

PETITION

Case Number: **C14-2012-0114**

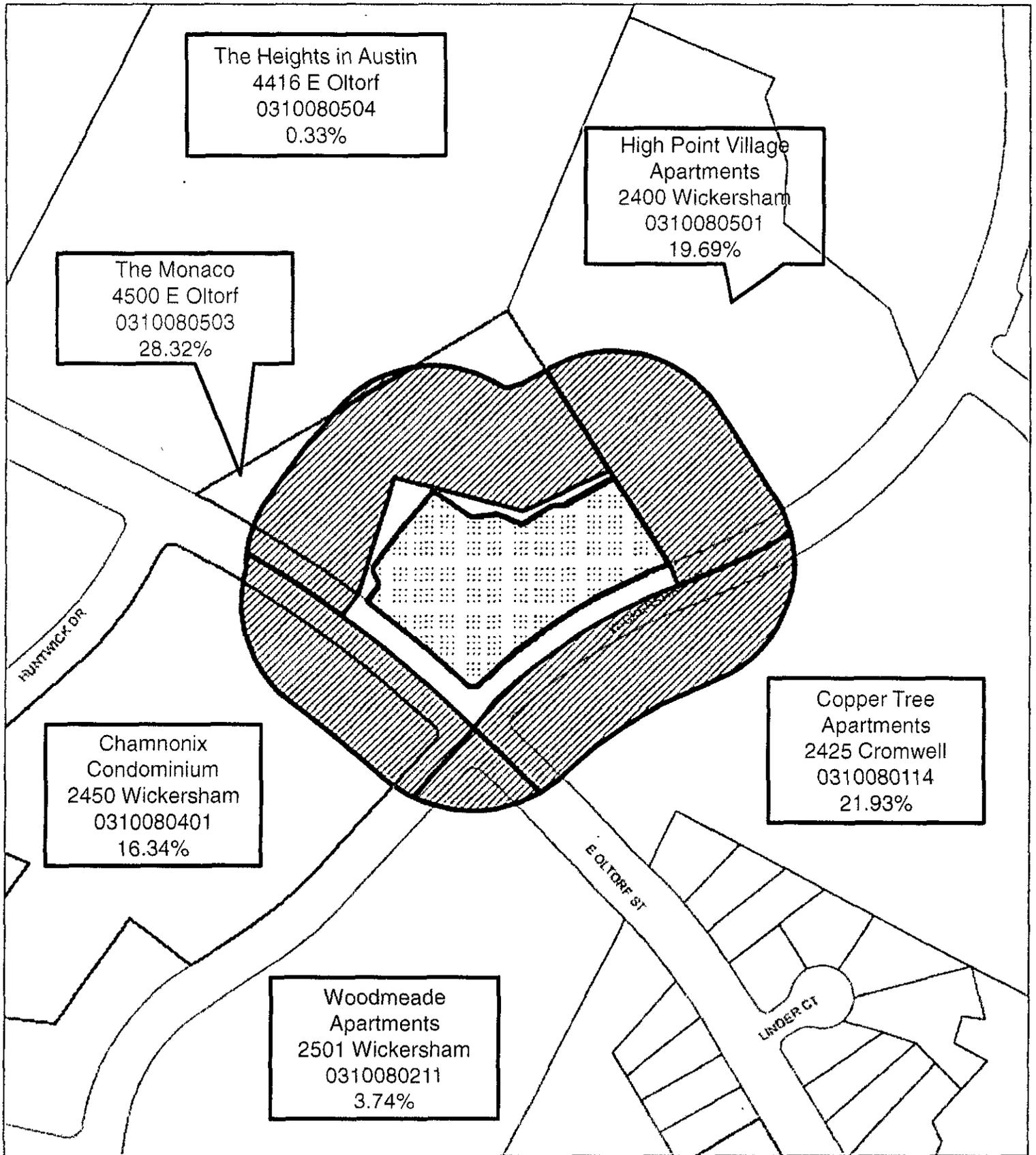
Date: **1/30/2013**

Total Square Footage of Buffer: 380861.65
 Percentage of Square Footage Owned by Petitioners Within Buffer: 21.93%



Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

#	TCAD ID	Address	Owner	Signature	Petition Area	Percent
1	0310080501	2400 WICKERSHAM LN 78741	DAYAND LIMITED PARTNERSHIP	no	74978.01	0.00%
2	0310080114	2425 CROMWELL CIR 78741	TREE COPPER LTD	yes	83,510.62	21.93%
3	0310080401	2450 WICKERSHAM LN 78741	CHAMNONIX CONDOS	no	62246.45	0.00%
4	0310080211	2501 WICKERSHAM LN 78741	GEL WOODMEADE LLC	no	14235.33	0.00%
5	0310080504	4416 E OLTORF ST 78741	4404 EAST OLTORF STREET HOLDINGS LIMITED PARTNERSHIP % CWCAPITAL ASSET MANAGEMENT	no	1264.75	0.00%
6	0310080503	4500 E OLTORF ST 78741	MONACO	no	107864.07	0.00%
7						0.00%
						Total %
						21.93%



PETITION

CASE#: C14-2012-0014



-  BUFFER
-  PROPERTY_OWNER
-  SUBJECT_TRACT

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 GIM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



From: PODER Austin, Texas
Sent: Wednesday, January 30, 2013 4:44 PM
To: Heckman, Lee
Subject: Susana Almanza, PODER 2440 Wickersham Lane

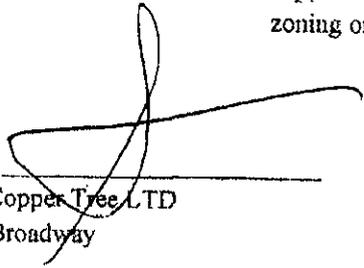
Hello Lee- I am attaching the Valid Petition from John Ewing, owner of the Coppertree Apartments. John Ewing's email address is:

Thank you, Susana Almanza

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PODER
P.O. Box 6237
Austin, TX 78762-6237
www.poder-texas.org

Opposition to Rezoning Case
C14-2012-0114
2440 Wickersham

We, the undersigned, hereby oppose any zoning of the referenced property to GR-MU-CO-NP. Until the property owner can demonstrate compliance with all applicable City Code regulations, we request that the zoning on this site remain MF-2-NP



Partner, Copper Tree LTD
1912 N. Broadway
Suite 300
Santa Ana, CA 92706

1/30/13
Date

Protesting Tract Address:

2425 Cromwell Circle
Austin, TX. 78741
(12.995 acre of Lot 1, Chevy Chase South, Phase 4,
Section B, Block C)

From: John Ewing
Sent: Thursday, January 31, 2013 11:22 AM
To: Heckman, Lee
Subject: RE: Petition Regarding Zoning Case C14-2012-0114

I hereby confirm the signature is that of Israel Weinberg.

Thank you.

John Ewing

From: Heckman, Lee [<mailto:Lee.Heckman@austintexas.gov>]
Sent: Thursday, January 31, 2013 8:44 AM
To: John Ewing
Subject: RE: Petition Regarding Zoning Case C14-2012-0114

Mr. Ewing:

Thank you for forwarding the corporate documents for Coppertree Hills, Inc. In reviewing the petition and supporting documents, Mr. Weinberg's signature on the petition and his signature on the Amended Articles of Incorporation raised questions among my colleagues. Will you please confirm the signature on the petition form is indeed that of Israel Weinberg? Thank you.

Lee

From: John Ewing
Sent: Wednesday, January 30, 2013 5:54 PM
To: Heckman, Lee
Subject: RE: Petition Regarding Zoning Case C14-2012-0114

From: Heckman, Lee [<mailto:Lee.Heckman@austintexas.gov>]
Sent: Wednesday, January 30, 2013 3:15 PM
To: John Ewing
Subject: RE: Petition Regarding Zoning Case C14-2012-0114
Mr. Ewing:

I am not questioning the corporate structure of the partnership, or ownership of the property. If someone is submitting a petition, we require documentation that the person who signed has the authority to do so. In the case of a corporate entity that is usually a copy of the articles of incorporation, partnership assignments, or similar. Please forward the appropriate document(s) demonstrating that Mr. Weinberg has the capacity to sign the petition. Thank you.

Lee

From: John Ewing
Sent: Wednesday, January 30, 2013 4:59 PM
To: Heckman, Lee
Subject: RE: Petition Regarding Zoning Case C14-2012-0114

Israel Weinberg signed the document, he is the the owner. Israel's title is Secretary of Coppertree Hills, Inc, which is the General Partner of Tree Copper, Ltd, the entity that owns Coppertree Apts.

Thank you John

From: Heckman, Lee [<mailto:Lee.Heckman@austintexas.gov>]
Sent: Wednesday, January 30, 2013 2:48 PM
To: John Ewing
Subject: Petition Regarding Zoning Case C14-2012-0114
Mr. Ewing:

I am in receipt of your signed petition regarding the above referenced case. Please email or fax to my attention the appropriate documentation that you have the authority to sign on behalf of Copper Tree, Ltd. Thank you in advance.

Lee Heckman, AICP
City of Austin
Planning & Development Review Dept.
One Texas Center
505 Barton Springs Road, 5th Fl
Austin, Texas 78704

Tel: 512 – 974 – 7604
Fax: 512 – 974 – 6054
Email: lee.heckman@austintexas.gov

CERTIFICATE OF LIMITED PARTNERSHIP

The undersigned General Partner, desiring to form a limited partnership under the provisions of the Revised Limited Partnership Act, certifies as follows: FILED
the Office of the
Secretary of State of

1. The name of the partnership is Tree Copper Ltd.. FEB 08 1993
2. The address of the partnership's registered office is 1205 West Loop North, Suite 120A, Houston, Texas 77055. Corporations Se
The name of the partnership's registered agent for service of process is Larry R. Jones, Attorney at Law. The address of the agent is 1205 West Loop North, Suite 120A, Houston, Texas 77055.

3. The address of the principal office where records are required to be kept or made available is 2425 Crowwell Circle, Austin, Texas 78731.

4. The name, mailing address and street address of the business or residence of each general partner is as follows:

Name	Mailing Address	Business Address
Coppertree Hills, Inc.	1205 West Loop North, Suite 120A Houston, Texas 77055	1205 West Loop N., Suite 120A Houston, Texas 77055

5. The names of the Limited Partners are as follows:

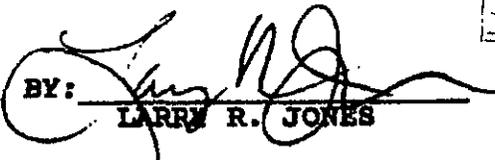
David Alkasser
Israel Weinberg
Coppertree Investments Ltd.

6. This certificate of limited partnership shall be effective on the date of filing with the Secretary of State.

I affirm, under the penalties of perjury, that this certificate is executed on February 5, 1993 and to the best of my knowledge and belief, the facts stated in this certificate are true.

General Partner

COPPERTREE HILLS, INC.

BY: 
LARRY R. JONES

ITS: Authorized Agent

NOV 10 2003
FROM L. JONES



The State of Texas

Secretary of State

JUNE 10, 1997

LARRY R. JONES ATTORNEY AT LAW
5644 WESTHEIMER, STE. 406
HOUSTON ,TX 77056

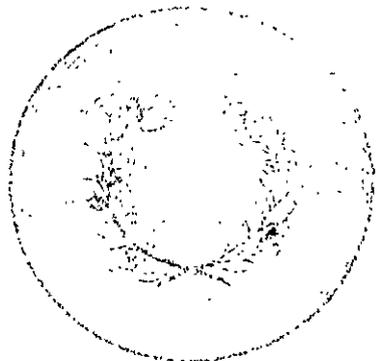
RE:
COPPERTREE HILLS, INC.
CHARTER NUMBER 01253715-00

IT HAS BEEN OUR PLEASURE TO APPROVE AND PLACE ON RECORD YOUR
ARTICLES OF AMENDMENT.

THE APPROPRIATE EVIDENCE IS ATTACHED FOR YOUR FILES AND THE
ORIGINAL HAS BEEN FILED IN THIS OFFICE.

PAYMENT OF THE FILING FEE IS ACKNOWLEDGED BY THIS LETTER.

IF WE CAN BE OF FURTHER SERVICE AT ANY TIME, PLEASE LET US KNOW.




Antonio O. Garza, Jr., Secretary of State



The State of Texas

Secretary of State

CERTIFICATE OF AMENDMENT

FOR

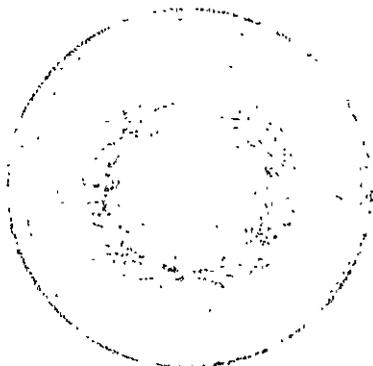
COPPERTREE HILLS, INC.
CHARTER NUMBER 01253715

THE UNDERSIGNED, AS SECRETARY OF STATE OF THE STATE OF TEXAS,
HEREBY CERTIFIES THAT THE ATTACHED ARTICLES OF AMENDMENT FOR THE ABOVE
NAMED ENTITY HAVE BEEN RECEIVED IN THIS OFFICE AND ARE FOUND TO
CONFORM TO LAW.

