

**RESTRICTIVE COVENANT**

OWNER: 16 Piggybank, LTD., a Texas limited partnership

OWNER ADDRESS: 8300 Big View Drive  
Austin, Texas 78730

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 are acknowledged.

PROPERTY: 0.933 acre of land out of the Isaac Decker League, situated in the City of Austin, Travis County, Texas, said 0.933 acre of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this covenant.

WHEREAS, the Owner 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. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds the total traffic generation for the Property as specified in that certain Transportation Mitigation Memo ("TMA") prepared by Wantman Group, Inc., (WGI) dated June 12, 2019, or as amended, and approved by the Director of the Austin Transportation Department. All development on the Property is subject to the Austin Transportation Department's staff memorandum dated July 16, 2019 ("memorandum") and any amendments to the memorandum that address subsequent TMA updates for the Property. The TMA and memorandum shall be kept on file at the Austin Transportation Department.
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 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 \_\_\_\_\_, 2019.

Owner:

16 Piggybank, Ltd., a Texas limited partnership

By: Stetson Trueh, a Texas limited liability company, its  
general partner

By: \_\_\_\_\_  
Huston Street, Manager

**THE STATE OF TEXAS** §

**COUNTY OF TRAVIS** §

This instrument was acknowledged before me on this the \_\_\_\_\_ day of \_\_\_\_\_, 2019, by Huston Street, as Manager of Stetson Trueh LLC, a Texas limited liability company, as general partner of 16 Piggybank, LTD., a Texas limited liability partnership, on behalf of said partnership.

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Name: \_\_\_\_\_  
Assistant City Attorney  
City of Austin

0.933 ACRE  
221 SOUTH LAMAR  
PAGGI HOUSE

FN. NO. 11-421(KWA)  
DECEMBER 15, 2011  
BPI NO. R010879110001

**DESCRIPTION**

OF A 0.933 ACRE TRACT OF LAND OUT OF THE ISAAC DECKER LEAGUE, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 1.155 ACRE TRACT OF LAND CONVEYED TO PAGGI HOUSE, LLC BY DEED OF RECORD IN DOCUMENT NO. 2011016777 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.933 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING**, at a 1/2 inch iron rod found at the intersection of the easterly right-of-way line of South Lamar Boulevard (120' R.O.W.), with the southerly right-of-way line of West Riverside Drive (120' R.O.W.), being the northwesterly corner of said 1.155 acre tract, for the northwesterly corner hereof;

**THENCE**, S70°34'16"E, leaving the easterly right-of-way line of South Lamar Boulevard, along the southerly right-of-way line of West Riverside Drive, being the northerly line of said 1.155 acre tract, for the northerly line hereof, a distance of 237.80 feet to a 1/2 inch iron rod with cap set at the intersection of the southerly right-of-way line of West Riverside Drive with the westerly right-of-way line of Lee Barton Road (55' R.O.W.), being the northeasterly corner of said 1.155 acre tract, for the northeasterly corner hereof;

**THENCE**, S30°07'58"W, leaving the southerly right-of-way line of West Riverside Drive, along the westerly right-of-way line of Lee Barton Road, being a portion of the easterly line of said 1.155 acre tract, for the easterly line hereof, a distance of 202.08 feet to a 1/2 inch iron rod with cap set, for the southeasterly corner hereof;

**THENCE**, leaving the westerly right-of-way line of Lee Barton Road, over and across said 1.155 acre tract, for a portion of the southerly line hereof, the following two (2) courses and distances:

- 1) N59°52'02"W, a distance of 90.00 feet to a 1/2 inch iron rod with cap set for an angle point;
- 2) N77°39'09"W, a distance of 5.54 feet to a PK nail set at an angle point in the northerly line of Bridges on the Park, a condominium of record in Document Nos. 2006117044 and 2007092434 of said Official Public Records, being an angle point in the southerly line of said 1.155 acre tract, for an angle point hereof;

**THENCE**, along the northerly line of said Bridges on the Park, along the southerly line of said 1.155 acre tract, for a portion of the southerly line hereof, the following three (3) courses and distances:

FN 11-421(KWA)  
DECEMBER 15, 2011  
PAGE 2 OF 2

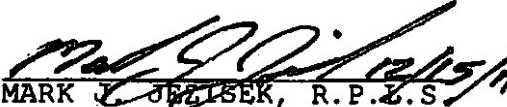
- 1) N67°20'15"W, a distance of 70.79 feet to PK nail set for an angle point;
- 2) N21°20'12"E, a distance of 11.03 feet to a punch hole found in concrete for an angle point;
- 3) N68°33'11"W, a distance of 40.69 feet to a PK nail set on said easterly right-of-way line of South Lamar Boulevard, being the northwesterly corner of said Bridges on the Park, for the southwesterly corner of said 1.155 acre tract and hereof;

THENCE, N21°01'42"E, along said easterly right-of-way line of South Lamar Boulevard, being the westerly line of said 1.155 acre tract, for the westerly line hereof, a distance of 166.15 feet to the **POINT OF BEGINNING**, and containing 0.933 acre (40,643 sq. ft.) of land, more or less, within these metes and bounds.

