

130

TRAFFIC PHASING RESTRICTIVE COVENANT

Owner: Daughters of Charity Health Services of Austin, a Texas non-profit corporation

Owner's Address: 1201 West 38th St.
Austin, Texas 78705

Property: The tract being more particularly described in Exhibit A attached to and incorporated into this covenant ("Property")

Consideration: Ten and No/100 Dollars and other good and valuable consideration paid by the City of Austin to the Owner, the receipt and sufficiency of which is acknowledged.

WHEREAS, Daughters of Charity Health Services of Austin, the owner of the Property ("Owner") and the City of Austin ("City") have agreed that the Property should be impressed with certain covenants and restrictions; and

WHEREAS, the City has agreed to perform certain duties regarding the site development permit that is applicable to the Property.

NOW, THEREFORE, it is declared that the Owner of the Property, for consideration, shall hold, sell, and convey the Property subject to the following covenants and restrictions impressed on the Property by this restrictive covenant. These covenants and restrictions shall run with the land and are binding on the Owner and its successors and assigns.

1. Development Phasing. The future development of the Property shall be a phased development consisting of the three phases described in the Phasing Schedule attached to and incorporated into this covenant as Exhibit B. Development shall comply with Site Plan Number SP-98-0053D on file with the City. Traffic improvements associated with each phase of development and the Owner's share of each improvement are identified in Exhibit B.

2. Traffic Improvements. As a condition precedent to the City's obligation to issue a building permit for construction of a building in a phase of development, the Owner must comply with the following:

a. Fiscal surety in a proportionate amount identified in Exhibit B must be posted by the Owner for the Phase 2 road improvements before the issuance of a building permit for construction of a building in Phase 2.

b. Fiscal surety in a proportionate amount identified in Exhibit B must be posted by the Owner for the Phase 3 road improvements before the issuance of a building permit for construction of a building in Phase 3.

c. As identified on Exhibit B, the issuance of a building permit for Phase 1 is not conditioned on a Fiscal Surety being posted by the Owner.

3. **Improvements on State Highways.** Improvements on a state highway are subject to approval by the Texas Department of Transportation. The Department of Transportation must verify the costs and design associated with the improvements.

4. **Enforcement.** If a person or entity violates or attempts to violate this covenant, the City of Austin may enforce the covenant by any proceeding at law or in equity. Failure to enforce any provision in this covenant does not waive the future right to do so.

5. **Modification or Termination.** This covenant may be modified, amended, or terminated by the joint action of both (a) the Director of the Watershed Protection and Development Review Department of the City of Austin, or successor department and (b) all of the Owners of the Property at the time of such modification, amendment, or termination. Such joint action only becomes effective after it is reduced to writing, signed by the Director of the Watershed Protection and Development Review Department of the City of Austin or its successor department and the Owner and filed in the Real Property Records of Travis County.

Notwithstanding any other provision of this section, this covenant will automatically terminate when Site Plan No. SP-98-0053D expires or the Property is rezoned.

6. **Obligations to Run with the Land.** The obligations created in this covenant run with the land defined as the Property. If the Owner conveys the Property, the Owner shall be released and discharged obligations accruing under this the agreement.

7. **Severability.** If any part of this covenant is for any reason held to be unconstitutional, invalid, or unenforceable, the validity of the remaining portions of this covenant are not affected thereby, and the remaining provisions shall remain in full force and effect.

Executed this the 25th day of July, 2006.

OWNER:

Daughters of Charity Health Services of
Austin d/b/a Seton Healthcare Network

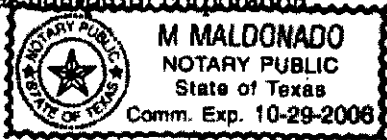
By:

Peter Rieck, Vice-President
Seton Network Facilities

STATE OF TEXAS §

COUNTY OF TRAVIS §

This restrictive covenant was acknowledged before me on this the 25 day of July, 2006 by Peter Rieck, Vice-President of Daughters of Charity Health Services of Austin, a Texas non-profit corporation.



M Maldonado
Notary Public, State of Texas

AFTER RECORDING, RETURN TO:

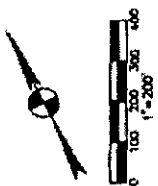
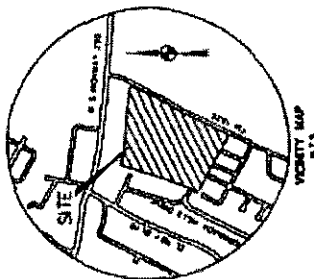
City of Austin
Watershed Protection and Development Review Department
P.O. Box 1088
Austin, Texas 78767

Project Name: Sehon Southwest
Attn: Amey Link Amey Link [Project Manager]
Case No. C19-05-0219

EXHIBIT "A"

Lot 1, Block A, Hail Subdivision, a subdivision of record in Volume 101, Pages 306-307, of the Plat Records of Travis County, Texas.

