

SECOND AMENDMENT TO RESTRICTIVE COVENANT
FOR ZONING CASE: C14-85-288.8 (RCA5)

OWNER: Lantana Place, L.L.C., a Texas limited liability company

OWNER ADDRESS: 212 Lavaca Street, Suite 300
Austin, TX 78701

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 City of Austin to the Owner, the receipt and sufficiency of which is acknowledged.

PROPERTY: Lot 3, Block P, Lantana Phase 1, Section 2, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Document No. 200000150, of the Plat Records of Travis County, Texas.

WHEREAS, Realtex Funding Corporation, a Texas Corporation, entered into that certain Restrictive Covenant, dated as of July 31, 1986, and recorded in the Real Property Records of Travis County, Texas, in Volume 09888, Page 990, (the "Original Restrictive Covenant"), as part of City of Austin Zoning Case No. C14-85-288.8; and

WHEREAS, the Original Restrictive Covenant was amended by a Modification of Restrictive Covenant (the "Modification of Restrictive Covenant") recorded in the Real Property Records of Travis County, Texas, in Volume 10417, Page 0010, and

WHEREAS, the Original Restrictive Covenant encumbers real property, consisting of approximately 39.35 acres, more particularly described in the Original Restrictive Covenant; and

WHEREAS, the Original Restrictive Covenant provides that the covenant can be modified, amended, or terminated by joint action of both a majority of the members of the City Council and the Owner of the Property at the time of such modification, amendment or termination; and

WHEREAS, Lantana Place, L.L.C., a Texas limited liability company is the current owner (the "Owner") of the Property on the date of this Second Amendment to Restrictive Covenant ("Amendment") and desires to amend the Original Restrictive Covenant as to the Property; and

WHEREAS, the City Council and the Owner agree the Original Restrictive Covenant should be amended.

NOW, THEREFORE, for and in consideration of the premises and mutual promises, covenants, and agreement hereinafter set forth, the City and the Owner agree as follows:

1. Paragraph No. 1 of the Original Restrictive Covenant, as amended in Paragraph No. 2 of the Modification of Restrictive Covenant, is deleted in its entirety.
2. Except as expressly provided for in this Second Amendment to Restrictive Covenant, the terms, conditions, and provisions of the Original Restrictive Covenant, as amended, remain in full force and effect on and after the effective date of this Amendment.
3. The City Manager, or his designee, shall execute on behalf of the City, this Amendment as authorized by the City Council of the City of Austin. The Amendment shall be filed in the Official Public Records of Travis County, Texas.

EXECUTED this the _____ day of _____, 2020.

Owner:

Lantana Place, L.L.C., a Texas limited liability company

By: STRS L.L.C., a Delaware limited liability company, its manage

By: Stratus Properties, Inc., a Delaware Corporation, its sole member

By: Erin D Pickens
Erin D. Pickens, Senior Vice President

THE STATE OF TEXAS

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COUNTY OF TRAVIS

This instrument was acknowledged before me on this the 18th day of May 2020, by Erin D. Pickens, as Senior Vice President of Stratus Properties, Inc., a Delaware corporation, as sole member of STRS L.L.C, a Delaware limited liability company, as manager of Lantana Place, L.L.C., a Texas limited liability company, on behalf of said company.

Connie J. Carley
Notary Public, State of Texas



CITY OF AUSTIN:

By: _____
J. Rodney Gonzales
Assistant City Manager
City of Austin

THE STATE OF TEXAS §
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COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the _____ day of _____, 2020, by J. Rodney Gonzales, as Assistant City Manager of the City of Austin, a municipal corporation, on behalf of said municipal corporation.

Notary Public, State of Texas

APPROVED AS TO FORM:

Name: _____
Assistant City Attorney
City of Austin

After Recording, Please Return to:
City of Austin
Law Department
P. O. Box 1088
Austin, Texas 78767
Attention: C. Curtis, Paralegal