

TERMINATION OF RESTRICTIVE COVENANT
FOR ZONING CASE: C14-85-392(RCT)

OWNER: C.H. Revocable Trust and the David A. Hartman Irrevocable Non-Exempt Family Trust

OWNER ADDRESS: 3345 Bee Cave Road, Suite 205, Austin, Texas 78746

CITY: The City of Austin, a home-rule city, municipal corporation and political subdivision of the State of Texas, in Travis County, Texas.

CITY COUNCIL: The City Council of the City of Austin.

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.

WHEREAS, WREK Venture, entered into that certain Restrictive Covenant, consisting of approximately 20.65 acres of land ("Original Property"), dated as of December 9, 1986, and recorded in the Real Property Records of Williamson County, Texas, on January 20, 1987, in Volume 1474, Page 497 (the "Restrictive Covenant"), as part of City of Austin Zoning Case No. C14r-85-392; and,

WHEREAS, the Texas Department of Transportation condemned approximately 8.34 acres; and,

WHEREAS, the Restrictive Covenant encumbers real property more particularly described in Exhibit "A", incorporated into this Termination of Restrictive Covenant; and,

WHEREAS, the Restrictive Covenant provides that the covenant can be modified, amended, or terminated by joint action of both a majority of the members of the City Council and the Owner of the Property at the time of such modification, amendment or termination; and,

WHEREAS, C.H. Revocable Trust and the David A. Hartman Irrevocable Non-Exempt Family Trust, as sole and current owner (the "Owner") of the Property, now desires to terminate the Restrictive Covenant; and,

WHEREAS, the City Council and the Owner, agree the Restrictive Covenant should be terminated;

NOW, THEREFORE, for and in consideration of the premises and mutual promises, covenants, and agreements hereinafter set forth, the City of Austin and the Owner agree as follows:

1. The Restrictive Covenant is terminated and each term, condition, and provision will have no effect after the effective date of this Termination of Restrictive Covenant.
2. The City Manager, or his designee, shall execute, on behalf of the City, this Termination of Restrictive Covenant for Zoning Case No. C14-85-392 (RCT) as authorized by the City Council of the City of Austin. This Termination of Restrictive Covenant shall be filed in the Official Public Records of Williamson County, Texas, which will terminate the document of record in Volume 1474, Page 497, Real Property Records, Williamson County, Texas.

EXECUTED this the 31st day of January, 2019.

OWNER:

C.H. Revocable Trust and the David A. Hartman
Irrevocable Non-Exempt Family Trust

By: Claudette Hartman, Trustee
Claudette Hartman, Trustee

CITY OF AUSTIN:

By: _____
J. Rodney Gonzales
Assistant City Manager
City of Austin

APPROVED AS TO FORM:

Assistant City Attorney
City of Austin

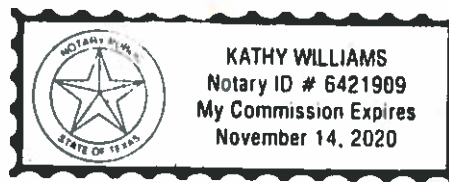
THE STATE OF TEXAS §

COUNTY OF Travis §

This instrument was acknowledged before me on this the 31st day of Jan, 2019, by Claudette Hartman as trustee for the C.H. Revocable Trust and the David A. Hartman Irrevocable Non-Exempt Family Trust.

Kathy Williams

Notary Public, State of Texas



THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the _____ day of _____, 2019, by J. Rodney Gonzales, as Assistant City Manager of the City of Austin, a municipal corporation, on behalf of said municipal corporation.

