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**RESTRICTIVE COVENANT AMENDMENT REVIEW SHEET**

**CASE:** C14-05-0112(RCA) – AMLI Southshore

**P.C.. DATE:** November 8, 2011

**ADDRESS:** 1620 East Riverside Drive

**OWNERS & APPLICANTS:** PPF 1620 East Riverside Drive, LLC

**AGENT:** Alice Glasco Consulting (Alice Glasco)

**AREA:** 10.90 acres (474,804 square feet)

**SUMMARY STAFF RECOMMENDATION:**

Staff recommends an amendment to the restrictive covenant to increase the allowable rentable multifamily units on the property.

**DEPARTMENT COMMENTS:**

This property is currently zoned GR and GR-CO is developed with a mixed-use multifamily and retail development, AMLI Southshore. The tract was rezoned in 2007 as part of the East Riverside/Oltorf Combined Neighborhood Plan, but was removed from the Future Land Use Map in the plan. Ordinance 20070215-039 established a maximum height of 60 feet and 100 foot building setback from Lady Bird Lake. A restrictive covenant (C14-05-0112RC) was filed in conjunction with the zoning case that added additional requirements to the property, including a requirement that 45 owner-occupied units be constructed on the site and offered for sale, and a maximum of 375 multifamily units offered for lease.

The applicant seeks to amend the restrictive covenant to allow for an additional 100 units of allowable multifamily units (475) on the property, and will retain the requirement for the 45 for-purchase units. The approved site plan on the property (SP-2007-0710C) approved 92 owner-occupied units, and required a minimum of 45. The requested amendment will provide for a minimum of 45 for-sale units, and allow for a net addition of 53 total rentable units.

Staff recommends approval of the amendment request, as it is compatible and consistent with the objectives of the East Riverside Corridor Master Plan to encourage density along this major core transit corridor.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	GR-CO, GR	Multifamily, commercial vertical mixed use
<i>North</i>		Colorado River
<i>South</i>	SF-3, GR, LR	Single Family, Retail, Restaurant
<i>East</i>	MF-3-NP, PUD, P-NP	Condominium, Multifamily, Park
<i>West</i>	MF-3-NP	Multifamily

**NEIGHBORHOOD PLANNING AREA:** East Riverside/Oltorf Combined**TIA:** Not Required**WATERSHED:** Colorado River, Country Club East, Harper's Branch**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** No**SCENIC ROADWAY:** No**BASIS FOR RECOMMENDATION:**

The applicant's request for 100 more residential units at that location is consistent with the East Riverside Corridor Master Plan because the property is on Riverside Dr., which is already well-served by bus transit and may be served by rail transit in the future. Additional residents in the area will also help create the density needed for vibrant neighborhood centers, as envisioned in the Master Plan.

While the property is not in one of Hubs shown in the Draft East Riverside Corridor Regulating Plan because it is within the Waterfront Overlay boundaries\*, it is at the intersection of E. Riverside Dr. and Lakeshore Blvd., a location that is well supported by transit and near the Lady Bird Lake Trail, providing residents with multiple convenient transportation options.

\* Properties within the Waterfront Overlay were not included in the East Riverside Corridor Hubs because they are subject to the Waterfront Overlay height regulations.

**NEIGHBORHOOD ORGANIZATIONS:**

Southeast Austin Neighborhood Alliance  
 East Riverside/Oltorf Neighborhood Plan Contact Team  
 South River City Citizens Association  
 The Crossing Gardenhome Owners Association  
 Save Town Lake.Org  
 Homeless Neighborhood Association  
 Barton Springs/Edwards Aquifer Conservation District  
 Austin Neighborhoods Council  
 Waterfront Condominium HOA  
 El Concilio, Coalition of Mexican American Neighborhoods Association

**SCHOOLS:**

Sanchez Elementary School  
 Martin Middle School  
 Austin High School

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-05-0112	MF-3 to GR and GR-CO (East Riverside/Oltorf Combined Neighborhood Plan, Tract 9)	6/27/2006 – approved (9-0)	2/15/2007 – approved (7-0)
C14-05-0112(RC)	Site development standards for mixed-use residential and retail development	6/27/2006 – approved (9-0)	2/15/2007 – approved (7-0)

**TRANSPORTATION COMMENTS:**

FYI: In the event that a subsequent revision to the site plan is submitted, the following comments will apply:

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Daily Traffic
Riverside Drive	Varies	Varies	Arterial	39070 (TxDOT, 2010)
Lakeshore Boulevard	Varies	Varies	Arterial	9070 (TxDOT, 2010)

A Traffic Impact Analysis (TIA) will be required during the site plan review stage for any proposed land use that would generate over 2,000 vehicle trips per day. Base on the addition of 100 multi-family units, the trip generation of the site will exceed the threshold of 2,000 trips per day. Additional ROW, participation in roadway improvements, and/or limitation on development intensity may also be recommended based on review of the TIA.

