

RESTRICTIVE COVENANT

OWNER: The Warrior Limited Liability Company

ADDRESS: 402 Corral Lane
Austin, Travis County, Texas 78745

CONSIDERATION: Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid.

PROPERTY: 1.58 acre tract of land and legally described as Lots 32 & 33 , Block A, Circle S Ridge Section 1, according to the map or plat thereof in Volume 4, Page 385, Plat Records of Travis County, Texas.

WHEREAS, the Owner of the Property and the Circle S Ridge Neighborhood Association have agreed that the Property should be impressed with certain covenants and restrictions as conditions for zoning of the Property;

NOW, THEREFORE, it is declared that the Owner of the Property, for the consideration, shall hold, sell and convey the Property, subject to the following covenants and restrictions impressed upon the Property by this restrictive covenant. For so long as CG&S Construction, Inc., d/b/a CG&S Design Build, occupies the Property and uses it in connection with the Guerrero Family owned construction sales and service business, the following covenants shall be maintained:

1. Screen fencing 6-feet in height along the west side of the property from Corral Lane in a northerly direction to the front line of the triplex shall be installed and maintained to screen the construction sales and multi-family uses from the adjacent single family residential use to the west.
2. Screen fencing shall be maintained between the triplex and the construction service yard to the north and an automatic gate shall be erected and made operable to limit access to the service yard to use in conjunction with the family owned business and the construction sales and service use.
3. Landscaping shall be maintained to the south of the fence screening the service yard.
4. Upon termination of the current construction sales and service use for a period in excess of three months, or upon transfer of title to the Property from The Warrior Limited Liability Company to a third party, the Grantor agrees that the legal non-conforming use as a construction sales and service use shall cease to operate on the Property and all future uses shall be limited to those authorized by the zoning on the Property.

5. If any person or entity shall violate or attempt to violate this agreement and covenant, it shall be lawful for the Owner of any portion of the subject Property or the lawfully constituted Circle S Ridge Neighborhood Association to prosecute proceedings in equity against such person or entity violating or attempting to violate such agreement or covenant, to prevent and enjoin the person or entity from such violation and to award attorneys' fees to the prevailing party.
6. If any part of this agreement or covenant is declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full force and effect.

When the context requires, singular nouns and pronouns include the plural.

EXECUTED THIS THE _____ DAY OF _____, 2011.

THE WARRIOR LIMITED LIABILITY COMPANY

By: _____
Clarence William Guerrero, Member

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the _____ day of _____, 2011, by Clarence William Guerrero, Member of The Warrior Limited Liability Company, on behalf of said entity.

Notary Public, State of Texas

PETITION

Case Number:

C14-2010-0199
402 CORRAL LN

Date:

April 27, 2011

Total Area Within 200' of Subject Tract

347802.91

| | | | | |
|----|-------------------|--|------------------|---------------|
| 1 | <u>0424070206</u> | <u>BLUMEYER GENE R & JUANITA J</u> | <u>44985.00</u> | <u>12.93%</u> |
| 2 | <u>0424070211</u> | <u>SAUCEDO HECTOR & MARY A</u> | <u>35,075.49</u> | <u>10.08%</u> |
| 3 | <u>0424070212</u> | <u>ENGLER JERRY J & JANICE K APT B</u> | <u>8197.03</u> | <u>2.36%</u> |
| 4 | <u>0424070225</u> | <u>O GRADY JEAN T</u> | <u>30,332.20</u> | <u>8.72%</u> |
| 5 | <u>0424070229</u> | <u>GONZALES ARTHUR C</u> | <u>1,081.35</u> | <u>0.31%</u> |
| 6 | | | | <u>0.00%</u> |
| 7 | | | | <u>0.00%</u> |
| 8 | | | | <u>0.00%</u> |
| 9 | | | | <u>0.00%</u> |
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| 22 | | | | <u>0.00%</u> |
| 23 | | | | <u>0.00%</u> |
| 24 | | | | <u>0.00%</u> |

Validated By:

Stacy Meeks

Total Area of Petitioner:

119,671.07

Total %

34.41%

CIRCLE S RD

CHAPARRAL RD

CORRAL LN

S IH 35 SVRD SB

S IH 35 SB

S IH 35 NB

N



BUFFER

PROPERTY_OWNER

SUBJECT_TRACT

PETITION

CASE#: C14-2010-0199

ADDRESS: 402 CORRAL LN

GRID: G15

CASE MANAGER: WENDY RHOADES

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

