, said tunneling or bored drilling to be at Licensee's expense. Nothing herein shall affect Licensor's option to relocate said sanitary sewer line according to the terms of said original license agreement recorded in Volume 4551, at Page 805, of the Deed Records of Travis County, Texas, or modify any other provisions of said license agreement except to the extent herein expressly provided.

TERMS AND CONSIDERATIONS ACCEPTED, this the 23<sup>rd</sup> day of

July, 1975.

WOODSTONE SQUARE DEVELOPMENT COMPANY,  
INCORPORATED (Licensee)

By:

Robert L. Smithers  
Robert L. Smithers  
President

(NO SEAL)

ATTEST:

WITNESS THE HAND OF THE CITY OF AUSTIN, this the 22<sup>nd</sup> day  
of July, 1975.

THE CITY OF AUSTIN, TEXAS

By:

John D. [Signature]  
City Manager

ATTEST:

Grace Monroe  
City Clerk

(CORPORATE SEAL)

5264 1965

THE STATE OF TEXAS    I  
                               I  
 COUNTY OF TRAVIS    I

1-16-2935

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared ROBERT L. SMITHERS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity as President of Woodstone Square Development Company, Inc.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 23<sup>rd</sup> day  
 of July, 1975.

NOTARY SEAL

Ursula Smith  
 Notary Public in and for  
 Travis County, Texas

THE STATE OF TEXAS    I  
                               I  
 COUNTY OF TRAVIS    I

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared James D. Reed, known to me to be the person whose name is subscribed to the foregoing instrument as Deputy City Mgr. of the City of Austin, Texas, a municipal corporation, and acknowledged to me that he executed the same in such capacity as the act and deed of said City of Austin for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 22nd  
 day of July, 1975.

NOTARY SEAL

Mary Deane  
 Notary Public in and for  
 Travis County, Texas

17JUL75  
 CKB:vs

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EXHIBIT

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FILED

1-16-2936

JUL 23 4 27 PM '75

*Doris H. Hargrave*

CLERK  
TRAVIS COUNTY, TEXAS

STATE OF TEXAS COUNTY OF TRAVIS  
I hereby certify that this instrument was FILED on the  
date and at the time stamped hereon by me; and was duly  
RECORDED, in the Volume and Page of the PUBLIC RECORDS  
of Travis County, Texas, as Stamped hereon by me, on

JUL 23 1975



*Doris H. Hargrave*

COUNTY CLERK  
TRAVIS COUNTY, TEXAS

5234 1967