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There are existing sidewalks along Riverside Drive and Lakeshore Boulevard.

The Austin Metropolitan Area Transportation Plan calls for a total of 200 feet of right-of-way for Riverside Drive. Right-of-way reservation may be required during the subdivision or site plan review process [LDC, Sec. 25-6-51 and 25-6-55].

The Austin Metropolitan Area Transportation Plan calls for a total of 86 feet of right-of-way for Lakeshore Boulevard. Right-of-way dedication may be required during the subdivision or site plan review process [LDC, Sec. 25-6-51 and 25-6-55].

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and/or recommended along the adjoining streets as follows:

Street Name	Existing Bicycle Facilities	Recommended Bicycle Facilities
Riverside Drive	Shared Lane	Bike Lane
Lakeshore Boulevard	Wide Curb	Bike Lane

Capital Metro bus service is available along Riverside Drive (route nos. 7, 20, 483, , 672 - LS, and 680 - LS/NR) and Lakeshore Boulevard (route nos. 411, 672 - LS, and 680 - LS/NR).

**CITY COUNCIL DATE:** 12/8/11

**ACTION:**




**ORDINANCE NUMBER:**

**CASE MANAGER:** Stephen Rye

**PHONE:** 974-7604  
stephen.rye@austintexas.gov

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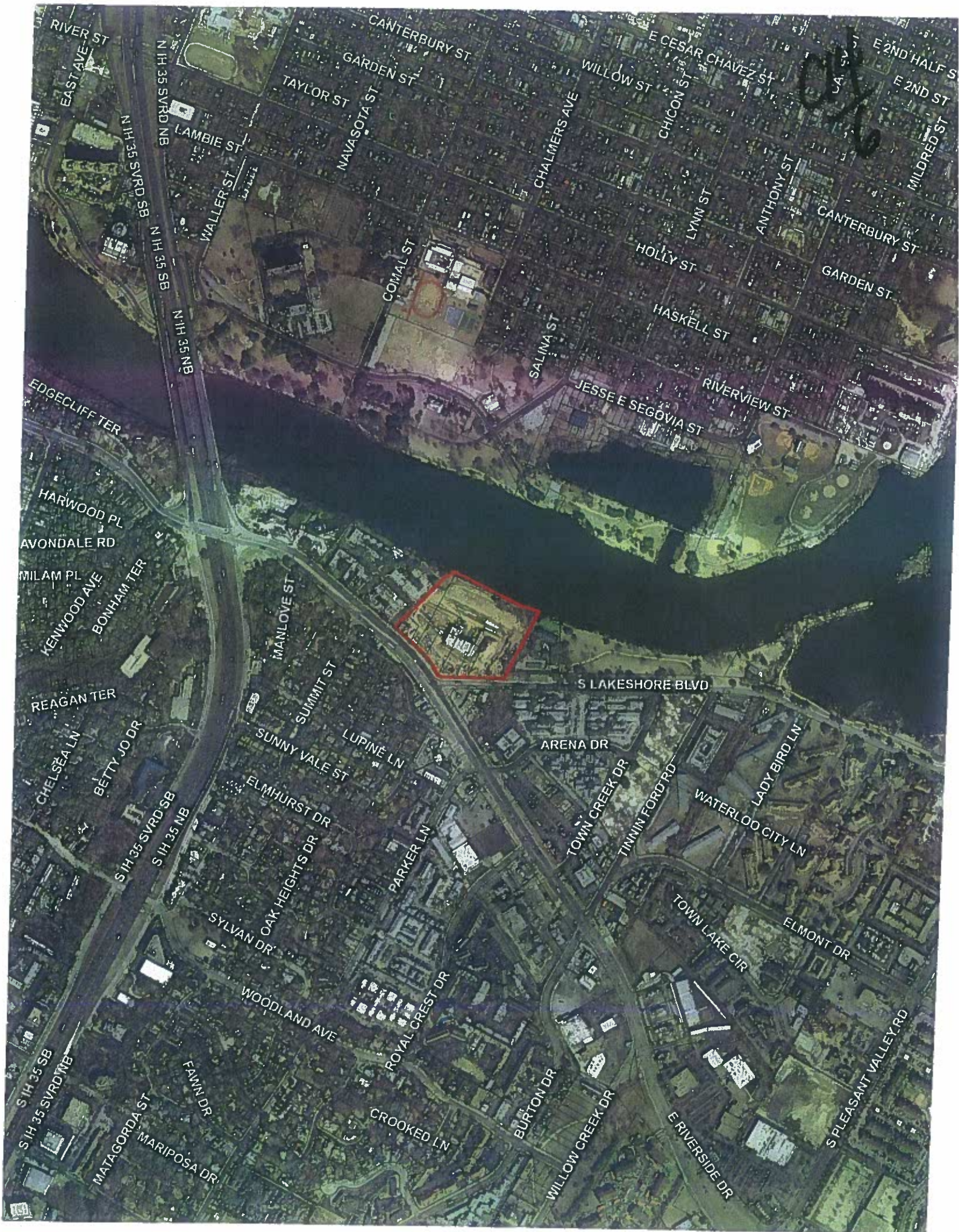
-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

**ZONING**  
ZONING CASE#: C14-05-0112(RCA)

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





RIVER ST  
EAST AVE  
N IH 35 SVRD NB  
N IH 35 SVRD SB  
N IH 35 SB  
WALLER ST  
LAMBIE ST  
CANTERBURY ST  
GARDEN ST  
TAYLOR ST  
NAVASOTA ST  
COMAL ST  
SALINA ST  
CHALMERS AVE  
WILLOW ST  
E CESAR CHAVEZ ST  
CHICON ST  
LYNN ST  
ANTHONY ST  
E 2ND HALF S  
E 2ND ST  
MILDRED ST  
CANTERBURY ST  
GARDEN ST  
HOLLY ST  
HASKELL ST  
RIVERVIEW ST  
JESSE E SEGOVIA ST  
EDGECLIFF TER  
HARWOOD PL  
AVONDALE RD  
MILAM PL  
KENWOOD AVE  
BONHAM TER  
REAGAN TER  
CHELSEA LN  
BETTY JO DR  
S IH 35 SVRDSB  
S IH 35 MB  
IMANLOVE ST  
SUMMIT ST  
SUNNY VALE ST  
LUPINE LN  
ARENAL DR  
TOWN CREEK DR  
TINNIN FORD RD  
LADY BIRD LN  
WATERLOO CITY LN  
ELMONT DR  
S PLEASANT VALLEY RD  
S IV 35 SVRD NB  
S IV 35 SVRD SB  
S IV 35 SVRD WB  
MATAGORDA ST  
MARIPOSA DR  
WOODLAND AVE  
ROYAL CREST DR  
BURTON DR  
WILLOW CREEK DR  
E RIVERSIDE DR  
CROOKED LN  
PARKER LN  
OAK HEIGHTS DR  
ELMHURST DR  
SUNNY VALE ST  
LUPINE LN  
TOWN LAKE CIR

City



FOR SALE / REQUESTED  
ADDITIONAL MULTIFAMILY AREA  
100 FT SETBACK AREA

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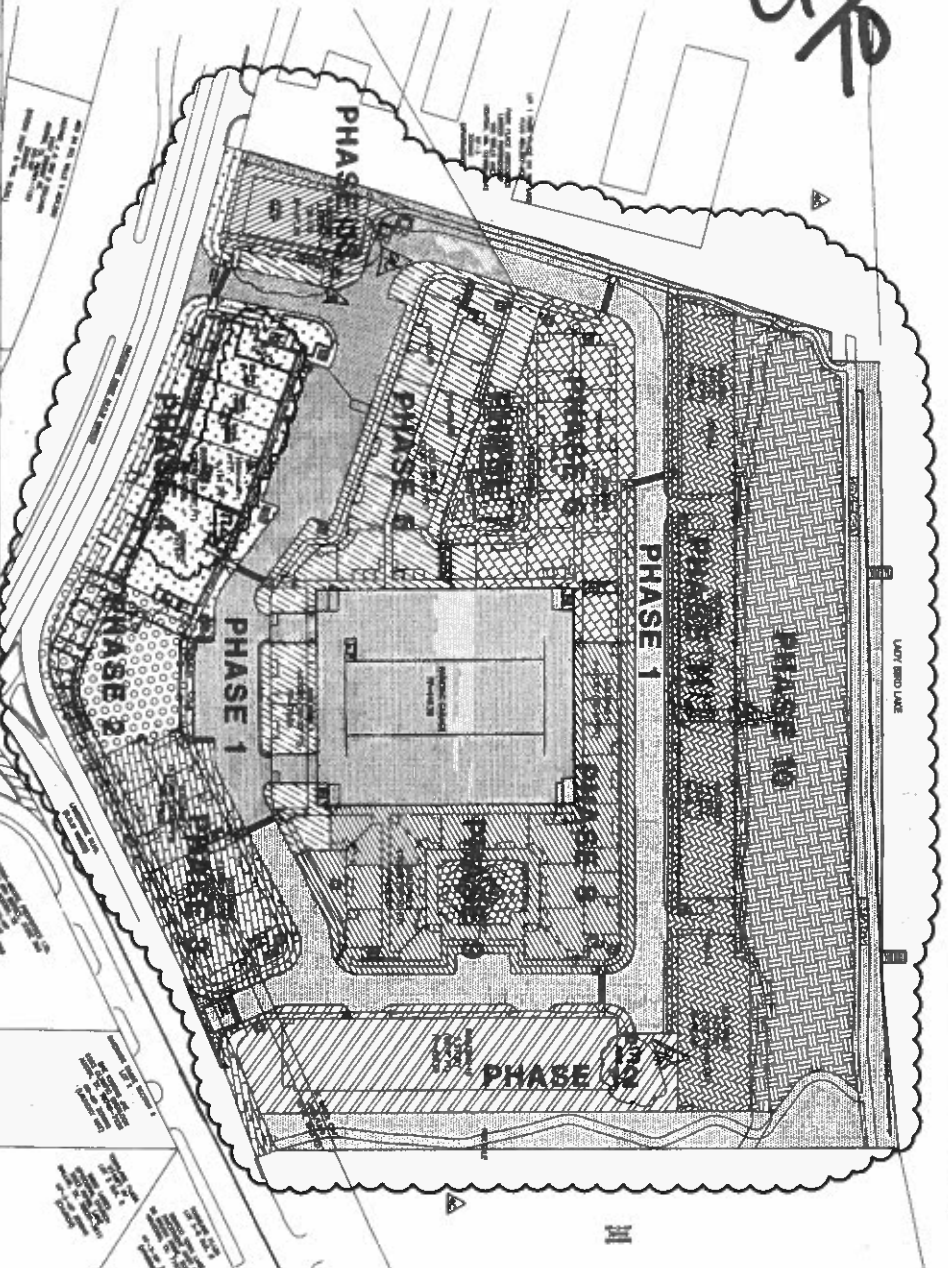




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NO.	DESCRIPTION	AREA (SQ. FT.)	VOLUME (CU. YD.)	EST. COST (\$)
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- PHASE ONE - BUILDING 1, 2, 3, 4, 5, 6, 7, 8, 9, 10
- PHASE TWO - BUILDING 11, 12, 13, 14, 15, 16, 17, 18, 19, 20
- PHASE THREE - BUILDING 21, 22, 23, 24, 25, 26, 27, 28, 29, 30
- PHASE FOUR - BUILDING 31, 32, 33, 34, 35, 36, 37, 38, 39, 40
- PHASE FIVE - BUILDING 41, 42, 43, 44, 45, 46, 47, 48, 49, 50
- PHASE SIX - BUILDING 51, 52, 53, 54, 55, 56, 57, 58, 59, 60
- PHASE SEVEN - BUILDING 61, 62, 63, 64, 65, 66, 67, 68, 69, 70
- PHASE EIGHT - BUILDING 71, 72, 73, 74, 75, 76, 77, 78, 79, 80
- PHASE NINE - BUILDING 81, 82, 83, 84, 85, 86, 87, 88, 89, 90
- PHASE TEN - BUILDING 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

NOTES:  
 1. ALL EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED THROUGHOUT THE CONSTRUCTION OF THIS PROJECT.  
 2. ALL UTILITIES SHALL BE RELOCATED TO CLEAR THE CONSTRUCTION AREA.  
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**REPLACEMENT SHEET**  
 THIS SHEET IS A REPLACEMENT SHEET FOR SHEET NO. 14 OF 14.  
 THE ORIGINAL SHEET WAS REVISED ON 10/10/00.  
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 THE ORIGINAL SHEET WAS REVISED ON 10/10/00.

