

RESTRICTIVE COVENANT TERMINATION REVIEW SHEET

CASE: C14-88-0137(RCT) -- Johnny Morris Multi-Family DISTRICT: 1

ADDRESS: 6402 Johnny Morris Road

SITE AREA: 22.114 Acres

PROPERTY OWNER/APPLICANT:
LSIR (Carey Legett III)

AGENT:
Mahoney Engineering (Daniel Mahoney)

CASE MANAGER: Heather Chaffin (512-974-2122, heather.chaffin@austintexas.gov)

STAFF RECOMMENDATION:

Staff supports the Applicant's request to terminate the restrictive covenant. *For a summary of the basis of staff's recommendation, see case manager comments on page 2.*

ZONING AND PLATTING COMMISSION ACTION/ RECOMMENDATION:

July 6, 2021: To grant termination of the restrictive covenant, on consent (8-0).

CITY COUNCIL ACTION:

August 26, 2021:

ORDINANCE NUMBER:

ISSUES:

A rezoning request has been filed in conjunction with the restrictive covenant amendment (City File # C14-2021-0087).

CASE MANAGER COMMENTS:

The subject property is located on the east side of Ed Bluestein Boulevard between Loyola Lane and Manor Road, slightly south of Purple Sage Drive. Most of the undeveloped property is zoned GR (8.27 acres), while a small strip along the northern boundary is zoned SF-3 (0.99 acres). To the north is a residential neighborhood that is zoned SF-3 and will trigger compatibility standards. This neighborhood is primarily developed with duplex residences and LBJ High School. Immediately to the south and east is undeveloped land zoned GR-MU. A small tributary to Walnut Creek is located adjacent to the southern tract boundary; no floodplain or creek buffers are associated with this tributary. Further west are undeveloped properties zoned SF-2-CO. Immediately west of the property is Ed Bluestein Boulevard; across Ed Bluestein Boulevard are properties zoned GR-V-NP, GR-NP, and GR-MU-CO-NP. These properties include retail uses (including a grocery store), undeveloped property, and civic land uses (Boys and Girls Club). Immediately to the east is a small tributary to Walnut Creek that has 100-year floodplain and a 200' wide creek buffer centered on the tributary. East of the tributary is undeveloped land zoned SF-2-CO. ***Please see Exhibits A and B—Zoning Map and Aerial Exhibit.***

In 1988-1989, a restrictive covenant (RC) was placed on the property in conjunction with a rezoning from GR to LI-CO. The RC references SF-3 zoning across Johnny Morris Road, however there is no longer any SF-3 zoning across the street (now zoned MH). The RC requires that access to the subject tract be designed to minimize traffic conflicts with the SF-3 tract; current Code requires that all driveways be designed to minimize traffic conflicts. The RC also references a future “MoKan Expressway” alignment that was anticipated adjacent to the subject property and required right-of-way (ROW) dedication. The road was never constructed as anticipated in the 1988-1989 RC and was eventually replaced by SH 130 further to the east. ***Please see Exhibits C and D- Applicant Letter and Restrictive Covenant.***

Staff supports the restrictive covenant termination. The termination would remove outdated conditions and make any development of the site consistent with existing Code requirements. Current Code requirements regarding driveway alignments and traffic conflicts are more detailed and restrictive than in the 1980s. It would also remove references to a roadway that is no longer planned to be constructed.

BASIS FOR RECOMMENDATION

1. *Zoning should allow for reasonable use of the property.*
2. *Granting of the request should result in an equal treatment of similarly situated properties.*

The proposed termination of this restrictive covenant would allow this property to be developed in a manner consistent with current Code requirements. The termination would remove requirements tied to land uses (single family, MoKan Expressway) that no longer exist in the area.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	LI-CO	Single family residence
North	SF-3	Undeveloped
South	IP	Outdoor storage and sales
East	LR, MH, GR-MU-CO	Undeveloped, Mobile home residential, Undeveloped
West	Rail ROW, P	Proposed CapMetro Green Line, Civic (park)

STREET CHARACTERISTICS:

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Johnny Morris Rd	60'	120'	28'	3	No	Yes	Yes

TIA: Deferred to time of site plan, if triggered

WATERSHED: Walnut Creek (Suburban)

NEIGHBORHOOD ORGANIZATIONS:

