

2-59-5045 3350

AGREEMENT TO AMEND RESTRICTIONS, CONDITIONS AND COVENANTS

THE STATE OF TEXAS §
COUNTY OF TRAVIS § KNOW ALL MEN BY THESE PRESENTS:

THIS AGREEMENT is made in reference to property conveyed by David B. Barrow, acting by and through his attorney and agent-in-fact, namely, David B. Barrow, Jr., and Austin Corporation, a Texas corporation hereinafter referred to as "Sellers", and T. M. Holder III, William F. McLean, Harvey L. Davis, T. Herndon Wolfe and Environmental Communities Corporation, a Texas corporation, hereinafter referred to as "Purchasers".

WITNESSETH

WHEREAS, Sellers and Purchasers entered into a Contract of Sale of Real Estate executed January 4, 1979 and recorded in Volume 6428, Page 125, Deed Records of Travis County, Texas; and

WHEREAS, the property sold in the above-referenced Contract of Sale of Real Estate consisted of a total of 280.153 acres, more particularly described in the attached Exhibit "A" and made a part hereof; and

WHEREAS, the 280.153 acres were divided into two tracts consisting of 11.66 acres, more particularly described in the attached Exhibit "B" and made a part hereof, and 268.493 acres, more particularly described as that real property described in Exhibit "A" less that real property described in Exhibit "B"; and

WHEREAS, certain conditions, restrictions and covenants were imposed upon the 11.66 acres and other conditions, restrictions, uses and covenants were imposed upon the above-referenced 268.493 acres by the said Contract of Sale of Real Estate and the Warranty Deed executed by Sellers on January 4, 1979 and recorded in Volume 6428, beginning on page 101, Deed Records of Travis County, Texas, which conditions, covenants, uses and restrictions concerning the 268.493 acres are contained in Exhibit E of said Contract of Sale of Real Estate and Warranty Deed; and

DEED RECORDS
Travis County, Texas

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WHEREAS, Paragraph 9 of Exhibit E of said Contract of Sale of Real Estate and Warranty Deed provides that a three-fourths majority of the owners of the lots or plots in said 268.493 acre tract may change or amend the conditions, restrictions, uses and covenants in whole or in part; and

WHEREAS, it is now the desire of the parties executing this agreement and whose signatures appear below, as owners of greater than three-fourths of the lots or plots in said 268.493 acre tract, to change and amend the conditions, restrictions, uses and covenants as to the 268.493 acre tract;

NOW THEREFORE, it is hereby AGREED that the property consisting of 268.493 acres shall from the date of the execution of this agreement be subject to the amended restrictions, conditions, uses and covenants contained in Exhibit "C", which is attached hereto and incorporated herein for all purposes and it is agreed that as to the said 268.493 acre tract, the attached amended restrictions, conditions, uses and covenants shall supercede and take the place of the restrictions, conditions, uses and covenants contained in the Contract of Sale of Real Estate and Warranty Deed recorded in Volume 6428, beginning at Page 101, Deed Records of Travis County, Texas.

EXECUTED in multiple copies and signed this the 22nd day of May, 1981.

SEBCO
By: Joe Badgett
JOE BADGETT,
President

[Signature]
L. M. HOLDER, III
William F. McLean
WILLIAM F. McLEAN
Harvey L. Davis
HARVEY L. DAVIS
T. Herndon Wolfe
T. HERNDON WOLFE

ATTEST:
T. Herndon Wolfe
T. Herndon Wolfe
Secretary

(NO SEAL) By: T. Herndon Wolfe
T. HERNDON WOLFE, President

(NO SEAL) MEADOW MOUNTAIN CORPORATION
By: [Signature]
L. M. HOLDER, III, President

(NO SEAL) L. M. HOLDER, III, INC.
By: [Signature]
L. M. HOLDER, III, President

(NO SEAL) RIS ASSOCIATES, INC.
By: [Signature]
7451 46

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared L. M. HOLDER, III, 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 on this 22nd day of May, 1981.

NOTARY SEAL

James B. Adams
Notary Public in and for Travis
County, Texas
My Commission Expires: 8-18-84
JAMES B. ADAMS

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared WILLIAM F. McLEAN, 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 on this 26th day of May, 1981.

