



AUSTIN CITY CLERK  
POSTING: DATE/TIME

Zoning Case No. C814-2008-0016

2008 OCT 23 PM 2 54

RESTRICTIVE COVENANT

OWNER CONGREGATION AGUDAS ACHIM OF AUSTIN, TEXAS,  
a Texas non-profit corporation

ADDRESS 7400 Hart Lane, Austin, Texas 78731

OWNER JEWISH COMMUNITY ASSOCIATION OF AUSTIN,  
a Texas non-profit corporation ("JCAA")

ADDRESS 7320 Hart Lane, Austin, Texas 78731

OWNER DJCC DEVELOPMENT CORPORATION,  
a Texas non-profit corporation

ADDRESS 7300 Hart Lane, Austin, Texas 78731

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 Lots 1, 2, 3, and 4, Block A, Dell Jewish Community Campus Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 100, Page 346, of the Plat Records of Travis County, Texas.

WHEREAS, 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. 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 JCAA shall maintain a website generally accessible to the public. Notice of outdoor events on the Property that will include more than 50 people and involve temporary sound amplification will be posted on the website at least 10 days prior to the event and will be emailed to the neighbors who provide their email addresses to JCAA. JCAA shall send out a postcard annually to neighbors within 300 feet of the Property requesting updated email addresses
- 2 At least five days prior to a concrete pour during construction, JCAA shall post notification of the pour on its website
- 3 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

9-25-08 #135

- 4 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.
- 5 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
- 6 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

When the context requires, singular nouns and pronouns include the plural

EXECUTED this the 25<sup>th</sup> day of September, 2008

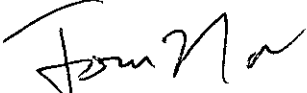
**OWNER:**

CONGREGATION AGUDAS ACHIM OF  
AUSTIN, TEXAS, a Texas non-profit  
corporation

JEWISH COMMUNITY ASSOCIATION  
OF AUSTIN,  
a Texas non-profit corporation

DJCC DEVELOPMENT CORPORATION,  
a Texas non-profit corporation

APPROVED AS TO FORM.



Assistant City Attorney  
City of Austin

(SIGNATURE AND ACKNOWLEDGEMENT PAGES TO FOLLOW)

SIGNATURE PAGE FOR  
CONGREGATION AGUDAS ACHIM OF AUSTIN TEXAS

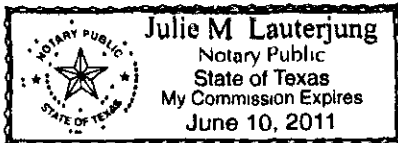
CONGREGATION AGUDAS ACHIM OF  
AUSTIN, TEXAS, a Texas non-profit  
corporation

Name *Michael Whellan*  
Printed Name Michael Whellan  
Title President

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 25<sup>TH</sup> day of SEPTEMBER  
2008, by MICHAEL WHELLEN PRESIDENT of Congregation  
Agudas Achim of Austin, Texas, a Texas non-profit corporation, on behalf of said corporation



*Julie M. Lauterjung*  
Notary Public, State of Texas

SIGNATURE PAGE FOR  
JEWISH COMMUNITY ASSOCIATION OF AUSTIN

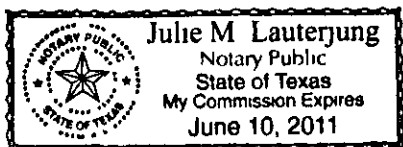
JEWISH COMMUNITY ASSOCIATION  
OF AUSTIN,  
a Texas non-profit corporation

By *Robert J. Krumholz*  
Printed Name ROBERT KRUMHOLZ  
Title PRESIDENT

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 25<sup>TH</sup> day of SEPTEMBER  
2008, by ROBERT KRUMHOLZ, PRESIDENT of Jewish  
Community Association of Austin, Texas, a Texas non-profit corporation, on behalf of said  
corporation



*Julie M. Lauterjung*  
Notary Public, State of Texas

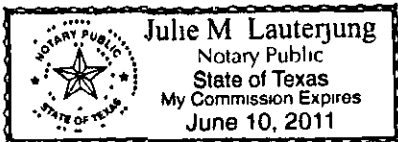
SIGNATURE PAGE FOR  
DJCC DEVELOPMENT CORPORATION

DJCC DEVELOPMENT CORPORATION,  
a Texas non-profit corporation

By Linda Millstone  
Printed Name Linda Millstone  
Title President

THE STATE OF TEXAS §  
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 25<sup>TH</sup> day of SEPTEMBER  
2008, by LINDA MILLSTONE, PRESIDENT of DJCC  
Development Corporation, a Texas non-profit corporation, on behalf of said corporation



Julie M. Lauterjung  
Notary Public, State of Texas

After Recording, Please Return to  
City of Austin  
Department of Law  
P O Box 1546  
Austin, Texas 78767-1546  
Attention Diana Minter, Legal Assistant

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

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DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS