

Zoning Case No. C14-2017-0010.SH

RESTRICTIVE COVENANT

OWNER: Angelos Angelou and John Sasaridis

OWNER ADDRESS: Angelos Angelou
8801 Golden Rain Cove
Austin, Texas 78735

John Sasaridis
5700 Spurflower 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 are acknowledged.

PROPERTY: 6.221 acres of land, more or less out of the Santiago Del Valle Grant, Travis County, Texas, being a portion of a 9.997 acre tract conveyed to Angelos Angelou and John Sasaridis in a Special Warranty Deed dated August 15, 1995, recorded in Volume 12508, Page 1771 of the Real Property Records of Travis County, Texas, said 6.221 acres of land being more particularly described by metes and bounds in the attached **Exhibit "A."**

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 ("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. Development on the Property is subject to the recommendations contained in the Neighborhood Traffic Analysis ("NTA") memorandum from the Transportation Development Services division of the Austin Transportation Department (the "Department"), dated July 21, 2020 and addendum dated August 25, 2020. The NTA memorandum shall be kept on file at the Department.
2. 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

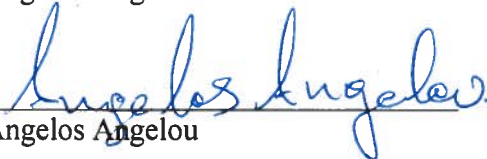
person or entity violating or attempting to violate such Agreement, to prevent the person or entity from such actions, and to collect damages for such actions.

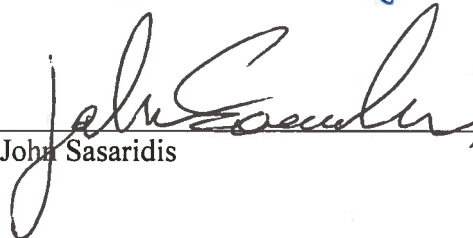
3. If any part of this Agreement is declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this Agreement, and such remaining portion of this Agreement shall remain in full effect.
4. If at any time the City of Austin fails to enforce this Agreement, 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 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 26 day of August, 2020.

Owner:

Angelos Angelou and John Sasaridis


Angelos Angelou


John Sasaridis

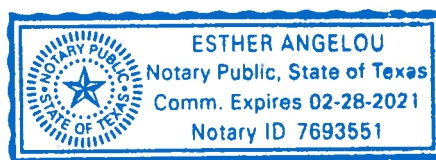
THE STATE OF TEXAS §

§

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 26 day of August 2020,
by Angelos Angelou.

Esther Angelou
Notary Public, State of Texas



THE STATE OF TEXAS §

§

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 26 day of August 2020,
by John Sasaridis.

Esther Angelou
Notary Public, State of Texas



APPROVED AS TO FORM:

Name:
Assistant City Attorney
City of Austin

DESCRIPTION OF REZONING TRACT

BEING 6.221 ACRES OF LAND, MORE OR LESS, OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT, ABSTRACT NO. 24, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 9.997 ACRE TRACT DESCRIBED IN A SPECIAL WARRANTY DEED TO ANGELOS ANGELOU AND JOHN SASARIDIS, OF RECORD IN VOLUME 12508, PAGE 1771, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS (R.P.R.T.C.T.); SAID 6.221 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod found in the westerly right-of-way line of Nuckols Crossing Road (a public right-of-way – no record found), for the most easterly corner of said 9.997 acre tract and the most easterly corner of the tract described herein, same also being the most southerly corner of that certain called 6.65 acre tract described in a General Warranty Deed to Don Shirey, of record in Document No. 2007228803, Official Public Records of Travis County, Texas (O.P.R.T.C.T.); said tract having been subsequently conveyed (Called 6.72 Acres) to Mark Sebastian Miles Weindel by General Warranty Deed of record in Document No. 2011113526, O.P.R.T.C.T.;

THENCE, with the westerly right-of-way line of Nuckols Crossing, with the southeasterly line of said 9.997 acre tract and of the tract described herein, South 27°24'10" West, a distance of 314.76 feet to a 1/2-inch iron rod found for the most southerly corner of said 9.997 acre tract and of the tract described herein, same being an angle point in said westerly right-of-way line of Nuckols Crossing;

THENCE, with the southeasterly line of said 9.997 acre tract and of the tract described herein, North 62°37'26" West, at a distance of 6.67 feet passing a 1/2-inch iron rod with M & S RPLS 1858 cap found at the most easterly corner of Lot 2, Woodway Village Subdivision, a subdivision of record in Document No. 200300024, O.P.R.T.C.T., continuing with the northerly line of said Lot 2, a total distance of 858.70 feet to a calculated point for the most westerly corner of the tract described herein, from which point a 1/2-inch iron rod found for the most westerly corner of said 9.997 acre tract, same being the most northerly corner of said Lot 2 and being in the easterly line of that certain called 14.070 acre tract described in a Special Warranty Deed to Austin Leased Housing Associates V, LLLP, of record in Document No. 2019128835, O.P.R.T.C.T. bears, North 62°37'26" West, at a distance of 520.04 feet;

THENCE, with the northwesterly line of the tract described herein, over and across said 9.997 acre tract, North 27°22'32" East, a distance of 316.91 feet to a 1/2-inch iron rod found for the most southerly corner of that certain called 3.656 acre tract described in a General Warranty Deed to Harris P. Harrell, of record in Document No. 2004240815, O.P.R.T.C.T., same being the most westerly corner of that certain called 2.48 acre tract described in a General Warranty Deed to Harris P. Harrell, of record in Document No. 2004240814, O.P.R.T.C.T., for a point in the northeasterly line of said 9.997 acre tract and the most northerly corner of the tract described herein;

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Project No.: 32195163.000

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THENCE, continuing with the northeasterly line of said 9.997 acre tract and of the tract described herein, South $62^{\circ}16'55''$ East, a distance of 172.45 feet to a at a 1/2-inch iron rod found for the most southerly corner of said 2.48 acre tract, same being the most westerly corner of said 6.65 acre Shirey tract;

THENCE, continuing with the northeasterly line of said 9.997 acre tract and of the tract described herein, with the southwesterly line of said 6.65 acre tract, South $62^{\circ}31'48''$ East, a distance of 686.40 feet to the **POINT OF BEGINNING** and containing 6.221 acres of land within these metes and bounds.

NOTES:

Basis of bearings is the Texas Coordinate System of 1983, Central Zone 4203 (NAD83/2011). All distances shown hereon are surface and may be converted to grid by dividing by the surface adjustment factor of 1.00010. Units: U.S. Survey Feet.

I, Coleen M. Johnson, a Registered Professional Land Surveyor, do hereby certify that this description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision. Last date in the field was January 20, 2020.



Coleen M. Johnson, RPLS
Registered Professional Land Surveyor
Texas Registration No. 4871
WGI, Inc.
2021 East 5th Street, Suite 200
Austin, Texas 78702
TBPELS Firm No. 10194509

Aug. 24, 2020
Date



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