

RESTRICTIVE COVENANTS  
Northwest Hills Lakeview V-B

THE STATE OF TEXAS  
COUNTY OF TRAVIS

JUL 25 84 1165 \* 13.00

3-75-0791 11 *Lee*

KNOW ALL MEN BY THESE PRESENTS that the Texas Commerce Bank and Sarah Elizabeth Barrow Kemper, Co-Executors of the Estates of Jane Ewing Barrow and Edward R. Barrow, of the County of Harris and State of Texas, James H. Coleman, Partner of Callaway-Coleman Joint Venture, a partnership organized and existing under the laws of the State of Texas, with home offices in Austin, Texas and Vincent M. Harris, Bishop of the Roman Catholic Diocese of Austin, Texas, owners of land consisting of 31.757 acres, known as Northwest Hills Lakeview V-B, a subdivision in Travis County, Texas, as recorded in Plat Book 84, Page 1340 of the Plat Records of Travis County, Texas,

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 obtaining 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:

1. All building foundations on slopes of 15% and over and on fill placed upon such slopes 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 the City of Austin Engineering Department.

REAL PROPERTY RECORDS  
TRAVIS COUNTY, TEXAS

8665 902

2. For a minimum travel distance of 25 feet from the roadway edge driveway grades may exceed 15% only with specific approval or surface and geometric design proposals by the Director of the Public Works Department or his designee.

3. No fill on any lot shall exceed a maximum of four (4) feet of depth. Except for structural excavation, no cut on any lot shall be greater than four (4) feet.

4. The restrictions of this agreement are derived from the City of Austin, Texas Ordinance No. 840301-G. 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 a 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 Austin, and joined by the then owner or owners of 51% of the above described property at the time of such modification, amendment or termination.

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 an owner of the above described property or any part thereof or 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.

8665 903

MADE, EXECUTED and delivered on APRIL 13, 1984.

Texas Commerce Bank, Co-Executor of  
the Estates of Edward R. Barrow and  
Jane Ewing Barrow

By James M. Ban

Sarah Elizabeth Barrow Kemper  
Sarah Elizabeth Barrow Kemper,  
Co-Executor of the Estates of Edward  
R. Barrow and Jane Ewing Barrow

MADE, EXECUTED and delivered on April 19, 1984.

James H. Coleman  
James H. Coleman, Partner

MADE, EXECUTED and delivered on May 10, 1984.

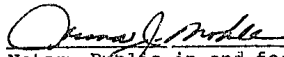
X + Vincent M. Harris  
Vincent M. Harris, Bishop  
Roman Catholic Diocese of Austin

8665 904

STATE OF TEXAS {  
COUNTY OF Travis {

BEFORE ME, the undersigned authority, on this day personally appeared James M. Barr known to me to be the person whose name is subscribed to the foregoing instrument as Senior Vice President of Texas Commerce Bank, Co-Executor of the Estates of Edward R. Barrow and Jane Ewing Barrow, and acknowledged to me that he executed the same in such capacity as the act and deed of said association for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 13<sup>th</sup> day of April, 19 84.

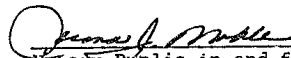
  
Notary Public in and for Travis County, Texas

NORMA J. MOHLE  
Notary Public, State of Texas  
My Commission Expires 11-28-87

THE STATE OF TEXAS {  
COUNTY OF Travis {

BEFORE ME, the undersigned authority, on this day personally appeared Sarah Elizabeth Kemper, Co-Executor of the Estates of Edward R. Barrow and Jane Ewing Barrow, 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 the 13<sup>th</sup> day of April, 19 84.

  
Notary Public in and for County, Texas

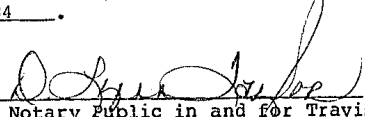
NORMA J. MOHLE  
Notary Public, State of Texas  
My Commission Expires 11-28-87

STATE OF TEXAS {  
COUNTY OF TRAVIS {

BEFORE ME, the undersigned authority, on this day personally appeared James H. Coleman known to me to be the person whose name is subscribed to the foregoing instrument as Partner of Callaway-Coleman Joint Venture and acknowledged to me that he executed the same in such capacity as the act and deed of said association for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 19th day of April, 1984.

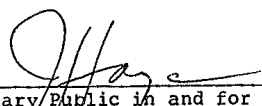
My Commission Expires Feb. 3, 1985

  
Notary Public in and for Travis  
County, Texas  
D. Lynn Taylor

THE STATE OF TEXAS {  
COUNTY OF TRAVIS {

BEFORE ME, the undersigned authority, on this day personally appeared Vincent M. Harris, known to me to be the person whose name is subscribed to the foregoing instrument as Bishop of the Roman Catholic Diocese of Austin, 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 the 10th day of May, 1984.

  
Notary Public in and for  
County, Texas  
John F. Hamje

STATE OF TEXAS                      COUNTY OF TRAVIS  
I hereby certify that this instrument was FILED on the  
83-049 date and at the time stamped hereon by me; and was duly  
RECORDED, in the Volume and Page of the named RECORDS  
of Travis County, Texas, as stamp hereon by me, on

JUN 25 1984



*Doris Thompson*  
COUNTY CLERK  
TRAVIS COUNTY, TEXAS

FILED

1984 JUN 25 PM 5:46

*Doris Thompson*  
COUNTY CLERK  
TRAVIS COUNTY, TEXAS

8665

906