Notary Public, State of Texas



**FIELD NOTES
FOR**

A 12.306 ACRE TRACT OF LAND BEING ALL OF A CALLED 4.2692 ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 2017090354 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, BEING ALL OF A CALLED 5.947 ACRE TRACT RECORDED IN DOCUMENT NO. 2017090356 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, BEING THE REMNANT PORTION OF A CALLED 3.500 ACRE TRACT RECORDED IN DOCUMENT NO. 2017090355 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING ALL OF A CALLED 1.308 ACRE TRACT RECORDED IN DOCUMENT NO. 2018032971 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SITUATED IN THE RACHAEL SAUL SURVEY, ABSTRACT NO. 551, IN WILLIAMSON, COUNTY TEXAS. SAID 12.306 ACRE TRACT BEING MORE FULLY DESCRIBED AS FOLLOWS, WITH BEARINGS BASED ON THE NORTH AMERICAN DATUM 1983 (NA2011) EPOCH 201000, FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE CENTRAL ZONE:

BEGINNING at an iron rod with cap marked "Terra Firma" found in the north right-of-way line of Lakeline Boulevard, a variable width right-of-way, at the southeast corner of said 4.2692-acre tract, also being the southwest corner of Lot 1B of the Resubdivision of Lot 1, Parkline Section 1, a subdivision according to the plat recorded in Cabinet FF, Slides 11-12 of the Plat Records of Williamson County, Texas for the southeast corner and **POINT OF BEGINNING** hereof;

THENCE S 88°52'58" W, with the north right-of-way line of said Lakeline Boulevard, same being the south line of said 4.2692 acre tract, at a distance of 386.95 passing a ½" iron rod found at the southwest corner of said 4.2692 acre tract same being the southeast corner of said 5.947 acre tract, continuing with the south line of said 5.947 acre tract, same being the north right-of-way line of said Lakeline Boulevard, a total distance of 667.81 feet to an iron rod with cap marked "Austin Surveyors" found for a point of non-tangent curvature;

THENCE along the arc of curve to the left, continuing with the south line of said 5.947-acre tract, same being the north right-of-way line of said Lakeline Boulevard, said curve having a radius of 1103.14 feet, a central angle of 07°54'41", a chord bearing and distance of N 83°16'48" W, 152.20 feet, an arc length of 152.32 feet to a ½" iron rod found at a point of compound curvature;

THENCE along the arc of a curve to the left, continuing with the south line of said 5.947 acre tract, same being the north right-of-way line of said Lakeline Boulevard, said curve having a radius of 1242.00 feet, a central angle of 04°41'27", a chord bearing and distance of

12.306 Acres
Job No. 51034-00
Page 2 of 3

S 80°36'46" W, 101.65 feet, at an arc length of 27.24 feet passing a ½" iron rod found at the southwest corner of said 5.947 acre tract, same being the southeast corner of said 3.500 acre tract, continuing with the north right-of-way line of said Lakeline Boulevard, same being the south line of said 3.500 acre tract for a total arc length of 101.68 feet to a TXDOT Type II Monument found at the southeast cutback line of Texas Toll Road 183A, a variable right-of-way, same being the southwest corner of said 3.500 acre tract for the southernmost southwest corner hereof;

THENCE N 72°08'24" W, with the northeast cutback line of said Texas Toll Road 183A, same being the southwest line of said 3.500-acre tract, a distance of 114.61 feet to an iron rod with cap marked "All-Points" found in the east right-of-way line of said Texas Toll Road 183A, same being the westernmost southwest corner of said 3.50-acre tract for the southernmost southwest corner hereof;

THENCE N 27°58'57" W, with the east right-of-way line of said Texas Toll Road 183A, same being the west line of said 3.500-acre tract, at a distance of 175.62 feet passing a TXDOT Type II Monument found in the east right-of-way line of said Texas Toll Road 183A, at the northwest corner of said 3.500-acre tract, same being the southwest corner of said 1.308 acre tract, continuing with the east right-of-way line of said Texas Toll Road 183A, same being the west line of said 1.308 acre tract for a total distance of 490.03 feet to a ½" iron rod found in the east right-of-way line of said Texas Toll Road 183A, same being the northwest corner of said 1.308 acre tract, also being the southeast corner of a called 138.52 acre tract recorded in Document No. 2011036200 of the Official Public Records of Williamson County, Texas for the northwest corner hereof;

THENCE N 88°53'49" E, departing the east right-of-way line of said Texas Toll Road 183A, with the north line of said 1.308 acre tract, same being the south line of said 138.52 acre tract, at a distance of 22.26 feet passing a Type II TXDOT monument found, at a distance of 226.33 feet passing a ½" iron rod found at the northeast corner of said 1.308 acre tract, same being the northwest corner of said 5.947 acre tract, continuing with the south line of said 138.52 acre tract, same being the north line of said 5.947 acre tract, at a distance of 882.09 feet passing a ½" iron rod found at the northwest corner of said 4.2692 acre tract, same being the northeast corner of said 5.947 acre tract, continuing with the south line of said 138.52 acre tract, same being the north line of said 4.2692 acre tract for a total distance of 1196.40 feet to a 4 ½" steel fence post for a point in the south line of said 138.52 acre tract, same being a point in the north line of said 4.2692 acre tract, said post being the westernmost post of a set of three 4 ½" steel pipes as part of a fence structure, from which a 60D nail found bears S 26°48'36" E, 0.63 feet,

12.306 Acres
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Page 3 of 3

THENCE N 88°12'07" E, continuing with the south line of said 138.52-acre tract, same being the north line of said 4.2692 acre tract, distance of 52.58 feet to a ½" iron rod found in the south line of said 138.52 acre tract, same being the northeast corner of said 4.2692 acre tract, same being the northwest corner of the aforementioned Lot 1B for the northeast corner hereof;

THENCE S 01°07'12" E, with the east line of said 4.2692-acre tract, same being the west line of said Lot 1B, a distance of 480.87 feet to the **POINT OF BEGINNING** and containing 12.306 acres in Williamson County, Texas. Said tract being described in accordance with a survey made on the ground and prepared under Job No. 51034-00 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: June 29, 2018
REVISED: July 2, 2018
JOB No.: 51034-00
DOC.ID: H:\survey\CIVIL\51034-00\Word\51034-00_12.306Ac.docx
TBPE Firm Registration #470
TBPLS Firm Registration #100288-01



A 12.306 ACRE TRACT OF LAND BEING ALL OF A CALLED 4.2692 ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 2017080354 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, BEING ALL OF A CALLED 5.947 ACRE TRACT RECORDED IN DOCUMENT NO. 2017090356 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, BEING THE REMNANT PORTION OF A CALLED 3.500 ACRE TRACT RECORDED IN DOCUMENT NO. 2017080355 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING ALL OF A CALLED 1.308 ACRE TRACT RECORDED IN DOCUMENT NO. 2018032971 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SITUATED IN THE RACHAEL SAUL SURVEY, ABSTRACT NO. 551, IN WILLIAMSON, COUNTY TEXAS.

