

TERMINATION OF RESTRICTIVE COVENANTS
FOR ZONING CASE: C14-86-120(RCT)

OWNER: 4222 S. IH 35, Ltd., a Texas limited liability company

ADDRESS: 201 Barton Springs Road, 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: One and No/100 Dollars (\$11.00) and other good and valuable consideration paid by the City of Austin to the Owner, the receipt and sufficiency of which is acknowledged.

WHEREAS, 4222 S. IH 35, Ltd., a Texas limited liability company, as owner of all that certain property described in Zoning Case No. C14-86-120(RCT), consisting of 1,564 square feet of land or 0.0359 of one acre of land, being a portion of Lot 7A, Frank Reeder's Resub. of Lots 7-9, Dixie Terrace, a subdivision of a portion of the George W. Davis Survey No. 15, Abstract No. 217, in the City of Austin, Travis County, Texas, of record in Plat Book 14, Page 46, Travis County Plat Records, said Lot 7A having been conveyed in a deed from J.W. Savage to Charlie Christian in Volume 4533, Page 2241, Travis County Deed Records, said 1,564 square feet of land or 0.0359 of one acre of land (the "Property"), as more particularly described in those certain Restrictive Covenants recorded in the Real Property Records of Travis County, Texas, in Volume 10587, Page 381 and Volume 10229, Page 712 (collectively the "Restrictive Covenants"), imposing certain restrictions and covenants on the Property by the Restrictive Covenants; and,

WHEREAS, the Restrictive Covenants provided that the covenants 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, 4222 S. IH 35, Ltd., a Texas limited liability company, as sole and current owner (the "Owner") of the Property, now desires to terminate the Restrictive Covenants; and,

WHEREAS, the City Council and the Owner, agree the Restrictive Covenants 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 Covenants are terminated and each term, condition, and provision will have no effect after the effective date of this Termination of Restrictive Covenants.

2. The City Manager, or his designee, shall execute, on behalf of the City, this Termination of Restrictive Covenants for Zoning Case No. C14-86-120(RCT) as authorized by the City Council of the City of Austin. This Termination of Restrictive Covenants shall be filed in the Official Public Records of Travis County, Texas, which will terminate the document of record in Volume 10587, Page 381, Real Property Records, Travis County, Texas and the document of record in Volume 10229, Page 712, Real Property Records, Travis County, Texas.

EXECUTED this the _____ day of _____, 2016.

OWNER:

4222 S. IH 35, Ltd.,
a Texas limited liability company

By: _____
Jimmy Nassour
Manager

By: _____
Jim Cotton
Manager

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 _____, 2016, by Jimmy Nassour, Manager of 4222 S. IH 35, Ltd., a Texas limited liability company, on behalf of said company.

Notary Public, State of Texas

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the ____ day of _____, 2016, by Jim Cotton, Manager of 4222 S. IH 35, Ltd., a Texas limited liability company, on behalf of said company.

Notary Public, State of Texas

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the ____ day of _____, 2016, 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: M. Thompson, Paralegal