



6

Zoning Case No. C14-06-0101

RESTRICTIVE COVENANT

OWNER Huston-Tillotson University

ADDRESS c/o Terry S Smith, 900 Chicon Street, Austin, Texas 78702

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 A 3 341 acre tract of land, more or less, out of the Walker Wilson Survey No 2, Abstract No 27, in Travis County, the tract of land more particularly described by metes and bounds in Exhibit "A" attached and incorporated into this covenant

WHEREAS, the Owner of the Property and the City of Austin have agreed that the Property should be impressed with certain covenants and restrictions,

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. 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 Development on the Property is subject to the recommendations contained in the Neighborhood Traffic Analysis memorandum from the Transportation Review Section of the Watershed Protection and Development Review Department, dated July 10, 2006, or as amended and approved by the Director of the Watershed Protection and Development Review Department
- 2 If any person or entity shall violate or attempt to violate this agreement and covenant, 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 or covenant, to prevent the person or entity from such actions, and to collect damages for such actions
- 3 If any part of this agreement or covenant 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 this 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 subject to the modification, amendment or termination at the time of such modification, amendment or termination

9-28-06
97

EXECUTED this the 26th day of September, 2006

OWNER·

Huston-Tillotson University

By Terry S. Smith
Terry S. Smith,
Executive Assistant to the President

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 26th day of September, 2006, by Terry S. Smith, Executive Assistant to the President as designated by Larry L. Earvin, President and CEO on behalf of the Board of Trustees and Huston-Tillotson University

[Signature]
Notary Public, State of Texas

APPROVED AS TO FORM

[Signature]
Assistant City Attorney
City of Austin

After Recording, Please Return to

Restrictive covenant – Huston Tillotson Univ
C14-06-0101

3 341 ACRES
RAVENSCROFT AT MANCHACA
D R HORTON

C14.06.0101
FN NO 06-182(ACD)
APRIL 10, 2006
BPI JOB NO 1273-15

EXHIBIT A

DESCRIPTION

OF A 3 341 ACRE TRACT OF LAND OUT OF THE WALKER WILSON SURVEY NO 2, ABSTRACT NO 27, SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 103 43 ACRE TRACT CONVEYED TO HUSTON-TILLOTSON COLLEGE, BY DEED OF RECORD IN VOLUME 4974, PAGE 1063, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID 3 341 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

BEGINNING at a 1/2-inch iron rod with cap found on the southerly right-of-way line of Melibee Trail (60' R O W), being the northwesterly corner of Lot 1, Block B, Canterbury Trails Section IV, a subdivision of record in Volume 102, Page 208, of the Plat Records of Travis County, Texas, for the northeasterly corner hereof,

THENCE, S02°37'52"E, leaving said southerly right-of-way line, along the westerly line of said Block B, Canterbury Trails Section IV and Block B, Canterbury Trails Section V, a subdivision of record in Volume 102, Page 292, of said Plat Records, over and across said 103 23 acre tract, for the easterly line hereof, a distance of 415 97 feet to a 1/2-inch iron rod found at the southwesterly corner of Lot 10, Block B, of said Canterbury Trails Section V, being on the northerly line of Lot 142, of said Block B, for the southeasterly corner hereof,

THENCE, S87°31'05"W, along said northerly line of Lot 142, continuing over and across said 103 23 acre tract, for the southerly line hereof, a distance of 349 34 feet to a 1/2-inch iron rod found on the easterly right-of-way line of Manchaca Road (120' R O W), being on the easterly line of that certain 0 603 acre tract conveyed to the State of Texas by Deed of record in Volume 11416, Page 1152, of the Real Property Records of Travis County, Texas, for the northwesterly corner of said Lot 142 and the southwesterly corner hereof,

THENCE, N02°37'52"W, along said easterly right-of-way line of Manchaca Road, being the easterly line of said 0 603 acre tract, continuing over and across said 103 23 acre tract, for the westerly line hereof, a distance of 393 05 feet to a 1/2-inch iron rod with cap set on said southerly right-of-way line of Melibee Trail, at the beginning of a curve to the right, for the northwesterly corner hereof,

THENCE, leaving said easterly right-of-way line of Manchaca Road, along said southerly right-of-way line of Melibee Trail, continuing over and across said 103 23 acre tract, for the northerly line hereof, the following two (2) courses and distances