HAIL SUBDIVISION



GRANADA HILLS
SUBDIVISION
BOOK 3, PAGE 382

[illegible]

Exhibit A

KERRY S. YOM
J. ED ACREDS
VOL. 12587, PG. 303

NOTES
DATE

BLACK "A"
3 4 R Y F Y

EXHIBIT 78, 1st

1001, 1003A, 1005, 1007, 1009, 1011, 1013, 1015, 1017, 1019, 1021, 1023, 1025, 1027, 1029, 1031, 1033, 1035, 1037, 1039, 1041, 1043, 1045, 1047, 1049, 1051, 1053, 1055, 1057, 1059, 1061, 1063, 1065, 1067, 1069, 1071, 1073, 1075, 1077, 1079, 1081, 1083, 1085, 1087, 1089, 1091, 1093, 1095, 1097, 1099, 1101, 1103, 1105, 1107, 1109, 1111, 1113, 1115, 1117, 1119, 1121, 1123, 1125, 1127, 1129, 1131, 1133, 1135, 1137, 1139, 1141, 1143, 1145, 1147, 1149, 1151, 1153, 1155, 1157, 1159, 1161, 1163, 1165, 1167, 1169, 1171, 1173, 1175, 1177, 1179, 1181, 1183, 1185, 1187, 1189, 1191, 1193, 1195, 1197, 1199, 1201, 1203, 1205, 1207, 1209, 1211, 1213, 1215, 1217, 1219, 1221, 1223, 1225, 1227, 1229, 1231, 1233, 1235, 1237, 1239, 1241, 1243, 1245, 1247, 1249, 1251, 1253, 1255, 1257, 1259, 1261, 1263, 1265, 1267, 1269, 1271, 1273, 1275, 1277, 1279, 1281, 1283, 1285, 1287, 1289, 1291, 1293, 1295, 1297, 1299, 1301, 1303, 1305, 1307, 1309, 1311, 1313, 1315, 1317, 1319, 1321, 1323, 1325, 1327, 1329, 1331, 1333, 1335, 1337, 1339, 1341, 1343, 1345, 1347, 1349, 1351, 1353, 1355, 1357, 1359, 1361, 1363, 1365, 1367, 1369, 1371, 1373, 1375, 1377, 1379, 1381, 1383, 1385, 1387, 1389, 1391, 1393, 1395, 1397, 1399, 1401, 1403, 1405, 1407, 1409, 1411, 1413, 1415, 1417, 1419, 1421, 1423, 1425, 1427, 1429, 1431, 1433, 1435, 1437, 1439, 1441, 1443, 1445, 1447, 1449, 1451, 1453, 1455, 1457, 1459, 1461, 1463, 1465, 1467, 1469, 1471, 1473, 1475, 1477, 1479, 1481, 1483, 1485, 1487, 1489, 1491, 1493, 1495, 1497, 1499, 1501, 1503, 1505, 1507, 1509, 1511, 1513, 1515, 1517, 1519, 1521, 1523, 1525, 1527, 1529, 1531, 1533, 1535, 1537, 1539, 1541, 1543, 1545, 1547, 1549, 1551, 1553, 1555, 1557, 1559, 1561, 1563, 1565, 1567, 1569, 1571, 1573, 1575, 1577, 1579, 1581, 1583, 1585, 1587, 1589, 1591, 1593, 1595, 1597, 1599, 1601, 1603, 1605, 1607, 1609, 1611, 1613, 1615, 1617, 1619, 1621, 1623, 1625, 1627, 1629, 1631, 1633, 1635, 1637, 1639, 1641, 1643, 1645, 1647, 1649, 1651, 1653, 1655, 1657, 1659, 1661, 1663, 1665, 1667, 1669, 1671, 1673, 1675, 1677, 1679, 1681, 1683, 1685, 1687, 1689, 1691, 1693, 1695, 1697, 1699, 1701, 1703, 1705, 1707, 1709, 1711, 1713, 1715, 1717, 1719, 1721, 1723, 1725, 1727, 1729, 1731, 1733, 1735, 1737, 1739, 1741, 1743, 1745, 1747, 1749, 1751, 1753, 1755, 1757, 1759, 1761, 1763, 1765, 1767, 1769, 1771, 1773, 1775, 1777, 1779, 1781, 1783, 1785, 1787, 1789, 1791, 1793, 1795, 1797, 1799, 1801, 1803, 1805, 1807, 1809, 1811, 1813, 1815, 1817, 1819, 1821, 1823, 1825, 1827, 1829, 1831, 1833, 1835, 1837, 1839, 1841, 1843, 1845, 1847, 1849, 1851, 1853, 1855, 1857, 1859, 1861, 1863, 1865, 1867, 1869, 1871, 1873, 1875, 1877, 1879, 1881, 1883, 1885, 1887, 1889, 1891, 1893, 1895, 1897, 1899, 1901, 1903, 1905, 1907, 1909, 1911, 1913, 1915, 1917, 1919, 1921, 1923, 1925, 1927, 1929, 1931, 1933, 1935, 1937, 1939, 1941, 1943, 1945, 1947, 1949, 1951, 1953, 1955, 1957, 1959, 1961, 1963, 1965, 1967, 1969, 1971, 1973, 1975, 1977, 1979, 1981, 1983, 1985, 1987, 1989, 1991, 1993, 1995, 1997, 1999, 2001, 2003, 2005, 2007, 2009, 2011, 2013, 2015, 2017, 2019, 2021, 2023, 2025, 2027, 2029, 2031, 2033, 2035, 2037, 2039, 2041, 2043, 2045, 2047, 2049, 2051, 2053, 2055, 2057, 2059, 2061, 2063, 2065, 2067, 2069, 2071, 2073, 2075, 2077, 2079, 2081, 2083, 2085, 2087, 2089, 2091, 2093, 2095, 2097, 2099, 2101, 2103, 2105, 2107, 2109, 2111, 2113, 2115, 2117, 2119, 2121, 2123, 2125, 2127, 2129, 2131, 2133, 2135, 2137, 2139, 2141, 2143, 2145, 2147, 2149, 2151, 2153, 2155, 2157, 2159, 2161, 2163, 2165, 2167, 2169, 2171, 2173, 2175, 2177, 2179, 2181, 2183, 2185, 2187, 2189, 2191, 2193, 2195, 2197, 2199, 2201, 2203, 2205, 2207, 2209, 2211, 2213, 2215, 2217, 2219, 2221, 2223, 2225, 2227, 2229, 2231, 2233, 2235, 2237, 2239, 2241, 2243, 2245, 2247, 2249, 2251, 2253, 2255, 2257, 2259, 2261, 2263, 2265, 2267, 2269, 2271, 2273, 2275, 2277, 2279, 2281, 2283, 2285, 2287, 2289, 2291, 2293, 2295, 2297, 2299, 2301, 2303, 2305, 2307, 2309, 2311, 2313, 2315, 2317, 2319, 2321, 2323, 2325, 2327, 2329, 2331, 2333, 2335, 2337, 2339, 2341, 2343, 2345, 2347, 2349, 2351, 2353, 2355, 2357, 2359, 2361, 2363, 2

