

**Zoning Case No. C14-2021-0194****RESTRICTIVE COVENANT**

OWNER: Evelyn J. Remmert and Alfred G. Wendland, Jr.

OWNER ADDRESS: Evelyn J. Remmert, 1002 Hondo Lane, Hutto, Texas 78634  
Alfred G. Wendland, 16519 Mahlow Road, Manor, Texas 78653

CITY: **CITY OF AUSTIN, TEXAS**, a Texas home-rule municipal corporation situated in the counties of Hays, Travis, and Williamson

CITY's ADDRESS: P.O. Box 1088  
Austin, Travis County, Texas 78767-1088

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: 11815 Cameron Road, Austin, Texas 78754 (the "Property"), more particularly described 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, the Owner's heirs, successors, and assigns.

1. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds the total traffic generation for the Property as specified in that certain Traffic Impact Analysis ("TIA") prepared by Kimley-Horn and Associates, Inc., dated February 18, 2022, including an update on April 14, 2022, or as amended, and approved by the Director of the Development Services Department. All development on the Property is subject to the Development Services Department, Transportation Review Section's staff memorandum ("memorandum") dated June 27, 2022, and any amendments to the memorandum that address subsequent TIA updates for the Property. The TIA and memorandum shall be kept on file at the Development Services 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 \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Owner:

\_\_\_\_\_  
Evelyn J. Remmert

\_\_\_\_\_  
Alfred G. Wendland, Jr.

**THE STATE OF TEXAS       §**  
**COUNTY OF \_\_\_\_\_ §**

Before me, the undersigned notary, on this day personally appeared Evelyn J. Remmert known to me through valid identification to be the person whose name is subscribed to the preceding instrument and acknowledged to me that the person executed the instrument for the purposes and consideration expressed in the instrument.

Given under my hand and seal of office on \_\_\_\_\_.

[Seal]

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_

**THE STATE OF TEXAS       §**  
**COUNTY OF \_\_\_\_\_ §**

Before me, the undersigned notary, on this day personally appeared Alfred G. Wendland, Jr. known to me through valid identification to be the person whose name is subscribed to the preceding instrument and acknowledged to me that the person executed the instrument for the purposes and consideration expressed in the instrument.

Given under my hand and seal of office on \_\_\_\_\_.

[Seal]

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
Name: \_\_\_\_\_  
Assistant City Attorney  
City of Austin

EXHIBIT A

# EARLY LAND SURVEYING, LLC

P.O. Box 92588, Austin, TX 78709

512-202-8631

earlysurveying.com

TBPELS Firm No. 10194487

**98.991 ACRES  
TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF 98.991 ACRES (APPROXIMATELY 4,312,046 SQ. FT.) IN THE LUCAS MUNOS SURVEY NO. 55, ABS. 513, TRAVIS COUNTY, TEXAS, BEING ALL OF AND THE SAME AS A 98.700 ACRE TRACT CONVEYED TO EVELYN J. REMMERT AND ALFRED G. WENDLAND, JR. IN A DEED OF GIFT EXECUTED FEBRUARY 5, 1991 AND RECORDED IN VOLUME 11378, PAGE 166 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 98.991 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1" iron pipe found in the northeast right-of-way line of Blue Goose Road (public right-of-way width varies), being the southernmost corner of the said 98.700 acre tract, being the westernmost corner of an 88.1683 acre tract described in Document No. 2011141507 of the Official Public Records of Travis County, Texas, from which a 1/2" rebar found in the northeast right-of-way line of Blue Goose Road and the southwest line of the said 88.1683 acre tract, bears South 62°59'48" East, a distance of 1322.95 feet;

**THENCE** North 62°45'38" West with the northeast right-of-way line of Blue Goose Road and the southwest line of the said 98.700 acre tract, a distance of 927.62 feet to a 1/2" rebar found for the westernmost corner of the said 98.700 acre tract, being the southernmost corner of an 11.224 acre tract described in Document No. 2004220463 of the Official Public Records of Travis County, Texas, from which a 1/2" rebar found in the northeast right-of-way line of Blue Goose Road and the southwest line of the said 11.224 acre tract, bears North 62°21'35" West, a distance of 43.26 feet;

**THENCE** with the common line of the said 98.700 acre tract and the said 11.224 acre tract, the following two (2) courses and distances:

1. North 28°03'26" East, a distance of 1713.11 feet to a 12" cedar fence corner post found for the easternmost corner of the said 11.224 acre tract;
2. North 63°07'44" West, a distance of 288.84 feet to a 1/2" rebar found for the northernmost corner of the said 11.224 acre tract, being in the southeast line of an 88.279 acre tract described in Document No. 2020031561 of the Official Public Records of Travis County, Texas, from which a 1/2" rebar found for an angle point in the northeast right-of-way line of Blue Goose Road, being the

westernmost corner of the said 11.224 acre tract, being also the southernmost corner of the said 88.279 acre tract, bears South 28°04'37" West, a distance of 1644.00 feet;

**THENCE** North 28°12'31" East with the northwest line of the said 98.700 acre tract and the southeast line of the said 88.279 acre tract, a distance of 104.55 feet to a 1/2" rebar with "BGE Inc." cap found for the easternmost corner of the said 88.279 acre tract, being the southernmost corner of a 76.683 acre tract described in Document No. 2020031621 of the Official Public Records of Travis County, Texas;

**THENCE** with the northwest line of the said 98.700 acre tract and the southeast line of the said 76.683 acre tract, the following four (4) courses and distances:

1. North 28°37'03" East, a distance of 60.12 feet to a 1/2" rebar found;
2. North 28°57'52" East, a distance of 224.29 feet to a 1/2" rebar with "Early Boundary" cap set;
3. North 27°43'52" East, a distance of 640.19 feet to a 1/2" rebar found;
4. North 27°41'31" East, a distance of 743.50 feet to an axle found for the easternmost corner of the said 76.683 acre tract, being the apparent southernmost corner of a 14 acre tract described in Document No. 2006106050 of the Official Public Records of Travis County, Texas;

**THENCE** North 28°18'15" East with the northwest line of the said 98.700 acre tract and the apparent southeast line of the said 14 acre tract, a distance of 530.71 feet to a 1/2" rebar with "Early Boundary" cap set for the northernmost corner of the said 98.700 acre tract, being a western corner of 6.728 acre tract described in Document No. 2021133647 of the Official Public Records of Travis County, Texas, from which a 1/2" iron pipe found in the northwest line of the said 6.728 acre tract, bears North 28°18'15" East, a distance of 20.74 feet;

**THENCE** with the northeast line of the of the said 98.700 acre tract and the southwest line of the said 6.728 acre tract, the following two (2) courses and distances:

1. South 57°07'35" East, passing a 1/2" rebar found at a distance of 1.71 feet and continuing for a total distance of 679.71 feet to a 1/2" rebar found;
2. South 56°57'33" East, a distance of 371.72 feet to a 1/2" rebar found for the southernmost corner of the said 6.728 acre tract, being the westernmost corner of a 0.556 acre tract described in Volume 11374, Page 124 of the Real Property Records of Travis County, Texas;



**THENCE** South 56°48'49" East with the northeast line of the of the said 98.700 acre tract and the southwest line of the said 0.556 acre tract, a distance of 162.49 feet to a 1/2" iron pipe found for the easternmost corner of the said 98.700 acre tract, being the southernmost corner of the said 0.556 acre tract, being also in the northwest line of Lot 2, Block E, Stirling Bridge Section 6, a subdivision of record in Document No. 201300013 of the Official Public Records of Travis County, Texas;

**THENCE** South 28°04'11" West with the southeast line of the said 98.700 acre tract, and the northwest line of Lots 1 and 2, Block E, of said Stirling Bridge, Section 6, a distance of 76.83 feet to a 1/2" rebar with "Chaparral" cap found for the northernmost termination of Minch Road (50' public right-of-way width) as shown on said Stirling Bridge, Section 6, being the westernmost corner of said Lot 1;

