

**RESTRICTIVE COVENANT**

**OWNER:** Reza Rezaee

**OWNER'S ADDRESS:** 15212 Spillman Ranch Loop, Austin, Texas 78738

**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.

**PROPERTY:** A 13,126 square feet of land out of Lot 19, Block M, Buckingham Estates Phase IV, Section, C, the tract of land being more particularly described by metes and bounds in Exhibit "A" attached and incorporated into this covenant.

WHEREAS, the Owner (the "Owner", whether one or more), of the Property and the City of Austin have agreed that the Property should be impressed with certain covenants and restrictions;

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 ("Agreement"). These covenants and restrictions shall run with the land, and shall be binding on the Owner of the Property, its heirs, successors, and assigns.

1. The drainage easement on the subject property contains a detention pond and the Applicant has proposed modifications to the detention pond to create a developable area on the Property. The following items must be addressed before the Watershed Engineering Division would consider a partial easement release of the drainage easement located on the Property:
  - a. A site plan must be submitted for the pond modifications. Details of the modifications will be reviewed by an engineer in the Land Use Review group. This review may result in other comments and questions about the development. All comments and questions must be cleared by the reviewer.
  - b. The pond modifications must not result in increased outflow from the pond.
  - c. The pond modifications must result in at least a five percent (5%) increase in the detention volume of the pond.

- d. Because this pond has a dam structure, any modifications to the pond will require re-verification that the pond will meet dam safety requirements. This will need to be completed during the site plan review process.
- e. Access easements that meet the criteria specified in the Drainage Criteria Manual must be dedicated to the City. Access easements are required to the west to access the pond outlet, and to the north to access the pond's perimeter berm.
- f. Private maintenance of the pond will be required by the Watershed Protection Department. This maintenance will include, but is not limited to, routine mowing and debris removal.
2. If any person or entity shall violate or attempt to violate this Agreement, it shall be lawful for the City of Austin to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate such Agreement, to prevent the person or entity from such actions, and to collect damages for such actions.
3. If any part of this Agreement 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 effect.
4. If at any time the City of Austin fails to enforce this Agreement, whether or not any violations of it are known, such failure shall not constitute a waiver or estoppel of the right to enforce it.
5. This Agreement may be modified, amended, or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, and (b) by the owner(s) of the Property, or a portion of the Property, subject to the modification, amendment or termination at the time of such modification, amendment or termination.

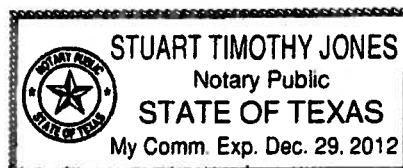
EXECUTED this the 02 day of October, 2012.

State of TEXAS  
County of TRAVIS

This instrument was acknowledged before me  
on 2 day of OCT, 2012 by REZA REZAE

Stuart Timothy Jones  
Notary Public's Signature  
My Commission Expires DEC 29, 2012

OWNER:  
Reza Rezaee  
Reza Rezaee



APPROVED AS TO FORM:

\_\_\_\_\_  
Chad Shaw  
Assistant City Attorney  
City of Austin

**THE STATE OF TEXAS**

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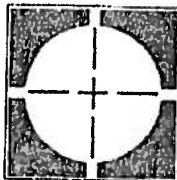
**COUNTY OF TRAVIS**

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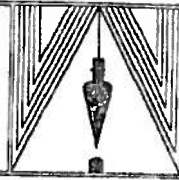
This instrument was acknowledged before me on this the \_\_\_\_ day of \_\_\_\_\_,  
2012, by Reza Rezaee.

\_\_\_\_\_  
Notary Public, State of Texas

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



**WATSON SURVEYING**  
 9501 CAPITAL OF TEXAS HWY.  
 SUITE 303 AUSTIN, TX 78759  
 346-8566 FAX 346-8568



FIELD NOTES FOR 13,126 SQUARE FEET OF LAND OUT OF LOT 19, BLOCK M, BUCKINGHAM ESTATES PHASE IV, SECTION C, A SUBDIVISION RECORDED IN VOLUME 84, PAGE 61C, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID 13,126 SQUARE FEET BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING at a ½" steel pin with orange cap set at the southeast corner of said Lot 19, being a point in the north right-of-way (ROW) line of Slaughter Lane, for the southeast corner hereof;

THENCE N3°31'30"W 80.20 feet along the east line of Lot 19 and the west line of Lot 18 to a computed point for the northeast corner hereof;

THENCE crossing said Lot 19 the following 12 courses:

- 1) N89°28'10"W 72.08 feet to computed point for corner,
- 2) S00°31'50"W 4.00 feet to computed point for corner,
- 3) N89°28'10"W 22.50 feet to computed point for corner,
- 4) S00°31'50"W 18.50 feet to computed point for corner,
- 5) N89°28'10"W 93.00 feet to computed point for corner,
- 6) S00°31'50"W 11.51 feet to computed point for corner,
- 7) N89°28'10"W 11.00 feet to computed point for corner,
- 8) S00°23'53"W 12.00 feet to computed point for corner,
- 9) S89°28'10"E 11.00 feet to computed point for corner,
- 10) S00°49'08"W 5.52 feet to computed point for corner,
- 11) N90°00'00"E 2.00 feet to computed point for corner,
- 12) S00°31'50"W 28.49 feet to computed point on the south line of Lot 19, also the north ROW line of Slaughter Lane, for the southwest corner hereof;

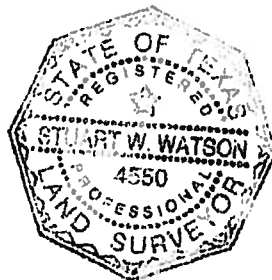
THENCE S89°28'10"E 191.26 feet along the south line of Lot 19 and north ROW line of Slaughter Lane to the POINT OF BEGINNING, containing 13,126 square feet of land, more or less.

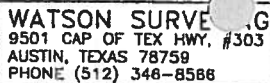
Bearing basis is the west line of said Lot 19

Prepared 21 October 2010 from recent survey of Lot 19 by:

*Stuart Watson*  
 Stuart Watson, RPLS 4550

REFERENCES:  
 TCAD Property ID Number 512983  
 Austin Grid No. E-14





ADDRESS:  
718 SLAUGHTER LANE

SKETCH TO ACCOMPANY FIELD NOTES OF 13,126 SQUARE  
FEET OF LAND OUT OF LOT 19, BLOCK M, BUCKINGHAM  
ESTATES PHASE IV, SECTION C, A SUBDIVISION RECORDED  
IN VOLUME 84, PAGE 61C, PLAT RECORDS OF TRAVIS  
COUNTY, TEXAS

DATED THIS 21 DAY OF OCTOBER, 2010:

STUART W. WATSON, REGISTERED  
PROFESSIONAL LAND SURVEYOR,  
TEXAS LICENSE NUMBER 4550