NOTE: THE NUMBER OF RECORDS IS THE NUMBER OF COPIES OF THE RECORDS IN THE FILE.

MTV INVESTMENTS
LIMITED PARTNERSHIP
VOL. 11835, PG. 648

RESEARCH DESIGN

Sex	Birth	Service	Air Length	First Lesson	Command
M	1914	1934-35	7-24-35	1935-36	1936-37

© 2004 Blackwell Publishing Ltd
Journal of Internal Medicine 255: 101–108

DATE	DEPT	NO. LEADS	CHAS. LEADS	ONE & RESIDUAL
10/1/51	10/1/51	10/1/51	10/1/51	10/1/51

HALL
SUBDIVISION
DATE: AUGUST, 1997
PREPARED BY:

Bury+Pittman, Inc.
Consulting Engineers and Surveyors
Austin, Texas Tel 512/728-0911 Fax 512/728-0912
10000 Greenhill 10025 Bury+Pittman, Inc.

C8-95-0090.1A

HAIL SUBDIVISION

CITY OF AUSTIN, TEXAS
COUNTY OF TRAVIS, TEXAS

1. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

2. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

3. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

4. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

5. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

6. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

7. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

8. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

9. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

10. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

11. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

12. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

13. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

14. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

15. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

16. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

17. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

18. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

19. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

20. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

21. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

22. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

23. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

24. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

25. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

26. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

27. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

28. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

CITY OF AUSTIN, TEXAS
COUNTY OF TRAVIS, TEXAS

1. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

2. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

3. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

4. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

5. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

6. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

7. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

8. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

9. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

10. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

11. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

12. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

13. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

14. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

15. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

16. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

17. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

18. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

19. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

20. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

21. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

22. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

23. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

24. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

25. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

26. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

27. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

28. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

29. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

30. THE CITY OF AUSTIN, TEXAS, HAS ADOPTED THE FOLLOWING ORDINANCE:

Exhibit A



MAIL
SUBDIVISION
DATE: AUGUST, 1997
PREPARED BY:

Bury+Pittman, Inc.
Consulting Engineers and Surveyors
Austin, Texas Tel: 512/739-4011 Fax: 512/723-1025
© Copyright 1998 Bury+Pittman, Inc.

C8-95-0090.1A

SHEET
2
OF 2

Exhibit B. Required Improvements by Phase of Development

LOCATION	IMPROVEMENT	PRORATA COST **	ALLOWABLE ADJUSTED PM PHT'S *
PHASE 1			PHASE 1
Driveway A	Provide two outbound lanes	\$0.00	0 - 194
Driveway B	Provide two outbound lanes	\$0.00	
Driveway C	Construct driveway C	\$0.00	
PHASE 1 TOTAL		\$0.00	
PHASE 2			PHASE 2
FM 1826 and Slaughter Lane	Install traffic signal	\$3,190	194 - 244
PHASE 2 TOTAL		\$3,190	
PHASE 3			PHASE 3
FM 1826 and Slaughter Lane	Construct second left turn lane at southbound approach of FM 1826	\$2,433	244 - 314
	Restripe eastern leg to provide two receiving lanes	\$16	
PHASE 3 TOTAL		\$2,449	
TOTAL		\$5,639	314

* Based on development beyond existing conditions

** Based on full buildout