**THENCE** South 27°30'29" West with the northwest termination of Minch Road and the southeast line of the said 98.700 acre tract, a distance of 50.00 feet to a 1/2" rebar with "RJ Surveying" cap found for the westernmost termination of Minch Road, being the northernmost corner of Lot 30, Block D, of said Stirling Bridge, Section 6;

**THENCE** South 27°30'29" West with the southeast line of the said 98.700 acre tract and the northwest line of Lots 19-30, Block D, of said Stirling Bridge, Section 6, a distance of 673.59 feet to a 1/2" rebar with "Chaparral" cap found for the westernmost corner of said Lot 19, being the northernmost corner of Lot 18, Block D, Stirling Bridge, Section 5, a subdivision of record in Document No. 201300014 of the Official Public Records of Travis County, Texas;

**THENCE** South 27°30'29" West with the southeast line of the said 98.700 acre tract and the northwest line of Lots 16-18, Block D, of said Stirling Bridge, Section 5, a distance of 251.07 feet to an 80D nail found in concrete for the westernmost corner of said Lot 16, being the northernmost corner of the said 88.1683 acre tract;

**THENCE** South 28°04'24" West with the southeast line of the said 98.700 acre tract and the northwest line of the said 88.1683 acre tract, a distance of 2841.85 feet to the **POINT OF BEGINNING**, containing 98.991 acres of land, more or less.

Surveyed on the ground on February 2, 2021.

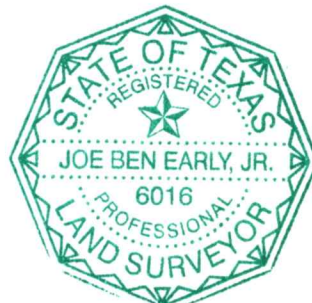
Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, utilizing the SmartNet North America Network.

Attachments: Survey Drawing No. 1086-002-BASE

  
Joe Ben Early, Jr.

Date  
Registered Professional Land Surveyor  
State of Texas No. 6016

6/18/21



# EARLY LAND SURVEYING, LLC

P.O. Box 92588, Austin, TX 78709

512-202-8631

[earllysurveying.com](http://earllysurveying.com)

TBPELS Firm No. 10194487

## **6.728 ACRES TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF 6.728 ACRES (APPROXIMATELY 293,059 SQ. FT.), BEING ALL OF AND THE SAME AS A 6.728 ACRE TRACT CONVEYED TO EVELYN J. REMMERT AND CECIL H. REMMERT IN A CORRECTION WARRANTY DEED DATED FEBRUARY 10, 1998 AND RECORDED IN DOCUMENT NO. 2021133647 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 6.728 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2" rebar found in southeast right-of-way line of Cameron Road (public right-of-way width varies), being the northernmost corner of the said 6.728 acre tract, being also the westernmost corner of a 68.39 acre tract described in Volume 4429, Page 99 of the Deed Records of Travis County, Texas;

**THENCE** with the common line of the said 6.728 acre tract and the said 68.39 acre tract, the following six (6) courses and distances:

1. South 71°59'05" East, a distance of 722.23 feet to a 1/2" rebar found;
2. South 72°19'41" East, a distance of 692.08 feet to a 1/2" rebar found;
3. South 28°22'04" West, a distance of 621.18 feet to a 1/2" rebar found;
4. South 57°07'35" East, a distance of 662.29 feet to a 1/2" rebar found for the southernmost corner of the said 68.39 acre tract;
5. North 34°19'26" East, a distance of 363.48 feet to a 1" iron pipe found;
6. South 87°03'12" East, a distance of 537.92 feet to a 1/2" rebar found for the easternmost corner of the said 6.728 acre tract, being in the northwest line of Lot 11, Block E, Stirling Bridge, Section Three, a subdivision of record in Document No. 201000126 of the Official Public Records of Travis County, Texas, from which a 1/2" rebar with "Stanley" cap found in the southeast line of the said 68.39 acre tract, being the northernmost corner of Lot 12, Block E, of said Stirling Bridge, Section Three, bears North 27°50'17" East, a distance of 95.44 feet;