CS-104 11 OF 14	<b>AMLI RIVERSIDE</b> 1620 EAST RIVERSIDE DRIVE AUSTIN, TRAVIS COUNTY, TEXAS 78741	SITE PHASING PLAN	 <b>JACOBS</b> 2705 Bee Cave Road, Suite 800 Austin, Texas 78746 (512) 814-2100 Fax (512) 814-2182
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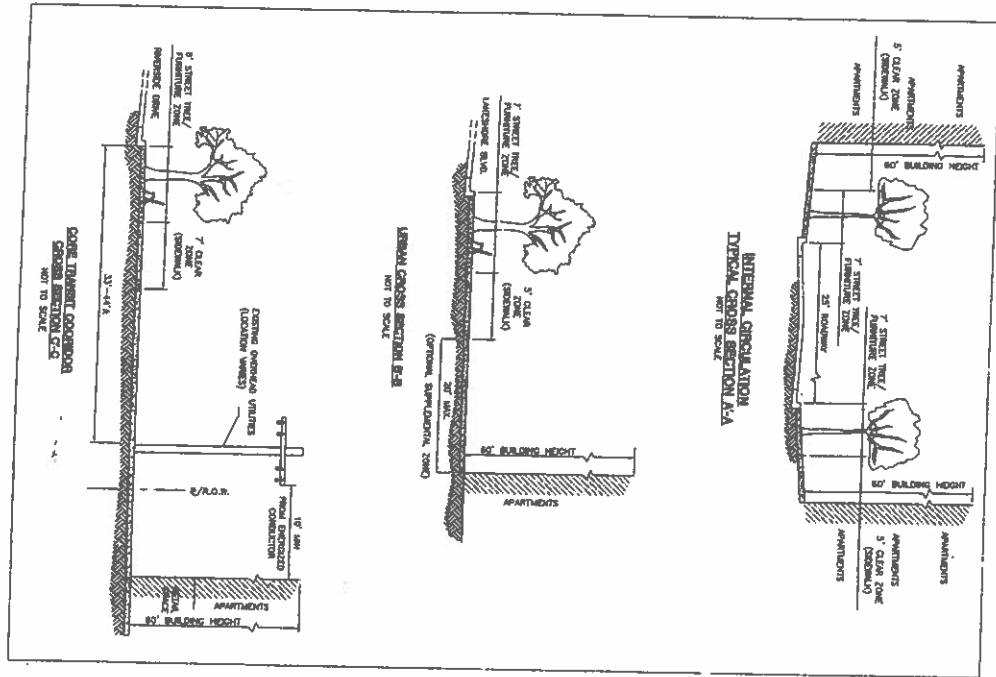
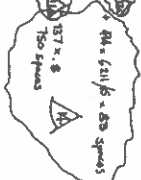


TABLE 1 OF RESERVATION DATA

TABLE 2 OF RESERVATION DATA

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Professional seal and signature area for the engineer or architect.

AMLI RIVERSIDE  
1620 EAST RIVERSIDE DRIVE  
AUSTIN, TRAVIS COUNTY, TEXAS 78741

OVERALL SITE PLAN  
CROSS SECTIONS  
& CALCULATIONS



**JACOBS**  
4706 San Cave Road, Suite 300  
Austin, Texas 78748  
18122 514-9100 Fax 18121 514-9198

CS102  
9 OF 84



Zoning Case No. C14-05-0112

C14  
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RESTRICTIVE COVENANT

OWNERS: Jimmy Nassour (Tract I)  
 Jimmy Nassour, Trustee (Tract II)  
 Stephen Oyster and Tina Oyster (Tract III)  
 Austin 1825 Fortview, Inc., a Texas corporation (Tracts IV, V, and VI)

ADDRESS: See Below

OWNER: Contessa Dormitory Associates, Ltd., a Texas limited partnership (6.926 acres)

ADDRESS: 3724 West Jefferson Street, Suite 306, Austin, Texas 78731

CONSIDERATION: Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by the City of Austin to the Owner, the receipt and sufficiency of which is acknowledged.

PROPERTY: A 6.926 acre tract of land, more or less, out of the Santiago Del Valle Grant, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit A attached and incorporated into this covenant; and

Tracts I, II, III, IV, V, VI, being those certain lots out of Riverside Divide Section 3 and Shamrock Addition, in the City of Austin, Travis County, as shown on Exhibit B attached and incorporated into this covenant.

WHEREAS, the Owners of the Property and the City of Austin have agreed that the Property should be impressed with certain covenants and restrictions;

NOW, THEREFORE, it is declared that the Owners of the Property, for the consideration, shall hold, sell and convey the Property, subject to the following covenants and restrictions impressed upon the Property by this restrictive covenant. These covenants and restrictions shall run with the land, and shall be binding on the Owners of the Property, its heirs, successors, and assigns.

1. Development of the Property is subject to Ordinance No. 20060831-068 that established standards for commercial design, including the development bonuses provided in Section 4.3.4 of Subchapter E.
2. A driveway that provides vehicular access from a public right-of-way to the Property may not be gated.
3. A 100-foot wide building setback shall be established from the shoreline of Town Lake. Improvements permitted within this setback zone are limited to utility crossings, drainage and water quality improvements, the hike and bike trail, or those improvements that may be otherwise required by the City of Austin or specifically authorized in this covenant.
4. The maximum height of a building or structure is 60 feet from ground level.

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5. Owner is responsible for the construction of the hike and bike trail within a 30-foot wide easement to be provided by the Owner for this purpose prior to the issuance of a certificate of occupancy for a residential project.
6. Public pedestrian access shall be provided from East Riverside Drive and Lakeshore Boulevard to Town Lake on the east and west sides of the Property.
7. A minimum of 45 residential units shall be provided as for-sale properties.
8. A maximum of 375 dwelling units for rental may be constructed on the Property.
9. A minimum of 10,000 square feet of retail uses shall be provided along East Riverside Drive.
10. An area within the Property shall be provided to allow for regional water quality controls to capture, isolate and treat a minimum 10.94 acres of stormwater runoff from off-site contributing drainage areas. The owner will work with the Watershed Protection and Development Review Department staff to identify the opportunity available to capture and treat additional run-off. The size and location of the on-site water quality controls shall be agreed to and approved by the City. The water quality controls shall comply with the water quality control standards as set forth in Section 25-8-213 of the City Code.
11. Five percent of the residential units in the vertical mixed use (VMU) building shall be reserved as affordable, for a minimum of 40 years following the issuance of the certificate of occupancy, for rental by households earning no more than 80 percent of the annual median family income (MFI).
12. If any person or entity shall violate or attempt to violate this agreement and covenant, it shall be lawful for the City of Austin to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate such agreement or covenant, to prevent the person or entity from such actions, and to collect damages for such actions.
13. If any part of this agreement or covenant is declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full effect.
14. If at any time the City of Austin fails to enforce this agreement, whether or not any violations of it are known, such failure shall not constitute a waiver or estoppel of the right to enforce it.
15. 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, and (b) by the owner(s) of the Property subject to the modification, amendment or termination at the time of such modification, amendment or termination.
16. This Restrictive Covenant may be executed in any number of counterparts, each of which is deemed to be an original, and all of which are identical.

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EXECUTED this the 14<sup>th</sup> day of February, 2007

OWNER(S):

6.926 acres (Exhibit A)

**Contessa Dormitory Associates, Ltd.**  
a Texas limited partnership

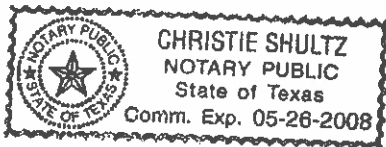
By: ASC Development, L.C.  
a Texas limited liability company,  
its General Partner

By: M. Farahani  
Manny Farahani,  
President

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 14<sup>th</sup> day of February, 2007, by Manny Farahani, President of ASC Development, L.C., a Texas limited liability company, General Partner on behalf of Contessa Dormitory Associates, Ltd., a Texas limited partnership.



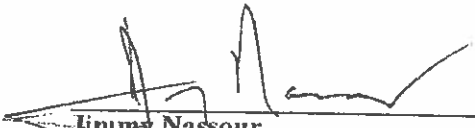
Christie Shultz  
Notary Public, State of Texas

C14  
15


EXECUTED this the 15th day of FEBRUARY, 2008.7

OWNER(S):

Tract I (Exhibit B)

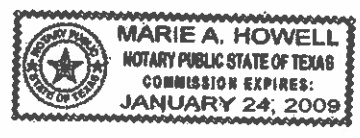
  
Jimmy Nassour  
Address: 1200 San Antonio St. 3839 BEE CAVE RD # 200  
Austin, TX 78701 46


Tract II (Exhibit B)

  
Jimmy Nassour, Trustee  
Address: 1200 San Antonio St. 3839 BEE CAVE RD # 200  
Austin, TX 78701 46

THE STATE OF TEXAS §  
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 15th day of FEBRUARY, <sup>max</sup> 2006, by Jimmy Nassour. <sub>2007</sub>




  
Notary Public, State of Texas

THE STATE OF TEXAS §  
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 15th day of FEBRUARY, <sup>max</sup> 2006, by Jimmy Nassour, Trustee. <sub>2007</sub>

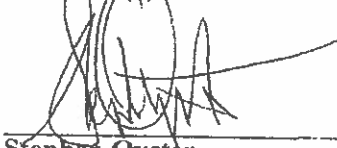


  
Notary Public, State of Texas

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16

EXECUTED this the 15th day of FEBRUARY, 2006.7

OWNER(S)



Stephen Oyster

Tract III (Exhibit B)



Tina Oyster

Address: 3825 LAKE AUSTIN BLVD # 401  
AUSTIN, TX 78703

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

*max* 2006, by Stephen Oyster. This instrument was acknowledged before me on this the 15th day of FEBRUARY, 2007



  
Notary Public, State of Texas

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

*max* 2006, by Tina Oyster. This instrument was acknowledged before me on this the 15th day of FEBRUARY, 2007



  
Notary Public, State of Texas



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EXECUTED this the 15th day of FEBRUARY, 2006. 7

OWNER(S):

Tracts IV, V, VI (Exhibit B)

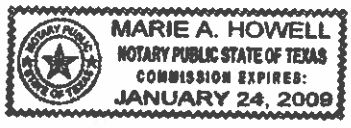
Austin 1825 Fortview, Inc.  
a Texas corporation

By: [Signature]  
Name: Jimmy Nassour  
Title: Vice President

Address: 3839 BEE CAVE RD # 200  
AUSTIN, TX 78746

THE STATE OF TEXAS        §  
COUNTY OF TRAVIS        §

*MAN* 2007 2006, This instrument was acknowledged before me on this the 15th day of FEBRUARY,  
by JIMMY NASSOUR, VICE PRESIDENT of Austin 1825  
Fortview, Inc., a Texas corporation, on behalf of the corporation.



[Signature: Marie A. Howell]  
Notary Public, State of Texas

APPROVED AS TO FORM:

[Signature]  
Assistant City Attorney  
City of Austin

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**Exhibit A**  
**Land**

**LANDATA FIELD SERVICES, INC.**

AUSTIN DIVISION

**FIELD NOTES DESCRIBING 6.926 ACRES OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT SITUATED IN TRAVIS COUNTY, TEXAS AND BEING THAT SAME PROPERTY IN THE NAME OF SBF LAKESHORE, LTD., A TEXAS LIMITED PARTNERSHIP RECORDED IN VOLUME 12012, PAGE 2592, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID 6.926 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING** at a 1/2" iron rod found in the North right-of-way line of South Lakeshore Boulevard, same being the common front corner of said SBF Lakeshore LTD. tract and that certain tract of land in the name of Barbara and Arlene Hibits per deed recorded in Volume 11832, Page 1266, said Real Property Records, same being Lot D, Riverside Divide Section 3, a subdivision in Travis County, Texas, recorded in Book 75, Page 153, Plat Records of Travis County, Texas, for the most Southerly southwest corner of said SBF Lakeshore LTD. tract and the **PLACE OF BEGINNING** hereof;

**THENCE** N 27° 06' 50" E (N 27° 06' 50" E), with the common line of said SBF Lakeshore LTD. tract and said Lot D, a distance of 229.03 ft. (229.06 ft.) to a 1/2" iron rod found for the Northeast corner of said Lot D and an inside ell corner of said SBF Lakeshore LTD. tract and hereof;

**THENCE** N 62° 46' 12" W (N 62° 47' 07" W), with the common line of said Lot D, Riverside Divide Section 3, Lots 2 and 1, Resub of Lots B & C, Riverside Divide Section 3, a subdivision in said county and state recorded in Book 75, Page 288, said Plat Records, and Lot A, said Riverside Divide Section 3, a distance of 412.53 ft. (412.63 ft.) to a 1/2" iron rod found in the East line of Lot 1-A, Shanrock Addition, a subdivision recorded in Book 43, Page 47, said Plat Records, for the most Westerly corner of said SBF Lakeshore LTD. tract and hereof;

**THENCE** N 30° 43' 38" E (N 30° 44' 27" E), with the common line of said Lot 1-A and said SBF Lakeshore LTD. tract, a distance of 408.92 ft. (409.00 ft.) to a point inundated by the waters of Town Lake, for the Northwest corner of said SBF Lakeshore LTD. and hereof;

**THENCE** with the common line of said SBF Lakeshore LTD. tract and said Town Lake, the following three (3) courses and distances:

- (1) S 60° 40' 28" E (S 60° 40' 28" E), a distance of 155.20 ft. (155.20 ft.) to a point inundated by said waters of Town Lake
- (2) S 60° 20' 42" E (S 60° 20' 00" E), a distance of 352.97 ft. (353.00 ft.) to an "X" found in concrete retaining wall
- (2) S 66° 03' 09" E (S 66° 05' 00" E), a distance of 140.02 ft. (140.00 ft.) to a point inundated by said waters of Town Lake, same being the Northwest corner of Lot 2, Block A, Townlake Plaza, a subdivision recorded in Book 81, Page 38, said Plat records, conveyed to Streets of Texas per Volume 11098, Page 1050, said Real Property Records, for the Northeast corner of said SBF Lakeshore LTD. tract and hereof;

**THENCE** S 29° 34' 00" W (S 29° 34' 00" W), with the common line of said Lot 2 and said SBF Lakeshore LTD. tract, a distance of 527.38 ft. (527.38 ft.) to a 1/2" iron rod set in the said North right-of-way line of South Lakeshore Boulevard for the most Southerly corner of said SBF Lakeshore LTD. tract and hereof;

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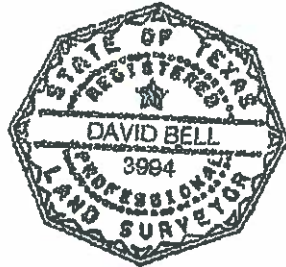
THENCE along said right-of-way line and with the South line of said SBF Lakeshore LTD. tract, the following two (2) courses and distances:

(1) N 83° 39' 00" W (N 83° 39' 00" W), a distance of 130.33 ft (130.33 ft.) to a PK. nail set

(2) N 86° 32' 40" W (N 86° 33' 00" W), a distance of 127.00 ft. (127.00 ft.) to the PLACE OF BEGINNING and containing 6.926 acres (301,675 sq. ft.). Bearings shown herein are oriented to the common line of said Lot D, Riverside Divide Section 3 and said SBF Lakeshore LTD. tract. These field notes to accompany a survey plat of the area herein described.

