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**RESTRICTIVE COVENANT**

AUSTIN CITY CLERK  
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OWNER: Great Hills Golf Club of Austin, Inc., a Texas corporation,  
dba Great Hills Country Club

ADDRESS: 5914 Lost Horizon Drive, Austin, Texas 78759

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 6.689 acre tract of land, more or less, out of Lot 1, Great Hills Golf  
Course One Subdivision, Travis County, Texas, the tract of land being  
more particularly described by metes and bounds in Exhibit "A"  
incorporated into this covenant.

WHEREAS, the Owner (the "Owner", whether one or more) 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 ("Agreement"). 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. A 22-foot wide setback shall be established from the right-of-way of Lost Horizon  
Drive for any additional improvements to be added in the future. Improvements  
permitted within the setback are limited to a vegetative buffer landscaped to City  
approved standards, a driveway cut, drainage, underground utility improvements or  
those improvements that may be otherwise required by the City of Austin or specifically  
authorized in this covenant.
2. The 22-foot wide setback will contain a landscaped buffer between the right-of-way of  
Lost Horizon Drive and any new tennis courts. If the existing electrical manhole cover  
encroaches into the proposed tennis courts, then the 22-foot wide setback as described  
in Paragraph #1 above and the landscaped buffer width, may be reduced to a lesser  
width but not less than 20-foot wide.
3. At the time an application for approval of a site plan is submitted for development of  
the Property, or any portion of the Property, the plans for the setback and the vegetative  
buffer shall be submitted to the Planning and Development Review Department for  
review and approval. Ninety percent of the total plant material used, exclusive of turf,  
shall be native to Central Texas or on the Grow Green Native and Adapted Landscape  
Plants list, attached as Exhibit "B". Plants on the Invasive Species/Problem Plants list,  
attached as part of this Exhibit "B", may not be included.

8-19-10 #56

4. Lighting for the tennis courts and their use are restricted so that no lights are allowed from 10:00 p.m. to 7:00 a.m. During these hours the lights must be turned off.
5. If any person or entity shall violate or attempt to violate this Agreement, 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, to prevent the person or entity from such actions, and to collect damages for such actions.
6. If any part of this Agreement 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.
7. 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.
8. 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, or a portion of the Property, subject to the modification, amendment or termination at the time of such modification, amendment or termination.

EXECUTED this the 29 day of September, 2010.

**OWNER:**

Great Hills Country Golf Club of Austin, Inc.,  
a Texas corporation, dba Great Hills Country Club

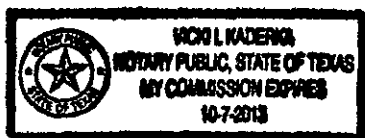
By: Brad Brown  
Brad Brown, President

APPROVED AS TO FORM:

[Signature]  
Assistant City Attorney  
City of Austin

THE STATE OF TEXAS                   §  
COUNTY OF TRAVIS                   §

This instrument was acknowledged before me on this the 29 day of September, 2010, by Brad Brown, President of Great Hills Country Golf Club of Austin, Inc., a Texas corporation, dba Great Hills County Club, on behalf of the corporation.



Vicki L. Kaduka  
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: Diana Minter, Paralegal

AUGUST 29, 2000      JOB NO. 278-13      FIELD NOTE NO. 278-01R2  
CLIENT: GREAT HILLS COUNTRY CLUB      PROJECT: 6.689 ACRE ZONING  
PARCEL      C.O.A. GRID NO. G-34

## FIELD NOTES

A DESCRIPTION PREPARED IN THE OFFICE, BASED ON PUBLIC RECORDS, OF 6.689 ACRES SITUATED IN TRAVIS COUNTY, TEXAS BEING A PORTION OF LOT 1, GREAT HILLS GOLF COURSE ONE, A SUBDIVISION WHOSE PLAT IS RECORDED IN VOLUME 81, PAGES 72 THROUGH 74 OF THE PLAT RECORDS OF SAID COUNTY, AND BEING A PORTION OF THAT CERTAIN PROPERTY CONVEYED TO GREAT HILLS GOLF CLUB OF AUSTIN, INC. BY DEED RECORDED IN VOLUME 9212, PAGE 126 OF THE REAL PROPERTY RECORDS OF SAID COUNTY, SAID 6.689 ACRES AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod on the east right-of-way (R.O.W.) line of Lost Horizon Drive, a variable width R.O.W., for the northwest corner of said Lot 1 and the southwest corner of Lot 2, Block A, Great Hills Section IX, a subdivision whose plat is recorded in Volume 78, Page 141 of the said Plat Records;

THENCE along the south line of said Lot 2 being a north line of said Lot 1, N68°45'E, 132.22 feet to an iron rod found;

THENCE, departing the south line of said Lot 2, continuing along the north lines of said Lot 1 the following two (2) courses:

1. S20°03'E, 100.00 feet to a point, and
2. N88°52'E, 203.35 feet to a point;

THENCE, departing the north lines of said Lot 1, crossing said Great Hills Golf Club of Austin, Inc.'s property the following three (3) courses:

1. N01°08'27"W, 48.33 feet to a point,
2. N88°51'33"E, 190.15 feet to a point, and
3. S01°01'36"E, 48.36 feet to a point on the north line of said Lot 1;

THENCE along the north line of said Lot 1, the following two (2) courses:

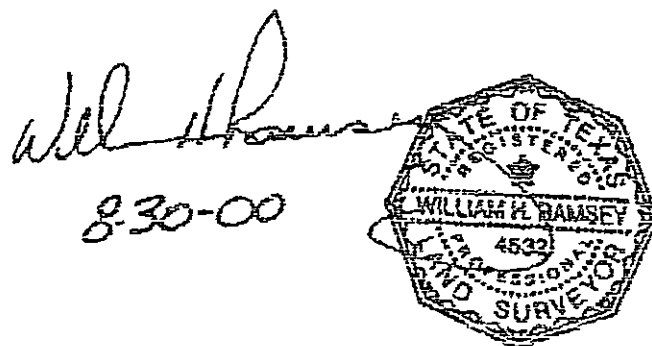
1. N88°52'E, 80.21 feet to a point, and
2. S73°10'E, 268.45 feet to a concrete monument;

Field Note No. 276-01R2

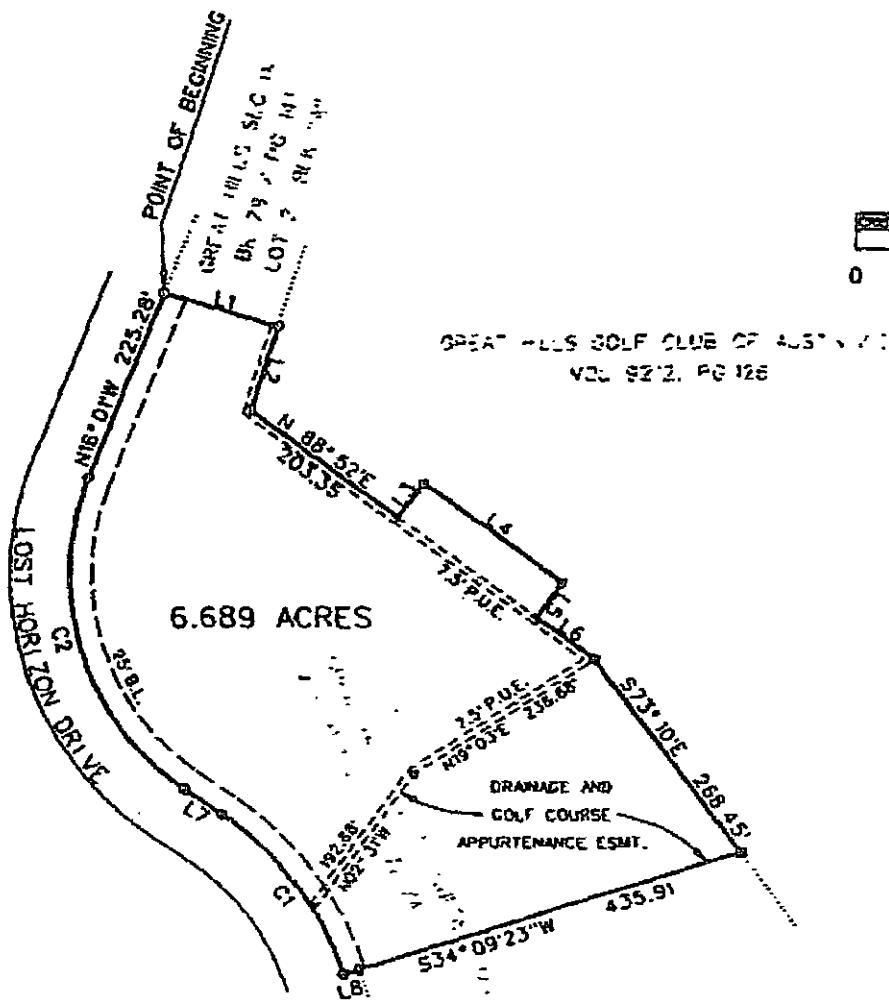
THENCE, departing the north lines of said Lot 1, crossing said Lot 1, S34°09'23"W, 435.91 feet to a concrete monument on the northeasterly R.O.W. line of said Lost Horizon Drive;