THE BASIS OF BEARINGS IS THE EASTERLY LINE OF THAT CERTAIN 0.718 ACRE TRACT CONVEYED TO PISCES FOODS, L.L.C. BY DEED OF RECORD IN VOLUME 13400, PAGE 422 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

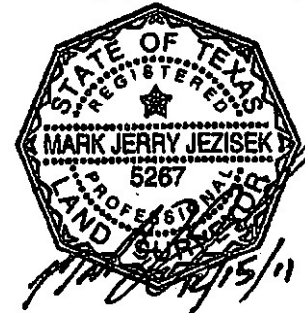
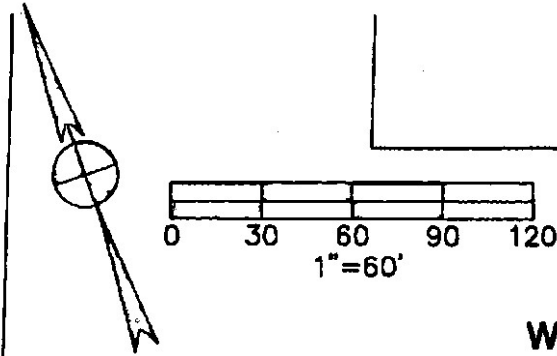
I, MARK J. JEZISEK, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A SURVEY EXHIBIT WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION

BURY+PARTNERS, INC.  
221 W. SIXTH STREET  
SUITE 600  
AUSTIN, TEXAS, 78701

  
MARK J. JEZISEK, R.P.L.S.  
NO. 5267  
STATE OF TEXAS



CITY OF AUSTIN

**WEST RIVERSIDE DRIVE**

(120' R.O.W.)

**SOUTH LAMAR BOULEVARD**  
(120' R.O.W.)

P.O.B.

S70°34'16"E 237.80'

**0.933 ACRE**  
(40,643 SQ. FT.)1.155 ACRES  
PAGGI HOUSE, LLC  
DOCUMENT NO. 2011016777

S30°07'58"W 202.08'

**LEE BARTON ROAD**  
(55' R.O.W.)6.975 ACRES TRACT B  
CITY OF AUSTIN  
(PITCH AND PUTT  
GOLF COURSE)

S21°01'42"W 190.17'

**ISAAC DECKER  
LEAGUE**BRIDGES ON THE PARK,  
A CONDOMINIUM  
DOCUMENT NO. 2006117044  
DOCUMENT NO. 2007092434

S30°07'58"W 135.86'

**Bury+Partners**221 West Sixth Street, Suite 600  
Austin, Texas 78701  
Tel. (512)328-0011 Fax (512)328-0325  
Bury+Partners, Inc. © Copyright 2011**SKETCH TO ACCOMPANY DESCRIPTION**  
OF A 0.933 ACRE TRACT OF LAND OUT OF THE ISAAC DECKER  
LEAGUE, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY,  
TEXAS, BEING A PORTION OF THAT CERTAIN 1.155 ACRE  
TRACT OF LAND CONVEYED TO PAGGI HOUSE, LLC BY DEED  
OF RECORD IN DOCUMENT NO. 2011016777 OF THE OFFICIAL  
PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.**PAGGI HOUSE,  
LLC**

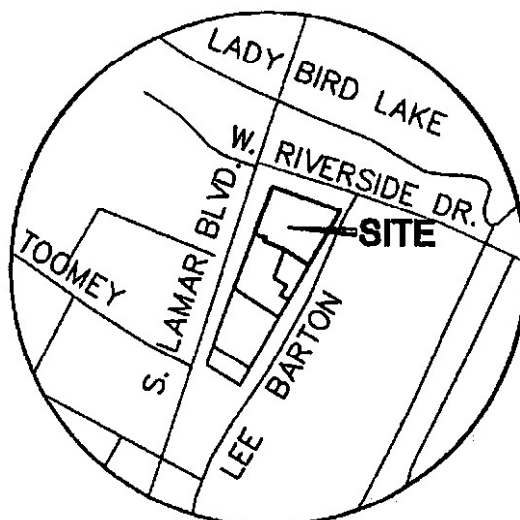
DATE: 12/15/11

FILE: H:\108791\001\108791001EX2.DWG

FN No.: 11-421(KWA)

DRAWN BY: KWA

PROJ. No: R0108791-10001



VICINITY MAP

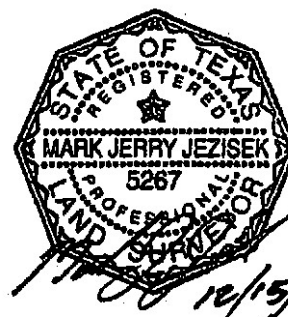
N.T.S.

## LEGEND

- 1/2" IRON ROD FOUND (UNLESS NOTED)
- 1/2" IRON ROD WITH CAP SET
- ⊙ IRON PIPE FOUND
- △ P.K. NAIL WITH WASHER SET
- P.O.B. POINT OF BEGINNING

## LINE TABLE

LINE	BEARING	LENGTH
L1	N59°52'02"W	90.00
L2	N77°39'09"W	5.54
L3	N67°20'15"W	70.79
L4	N21°20'12"E	11.03
L5	N68°33'11"W	40.69



**Bury+Partners**

221 West Sixth Street, Suite 800  
Austin, Texas 78701  
Tel. (512)328-0011 Fax (512)328-0328  
Bury+Partners, Inc. © Copyright 2011

**SKETCH TO ACCOMPANY DESCRIPTION**  
OF A 0.933 ACRE TRACT OF LAND OUT OF THE ISSAC DECKER LEAGUE, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 1.155 ACRE TRACT OF LAND CONVEYED TO PAGGI HOUSE, LLC BY DEED OF RECORD IN DOCUMENT NO. 2011016777 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

**PAGGI HOUSE, LLC**

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