



TERMINATION OF RESTRICTIVE COVENANT
FOR
ZONING CASE: C14-79-151

Owner: Marbella Development, L.P., a Texas limited partnership

Address: 4501 Grand Cypress Drive, Austin, Texas 78747

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, Edward L. Roberts, of Travis County, as owner of all that certain property described in Zoning File No. C14-79-151, as Lot 14 of Henry Ulit's Unrecorded Subdivision, in Travis County (the "Original Property"), as more particularly described in the restrictive covenant recorded in the Real Property Records of Travis County, Texas, in Volume 7085, Page 119, (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 owners of the Property at the time of such modification, amendment or termination; and,

WHEREAS, Marbella Development, L.P., a Texas limited partnership, a Texas limited partnership, is the current owner (the "Owner") of the Property on the date of this termination and desires to terminate the Restrictive Covenant; and,

WHEREAS, the City Council and the Owner of the 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. C14-79-151 (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 7085, Page 119.

G-29-05
Z-146

EXECUTED this the 6th day of October, 2005.

OWNER:

Marbella Development, L.P.,
a Texas limited partnership

By: Marbella Management, L.L.C.,
a Texas limited liability company,
its sole General Partner

By: [Signature]
Mitchell Davis Kalogridis,
President

CITY OF AUSTIN:

By: [Signature]
Laura J. Huffman,
Assistant City Manager,
City of Austin

THE STATE OF TEXAS

COUNTY OF TRAVIS



This instrument was acknowledged before me on this the 6th day of October, 2005, by Mitchell Davis Kalogridis, President, of Marbella Management, L.L.C., a Texas limited liability company, General Partner, on behalf of Marbella Management, L.P., a Texas limited partnership.

[Signature]
Notary Public, State of Texas

THE STATE OF TEXAS

COUNTY OF TRAVIS

This instrument was acknowledged before me on this the 12th day of October 2005, by Laura J. Huffman, as Assistant City Manager of the City of Austin, a municipal corporation, on behalf of said municipal corporation.



Sandra L. Huffman
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

Dana DeBeauvoir

2005 Oct 14 03:05 PM 2005192040

CORTEZY \$24.00

DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS