

650 C14-72-293  
90-0409

THE STATE OF TEXAS  
COUNTY OF TRAVIS 14-8-7485 1275 \* 6.50

WHEREAS, the undersigned are the owners of 4.04 acres of land, more or less, described in Exhibit A, which exhibit is attached hereto and made a part hereof for all purposes, which land is located in the City of Austin, Travis County, Texas; and

WHEREAS, the City of Austin is desirous of said property being developed properly and appropriately so that such City will be able to plan the future expansion of its utility and street systems in the area; and

WHEREAS, the City of Austin and the undersigned have agreed that the above described property owned by the undersigned should be impressed with a covenant and restriction running with the land, and desire to set forth such agreement in writing;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That the undersigned, the owners of the above described property in the City of Austin, Travis County, Texas, for a full valuable consideration to them in hand paid by the City of Austin, a municipal corporation, the receipt of which is hereby acknowledged, do hereby agree with respect to said property described in Exhibit A attached hereto, such agreement to be deemed and considered as a covenant running with the land, and which shall be binding upon them, their successors and assigns, as follows, to wit:

1. That the undersigned, or their successors in title, shall, on the West boundary line of the subject property, maintain the existing 6-foot solid fence, or construct a solid fence not less than 6 feet in height, simultaneously with the construction of any improvements on said property, and shall thereafter maintain such fence.
2. No building shall be constructed on that portion of the property described in Exhibit B, which exhibit is attached hereto and made a part hereof for all purposes, which exceeds two stories in height.
3. If any person or persons shall violate or attempt to violate the foregoing agreement and covenant, it shall be lawful for the City of Austin, a municipal corporation, its successors and assigns,

DEED RECORDS  
Travis County, Texas

4797 1641

ORIGINAL DEED

to prosecute proceedings at law or in equity against the person or persons violating or attempting to violate such agreement or covenant, or either to prevent him or them from so doing or to collect damages for such violation.

4. If any part or provision of the agreement or covenant herein contained shall be declared invalid by a Judge or Court order, the same shall in no wise affect any of the other provisions of this agreement, and such remaining portion of the agreement shall remain in full force and effect.

5. The failure at any time to enforce this agreement by the City of Austin, its successors and assigns, whether any violations hereof are known or not, shall not constitute a waiver or estoppel of the right to do so.

6. This agreement may be modified, amended, or terminated only by joint action of both (a) a majority vote of the members of the City Council of the City of Austin, or such other governing body as may succeed the City Council of the City of Austin, and (b) by the owner of the above described property at the time of such modification, amendment, or termination.

Executed this 26<sup>th</sup> day of November, 1973.

ESTATE OF MIKE WILLIAMS, DECEASED

By: Charles E. Williams  
Charles E. Williams

Betty Williams Cloud  
Betty Williams Cloud

Kenneth M. Williams  
Kenneth M. Williams

Dennis M. Williams  
Dennis M. Williams

J. P. Carlton TRUSTEES  
J. P. Carlton

Gayle Carlton  
Gayle Carlton

Betty Williams Cloud  
Betty Williams Cloud, Individually

4797 1642

650 C14-72-293  
90-0409

THE STATE OF TEXAS  
COUNTY OF TRAVIS 14-8-745 1275 \* 6.50

WHEREAS, the undersigned are the owners of 4.04 acres of land, more or less, described in Exhibit A, which exhibit is attached hereto and made a part hereof for all purposes, which land is located in the City of Austin, Travis County, Texas; and

WHEREAS, the City of Austin is desirous of said property being developed properly and appropriately so that such City will be able to plan the future expansion of its utility and street systems in the area; and

WHEREAS, the City of Austin and the undersigned have agreed that the above described property owned by the undersigned should be impressed with a covenant and restriction running with the land, and desire to set forth such agreement in writing;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That the undersigned, the owners of the above described property in the City of Austin, Travis County, Texas, for a full valuable consideration to them in hand paid by the City of Austin, a municipal corporation, the receipt of which is hereby acknowledged, do hereby agree with respect to said property described in Exhibit A attached hereto, such agreement to be deemed and considered as a covenant running with the land, and which shall be binding upon them, their successors and assigns, as follows, to wit:

1. That the undersigned, or their successors in title, shall, on the West boundary line of the subject property, maintain the existing 6-foot solid fence, or construct a solid fence not less than 6 feet in height, simultaneously with the construction of any improvements on said property, and shall thereafter maintain such fence.
2. No building shall be constructed on that portion of the property described in Exhibit B, which exhibit is attached hereto and made a part hereof for all purposes, which exceeds two stories in height.
3. If any person or persons shall violate or attempt to violate the foregoing agreement and covenant, it shall be lawful for the City of Austin, a municipal corporation, its successors and assigns,

DEED RECORDS  
Travis County, Texas

4797 1641

ORIGINAL DEED

THE STATE OF TEXAS :

COUNTY OF TRAVIS : Before me, the undersigned authority, on this day personally appeared Charles E. Williams, Trustee on the Estate of Mike Williams, Deceased, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 26<sup>th</sup> day of September, 1973.

NOTARY SEAL

*[Signature]*  
Notary Public, Travis County, Texas

THE STATE OF TEXAS :

COUNTY OF TRAVIS : Before me, the undersigned authority, on this day personally appeared Betty Williams Cloud, Individually and as Trustee of the Estate of Mike Williams, Deceased, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 26<sup>th</sup> day of September, 1973.

NOTARY SEAL

*[Signature]*  
Notary Public, Travis County, Texas

THE STATE OF TEXAS :

COUNTY OF TRAVIS : Before me, the undersigned authority, on this day personally appeared Kenneth E. Williams, Trustee of the Estate of Mike Williams, Deceased, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 26<sup>th</sup> day of September, 1973.

NOTARY SEAL

*[Signature]*  
Notary Public, Travis County, Texas

THE STATE OF TEXAS :

COUNTY OF TRAVIS : Before me, the undersigned authority, on this day personally appeared Dennis H. Williams, Trustee of the Estate of Mike Williams, Deceased, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 26<sup>th</sup> day of September, 1973.

NOTARY SEAL

*[Signature]*  
Notary Public, Travis County, Texas

RECORDED & INDEXED  
ALL OR PART OF THE TEXT ON THIS PAGE  
WAS NOT CLEARLY LEGIBLE FOR SATISFACTORY RECORDED

4797 1643

THE STATE OF TEXAS :

COUNTY OF TRAVIS : Before me, the undersigned authority, on this day personally appeared J. P. Carlton, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 3<sup>rd</sup> day of December, 1973.

NOTARY SEAL

Allen E. Harris  
Notary Public, Travis County, Texas

THE STATE OF TEXAS :

COUNTY OF TRAVIS : Before me, the undersigned authority, on this day personally appeared Gayle Carlton, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 3<sup>rd</sup> day of December, 1973.

Allen E. Harris  
Notary Public, Travis County, Texas

NOTARY SEAL

EXHIBIT "A"

DESCRIPTION OF A 4.04 ACRE TRACT OF LAND OUT OF THE J. P. WALLACE SURVEY IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS AND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron pipe at the N.E. corner of a 12 acre tract, more or less, as recorded in Volume 714, pages 611-612 of the Travis County Deed Records, which point is in the West line of the old U.S. Highway 183 right-of-way and being also the S.E. Corner of a 5 acre tract conveyed by W. H. Lee to T. W. Williams; 90-0413

THENCE S.  $88^{\circ}40'$  W. along the South line as T. W. Williams 5 acre tract and also the North line of said 12 acre tract for 545.5 feet to an old cedar hub and rock mound to the S. W. corner of said 5 acre tract and being also the N.W. corner of said 12 acre tract and being also the N.W. corner of this 4.04 acre tract hereby described;

THENCE S.  $28^{\circ}25'$  along fence line for 307.4 feet to an iron pipe for the S. W. corner of this 4.04 acre tract;

THENCE N.  $88^{\circ}40'$  E. for 766.0 feet to an iron pipe for the S.E. corner of this 4.04 acre tract which point is also in the East line of said 12 acre tract;

THENCE along the West line of the old U.S. Highway 183 and also along the East line of said 12 acre tract as follows: N.  $17^{\circ}30'$  W. for 114.5 feet; and N.  $13^{\circ}12'$  W. for 163.1 feet to an iron pipe and the point of beginning of this survey containing 4.04 acres, more or less, as surveyed by O. Leonard, Licensed Civil Engineer, on October 15, 1943.

4797 1645

Hale and Associates, Inc.  
December 3, 1973

Exhibit B

90-0414

DESCRIPTION OF 62,600 SQUARE FEET OF LAND OF THE JAMES P. WALLACE SURVEY NO. 18 IN TRAVIS COUNTY, TEXAS, BEING OUT OF THAT CERTAIN 3.415 ACRE TRACT CONVEYED TO THE MIKE WILLIAMS ESTATE BY VOLUME 727, PAGE 267, OF THE TRAVIS COUNTY DEED RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a point for the southeast corner of this tract, said point also being in the north line of the Lindy Huber Subdivision, a subdivision as recorded in Travis County Plat Book 14 at Page 60, and from which point an iron pin found bears N 88° 40' E, a distance of 410.71 feet, said iron pin being in the west right-of-way line of Old U.S. Highway 183, said iron pin being 2770 feet + north of the intersection of Balcones Tract and Old U.S. Highway 183;

THENCE with the south line of this tract and the north line of the Lindy Huber Subdivision S 88° 40' W, a distance of 286.85 feet to a point for the southwest corner of this tract;

THENCE with the west line of this tract N 25° 18' E, a distance of 305.74 feet to a point for the northwest corner of this tract, said point being in the south line of a tract conveyed to Thomas Williams by Volume 517, Page 247 of the Travis County Deed Records;

THENCE with the north line of this tract and the south line of the Thomas Williams tract N 87° 22' E, a distance of 169.13 feet to a point for the northeast corner of this tract;

THENCE with the east line of this tract, S 2° 38' W, a distance of 277.86' to the POINT OF BEGINNING, containing 62,600 square feet of land, more or less.

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over 2

90-0415

FILED  
JAN 8 8 15 AM '74  
*Chris Stephens*  
COUNTY CLERK  
TRAVIS COUNTY, TEXAS

CITY OF AUSTIN  
Legal Department  
Box 7023  
AUSTIN, TEXAS

STATE OF TEXAS COUNTY OF TRAVIS  
I hereby certify that this instrument was FILED on the  
date and at the time specified hereon by me; and was duly  
RECORDED, in the Volume and Page of the record RECORDS  
of Travis County, Texas, as Stamped hereon by me, on

JAN 8 1974



*Chris Stephens*  
COUNTY CLERK  
TRAVIS COUNTY, TEXAS

4797 1647