

JAMES EDWARD JONES, and
AQUAPLEX, INC.
Plaintiffs

V.

CITY OF AUSTIN; LEE LEFFINGWELL,
MAYOR, CITY OF AUSTIN, CHRIS
RILEY, MIKE MARTINEZ, KATHIE TOVO,
LAURA MORRISON, BILL
SPELMAN, SHERYL COLE, IN THEIR
OFFICIAL CAPACITY AS MEMBERS
OF THE CITY COUNCIL OF AUSTIN;
and MARC OTT, IN HIS OFFICIAL
CAPACITY AS CITY MANAGER, CITY
OF AUSTIN
Defendants

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

353RD JUDICIAL DISTRICT

AGREED FINAL JUDGMENT

1.0 Recitals

- 1.1 WHEREAS, Plaintiffs, James Edwards Jones and Aquaplex (collectively “Jones”), are the owners of land located at 9512 FM 2222, Austin, Travis County, Texas (the “Property”).
- 1.2 WHEREAS, in August of 2001, a site plan application was submitted to the City of Austin to develop residential condominiums on the Property. The site plan was approved in February of 2002 and is identified as Rancho La Valencia Condominiums.
- 1.3 WHEREAS, subsequent to the approval of the site plan in 2002, disputes have arisen between the Parties concerning, among other things, the appropriate development ordinances applicable to development of Rancho La Valencia Condominiums under Chapter 245 of the Texas Local Government Code.
- 1.4 WHEREAS, on February 13, 2009, Jones filed a lawsuit against the City, the members of the Austin City Council, and the City Manager.
- 1.5 WHEREAS, in order to avoid further time, expense and the uncertainties of litigation, Jones and the City now desire to compromise and settle this litigation.

1.6 WHEREAS, on _____, 2014, the City Council of Austin passed Ordinance No. _____ (the "Ordinance"), which is attached as Exhibit A.

2.0 Judgment

The Parties agree and this court hereby ORDERS that (a) the Parties shall be bound by the Ordinance and the site plan attached thereto; (b) that development of the project described in the Ordinance is authorized to go forward in compliance with Ordinance; and (c) that subsequent site plan corrections or permits covered by Chapter 245 of the Texas Local Government Code will be governed by the standards used in and approved consistent with the Ordinance and the site plan attached thereto in all material respects.

All other relief is denied.

Signed this _____ day of _____, 2014.

AGREED:

R. James George, Jr.
Julie A. Ford
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