

**RESTRICTIVE COVENANT**

OWNER: Manchaca Partners, Inc., a Texas corporation

OWNER ADDRESS: 11410 Manchaca Road, Austin, Texas 78748

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: 3,102 square feet of land to be re-zoned out of Lot 1, Block A, OFLP3 Subdivision, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Document No. 201100011 of the Official Public Records of Travis County, Texas, as conveyed to Manchaca Partners, Inc. by deed recorded in Document No. 2015169163 of the Official Public Records of Travis County, Texas and being more particularly described by metes and bounds in Exhibit "A" incorporated into this covenant (the "Property"),

WHEREAS, the Owner (the "Owner", whether one or more), 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 Owner 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 ("Agreement"). These covenants and restrictions shall run with the land, and shall be binding on the Owner of the Property, its heirs, successors, and assigns.

1. The use of outdoor sound amplification equipment is prohibited on the Property.
2. If any person or entity shall violate or attempt to violate this Agreement, 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, to prevent the person or entity from such actions, and to collect damages for such actions.
3. If any part of this Agreement 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.

4. 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.
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, and (b) by the owner(s) of the Property, or a portion of the Property, subject to the modification, amendment or termination at the time of such modification, amendment or termination.

EXECUTED this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

OWNER:

Manchaca Partners, Inc., a Texas corporation

By: \_\_\_\_\_  
Sufian Emmar  
President

APPROVED AS TO FORM:

\_\_\_\_\_  
Assistant City Attorney  
City of Austin

THE STATE OF TEXAS       §  
  §  
COUNTY OF TRAVIS       §

This instrument was acknowledged before me on this the \_\_\_\_\_ day of \_\_\_\_\_, 2017, by Sufian Emmar, as President of Manchaca Partners, Inc., a Texas corporation, on behalf of said corporation.

\_\_\_\_\_  
Notary Public, State of Texas

EXHIBIT "A"

C14-2016-0130

# HOLT CARSON, INC.

PROFESSIONAL LAND SURVEYORS

1904 FORTVIEW ROAD  
AUSTIN, TEXAS 78704  
TELEPHONE: (512) 442-0990  
EMAIL: hci@austin.rr.com  
[www.hciaustin.com](http://www.hciaustin.com)

**FIELD NOTE DESCRIPTION OF 3,102 SQUARE FEET OF LAND TO BE RE-ZONED OUT OF LOT 1, BLOCK A, OFLP3 SUBDIVISION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NO. 201100011 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AS CONVEYED TO MANCHACA PARTNERS, INC. BY DEED RECORDED IN DOCUMENT NO. 2015169163 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING FOR REFERENCE** at ½" iron rod found at the Southwest corner of Lot 1, Block A, OFLP3 subdivision, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Document No. 201100011 of the Official Public Records of Travis County, Texas, same being an angle corner of Lot 17, Block B, Olympic Heights Section 1, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Document No. 200200099 of the Official Public Records of Travis County, Texas, from which a capped iron rod found at the Northwest corner of said Lot 1, Block A, OFLP3 Subdivision, same being an angle corner of Lot 1, Block B, Olympic Heights Section 1 bears, N 02 deg. 39'01" W 225.98 ft., again from said beginning reference point an additional capped iron rod found in the West right-of-way line of Manchaca Road at the Northeast corner of Lot 1, Block A, Olympic Heights Outlot #2, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Document No. 200700273 of the Official Public Records of Travis County, Texas bears, N 88 deg. 06'53" E 102.64 ft. and N 87 deg. 34'25" E 189.10 ft.;

**THENCE** entering the interior of Lot 1, Block A, OFLP3 Subdivision, N 87 deg. 06'45" E 50.81 ft. to a calculated point at the Southwest corner of a one story rock an stucco building for the Southwest corner and **PLACE OF BEGINNING** of the herein described area to be re-zoned;

**THENCE** continuing through the interior of Lot 1, Block A, OFLP3 Subdivision, the following four (4) courses:

- 1.) N 02 deg. 29'25" W 59.00 ft. to a calculated point for the Northwest corner of the herein described area to be re-zoned;
- 2.) N 87 deg. 30'34" W 52.60 ft. crossing through the approximate centerline of an internal building wall line to a calculated point for the Northeast corner of the herein described area to be re-zoned;
- 3.) S 02 deg. 29'26" E 59.00 ft. to a calculated point at the southeast corner of said building for the Southeast corner of the herein described area to be rezoned;
- 4.) S 87 deg. 30'34" W 52.60 ft. to the **PLACE OF BEGINNING** and containing 3,102 square feet of land.

PREPARED: November 15, 2016

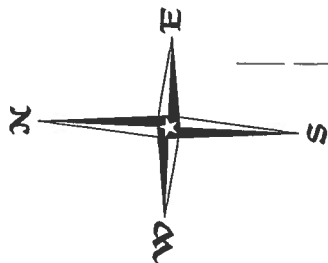
Holt Carson  
Registered Professional Land Surveyor No. 5166  
Texas Licensed Surveying Firm Registration No. 10050700  
see accompanying map: C977146



**EXHIBIT A**

## Legend

- © ½ Iron Rod Found  
 ⬠ Calculated Point  
 —x— Wire Fence  
 —//— Wood Board Fence  
 (Record Bearing and Distance)



MANCHACA ROAD  
(R.O.W. VARIES)

Northeast corner of  
Lot 1, Block A  
Olympic Heights Outlot #2

OLYMPIC HEIGHTS OUTLOT #2  
DOCUMENT NO. 200700273

LOT 1  
BLOCK A

**HOLT CARSON, INCORPORATED**  
**PROFESSIONAL LAND SURVEYORS**  
**1904 FORTVIEW ROAD**  
**AUSTIN, TX 78704**

(512) 442-0990

Texas Licensed Surveying Firm Registration No. 10050700

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SKETCH TO ACCOMPANY FIELD NOTE DESCRIPTION OF 3,102 SQUARE FEET OF LAND TO BE RE-ZONED, OUT OF LOT 1, BLOCK A, OF L.P.3 SUBDIVISION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NO. 201100011 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AS CONVEYED TO MANCHACA PARTNERS, INC. BY GENERAL WARRANTY DEED RECORDED IN DOCUMENT NO. 2015169163 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

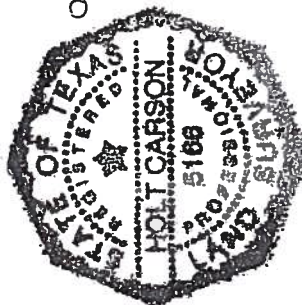
PREPARED: NOVEMBER 15, 2016.

BY

*[Signature]*

Holt Carson

Registered Professional Land Surveyor No. 5166



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