THENCE along the northeasterly R.O.W. line of said Lost Horizon Drive, being the southwesterly lines of said Lot 1 the following five (5) courses:

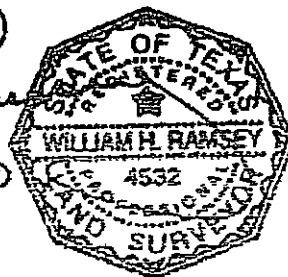
1. S34°09'W, 15.00 feet to an iron rod,
2. a distance of 231.86 feet along the arc of a curve to the left whose radius is 357.43 feet, central angle is 37°10' and whose chord bears N74°26'W, 227.81 feet to an iron rod,
3. S86°59'W, 50.00 feet to an iron rod for a point of curvature,
4. a distance of 399.81 feet along the arc of a curve to the right whose radius is 297.50 feet, central angle is 77°00' and whose chord bears N54°31'00"W, 370.40 feet to an iron rod, and
5. N16°01'W, 225.28 feet to the POINT OF BEGINNING containing 6.605 acres of land more or less.



CURVE	LENGTH	DELTA	RADIUS	DIRECTION	CHORD
C1	231.86	37° 10'	357.43	N74° 26' W	227.81
C2	399.81	77° 00'	297.50	N54° 31' W	370.40



*William H. Ramsey*  
8-3200



LINE	DIRECTION	DISTANCE
L1	N68° 46' E	132.22
L2	S20° 03' E	100.00
L3	N01° 08' 27" W	48.33
L4	N88° 51' 33" E	150.15
L5	S01° 01' 16" E	48.36
L6	N88° 52' E	80.21
L7	S86° 59' W	50.00
L8	S34° 09' 23" W	18.00

# RAMSEY LAND SURVEYING, L.L.C.

8718 SOUTHWEST PARKWAY  
P.O. BOX 92768  
AUSTIN, TEXAS 78709-2768  
PHONE (512) 301-9398  
FAX (512) 301-9395  
r1survey@t1qsh.net

SKETCH TO ACCOMPANY  
FIELD NOTE NO. 278-01R2

JOB NO. 278-13

# EXHIBIT B

## Grow Green Native and Adapted Landscape Plants

### Invasive Species/Problem Plants

#### Trees

Ash, Texas *Fraxinus texensis*  
 Arizona Cypress *Cupressus arizonica*  
 Big Tooth Maple *Acer grandidentatum*  
 Cypress, Bald *Taxodium distichum*  
 Cypress, Montezuma *Taxodium mucronatum*  
 Elm, Cedar *Ulmus crassifolia*  
 Elm, Lacebark *Ulmus parvifolia*  
 Honey Mesquite *Prosopis glandulosa*  
 Oak, Bur *Quercus macrocarpa*  
 Oak, Chinquapin *Quercus muhlenbergii*  
 Oak, Southern Live *Quercus virginiana*

Oak, Escarpment Live *Quercus fusiformis*  
 Oak, Lacey *Quercus glaucoides*  
 Oak, Montcrey (Mexican White) *Quercus polymorpha*  
 Oak, Shumard *Quercus shumardii*  
 Oak, Texas Red *Quercus texana* (*Quercus buckleyi*)  
 Pecan *Carya illinoensis*  
 Soapberry *Sapindus drummondii*

#### Small Trees/Large Shrubs

Anacacho Orchid Tree *Bauhinia congesta*  
 Buckeye, Mexican *Ungnadia speciosa*  
 Buckeye, Rec *Aesculus pavia*  
 Carolina Buckthorn *Rhamnus caroliniana*  
 Cherry Laurel *Prunus caroliniana*  
 Crape Myrtle *Lagerstroemia indica*  
 Desert Willow *Chilopsis linearis*  
 Dogwood, Roughleaf *Cornus drummondii*  
 Escarpment Black Cherry *Prunus serotina* var. *eximia*  
 Eve's Necklace *Sophora affinis*  
 Goldenball Leadtree *Leucaena retusa*  
 Holly, Possumhaw *Ilex decidua*  
 Holly, Yaupon *Ilex vomitoria*  
 Mountain Laurel, Texas *Sophora secundiflora*

Persimmon, Texas *Diospyros texana*  
 Pistachio, Texas *Pistacia texana*  
 Plum, Mexican *Prunus mexicana*  
 Pomegranate *Punica granatum*  
 Redbud, Mexican *Cercis canadensis* 'mexicana'  
 Redbud, Texas *Cercis canadensis* var. 'texensis'  
 Retama Jerusalem Thorn *Parkinsonia aculeata*  
 Senna, Flowering *Cassia corymbosa*  
 Smoke Tree, American *Cotinus obovatus*  
 Sumac, Flameleaf *Rhus lanceolata*  
 Viburnum, Rusty Blackhaw *Viburnum rufidulum*  
 Viburnum, Sandankwa *Viburnum suspensum*

## Shrubs

Abelia, Glossy <i>Abelia grandiflora</i>	Nandina <i>Nandina domestica</i> 'Compacta nana' 'Gulf Stream'
Agarita <i>Berberis trifoliata</i>	Oleander <i>Nerium oleander</i>
Agave (Century Plant) <i>Agave sp.</i>	Palmetto <i>Sabal minor</i>
American Beautyberry <i>Callicarpa americana</i>	Prickly Pear <i>Opuntia engelmannii</i> var. <i>lindheimeri</i>
Artemisia <i>Artemisia</i> 'Powis Castle'	Rose, Belinda's Dream <i>Rosa</i> 'Belinda's Dream'
Barbados Cherry <i>Malpighia glabra</i>	Rose, Lamarne <i>Rosa</i> 'Lamarne'
Barberry, Japanese <i>Berberis thunbergii</i> 'Atropurpurea'	Rose, Livin' Easy <i>Rosa</i> 'Livin' Easy'
Basket Grass (Sacahuista) <i>Nolina texana</i>	Rose, Marie Pavie <i>Rosa</i> 'Marie Pavie'
Black Dalea <i>Dalea frutescens</i>	Rose, Martha Gonzales <i>Rosa</i> 'Martha Gonzales'
Bush Germander <i>Teucrium fruticans</i>	Rose, Mutabilis <i>Rosa</i> 'Mutabilis'
Butterfly Bush <i>Buddleia davidii</i>	Rose, Nearly Wild <i>Rosa</i> 'Nearly Wild'
Butterfly Bush, Wooly <i>Buddleia marrubiifolia</i>	Rose, Old Blush <i>Rosa</i> 'Old Blush'
Coralberry <i>Symphoricarpos orbiculatus</i>	Rose, Perle d'or <i>Rosa</i> 'Perle d'or'
Cotoneaster <i>Cotoneaster sp.</i>	Rock Rose <i>Pavonia lasiopetala</i>
Eleagnus <i>Eleagnus pungens</i>	Rosemary <i>Rosmarinus officinalis</i>
Esperanza/Yellow Bells <i>Tecoma stans</i>	Sage, Mountain <i>Salvia regia</i>
Flame Acanthus <i>Anisacanthus quadrifidus</i> var. <i>wrightii</i>	Sage, Texas (Cenizo) <i>Leucophyllum frutescens</i>
Fragrant Mimosa <i>Mimosa borealis</i>	Senna, Lindheimer <i>Cassia lindheimeriana</i>
Holly, Burford <i>Ilex cornuta</i> 'Burfordii'	Southern Wax Myrtle <i>Myrica cerifera</i>
Holly, Dwarf Chinese <i>Ilex cornuta</i> 'Rotunda nana'	Sumac, Evergreen <i>Rhus virens</i>
Holly, Dwarf Yaupon <i>Ilex vomitoria</i> 'Nana'	Sumac, Fragrant (Aromatic) <i>Rhus aromatica</i>
Jasmine, Primrose <i>Jasminum mesnyi</i>	Texas Sotol <i>Dasylirion texanum</i>
Kidneywood <i>Eysenhardtia texana</i>	Turk's Cap <i>Malvaviscus arboreus</i>
Lantana, Native <i>Lantana horrida</i>	Yucca, Paleleaf <i>Yucca pallida</i>
Mistflower, Blue (Blue Boneset) <i>Eupatorium coelestinum</i>	Yucca, Red <i>Hesperaloe parviflora</i>
Mistflower, White (Shrubby White Boneset) <i>Ageratina havanense</i>	Yucca, softleaf <i>Yucca recurvifolia</i>
Mock Orange <i>Philadelphus coronarius</i>	Yucca, Twistleaf <i>Yucca rupicola</i>