**THENCE** South 27°50'17" West with the southeast line of the said 6.728 acre tract and the northwest line of Lots 9,10 and 11, Block E, of said Stirling Bridge, Section Three, a distance of 323.70 feet to a 1/2" rebar with "Stanley" cap found for the westernmost corner of said Lot 9, being the northernmost corner of Lot 8, Block E, Stirling Bridge, Section 6, a subdivision of record in Document No. 201300013 of the Official Public Records of Travis County, Texas;

**THENCE** South 28°02'12" West with the southeast line of the said 6.728 acre tract and the northwest line of Lots 5-8, Block E, of said Stirling Bridge, Section 6, a distance of 182.56 feet to a 1/2" rebar with "Early Boundary" cap set for the easternmost corner of a 0.556 acre tract described in Volume 11374, Page 124 of the Real Property Records of Travis County, Texas;

**THENCE** with the common line of the said 6.728 acre tract and the said 0.556 acre tract, the following two (2) courses and distances:

1. North 56°48'49" West, a distance of 162.21 feet to a 1/2" rebar found for the northernmost corner of the said 0.556 acre tract;
2. South 27°48'16" West, a distance of 150.74 feet to a 1/2" rebar found for the southernmost corner of the said 6.728 acre tract, being the westernmost corner of the said 0.556 acre tract, being also in the northeast line of a 98.700 acre tract described in Volume 11378, Page 166 of the Real Property Records of Travis County, Texas;

**THENCE** with the southwest line of the said 6.728 acre tract and the northeast line of the said 98.700 acre tract, the following two (2) courses and distances:

1. North 56°57'33" West, a distance of 371.72 feet to a 1/2" rebar found;
2. North 57°07'35" West passing a 1/2" rebar found at a distance of 678.00 feet and continuing for a total distance of 679.71 feet to a 1/2" rebar with "Early Boundary" cap set for the northernmost corner of the said 98.700 acre tract, from which an axle found in the northwest line of the said 98.700 acre tract, being the easternmost corner of a 76.683 acre tract described in Document No. 2020031621 of the Official Public Records of Travis County, Texas, bears South 28°18'15" West, a distance of 530.71 feet;

**THENCE** with the northwest line of the said 6.728 acre tract and the apparent southeast line of a 14.25 acre tract and 11.25 acre tract described in Document No. 2006106049 of the Official Public Records of Travis County, Texas, the following two (2) courses and distances:

1. North 28°18'15" East, a distance of 20.74 feet to a 1/2" iron pipe found;



2. North  $28^{\circ}22'04''$  East, a distance of 595.50 feet to a 1/2" rebar with "Early Boundary" cap set for the apparent easternmost corner of the said 11.25 acre tract;

**THENCE** with the southwest line of the said 6.728 acre tract and the apparent northeast line of the said 11.25 acre tract, the following two (2) courses and distances:

1. North  $72^{\circ}19'41''$  West, a distance of 667.58 feet to a 1/2" rebar with "Early Boundary" cap set;
2. North  $71^{\circ}59'05''$  West, a distance of 739.39 feet to a 1/2" rebar with "Early Boundary" cap set for an angle point in the southeast right-of-way line of Cameron Road, being the westernmost corner of the said 6.728 acre tract;

**THENCE** North  $58^{\circ}32'55''$  East with the southeast right-of-way line of Cameron Road and the northwest line of the said 6.728 acre tract, a distance of 26.31 feet to the **POINT OF BEGINNING**, containing 6.728 acres of land, more or less.

Surveyed on the ground on February 2, 2021.

Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, utilizing the SmartNet North America Network.