- 1) Along said curve to the right, having a radius of 25 00 feet, a central angle of 90°10'00", an arc length of 39 34 feet, and a chord which bears N42°27'08"E, a distance of 35 41 feet to a 1/2-inch iron rod with cap set at the end of said curve,

FN 06-182(ACD)
APRIL 10, 2006
PAGE 2 OF 2

- 2) N87°32'08"E, a distance of 324.26 feet to the **POINT OF BEGINNING**, and containing 3.341 acres (145,554 square feet) of land, more or less, within these metes and bounds

BEARING BASIS TEXAS COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(93),
UTILIZING LCRA MONUMENTS A-716, F-11-2001, F-11-3001, AND F-14-2002

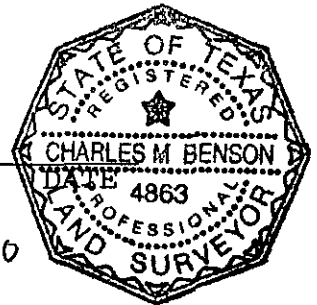
I, CHARLES M BENSON, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO
HEREBY CERTIFY THAT PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A
SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A LAND
TITLE SURVEY WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

BURY & PARTNERS, INC
ENGINEERS-SURVEYORS
3345 BEE CAVES ROAD, SUITE 200
AUSTIN, TEXAS 78746



CHARLES M BENSON
NO 4863
STATE OF TEXAS

April 14 2006



MANCHACA ROAD
(120' ROW)

N02°37'52"W 393.05'

MELIBEE TRAIL
(60' ROW)
N87°32'08"E 324.26'

P.O.B.

HUSTON-TILLOTSON
COLLEGE
VOL 4974, PG 1063

3.341 ACRES
(145,554 SQ FT)

LOT 1

LOT 2

CANTERBURY TRAILS
SECTION IV
VOL 102, PG 208

BLOCK B

LOT 9

LOT 8

CANTERBURY TRAILS
SECTION V
VOL 102, PG 292

SIR THOPAS TRAIL
(50' ROW)

S02°37'52"E 415.97'

LOT 10

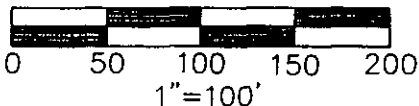
LOT 11

S87°10'56"W 349.34'

LOT 142

BLOCK B

CHAPPELL LANE
(50' ROW)



LEGEND

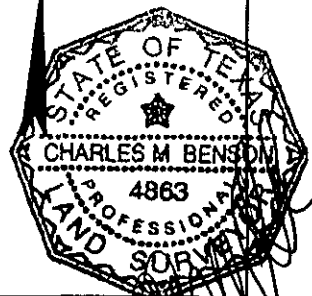
- 1/2" IRON ROD FOUND
- 1/2" IRON ROD SET
- ▲ NAIL FOUND
- △ COMPUTED POINT
- P O B POINT OF BEGINNING

CURVE TABLE

NO	DELTA	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	90 10'00"	25.00	39.34	35.41	N42 27'08"E

BEARING BASIS

THE BASIS OF BEARINGS SHOWING HEREON IS THE TEXAS COORDINATE SYSTEM CENTRAL ZONE, NAD 83(93), UTILIZING LCRA MONUMENTS A-716, F-11-2001 F-11-3001 AND F-14-2002



Bury+Partners
ENGINEERING SOLUTIONS
3345 Bee Caves Road Suite 200
Austin Texas 78746
Tel (512)328-0011 Fax (512)328-0325
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SKETCH TO ACCOMPANY DESCRIPTION

OF A 3.341 ACRE TRACT OUT OF THE WALKER WILSON SURVEY NO 2 ABSTRACT NO 27 SITUATED IN TRAVIS COUNTY TEXAS BEING A PORTION OF THAT CERTAIN 103.23 ACRE TRACT CONVEYED TO HUSTON-TILLOTSON COLLEGE BY DEED OF RECORD IN VOLUME 4974, PAGE 1063 OF THE DEED RECORDS OF TRAVIS COUNTY TEXAS

**D.R. HORTON
RAVENSCROFT**

After Recording, Please Return to
City of Austin
Department of Law
P O Box 1088
Austin, Texas 78767
Attention Diana Minter, Paralegal

Recorder's Memorandum At the time of recordation this instrument was found to be inadequate for the best reproduction because of illegibility carbon or photocopy discolored paper etc All blockouts additions and changes were present at the time the instrument was filed and recorded

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

2006 Oct 03 12 37 PM 2006191857

CLARKMM \$36 00

DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS