

THE STATE OF TEXAS

78030-333 COUNTY OF TRAVIS

NOV -5-79 627 * 5.00

RESTRICTIVE COVENANTS 500

KNOW ALL MEN BY THESE PRESENTS that we, Henry Wendlant, Ted Wendlant, Edward Wendlant and Emma Wendlant, the owners of that certain tract of land in Travis County, Texas, more particularly described as:

36.57 ACRES OF LAND, MORE OR LESS, OUT OF THE THOMAS J. CHAMBERS GRANT IN TRAVIS COUNTY, TEXAS, as conveyed to the above named owners BY DEED OF RECORD IN VOLUME 1046, PAGE 245 OF THE DEED RECORDS OF TRAVIS COUNTY. 2-15-2429

And acting herein by and through the undersigned Ted Wendlant, Attorney-in-fact, do hereby impress all of the said property and declare that the covenants and restrictions hereinafter set forth shall run with the property for the purposes of enhancing and protecting the value and desirability of land, and to obtain the approval of all appropriate regulatory authorities. The covenants and restrictions shall benefit and be binding upon subsequent owners and purchasers of any of the said property, their heirs, assigns, successors and personal administrators, to wit:

Section 1. All building foundations on slopes of 15% and over and on fill placed upon such slopes shall utilize design and construction practices certified by a registered professional engineer qualified to practice in this field and such designs shall be placed on file with City of Austion Engineering Department.

Section 2. For a minimum travel distance of 25 feet from the roadway edge driveway grades may exceed 14% only with specific approval of surface and geometric design proposals by the Director of Engineering Department or his designee.

Section 3. No fill on any lot shall exceed a maximum of four feet in depth. Except for structural excavation, no cut on any lot shall be greater than four feet.

Section 4. The restrictions of this agreement are derived from the City of Austin, Texas Ordinance No. 78105-C. In the event that said ordinance becomes less restrictive concerning building foundations, building sites and driveways this covenant shall be amended to follow such less restrictive ordinance, but in the event that such possible ordinance changes become more restrictive, the restrictions of this covenant shall remain in effect. This agreement may be modified, amended or terminated only by a majority vote of quorum of the members of the City Council of the City of Austin, or such other governing body as may succeed the City Council of

DEED RECORDS
Travis County, Texas

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the City of Austin, and joined by the then owner of 50% of the above described property at the time of such modification, amendment or termination.

Section 5. If any persons, person, corporation or entity of any other character 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, to prosecute proceedings at law, or in equity, against said persons or entity from violating or attempting to violate such agreement or covenant.

2-15-2430

MADE, EXECUTED and delivered on Oct 19th, 1979 A.D.

Ted Wendlant
TED WENDLANT
Attorney-in-fact

THE STATE OF TEXAS
COUNTY OF TRAVIS

BEFORE ME, the undersigned authority, on this day personally appeared Ted Wendlant, known to me to be the person whose name is subscribed to the foregoing restrictive covenants, who on oath says and acknowledges that the same was executed for the purposes and in the capacity therein expressed.

GIVEN under my hand and seal of office this the 19th day of October, 1979, A.D.

seal NOTARY SEAL

Catherine E. M. Campbell
Notary Public in and for
Travis County, Texas
Catherine E. M. Campbell

STATE OF TEXAS
I hereby certify that this instrument was FILED on the date and at the time stamped herein by me, and was duly RECORDED in the Volume and Page of the named RECORDS of Travis County, Texas, as stamped herein by me, on

FILED

Nov 5 3 27 PM '79

Laris Angeline
COUNTY CLERK
TRAVIS COUNTY, TEXAS



NOV 5 1979

Laris Angeline
COUNTY CLERK
TRAVIS COUNTY, TEXAS

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