

DOC. NO.
00014329

RESTRICTIVE COVENANT

FILM CODE
00004331542

C85-87-104

THE STATE OF TEXAS

COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS:

9:40 AM 1127

7.00 INDX
2 2 02/16/88
143.29-DOC#
153.74-CHK#

WHEREAS, the undersigned, of Travis County, Texas, are owners of the following described property (hereinafter referred to as "the property"), to-wit: YMCA-TOWN LAKE SUBDIVISION; and,

WHEREAS, the City of Austin, Texas, a municipal corporation, and the undersigned owner of the property have agreed that the property should be impressed with certain covenants and restrictions running with the land, for benefit of the owners, the benefit of the public, and the more appropriate development and benefit of the property, and desire to set forth such agreement in writing;

NOW THEREFORE, for and in consideration of One and No/100 Dollars (\$1.00) and other good and valuable consideration in hand paid by the City of Austin, the receipt and sufficiency of which is hereby acknowledged and confessed, the undersigned owners do hereby impress upon the property, the following covenants, conditions and restrictions, which shall be deemed and considered to be covenants running with the land, and which shall be binding on the undersigned owners, their heirs, personal representatives, successors and assigns, as follows, to-wit:

1. Before the property may be used or developed for any residential purpose, adequate parkland must be provided to serve the residences, according to the standards and regulations contained in Chapter 13-3 of the Code of the City of Austin.
2. If any persons, 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 person, or entity violating or attempting to violate such agreement or covenant; or to take any other action authorized by ordinance or utility service regulations of the City of Austin.

3. If any part or provision on this agreement or covenant here contained shall be declared invalid, by judgment or court order, the same shall in no wise affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full force and effect.
4. The failure at any time to enforce this agreement by 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.
5. 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, or such other governing body as may succeed the City Council of the City of Austin, and (b) by the owner(s) of the above-described property at the time of such modification, amendment or termination.

EXECUTED this the 14th day of December, 1987, A.D.

Linda Rogers
Linda Rogers, President
YMCA
1100 West 1st Street
Austin, Texas 78701

THE STATE OF TEXAS

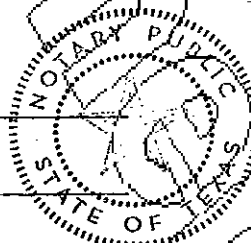
COUNTY OF TRAVIS

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Linda Rogers, 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 14th day of December, 1987, A.D.

Eunice G. Keiser
Notary Public in and for Travis County, Texas

Eunice G. Keiser
(Please print or type name.)
My Commission Expires: 10/01/89



FILED

1988 FEB 12 PM 3:40

DANA DE BEAUVOIR
COUNTY CLERK
TRAVIS COUNTY, TEXAS

STATE OF TEXAS COUNTY OF TRAVIS
I hereby certify that this instrument was FILED on
the 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, on

FEB 12 1988



Dana De Beauvoir
COUNTY CLERK
TRAVIS COUNTY, TEXAS

RETURN TO
LAND DEV. SERV.
CITY OF AUSTIN
F.O. Hodde

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