 \_\_\_\_\_ date 10/6/98

DAVID BELL  
Registered Professional Land Surveyor No. 3994  
JOB No. 08R11398  
(Denotes Record Information)



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EXHIBIT B

**The Land**

TRACT I: Lot "A", Riverside Divide Section 3, a subdivision in Travis County, Texas, according to the map or plat recorded in Volume 75, Page 153, Plat Records of Travis County, Texas.

TRACT II: Lot "D", Riverside Divide Section 3, a subdivision in Travis County, Texas, according to the map or plat recorded in Volume 75, Page 153, Plat Records of Travis County, Texas.

TRACT III: Lot 1, Resub of Lots B & C, Riverside Divide Section 3, a subdivision in Travis County, Texas, according to the map or plat recorded in Volume 75, Page 288, Plat Records of Travis County, Texas.

TRACT IV: Lot 2, Resub of Lots B & C, Riverside Divide Section 3, a subdivision in Travis County, Texas, according to the map or plat recorded in Volume 75, Page 288, Plat Records of Travis County, Texas.

TRACT V: Lot 1A, Shamrock Addition, an addition in Travis County, Texas, according to the map or plat recorded in Volume 43, Page 47, Plat Records of Travis County, Texas.

TRACT VI: Lot 2A, Shamrock Addition, an addition in Travis County, Texas, according to the map or plat recorded in Volume 43, Page 47, Plat Records of Travis County, Texas.

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After Recording, Please Return to:  
City of Austin  
Department of Law  
P. O. Box 1088  
Austin, Texas 78767  
Attention: Diana Minter, Paralegal

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

*Dana DeBeauvoir*

2007 Mar 05 03:48 PM 20070309123

HERRERAR \$52.00

DANA DEBEAUVOIR COUNTY CLERK  
TRAVIS COUNTY TEXAS

Restrictive covenant-Nassour/Contessa Dormitory Assoc

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Zoning Case No. C14-05-0112

RESTRICTIVE COVENANT

ORIGINAL  
FILED FOR RECORD

TRAVIS COUNTY CLERK  
P.O. BOX 149325  
AUSTIN, TX 78714-9325  
(512) 854-9188

Nassour (Tract I)  
Nassour, Trustee (Tract II)  
Dyster and Tina Oyster (Tract III)  
\$25 Fortview, Inc., a Texas corporation (Tracts IV, V, and VI)

ISSUED TO: MARCY PHILLIPS

with  
Dormitory Associates, Ltd., a Texas limited partnership (6.926  
West Jefferson Street, Suite 306, Austin, Texas 78731

RECEIPT # 015118  
DATE 03/05/2007 03:48:47 PM

DOCUMENT #	PGS	FEE
2007039123 RESTRICTION	10	52.00

of \$10.00 per acre No/100 Dollars (\$10.00) and other good and valuable  
consideration paid by the City of Austin to the Owner, the receipt and  
copy of which is acknowledged.

Total Amount Due \$52.00  
CHECK 1102 52.00  
Total Payments: \$52.00

0.5 acre tract of land, more or less, out of the Santiago Del Valle  
in Travis County, the tract of land being more particularly  
described by metes and bounds in Exhibit A attached and incorporated  
in this covenant; and  
Lots II, III, IV, V, VI, being those certain lots out of Riverside Divide  
Addition, 3 and Shamrock Addition, in the City of Austin, Travis County, as  
shown on Exhibit B attached and incorporated into this covenant.

HAVE A NICE DAY  
INDEXES AVAILABLE  
HTTP://DEED.CO.TRAVIS.TX.US  
DANA DEBEAUVOIR  
COUNTY CLERK  
Deputy: HERRERAR

The Owners of the Property and the City of Austin have agreed that the  
Property shall be subject to certain covenants and restrictions;  
Therefore, it is declared that the Owners of the Property, for the  
purpose of conveying and convey the Property, subject to the following covenants and  
restrictions, the Property by this restrictive covenant. These covenants and  
restrictions shall be binding on the Owners of the Property, its heirs,

1. Development of the Property is subject to Ordinance No. 20060831-068 that established standards for commercial design, including the development bonuses provided in Section 4.3.4 of Subchapter E.
2. A driveway that provides vehicular access from a public right-of-way to the Property may not be gated.
3. A 100-foot wide building setback shall be established from the shoreline of Town Lake. Improvements permitted within this setback zone are limited to utility crossings, drainage and water quality improvements, the hike and bike trail, or those improvements that may be otherwise required by the City of Austin or specifically authorized in this covenant.
4. The maximum height of a building or structure is 60 feet from ground level.

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