

Zoning Case No. CI4-2014-0136

RESTRICTIVE COVENANT

OWNER: FSI GP, L.L.C., General Partners of FSI Cameron Crossing, L.P.

ADDRESS: 7421 Burnet Road, Suite 300-291, Austin, TX 78757

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: **Tract 1:**
0.9213 acre tract of land and being a portion of Lot 1, Block A, Cameron Industrial Park, as recorded in Document 200800021 of the Official Public Records of Travis County, Texas, said tract of land being more particularly described by metes and bounds in Exhibit "A",

Tract2:
Lot 1, Block A, Cameron Industrial Park, as recorded in Document 200800021 of the Official Public Records of Travis County, Texas, Save and Except area described as Tract 1 (the "Property"),

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;

WHEREAS, the Director has waived the requirement to submit a Traffic Impact Analysis in accordance with Section 25-6-117;

WHEREAS, if the Owner obtains a waiver of the Traffic Impact Analysis under Section 25-6-117 the Owner must mitigate adverse effects of the traffic generated from a proposed development;

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. A site plan or building permit for the Property may not be approved, released, or issued, until the Owner has posted fiscal surety in the amount of \$15,000 with the City of Austin for traffic, pedestrian, or transit related improvement on or near the site. The requirement for said improvements does not include items otherwise required by the City Code. The

improvements shall be approved by the City at the time of a first site plan on the property.

2. If any person or entity shall violate or attempt to violate the 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 the 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 modifications, amendment or termination.

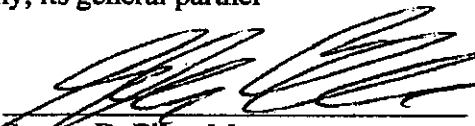
EXECUTED this the 22nd day of AUGUST, 2015.

OWNER:

FSI Cameron Crossing, L.P., a Texas limited partnership

By: FSI GP, L.L.C., a Texas limited liability company, its general partner

By:


Steven D. Eller, Manager

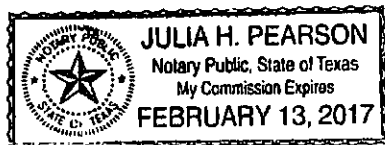
APPROVED AS TO FORM:

Assistant City Attorney
City of Austin

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 22nd day of August, 2015 by Steven D. Eller, Manager (and an authorized signatory) of FSI GP, L.L.C., a Texas limited liability company, the general partner of FSI Cameron Crossing, L.P., a Texas limited partnership, on behalf of said partnership.



Julia H. Pearson
Notary Public, State of Texas

C14-2014-0136
TRACT 1

Legal Description
Travis County, Texas

Zoning Area Description
D&A Job No. 1477-001

EXHIBIT " "

DESCRIPTION OF A TRACT OF LAND CONTAINING 0.9213 ACRES AND BEING A PORTION OF LOT 1, BLOCK A, CAMERON INDUSTRIAL PARK, PER PLAT THEREOF RECORDED AS DOCUMENT NO. 200800021 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, (ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE (4203), NAD83 (CORS)):

BEGINNING at a 1/2-inch iron rod found at the northwest corner of said Lot 1, said point being on the easterly right of way line of Cameron Road, for the most northerly corner and **POINT OF BEGINNING** hereof;

THENCE, along the northerly line of said Lot 1, S62°18'32"E, a distance of 260.81 feet to the northwest corner of the Drainage Easement dedicated per said Cameron Industrial Park plat;

THENCE, over and across said Lot 1 and along the westerly line of said Drainage Easement, the following three (3) courses and distances:

1. S36°31'40"W, a distance of 73.87 feet to a calculated point;
2. S40°32'03"W, a distance of 91.69 feet to a calculated point;
3. S31°15'03"W, a distance of 13.51 feet to a calculated point and the beginning of a 400.00 foot radius curve concave southerly;

THENCE, over and across said Lot 1 and along the arc of said 400.00 foot radius curve a distance of 179.57 feet through a central angle of 25°43'15", and a chord bearing N70°12'18"W and distance of 178.06 feet to a calculated point on the easterly right-of-way line of Cameron Road;

