

**TERMINATION OF RESTRICTIVE COVENANT**  
**FOR**  
**ZONING CASE: C14-99-0132 (RCT)**

OWNER: NL Land Holdings, Ltd., a Texas limited partnership

ADDRESS: 3839 Bee Caves Road, Suite 204, Austin, Texas 78746

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, NL Land Holdings, Ltd., a Texas limited partnership, as owner of all that certain property described in Zoning Case No. C14-99-0132 (RCT), consisting of approximately 6.39 acres of land out of the Santiago Del Valle Grant, the tract of land being more particularly described by metes and bounds in Exhibit "A", incorporated into this Restrictive Covenant Termination (the "Property"), as more particularly described in the restrictive covenant recorded in the Official Public Records of Travis County, Texas, in Document No. 2001035605 (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, NL Land Holdings, Ltd., a Texas limited partnership, 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. C14-99-0132 (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 Document No. 2001035605, of the Official Public Records, Travis County, Texas.

EXECUTED this the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

**OWNER:**

**NL Land Holdings, Ltd,  
a Texas limited partnership**

By: 501 W. 15<sup>th</sup>, Inc.,  
a Texas corporation,  
its General Partner

By: \_\_\_\_\_  
John C. Lewis  
Managing Partner

**CITY OF AUSTIN:**

By: \_\_\_\_\_  
Sue Edwards,  
Assistant City Manager  
City of Austin

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Assistant City Attorney  
City of Austin

**THE STATE OF TEXAS                    §**

**COUNTY OF TRAVIS                    §**

This instrument was acknowledged before me on this the \_\_\_\_ day of \_\_\_\_\_, 2013, by John C. Lewis, Managing Partner of 501 W. 15<sup>th</sup>, Inc., a Texas corporation, general partner of NL Land Holdings, Ltd., a Texas limited partnership, on behalf of the corporation and limited partnership.

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

**THE STATE OF TEXAS                    §**

**COUNTY OF TRAVIS                    §**

This instrument was acknowledged before me on this the \_\_\_\_ day of \_\_\_\_\_, 2013, 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: J. Collins, Paralegal**

FIELD NOTES

FIELD NOTES FOR 6.39 ACRES OF LAND IN THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, BEING ALL OF THAT CERTAIN TRACT REFERRED TO AS A 5.01 ACRE TRACT IN THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, IN A DEED TO JOE D. PARMER AND BERT PARMER OF RECORD IN VOLUME 4274 AT PAGE 827 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING 0.445 ACRE OF LAND OUT OF THAT CERTAIN 86.08 ACRE TRACT IN THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS AS CONVEYED TO J. FRANK DOBIE BY DEED OF RECORD IN VOLUME 848 AT PAGE 58 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING 0.405 ACRE OF LAND OUT OF THAT CERTAIN 20.9 ACRE TRACT IN THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS AS CONVEYED TO O.D. DENSON BY DEED OF RECORD IN VOLUME 1947 AT PAGE 360 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 6.39 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

BEGINNING at an iron pipe found in the southwest line of Judy Lane (Oak Hill Lane) being the southeastern corner of the above said Parmer & Parmer 5.01 acre tract, same being the southeastern corner of this tract and the POINT OF BEGINNING hereof;

THENCE, with the south line of said Parmer & Parmer 5.01 acre tract, S58° 35'58"W passing the southwestern corner of said 5.01 acre tract, same being a point in the west line of the above said O.D. Denson 20.9 acre tract, same being an east line of the above said J. Frank Dobie 86.08 acre tract at 619.17 feet and continuing for a total distance of 634.91 feet to an iron pipe found, for the southwestern corner hereof, and from which an iron pipe found bears S30° 23'01"E 43.28 feet;

THENCE, N28° 25'40"W 205.79 feet to an iron pin found for an angle corner hereof;

THENCE, N00° 01'50"E 232.67 feet to an iron pin found for an angle corner hereof;

THENCE, N78° 05'49"W 43.91 feet to an iron pin found in the south R.O.W. line of IH 35 for an angle corner hereof;

THENCE, with the south R.O.W. line of IH 35 and the present north lines of the J. Frank Dobie tract and the O.D. Denson tract, N32° 02'24"E 296.88 feet to an iron pipe found in the south line of Judy Lane (Oak Hill Lane) for the most northerly northwest corner hereof, and from which a concrete R.O.W. monument bears N32° 02'24"E 71.75 feet;

THENCE, continuing with the present north line of the said O.D. Denson tract, same being the south line of Judy Lane (Oak Hill Lane) N73° 17'05"E 185.04 feet to an iron pipe found at the most northerly corner of said O.D. Denson tract, same being the most northerly corner of the Parmer & Parmer 5.01 acre tract, for the most northerly corner hereof;

THENCE, with the east line of said Parmer & Parmer 5.01 acre tract, same being the southwest line of Judy Lane (Oak Hill Lane) S41° 15'13"E 527.78 feet to the POINT OF BEGINNING.

SURVEYED BY:

*David Bell*

David Bell, Reg. Public Surveyor #3994

DATE

10-22-88