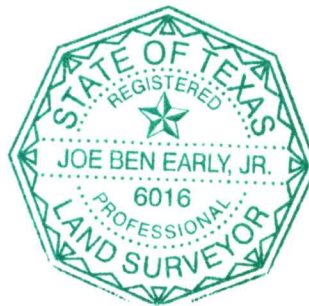
Attachments: Survey Drawing No. 1086-002-BASE



Joe Ben Early, Jr.  
Registered Professional Land Surveyor  
State of Texas No. 6016

6/16/21

Date



# EARLY LAND SURVEYING, LLC

P.O. Box 92588, Austin, TX 78709

512-202-8631

earllysurveying.com

TBPELS Firm No. 10194487

## 0.559 ACRES

## TRAVIS COUNTY, TEXAS

A DESCRIPTION OF 0.559 ACRES (APPROXIMATELY 24,335 SQ. FT.) IN THE LUCAS MUNOS SURVEY NO. 55, ABS. 513, TRAVIS COUNTY, TEXAS, BEING ALL OF AND THE SAME AS A 0.556 ACRE TRACT CONVEYED TO CECIL H. REMMERT AND EVELYN J. REMMERT IN A DEED OF GIFT EXECUTED FEBRUARY 8, 1991 AND RECORDED IN VOLUME 11374, PAGE 124 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.559 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2" iron pipe found for the southernmost corner of the said 0.556 acre tract, being the easternmost corner of a 98.700 acre tract described in Volume 11378, Page 166 of the Real Property Records of Travis County, Texas, being also in the northwest line of Lot 2, Block E, Stirling Bridge Section 6, a subdivision of record in Document No. 201300013 of the Official Public Records of Travis County, Texas;

**THENCE** North 56°48'49" West with the southwest line of the said 0.556 acre tract and the northeast line of the said 98.700 acre tract, a distance of 162.49 feet to a 1/2" rebar found for the westernmost corner of the said 0.556 acre tract, being the southernmost corner of a 6.728 acre tract described in Document No. 2021133647 of the Official Public Records of Travis County, Texas;

**THENCE** with the common line of the said 0.556 acre tract and the said 6.728 acre tract, the following two (2) courses and distances:

1. North 27°48'16" East, a distance of 150.74 feet to a 1/2" rebar found for the northernmost corner of the said 0.556 acre tract;
2. South 56°48'49" East, a distance of 162.21 feet to a 1/2" rebar with "Early Boundary" cap set for the easternmost corner of the said 0.556 acre tract, being in the northwest line of Lot 5, Block E, of said Stirling Bridge Section 6;

**THENCE** with the southeast line of the said 0.556 acre tract and the northwest line of Lots 2-5, Block E, of said Stirling Bridge Section 6, the following two (2) courses and distances:

1. South 28°02'12" West, a distance of 67.51 feet to a 1/2" rebar with "Chaparral" cap found for the westernmost corner of said Lot 4, being the northernmost corner of said Lot 3;
2. South 27°25'38" West, a distance of 83.25 feet to the **POINT OF BEGINNING**, containing 0.559 acres of land, more or less.

Surveyed on the ground on February 2, 2021.

Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, utilizing the SmartNet North America Network.

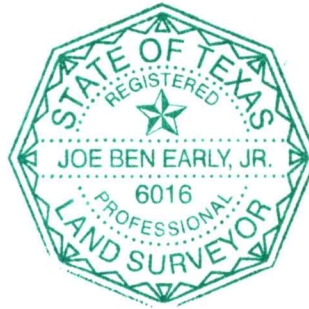
Attachments: Survey Drawing No. 1086-002-BASE



Joe Ben Early, Jr.  
Registered Professional Land Surveyor  
State of Texas No. 6016

6/18/21

Date





After Recording, Please Return to:  
City of Austin  
Law Department  
P. O. Box 1088  
Austin, Texas 78767  
Attention: Annette Bogusch, Legal Program Specialist