ACCORDINGLY THE UNDERSIGNED, AS SECRETARY OF STATE, AND BY VIRTUE
OF THE AUTHORITY VESTED IN THE SECRETARY BY LAW, HEREBY ISSUES THIS
CERTIFICATE OF AMENDMENT.

DATED JUNE 10, 1997

EFFECTIVE JUNE 10, 1997




Antonio O. Garza, Jr., Secretary of State

ARTICLES OF AMENDMENT
BY THE SHAREHOLDERS TO THE
ARTICLES OF INCORPORATION
OF COPPERTREE HILLS, INC., a Texas corporation

FILED
in the Office of the
Secretary of State of Texas

JUN 10 1997

Corporations Section

Pursuant to the provisions of Article 4.04 of the Texas Business Corporation Act, the undersigned corporation adopts the following Articles of Amendment to its Articles of Incorporation.

I.

The name of the corporation is COPPERTREE HILLS, INC..

The following amendment to the Articles of Incorporation was adopted by the shareholders of the corporation on May 28, 1997.

II.

The amendment deletes in full the entire provision contained in the original Article III of the original Articles of Incorporation.

The amendment adds the following words to Article III so that Article III as amended now reads as follows:

The purpose for which the corporation is organized is to transact lawful business for which corporations may be incorporated under the Texas Business Corporation Act, but notwithstanding the foregoing, the purpose of the corporation shall be limited to serving as general partner of TREECOPPER, LTD., a Texas limited partnership, (the "Limited Partnership"), and performing activities incidental thereto.

III.

The amendment adds the following as Articles XI, XII, XIII and XIV, respectively, to the original Articles of Incorporation. The Amendment adds the following words as Articles XI:

ARTICLE XI

The Corporation shall not incur any debt secured or unsecured, direct or contingent (including guaranteeing of any obligations), except as necessarily incurred by the acts of the Limited Partnership which acts cause liability on the Corporation in its status as General Partner of the Limited Partnership.

The Amendment adds the following words as Articles XII:

ARTICLE XII

The Corporation may not perform any act to (i) dissolve or liquidate, in whole or in part, (ii) consolidate with or merge into any person or entity, (iii) sell or otherwise dispose of a substantial portion of the Corporation's assets, or (iv) amend these Articles of Incorporation for so long as any Rated Securities are outstanding. "Rated Securities" for purposes of these Articles of Incorporation shall be deemed to mean a security issued which evidences an interest in, or rights pursuant to, promissory note(s) executed by the Limited Partnership as maker, which security is given a rating by a rating agency.

The Amendment adds the following words as Articles XIII:

ARTICLE XIII

In order to perform any of the following actions, the unanimous consent of the directors of the Corporation is required to:

file, or consent to the filing of, any petition, whether voluntary or involuntary, to take advantage of any applicable insolvency, bankruptcy, liquidation or reorganization statute or make an assignment for the benefit of creditors or cause the Limited Partnership to do so;

engage in any other business activity other than ownership of its interest in the Limited Partnership activities and performing its duties as the General Partner, and activities incidental thereto; and

amend the Articles of Incorporation of the Corporation or vote to amend the Limited Partnership's limited partnership agreement.

The Amendment adds the following words as Articles XIV:

ARTICLE XIV

The Directors of the Corporation, in making decisions relating to corporate actions of the Corporation, should consider the effects of such corporate actions on the creditors of the Corporation and should further comply with any covenants by the Corporation to any creditor of the Corporation or of the Limited Partnership.

IV.

The number of shares of the corporation issued and outstanding at the time of such adoption was 1000 and the number of shares entitled to vote thereon was 1000.

V.

The number of shares voted for such amendment was 1000; the number of shares voted against such amendment was zero. Accordingly, such amendment was unanimously approved by the shareholders.

VI.

The holders of all of the shares outstanding entitled to vote on the amendment have signed a consent in writing adopting such amendment.

Dated: May 30, 1997.

Coppertree Hills, Inc., a Texas corporation

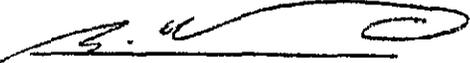
By:


David Alkoss

Its:

President

By:


Israel Weinberg

Its:

Secretary