**OFFICIAL PUBLIC RECORDS OF TRAVIS
COUNTY, TEXAS**

P.O.B.
TXDOT
POINT OF BEGINNING
TEXAS DEPARTMENT OF TRANSPORTATION

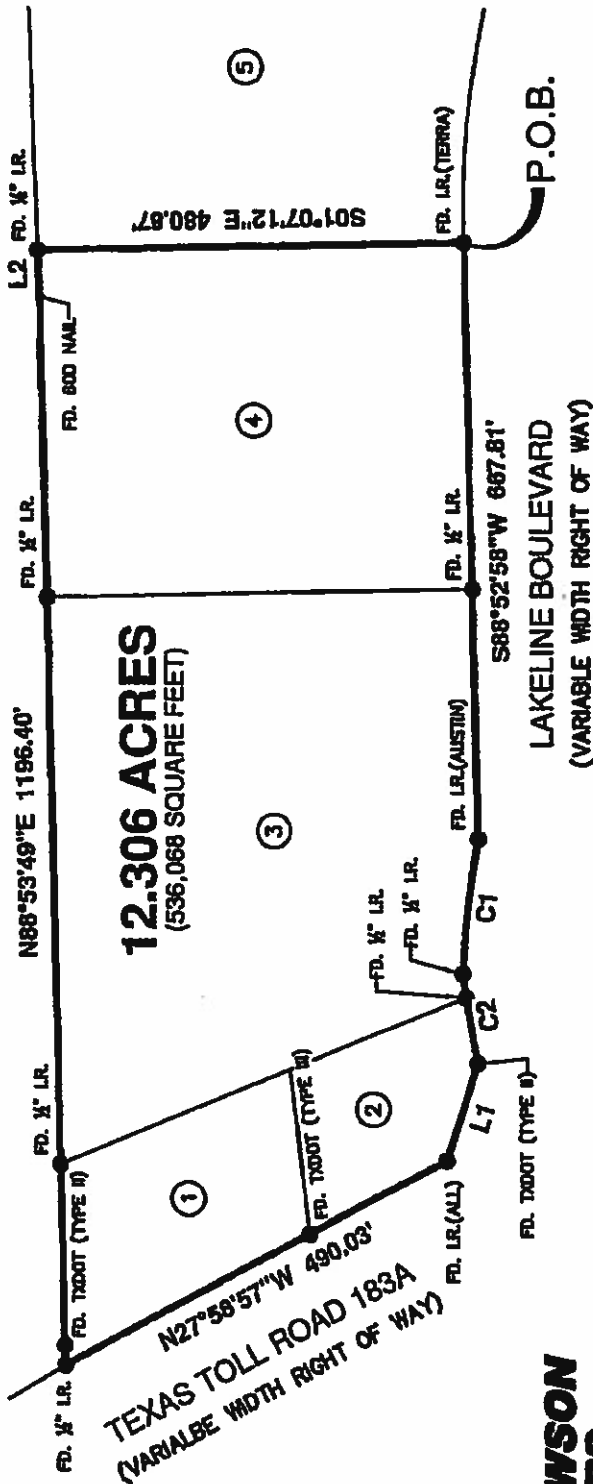
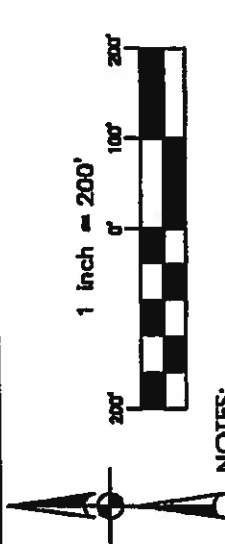
FOUND
IRON ROD
I.R.

FOUND IRON ROD WITH CAP (COMPANY
AND/OR SURVEYOR AS NOTED)
SUBJECT TRACT AND ADJOINER RECORDING
INFORMATION.

A CALLED 138.52 ACRE TRACT OF LAND
OWNER: STATE OF TEXAS
DOC. NO. 2001035200 (O.P.R.)

NOTES:

1. THE PROFESSIONAL SERVICES PROVIDED HERewith INCLUDE THE PREPARATION OF A FIELD NOTE DESCRIPTION.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NAD2011) EPOCH 2010.00.
3. ADJUNCTIONS SHOWN FOR INFORMATIONAL PURPOSES ONLY.

**PAPE-DAWSON
ENGINEERS**

**AUSTIN | SAN ANTONIO | HOUSTON | FORT WORTH | DALLAS
TOWN IN LEPAGE EGYPT, JULY 2, 8PM-9PM | AUSTIN, TX TEL: (512) 464-0711
TRAVEL FROM REGISTRATION AREA | TRIP'S FROM REGISTRATION #44000000**

JANUARY 25, 2019

JOB No.: 51034-00
SHEET 1 OF 2

① A CALLED 1.308 ACRE TRACT OF LAND
OWNER: CLAUDETTE HARTMAN, AS TRUSTEE OF THE C H
REVOCABLE TRUST AND CLAUDETTE LUCILLE HARTMAN, AS
TRUSTEE OF THE DAVID A. HARTMAN IRREVOCABLE
NON-EXEMPT FAMILY TRUST.
DOC. NO. 2018032971 (O.P.R.)

