



**TERMINATION OF RESTRICTIVE COVENANT**  
**FOR**  
**ZONING CASE: C14r-86-144**

Owner: KEITH SMITH

Address: 1419 Red Bud Trail, 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 Owner to the City of Austin, the receipt and sufficiency of which is acknowledged.

WHEREAS, Dunlap-Sheldon Partnership, a Texas general partnership, as owner of all that certain property described in Zoning File No. C14r-86-144, consisting of approximately 3.3 acres of land out of the William Cannon League (the "Original Property"), as more particularly described in the restrictive covenant recorded in the Real Property Records of Travis County, Texas, in Volume 10416, Page 694, (the "Restrictive Covenant"), imposed certain restrictions and covenants on the Original 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) a majority of the members of the City Council and (b) the Owner of the Property at the time of such modification, amendment or termination; and,

WHEREAS, Keith Smith, is the sole and current owner (the "Owner") of the Original Property on the date of this termination and desires to terminate the Restrictive Covenant; and,

WHEREAS, the City Council and the Owner, as the sole and current owner of the Original Property, agree the Restrictive Covenant should be terminated;

NOW, THEREFORE, for and in consideration of the premises and mutual promises, covenants, and agreements hereinafter set forth, 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 her designee, shall execute, on behalf of the City, this Termination of Restrictive Covenant for Zoning File No. C14r-86-144 (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 the document of record in Volume 10416, Page 694.

7-29-04

# 7-6

EXECUTED to be effective the 15<sup>th</sup> day of July, 2004.

OWNER:

Keith Smith  
KEITH SMITH

CITY OF AUSTIN:

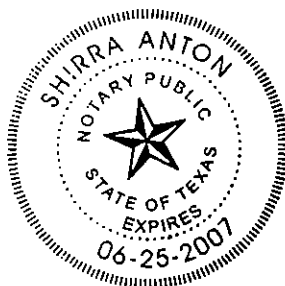
BY: Laura J. Huffman  
LAURA J. HUFFMAN,  
ASSISTANT CITY MANAGER  
CITY OF AUSTIN

THE STATE OF TEXAS

COUNTY OF TRAVIS

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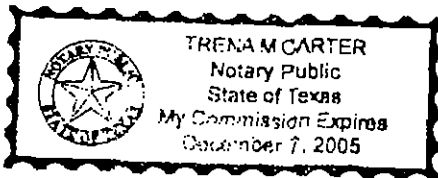
This instrument was acknowledged before me on this the 15<sup>th</sup> day of July, 2004, by Keith Smith



Shirra Anton  
Notary Public, State of Texas

THE STATE OF TEXAS  
COUNTY OF TRAVIS

This instrument was acknowledged before me on this the 4<sup>th</sup> day of August, 2004, by **LAURA J. HUFFMAN**, as **ASSISTANT CITY MANAGER OF THE CITY OF AUSTIN**, a municipal corporation, on behalf of said municipal corporation.



Hena M. Carter  
Notary Public, State of Texas

**After Recording, Please Return to:**  
**City of Austin**  
**Department of Law**  
**P. O. Box 1088**  
**Austin, Texas 78767**  
**Attention: Diana Minter, Legal Assistant**

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

OFFICIAL PUBLIC RECORDS  
Dana DeBeauvoir  
12 03:41 PM

2004 Aug 12 03:41 PM

2004155454

BENAVIDESV \$18.00

BENAVIDESV \$10.00  
DANA DEBEAUVOIR COUNTY CLERK  
TRAVIS COUNTY TEXAS