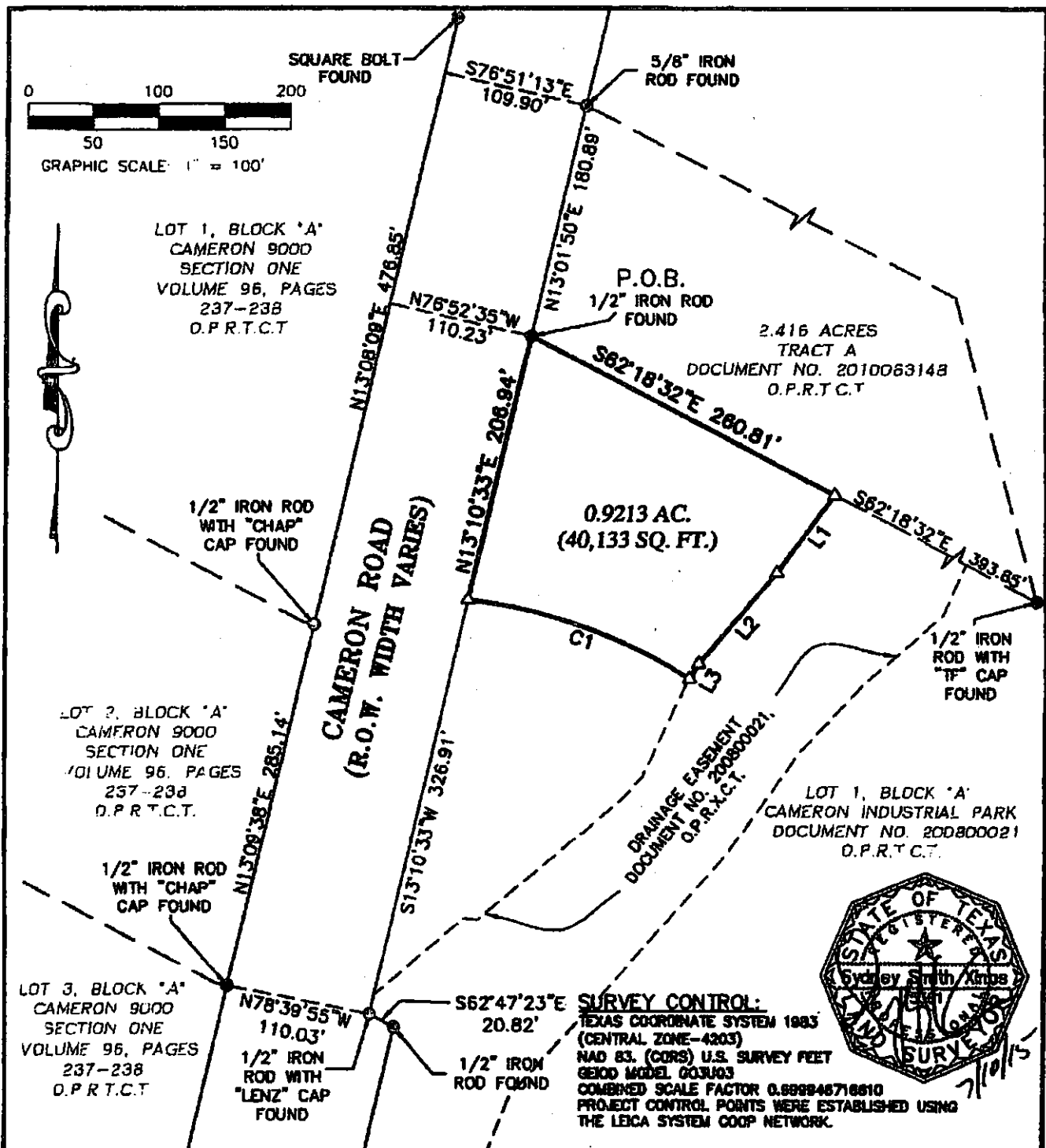
THENCE, along the common line of the easterly right-of-way line of Cameron Road and the westerly line of said Lot 1, N13°10'33"E, a distance of 206.94 feet to the **POINT OF BEGINNING**, and containing 0.9213 acres of land, more or less.

