

TERMINATION OF RESTRICTIVE COVENANT
FOR
ZONING CASE: C14-81-058

OWNER: Gillis Casey LLC, a Texas limited liability corporation

ADDRESS: 805 Cardinal Lane, Austin, Texas 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 City of Austin to the Owner, the receipt and sufficiency of which is acknowledged.

WHEREAS, Gillis Casey LLC, a Texas limited liability corporation, as owner of all that certain property described in Zoning Case No. C14-81-058 (RCT), consisting of approximately 0.478 acres more or less, out of the West 117.8 feet of the South 95 feet of Lot 11, Block 2, and the East 100 feet of the South 95 feet of Lot 11, Block 2, Banister Acres Subdivision, a subdivision in the City of Austin, Travis County, Texas, (the "Property"), as more particularly described in the restrictive covenant recorded in the Real Property Records of Travis County, Texas, in Volume 7512, Page 146 (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, Gillis Casey LLC, a Texas limited liability corporation, as sole and current owner (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 Case No. C14-81-058 (RCT) (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 Volume 7512, Page 146, Real Property Records, Travis County, Texas.

EXECUTED this the 20th day of March, 2012.

OWNER:

GILLIS CASEY LLC
a Texas limited liability corporation

By: 

Kirk Smith
Manager

CITY OF AUSTIN:

By: _____

Sue Edwards,
Assistant City Manager
City of Austin

APPROVED AS TO FORM:

Chad Shaw
Assistant City Attorney
City of Austin

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

in 2012 This instrument was acknowledged before me on this the 20th day of March,
~~2010~~, by Kirk Smith, Manager of Gillis Casey LLC, a Texas limited liability corporation, on
behalf of the corporation.


Notary Public, State of Texas



THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the ____ day of _____,
2012, by Sue Edwards, as Assistant City Manager of the City of Austin, a municipal corporation,
on behalf of the municipal corporation.

Notary Public, State of Texas

After Recording, Please Return to:
City of Austin
Department of Law
P. O. Box 1088
Austin, Texas 78767-1088
Attention: Janice Collins, Paralegal