NOTARY SEAL

Elvora Shelton
Notary Public in and for Travis
County, Texas
My Commission Expires: 1985
ELVORA SHELTON

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared HARVEY L. DAVIS, 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 on this 22nd day of May, 1981.

NOTARY SEAL

James B. Adams
Notary Public in and for Travis
County, Texas
My Commission Expires: 8-18-84
JAMES B. ADAMS

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared T. HERNDON WOLFE, 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 on this 5 day of June, 1981.

NOTARY SEAL

Jane E. Shaw
Notary Public in and for Travis
County, Texas
My Commission Expires: 2-11-84
JANE E. SHAW

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared T. HERNDON WOLFE, President of ENVIRONMENTAL COMMUNITIES CORPORATION, a Texas Corporation, 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, in the capacity therein stated and as the act and deed of said corporation.

Given under my hand and seal of office on this 5 day of June, 1981.

NOTARY SEAL

Jane E. Shaw
Notary Public in and for Travis
County, Texas
My Commission Expires: 2-11-84
JANE E. SHAW

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared L. M. HOLDER, III, President of L. M. HOLDER, III, INC., a Texas Corporation, 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, in the capacity therein stated and as the act and deed of said corporation.

Given under my hand and seal of office on this 22nd day of May, 1981.

NOTARY SEAL

James B. Adams
Notary Public in and for Travis
County, Texas
My Commission Expires: 8-18-84
JAMES B. ADAMS

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared JOE BADGETT, President of SEBCO, a Texas Corporation, 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, in the capacity therein stated and as the act and deed of said corporation.

Given under my hand and seal of office on this 22nd day of May, 1981.

NOTARY SEAL

James B. Adams
Notary Public in and for Travis
County, Texas
JAMES B. ADAMS

THE STATE OF ~~CALIFORNIA~~ ^{TEXAS} §
COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared DENNIS J. KAVANAGH, Vice President of RLS ASSOCIATES, INC., 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, in the capacity therein stated and as the act and deed of said corporation.

Given under my hand and seal of office on this 26 day of May, 1981.

NOTARY SEAL

Jane E. Shaw
Notary Public in and for TRAVIS
County, ~~California~~ ^{TEXAS}
JANE E. SHAW

EXHIBIT A

2-59-5050

THE RIPPY SURVEYING COMPANY

4400 BERKEAUCH BLVD.
AUSTIN, TEXAS 78758
888-0113

CLINTON P. RIPPY
CLINTON L. RIPPY
REGISTERED PUBLIC SURVEYORS

July 2, 1978

Field Notes describing 280.153 acres of land out of and a part of the T. J. Chambers Grant, situated in Travis County, Texas, said 280.153 acre tract being more particularly described as being portions of those certain tracts of land that were conveyed to the Austin Corporation by the following deeds, found of record in the Travis County, Texas Deed Records:

<u>GRANTOR</u>	<u>DATE</u>	<u>VOLUME</u>	<u>PAGE</u>
Edwin London	3-05-56	1687	147
Edward Wendlandt, et al	3-23-57	1817	206
M. E. Hart, et ux	8-05-57	1988	411
T. D. Barrow, et ux	6-19-62	2469	551
T. D. Barrow, et ux	6-23-64	2808	379

and portions of those certain tracts of land that were conveyed to David B. Barrow by the following deeds, found of record in the Travis County, Texas Deed Records:

<u>GRANTOR</u>	<u>DATE</u>	<u>VOLUME</u>	<u>PAGE</u>
Fred O. Clark	10-04-51	1302	483
Edward Wendlandt, et al	7-16-53	1405	437
E. R. Barrow	10-16-58	1966	529
Fred O. Clark	4-07-59	2049	194
E. R. Barrow, Estate	1-07-76	5340	1843

said 280.153 acre tract being more fully described by metes and bounds as follows;

BEGINNING at an iron pin found for the most easterly southeast corner of the 280.153 acre tract herein described, said point being at the southwest corner of Lot 8 Block "T" Northwest Hills Belo Horizonte Section, a subdivision in the City of Austin, Travis County, Texas, found of record in Plat Book 35, at Page 38 of the Travis County, Texas Plat Records, said point also being at the most northerly corner of Lot 9 Block "T" Northwest Hills Cat Mountain Section, as recorded in Plat Book 52, at Page 57 of the Travis County, Texas Plat Records;