 7/10/15

Sydney Smith Xinos, R.P.L.S. Date

Texas Registration No. 5361
Doucet & Associates Inc.,
7401 B Hwy. 71 West, Suite 160
Austin, Texas 78735
Firm Registration No. 10105800





**0.9213 ACRE ZONING
EXHIBIT**
CITY OF AUSTIN,
TRAVIS COUNTY, TEXAS

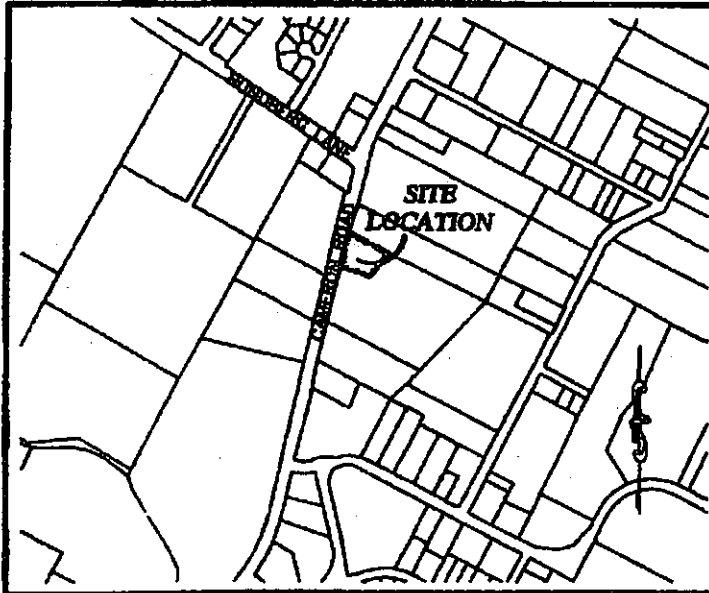
**DA DOUCET
& ASSOCIATES**

Civil Engineering - Planning - Surveying/Mapping
7401 B. Highway 71 W, Suite 160
Austin, Texas 78735, Phone: (512)-583-2600
www.doucetandassociates.com
Survey Firm Registration Number: 10105800
P:\1477-001\survey\DA_drawings\1477-001 ZONING EXHIBIT 1.dwg

Date:	07/10/2015
Scale:	1"=100'
Drawn by:	DRK
Reviewer:	SSX
Project:	1477-001
Sheet:	1 of 2
Field Book:	401
Party Chief:	JM
Survey Date:	06/18/2015

TRACT LOCATION MAP

SCALE: 1" = 1000'



LEGEND

	PROPERTY LINE
	EXISTING PROPERTY LINES
	EXISTING EASEMENTS
	1/2" IRON ROD WITH CAP FOUND (UNLESS NOTED)
P.O.C.	POINT OF COMMENCING
P.O.B.	POINT OF BEGINNING
DOC. #	DOCUMENT NUMBER
VOL.	VOLUME
PG.	PAGE
R.O.W.	RIGHT-OF-WAY
P.R.T.C.T	PLAT RECORDS, TRAVIS COUNTY, TEXAS
R.P.R.T.C.T	REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS
O.P.R.T.C.T	OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS

LINE TABLE		
NO.	BEARING	LENGTH
L1	S38°31'40"W	73.87'
L2	S40°32'03"W	91.69'
L3	S31°15'03"W	13.51'

CURVE TABLE					
NO.	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	179.57'	400.00'	25°43'15"	N70°12'18"W	178.06'

**0.9213 ACRE ZONING
EXHIBIT**
CITY OF AUSTIN,
TRAVIS COUNTY, TEXAS

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Date: 07/10/2015
Scale: 1"=100'
Drawn by: DRX
Reviewer: SSX
Project: 1477-001
Sheet: 2 of 2
Field Book: 401
Party Chk: JA
Survey Date: 06/19/2015