## Perennials

Black-eyed Susan *Rudbeckia hirta*  
 Bulbine *B. frutescens* or *caulescens*  
 Bush Morning Glory *Ipomoea fistulosa*  
 Butterfly Weed *Asclepias tuberosa*  
 Butterfly Weed 'Mexican' *Asclepias curassivica*  
 Cast Iron Plant *Aspidistra elatior*  
 Chile Pequin *Capsicum annuum*  
 Cigar Plant *Cuphea micropetala*  
 Columbine, Red *Aquilegia canadensis*  
 Columbine, Yellow *Aquilegia chrysantha* 'Texas Gold'  
 Coreopsis *Coreopsis lanceolata*  
 Daisy, Blackfoot *Melampodium leucanthum*  
 Daisy, Copper Canyon *Tagetes lemmonii*  
 Damiantia *Crysactina mexicana*  
 Fall Aster *Aster oblongifolius*  
 Fern, River *Thelypteris kunthii*  
 Firebush *Hamelia patens*  
 Gaura *Gaura lindeheimeri*  
 Gayfeather *Liatris mucronata*  
 Gregg Dalea *Dalea greggii*  
 Hibiscus, Perennial *Hibiscus moscheutos*, *Hibiscus coccineus*  
 Honeysuckle, Mexican *Justicia spicigera*  
 Hymenoxys (Four Nerve Daisy) *Tetranneuris scaposa*  
 Indigo Spires *Salvia* 'Indigo Spires'  
 Iris, Bearded *Iris albicans*  
 Iris, Butterfly/Bicolor (African) *Dietes sp.*  
 Lamb's Ear *Stachys byzantina*  
 Lantana *Lantana x hybrida* (many varieties)

Lantana, Trailing *Lantana montevidensis*  
 Marigold, Mexican Mint *Tagetes lucida*  
 Obedient Plant, Fall *Physostegia virginiana*  
 Oregano, Mexican *Poliomintha longiflora*  
 Penstemon *Penstemon sp.*  
 Phlox, Fragrant *Phlox pilosa*  
 Pink Skullcap *Scutellaria suffrutescens*  
 Plumbago *Plumbago auriculata*  
 Poinciana, Red Bird of Paradise, Pride of Barbados  
*Caesalpinia pulcherrima*  
 Primrose, Missouri *Oenothera macrocarpa*  
 Purple Coneflower *Echinacea purpurea*  
 Ruellia *Ruellia brittoniana*  
 Sage, Cedar *Salvia roemeriana*  
 Sage, Jerusalem *Phlomis fruticosa*  
 Sage, Majestic *Salvia guaranitica*  
 Sage, Mealy Blue *Salvia farinacea*  
 Sage, Mexican Bush *Salvia leucantha*  
 Sage, Penstemon, Big Red Sage *Salvia penstemonoides*  
 Sage, Russian *Perovskia atricplifolia*  
 Sage, Scarlet or 'Tropical' *Salvia coccinea*  
 Salvia, Gregg (Cherry Sage) *Salvia greggii*  
 Shrimp Plant *Justicia brandegeana*  
 Texas Betony *Stachys coccinea*  
 Verbena, Prairie *Verbena bipinnatifida*  
 Yarrow *Achillea millefolium*  
 Zexmenia *Wedelia texana*

## Ornamental Grasses

Bluestem, Big *Andropogon gerardii*  
 Bluestem, Bushy *Andropogon glomeratus*  
 Bluestem, Little *Schizachyrium scoparium*  
 Fountain Grass, Dwarf *Pennisetum alopecuroides*  
 Indian Grass *Sorghastrum nutans*  
 Inland Sea Oats *Chasmanthium latifolium*

Mexican Feathergrass (Wiregrass) *Stipa tenuissima*  
 Muhly, Bamboo *Muhlenbergia dumosa*  
 Muhly, Big *Muhlenbergia lindheimeri*  
 Muhly, Deer *Muhlenbergia rigens*  
 Muhly, Gulf *Muhlenbergia capillaris*  
 Muhly, Seep *Muhlenbergia reverchonii*  
 Sideoats Grama *Bouteloua curtipendula*  
 Wild Rye *Elymus canadensis*

## Vines

Asian Jasmine *Trachelospermum asiaticum*  
 Carolina Jessamine *Gelsemium sempervirens*  
 Coral Vine *Antigonon leptopus*  
 Crossvine *Bignonia capreolata*  
 Fig Vine *Ficus pumila*

Honeysuckle, Coral *Lonicera sempervirens*  
 Lady Banksia Rose *Rosa banksiae*  
 Passion Vine *Passiflora incarnata*  
 Trumpet Vine *Campsis radicans*  
 Virginia Creeper *Parthenocissus quinquefolia*

## Groundcover

Aztec Grass *Ophiopogon japonicus*  
 Frogfruit *Phyla incisa*  
 Horseherb *Calypotocarpus vialis*  
 Leadwort Plumbago *Ceratostigma plumbaginoides*  
 Liriope *Liriope muscari*  
 Monkey Grass (Mondo Grass) *Ophiopogon japonicus*  
 Oregano *Origanum vulgare*  
 Periwinkle, Littleleaf *Vinca minor*  
 Pigeonberry *Rivina humilis*

Purple Heart *Secreasea pallida*  
 Santolina (Lavender Cotton) *Santolina chamaecyparissus*  
 Sedge, Berkeley *Carex tumulicola*  
 Sedge, Meadow *Carex perdentata*  
 Sedge, Texas *Carex texensis*  
 Sedum (Stonedrop) *Sedum nuttallianum*  
 Silver Ponyfoot *Dichondra argentea*  
 Woolly Stemodia *Stemodia lanata*  
 (*Stemodia tomentosa*)

## Turf Grasses

Bermuda 'Tif 419', 'Sahara', 'Baby', 'Common'  
 Buffalo '609', 'Stampede', 'Prairie'  
 St. Augustine 'Baby', 'Common', 'Raleigh', 'Delmar'  
 Zoysia, Fine Leaf 'Matrella', 'Emerald', 'Zorro'  
 Zoysia, Coarse Leaf 'Japonica', 'Jamur', 'El Toro', 'Palis'

## **Invasive Species/Problem Plants**

### **PLANTS TO AVOID**

#### **INVASIVES**

(Plants that are non-native to the Central Texas ecosystem and tend to out-compete native species)

#### **Do Not Plant**

(Travel by seeds, berries, and spores so can be transported long distances. They have already invaded preserves and greenbelts):

- Arizona Ash
- Chinaberry
- Chinese Pistache
- Chinese Tallow
- Chinese Privet
- Elephant Ear
- Holly Fern
- Japanese Honeysuckle
- Ligustrum, Wax Leaf
- Mimosa
- Mulberry, Paper
- Nandina (large, berrying varieties)
- Photinia, Chinese
- Pyracantha
- Tamarisk
- Tree of Heaven

#### **Do Not Plant Near Parks/Preserves/Greenbelts**

(travel by runners, rhizomes, and stems so only invade neighboring areas):

- Bamboo
- English Ivy
- Vinca (Periwinkle)

#### **PROBLEM TREES AND SHRUBS**

(Typically fast-growing, highly adaptable, but often have weak wood and are short-lived. Most are susceptible to insect and disease problems.)

- |  |                   |
|--|-------------------|
| • Arizona Ash                          | Mimosa            |
| • Azalea (not adapted to Austin soils) | Mulberry, Paper   |
| • Boxelder                             | Photinia, Chinese |
| • Camellia                             | Siberian Elm      |
| • Chinaberry                           | Silver Maple      |
| • Chinese Privet                       | Sweetgum          |
| • Chinese Tallow                       | Sycamore          |
| • Cottonwood                           | Tree of Heaven    |
| • Ligustrum                            |                   |
| • Lombardy Poplar                      |                   |

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

*Dana DeBeauvoir*

Oct 13, 2010 09:46 AM

2010151563

FERGUSONLL: \$60.00

Dana DeBeauvoir, County Clerk

Travis County TEXAS