THENCE with the north line of said Northwest Hills Cat Mountain Section the following six (6) courses;

1. N 79°-54'W 60.70 feet to an iron pin found;
2. N 88°-21'W 304.78 feet to an iron pin found;

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3. N 83°-12'W 88.00 feet to an iron pin found;
4. N 55°-34'W 85.10 feet to an iron pin found;
5. N 39°-45'W 120.04 feet to an iron pin found;
6. N 40°-00'W 185.25 feet to an iron pin found in the curving east line of Northgrove Road;

THENCE crossing the end of said Northgrove Road N 26°-02'W 50.00 feet to an iron pin found in the curving west line of said Northgrove Road;

THENCE with the curving west line of said Northgrove Road, along a curve to the left whose radius is 311.24 feet, a sub-chord bears S 53°-53'W a distance of 107.32 feet to an iron pin found;

THENCE continue with the north line of said Northwest Hills Cat Mountain Section the following seven (7) courses;

1. N 36°-57'W 145.11 feet to an iron pin found;
2. N 84°-40'W 345.01 feet to an iron pin found;
3. N 50°-50'W 268.24 feet to an iron pin found;
4. N 55°-46'W 199.98 feet to an iron pin found;
5. N 57°-43'W 99.91 feet to an iron pin found;
6. N 60°-18'W 92.43 feet to an iron pin found;
7. N 38°-14'W 54.87 feet to an iron pin found at the most northerly corner of Lot 9 Block "Z" of said Northwest Hills Cat Mountain Section for an interior corner of the 280.153 acre tract herein described;

THENCE with the west line of said Northwest Hills Cat Mountain Section the following eight (8) courses;

1. S 73°-46'W 130.68 feet to an iron pin found;
2. S 82°-25'W 50.01 feet to an iron pin found;
3. S 77°-29'W 136.90 feet to an iron pin found;
4. S 53°-20'W 349.90 feet to an iron pin found;
5. S 40°-44'W 72.08 feet to an iron pin found;
6. S 38°-01'W 103.02 feet to an iron pin found;
7. S 39°-22'W 121.58 feet to an iron pin found;
8. S 39°-18'W 99.81 feet to an iron pin found at the southwest corner of Lot 18 Block "Y" Northwest Hills Cat Mountain Section;

THENCE S 39°-58'W 93.05 feet to a concrete Monument found at the southwest corner of that certain tract of land described in the above said deed, of record in Volume 1302, Page 483 of the Travis County, Texas Deed Records, for the most southerly southeast corner of the 280.333 acre tract herein described;

THENCE N 59°-22'W 379.06 feet to a steel pin set in the east line of F. M. Highway No. 2222, same being the east line of that certain tract of land conveyed to the State of Texas by the Austin Corporation by deed of record in Volume 2730, Page 7 of the Travis County, Texas Deed Records for the most southerly southwest corner of the 280.153 acre tract herein described;

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THENCE with the east line of said highway N 41°-36'E 171.09 feet to a steel pin set at the beginning of a curve to the left whose elements are: Central Angle 49°-58', Tangent of 204.17 feet, Radius of 439.19 feet, and whose long chord bears N 16°-37'E a distance of 370.14 feet to a steel pin set for the end of said curve;

THENCE continue with the east line of said highway N 08°-22'W 250.80 feet to a steel pin set at the beginning of a curve to the left whose elements are: Central Angle 08°-44', Tangent of 60.81 feet, Radius of 796.34 feet, and whose long chord bears N 12°-44'W a distance of 121.27 feet to a steel pin set for the end of said curve;

THENCE continue with the east line of said highway the following two (2) courses;

1. N 17°-06'W 299.75 feet to a steel pin set;
2. N 20°-54'W 99.75 feet to a steel pin set at the beginning of a curve to the left whose elements are: Central Angle 31°-30', Tangent of 137.97 feet, Radius of 489.18 feet, and whose long chord bears N 36°-39'W a distance of 265.57 feet to a steel pin set for the end of said curve;

THENCE continue with the north line of said highway the following two (2) courses;

1. N 52°-24'W 283.43 feet to a steel pin set;
2. N 59°-10'W 5.62 feet to a steel pin found for the most westerly southwest corner of the 280.153 acre tract herein described, said point being in the east line of that certain tract of land that was conveyed to Dorothy G. and M. E. Hart by deed of record in Volume 1848, Page 525 of the Travis County, Texas Deed Records, said point being on the east side of a ravine;

THENCE leaving said highway and with the east line of said Hart tract the following twenty six (26) courses;

1. N 31°-19'E 63.65 feet to an iron pipe found;
2. N 30°-29'E 139.97 feet to an iron pipe found;
3. N 30°-44'E 111.67 feet to an iron pipe found;
4. N 43°-17'E 167.81 feet to an iron pipe found;
5. N 64°-44'E 119.06 feet to an iron pipe found;
6. N 51°-28'E 99.36 feet to an iron pipe found;
7. N 28°-23'E 120.83 feet to an iron pipe found;
8. N 47°-17'E 107.69 feet to an iron pipe found;
9. S 86°-25'E 168.33 feet to an iron pipe found;
10. S 89°-52'E 162.28 feet to an iron pipe found;
11. S 86°-38'E 61.47 feet to an iron pipe found;
12. N 22°-52'E 168.14 feet to an iron pipe found;
13. N 53°-59'E 124.03 feet to an iron pipe found;
14. N 26°-02'E 109.58 feet to an iron pipe found;

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15. N 32°-41'E 147.81 feet to an iron pipe found;
16. N 48°-03'E 197.81 feet to an iron pipe found;
17. N 50°-09'E 96.53 feet to an iron pipe found;
18. N 08°-40'E 135.36 feet to an iron pipe found;
19. N 55°-32'E 132.58 feet to an iron pipe found;
20. N 34°-44'E 126.06 feet to an iron pipe found;
21. N 06°-13'E 197.98 feet to an iron pipe found;
22. N 57°-48'E 111.41 feet to an iron pipe found;
23. N 79°-56'E 259.42 feet to an iron pipe found;
24. N 27°-50'E 159.26 feet to an iron pipe found;
25. N 46°-16'E 303.69 feet to an iron pipe found;
26. N 61°-48'E 252.72 feet to an iron pipe found for the northwest corner of the 280.153 acre tract herein described;

THENCE continue with a south line of said Hart tract the following ten (10) courses;

1. S 54°-59'E 154.10 feet to an iron pipe found;
2. N 80°-32'E 192.53 feet to an iron pipe found;
3. S 51°-46'E 143.47 feet to an iron pipe found;
4. S 44°-39'E 138.50 feet to an iron pipe found;
5. S 30°-22'E 146.12 feet to an iron pipe found;
6. S 27°-47'E 112.15 feet to an iron pipe found;
7. S 22°-03'E 114.85 feet to an iron pipe found;
8. S 17°-04'E 176.65 feet to an iron pipe found;
9. S 22°-35'E 187.12 feet to an iron pipe found;
10. S 55°-07'E 237.97 feet to a steel pin found in the west line of Lot 13 Block "U" Northwest Hills Section 7, as recorded in Plat Book 26, at Page 32 of the Travis County, Texas Plat Records;

THENCE with the west line of said Lot 13 S 10°-57'E 43.13 feet to an iron pin found in the curving north line of Far West Boulevard, at the southwest corner of said Lot 13, for a corner of the 280.153 acre tract herein described;

THENCE with the curving north line of said Far West Boulevard, along a curve to the right whose Radius is 494.07 feet, the long chord bears S 88°-49'W a distance of 71.73 feet to an iron pin found at the point of compound curve to the right whose Radius is 450.72 feet, the long chord bears N 81°-02'W a distance of 90.07 feet to an iron pin found at the end of said curve;

THENCE continue with the north line of said Far West Boulevard N 75°-02'W 91.11 feet to a steel pin found for an interior corner of the 280.153 acre tract herein described;

THENCE with an east line of this survey S 14°-59'W, crossing the end of said Far West Boulevard, continue for a total distance of 240.13 feet to an iron pin found at the southwest corner of Lot 38 Block "I" of said Northwest Hills Section 7 for an interior corner of the 280.153 acre tract herein described;

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THENCE with the south line of said Northwest Hills Section 7 Block "I" the following nine (9) courses;

1. S 74°-59'E 114.79 feet to an iron pin found;
2. S 82°-09'E 114.70 feet to an iron pin found;
3. S 03°-41'W 127.59 feet to an iron pin found;
4. S 50°-33'E 99.94 feet to an iron pin found;
5. S 50°-43'E 109.45 feet to an iron pin found;
6. N 83°-18'E 265.97 feet to an iron pin found;
7. S 55°-04'E 116.90 feet to an iron pin found;
8. S 36°-29'E 241.73 feet to an iron pin found;
9. N 86°-50'E 434.28 feet to an iron pin found at the southeast corner of Lot 20 of said Block "I", same being the southwest corner of Lot 19 Block "I" Northwest Hills Section 6, as recorded in Plat Book 15, at Page 63 of the Travis County, Texas Plat Records;

THENCE with the south and west lines of said Northwest Hills Section 6 Block "I" the following three (3) courses;

1. S 36°-14'E 294.99 feet to a concrete Monument found;
2. S 27°-22'E 275.93 feet to an iron pin found;
3. S 08°-38'W 94.99 feet to an iron pin found at a fence corner, at the common west corner of Lots 12 and 13 Block "I" of said Northwest Hills Section 6, same being the north corner of that certain 0.108 acre tract of land that was conveyed to John W. Pruett by deed of record in Volume S162, Page 2282 of the Travis County, Texas Plat Records;

THENCE with the board fence along the northwest and southwest lines of said Pruett tract the following ten (10) courses;

1. S 08°-41'W 0.50 feet;
2. S 46°-28'W 48.67 feet;
3. S 54°-33'W 28.02 feet;
4. S 34°-15'W 15.79 feet;
5. S 17°-01'W 8.47 feet;
6. S 08°-29'E 8.31 feet;
7. S 40°-14'E 39.88 feet;
8. S 48°-46'E 14.93 feet;
9. S 37°-36'E 17.55 feet;
10. S 29°-51'E 33.36 feet to a point at the south corner of said Pruett tract, in the west line of Lot B Simon Addition, as recorded in Plat Book 72, at Page 29 of the Travis County, Texas Plat Records;

THENCE with the west line of said Simon Addition the following two (2) courses;

1. S 09°-52'E 5.70 feet to an iron pin found;
2. S 09°-55'E 89.92 feet to an iron pin found at the southwest corner of Lot A of said Simon Addition, same being the northwest corner of Lot 9-B Hardy Resubdivision, as recorded in Plat Book 49, at Page 57 of the Travis County, Texas Plat Records;

THENCE with the west line of said Hardy Resubdivision the following five (5) courses;

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1. S 38°-32'W 76.87 feet to an iron pin found;
2. N 55°-41'W 24.01 feet to an iron pin found;
3. S 36°-50'W 119.78 feet to an iron pin found;
4. S 53°-13'E 19.00 feet to an iron pin found;
5. S 44°-48'W, passing the southwest corner of Lot 7-B of said Hardy Resubdivision, same being the northwest corner of Lot 6 Block "I" of the above said Northwest Hills Section 6, continue for a total distance of 172.82 feet to an iron pin found at the southwest corner of said Lot 6, same being the northwest corner of Lot 5 of said Northwest Hills Section 6 Block "I";

THENCE with the northwest and southwest lines of said Lot 5 the following two (2) courses;

1. N 83°-50'W 100.06 feet to an iron pin found;
2. S 14°-21'W 98.55 feet to a concrete monument found at the southwest corner of said Lot 5, same being the northwest corner of Lot 1 Block "I" Northwest Hills Section 5, as recorded in Plat Book 14, at Page 9 of the Travis County, Texas Plat Records;

THENCE with the west line of said Northwest Hills Section 5 Block "I" the following three (3) courses;

1. S 55°-41'W 214.98 feet to an iron pin found;
2. S 47°-51'W 114.99 feet to an iron pin found;
3. S 41°-57'W 111.82 feet to an iron pin found at the southwest corner of Lot 4 of said Northwest Hills Section 5 Block "I", same being the northwest corner of Lot 1 Block "G" Northwest Hills Section 5 Phase 2, as recorded in Plat Book 17, at Page 62 of the Travis County, Texas Plat Records;

THENCE with the west line of said Block "G" the following three (3) courses;

1. S 41°-58'W 100.02 feet to an iron pin found;
2. S 41°-55'W 200.00 feet to an iron pin found;
3. S 34°-53'W 96.82 feet to an iron pin set for a corner of the 280.153 acre tract herein described, at the northeast corner of that certain 0.18 of an acre tract of land that was conveyed to Nash Phillips, et ux by deed of record in Volume 6290, Page 2257 of the Travis County, Texas Deed Records;

THENCE with the north, west and south lines of said Phillips tract the following three (3) courses;

1. N 61°-49'W 133.87 feet to a steel pin set;
2. S 27°-34'W 160.03 feet to a steel pin set;
3. S 61°-48'E 130.00 feet to an iron pin found at the southwest corner of Lot 5 Block "G" of said Northwest Hills Phase 2 Section 5 for an interior corner of the 280.153 acre tract herein described, said point being at the end of Dry Creek Drive;

THENCE crossing the end of said Dry Creek Drive S 27°-34'W 50.04 feet to an iron pin found in the south line of said Dry Creek Drive, at the northwest corner of Lot 1 Block "T" of said Northwest Hills Section 5 Phase 2, same being the northeast corner of that certain 0.30 acre tract of land that was conveyed to E. S. Kruger by deed of record in Volume 3457, Page 1121 of the Travis County, Texas Deed Records;

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THENCE with the north, west and south lines of said Kruger tract the following three (3) courses;

1. N 62°-27'W 100.02 feet to a steel pin set;
2. S 27°-34'W 130.03 feet to a steel pin set;
3. S 62°-26'E 99.98 feet to an iron pin found at the southeast corner of said Kruger tract, same being the common west corner of said Lot 1 and Lot 2 of said Block "T";

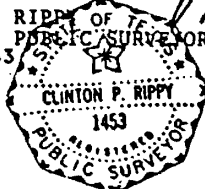
THENCE with an east line of this survey the following five (5) courses;

1. S 27°-38'W, passing the southwest corner of said Lot 2 Block "T", same being the northwest corner of Lot 3 Block "T" of the above said Northwest Hills Belo Horizonte Section, continue for a total distance of 200.12 feet to an iron pin found;
2. S 27°-30'W 99.98 feet to an iron pin found;
3. S 27°-47'W 99.82 feet to an iron pin found;
4. S 39°-23'W 76.48 feet to an iron pin found;
5. S 50°-51'W 200.17 feet to the place of BEGINNING containing 280.153 acres of land.

I hereby certify that the foregoing notes represent the results of a survey made on the ground under my supervision according to law, they are true and correct to the best of my ability, this the 2nd day of July, 1978.

Clinton P. Rippe

CLINTON P. RIPPY OF TEXAS
REGISTERED PUBLIC SURVEYOR
NUMBER 1453



WJM
JA

E X H I B I T B

THE RIPPY SURVEYING COMPANY

8-08 RESEARCH BLVD.
AUSTIN, TEXAS 78758
838-8113

2-59-5057

CLINTON F. RIPPY
Registered Professional Surveyor

Field Notes describing 11.66 acres of land out of and a part of the T. J. Chambers Grant, situated in Travis County, Texas, said 11.66 acre tract being more particularly described as being a portion of that certain tract of land that was conveyed to the Austin Corporation by deed of record in Volume 1817, Page 206 of the Travis County, Texas Deed Records, said 11.66 acre tract being more fully described by metes and bounds as follows;

BEGINNING at a steel pin found in the south line of Far West Bl at the northwest corner of Lot 38 Block "I" Northwest Hills Section 7, a subdivision in the City of Austin, Travis County, Texas, found of record in Plat Book 26, at Page 32 of the Travis County, Texas Plat Records;

THENCE leaving said Far West Blvd. and with the east line of the survey S 14°-57'W 240.0 feet to a steel pin set for the southeast corner of the 11.66 acre tract herein described;

THENCE with the south line of this survey the following four (4) courses;

1. S 59°-30'W 373.00 feet to a steel pin set;
2. S 89°-30'W 192.00 feet to a steel pin set;
3. N 66°-14'W 306.34 feet to a steel pin set;
4. N 31°-00'W 191.00 feet to a steel pin set for the southwest corner of the 11.66 acre tract herein described;

THENCE with the west line of this survey the following two (2) courses;

1. N 01°-30'E 100.0 feet to a steel pin set;
2. N 14°-57'E 370.0 feet to a steel pin set for the northwest corner of the 11.66 acre tract herein described;

THENCE with a north line of this survey S 75°-03'E 910.00 feet to a steel pin found in the north line of the above said Far West Blvd. for the northeast corner of the 11.66 acre tract herein described;

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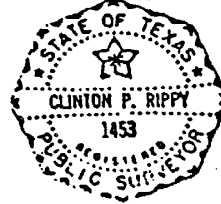
2-59-5058

THENCE with the east line of this survey, crossing the end of said Far West Blvd., S 14°-57'W 90.0 feet to the place of BEGINNING containing 11.66 acres of land.

I hereby certify that the foregoing notes represent the results of a survey made on the ground under my supervision according to law, they are true and correct to the best of my ability, this the 2nd day of July, 1978.

Clinton P. Rippy

CLINTON P. RIPPY
REGISTERED PUBLIC SURVEYOR
NUMBER 1453



It is expressly stipulated that all land in the foregoing Exhibit "A" less the property described in Exhibit "B" i.e. the 268.493 acres shall be subject henceforth to the following conditions, restrictions, uses and covenants, running with the land as follows:

1. Designation of Use

All lots shall be used for single or multi-family condominium or residential purposes or for civic, educational, medical, commercial including office and retail uses. No lot shall be used for an agricultural or industrial site.

2. Retention of Easements

Easements are reserved as indicated on the recorded plat.

3. Temporary Structures

No house trailer, tent, shack or other out-building shall be placed, erected, or permitted to remain on any lot or plot, nor shall any structure of temporary character be used at any time as a residence thereon.

4. Architectural Control and Building Plans

For the purpose of insuring high development standards, the Developer, or in its absence or inability to act, an Architectural Committee appointed at intervals of not more than five years by the then owners of a majority of the lots in the subdivision, reserve the right to regulate and control the buildings or structures or other improvements placed on each lot. No building, wall, or other structure shall be placed upon such lot until the plan therefor and the plot have been approved in writing by the Developer. Refusal of approval of plans and specifications by the Developer, or by the said architectural Committee, may be based on any ground including purely aesthetic grounds, which in the sole and uncontrolled discretion of the Developer or Architectural Committee shall seem sufficient. No alterations in the exterior appearance of any building or structure shall be made without like approval. No house or other structure shall remain unfinished for more than two years after the same have been commenced.

5. General Covenants

These provisions are hereby declared to be conditions, restrictions, uses and covenants running with the land and shall be fully binding on all persons acquiring property in the 268.493 acre tract, whether by descent, devise, purchase or otherwise, and every person by the acceptance of title to any lot of this 268.493 acre tract shall agree to abide by and fully perform the foregoing conditions, restrictions, uses and covenants which shall be automatically extended perpetually unless changed in whole or in part by a vote of three-fourths majority of the then owners of the lots or tracts in said 268.493 acre tract, each lot, tract or plot, to admit of one vote.

6. Penalty Provisions

2-59-5060

If any person or persons shall violate or attempt to violate any of the above conditions, restrictions, uses and covenants, it shall be lawful for any other person or persons owning any of the lots in the subdivision to prosecute proceedings at law or in equity against the person or persons violating or attempting such violations to prevent him or them from doing so, or to recover damages for such violations. No act or omission on the part of any of the beneficiaries of the covenants, conditions, restrictions and uses herein contained shall ever operate as a waiver of the operation of or the endorsement of any such covenant, condition, restriction or use.

Invalidation of any one or any part of these conditions, restrictions, uses or covenants by judgment or court order shall in no wise effect any of the others which shall remain in full force and effect.

The above and foregoing restrictions and covenants shall run with the land as aforesaid but are subject to being changed or amended by mutual agreement approved by a vote of three-fourths majority of the then owners of the lots or tracts in said 268.493 acre tract, each lot, tract or plot to admit of one vote.

SEAL OF TRAVIS COUNTY TEXAS
I, *Doris Strapshire*, County Clerk of Travis County, Texas, do 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

JUN 5 1981
Doris Strapshire
COUNTY CLERK
TRAVIS COUNTY, TEXAS

FILED
1981 JUN -5 PM 3:21
Doris Strapshire
COUNTY CLERK
TRAVIS COUNTY, TEXAS

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