② THE REMNANT PORTION OF A CALLED 3.500
ACRE TRACT OF LAND
OWNER: CLAUDETTE HARTMAN, AS TRUSTEE
OF THE C H REVOCABLE TRUST AND
CLAUDETTE LUCILLE HARTMAN, AS TRUSTEE
OF THE DAVID A. HARTMAN IRREVOCABLE
NON-EXEMPT FAMILY TRUST.
DOC. NO. 2017080355 (O.P.R.)

③ A CALLED 5.947 ACRE TRACT OF LAND
OWNER: CLAUDETTE HARTMAN, AS TRUSTEE OF THE C H
REVOCABLE TRUST AND CLAUDETTE LUCILLE HARTMAN, AS
TRUSTEE OF THE DAVID A. HARTMAN IRREVOCABLE
NON-EXEMPT FAMILY TRUST.
DOC. NO. 2017080356 (O.P.R.)

④ A CALLED 4.2692 ACRE TRACT OF LAND
OWNER: CLAUDETTE HARTMAN, AS TRUSTEE OF THE C H
REVOCABLE TRUST AND CLAUDETTE LUCILLE HARTMAN, AS
TRUSTEE OF THE DAVID A. HARTMAN IRREVOCABLE
NON-EXEMPT FAMILY TRUST.
DOC. NO. 2017080354 (O.P.R.)

⑤ LOT 1B
A CALLED 9.654 ACRE LOT
RESUBDIVISION OF LOT 1, PARKLINE SECTION 1
CABINET FF. SLIDES 11-12 (P.R.)
OWNER: 2013 PARKLINE SUB, LLC, A DELAWARE LIMITED
LIABILITY COMPANY, CCP EXEMPT, LLC, A DELAWARE
LIMITED LIABILITY COMPANY AND CCP NON EXEMPT, LLC,
A DELAWARE LIMITED LIABILITY COMPANY.
DOC. NO. 2013089434 (O.P.R.)



AUSTIN | SAN ANTONIO | HOUSTON | FORT WORTH | DALLAS
78001 R. MORAN EXP., BLDG 2, STE 300 | AUSTIN, TX 78709 | 802.444.0711
TYPED FROM REGISTRATION AND 1 TYPED FROM REGISTRATION OF RECORD

Printed: Jan 25, 2019, 11:55am User: ED. Vanden
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EXHIBIT OF

A 12.308 ACRE TRACT OF LAND BEING ALL OF A CALLED
4.2692 ACRE TRACT OF LAND RECORDED IN DOCUMENT NO.
2017080354 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON
COUNTY, TEXAS, BEING ALL OF A CALLED 5.947 ACRE TRACT
RECORDED IN DOCUMENT NO. 2017080356 OF THE OFFICIAL
PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, BEING THE
REMNANT PORTION OF A CALLED 3.500 ACRE TRACT RECORDED
IN DOCUMENT NO. 2017080355 OF THE OFFICIAL PUBLIC
RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING ALL OF A
CALLED 1.308 ACRE TRACT RECORDED IN DOCUMENT NO.
2018032971 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON
COUNTY, TEXAS, SITUATED IN THE RACHAEL SAUL SURVEY,
ABSTRACT NO. 551, IN WILLIAMSON, COUNTY TEXAS.

CURVE TABLE				
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	1103.14'	75°4'41"	N83°18'48"W	152.20'
C2	1242.00'	4°41'27"	S80°38'46"W	101.65'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N72°08'24"W	114.61'
L2	N88°12'07"E	52.58'

JANUARY 25, 2019

SHEET 2 OF 2
JOB No.: 51034-00

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