Agave Neighborhood Association	Austin Independent School District
Austin Lost and Found Pets	Austin Neighborhoods Council
Bike Austin	Colony Park Neighborhood Association
Del Valle Community Coalition	Friends of Austin Neighborhoods
Friends of Northeast Austin	Homeless Neighborhood Association
Neighborhood Empowerment Foundation	Neighbors United for Progress
SELTEXAS	Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	COUNCIL
C14-2020-0091 Johnny Morris Road Light Industrial)	LI-CO and W/LO-CO to LI *amended to GR-MU-CO	Staff recommendation of LI-CO (prior to amended request)	3/25/2021: to grant GR-MU-CO, as amended.
C14-2018-0117	LR, SF-3 to GR-MU-CO	12/18/18: To grant staff's rec. of GR-MU-CO on consent, with a CO to prohibit Alt financial svcs, Auto	1/31/2019: Approved GR-MU-CO as rec by

(Loyola Lofts: 6420 Loyola Lane)		rentals/repair svcs, washing (any type), Bail bond svcs, Drop-off recycling collection facility, Exterminating svcs, Funeral svcs, Pawn shop svcs, Pedicab storage and dispatch, Service station, and Custom Manufacturing & <2,000 vpd.	ZAP, Ord # 20190131-057
C14-06-0156.SH (6200 Loyola Lane)	MF-3-CO, GR-MU-CO to MF-3-CO	09/19/2006: MF-3-CO w/ max 2,000 v.p.d., max 254 d.u.	10/19/2006: Approved MF-3-CO as rec by ZAP, Ord # 20061019-062

OTHER STAFF COMMENTS:

COMPREHENSIVE PLANNING

Connectivity: Public sidewalks are sparse and intermittent along this portion of Johnny Morris Road, while a public transit stop is located directly in front of and across the street from the subject property. There are no bike lanes located along this portion of the street. The property is adjacent to the Walnut Creek Hike and Bike Trail system to the west. Mobility options are fair in the area due to the lack of a connecting public sidewalk system.

The property is located within the Colony Park Station Neighborhood Activity Center and 1,000 linear feet from an Activity Corridor. A Neighborhood Center, the smallest center in the Imagine Austin Comprehensive Plan, has a more local focus, and is intended for doctors and dentist offices, retail shops, branch libraries, dry cleaners, hair salons, coffee shops, restaurants, and other small and local businesses to generally serve the center and surrounding neighborhoods. Imagine Austin Centers are represented by a circle or globular shape that reflects the general location where a 'center' should be located in the future. The center's actual boundaries would need to be refined and clarified through a small area planning process. Regional, town, and neighborhood centers are supposed to be walkable, bikable, and supported by transit. Activity corridors are characterized by a variety of activities and types of buildings located along the roadway, and are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. The following IACP policies are also relevant to this case:

- ☐ LUT P3. Promote development in compact centers, communities, or along corridors that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- ☐ LUT P5. Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides community gathering spaces, parks and safe outdoor play areas for children.
- ☐ HN P10. Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

The project is located within the Colony Park Station Neighborhood Center and near an Activity Corridor, which supports mixed use and multifamily uses. The property is also located near civic uses (park and hike/bike trail, a park and public elementary school) and has fair mobility options

(a hike and bike trail and a public transit stop) and lacks a public sidewalks system to access nearby civic uses and retail and commercial uses in the vicinity. Based upon a Neighborhood Center supporting mixed use and multifamily uses, the mixed-use rezoning partially supports the policies of the Imagine Austin Comprehensive Plan.

ENVIRONMENTAL

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Walnut Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code.
2. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

3. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
4. At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
5. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

SITE PLAN

SP1. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

SP2. The site is subject to compatibility standards. Along the north property line, the following standards apply:

- a. No structure may be built within 25 feet of the property line.
- b. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- c. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- d. No parking or driveways are allowed within 25 feet of the property line.
- e. A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

SP3. Additional design regulations will be enforced at the time a site plan is submitted.

SP4. This site is located within 150 feet of a wildland area, in the Wildland Urban Interface (WUI). Please see this website for more information about construction in the WUI:

<http://www.austintexas.gov/departments/wildland-urban-interface-code>

TRANSPORTATION

The Austin Strategic Mobility Plan (ASMP), adopted 04/11/2019, identifies a need for 120' of right-of-way for Johnny Morris Road. A traffic impact analysis is waived, the determination is deferred to site plan application, when land use and intensity will be finalized.

Existing Street Characteristics:

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Johnny Morris Rd	60'	120'	28'	3	No	Yes	Yes

PARKS AND RECREATION

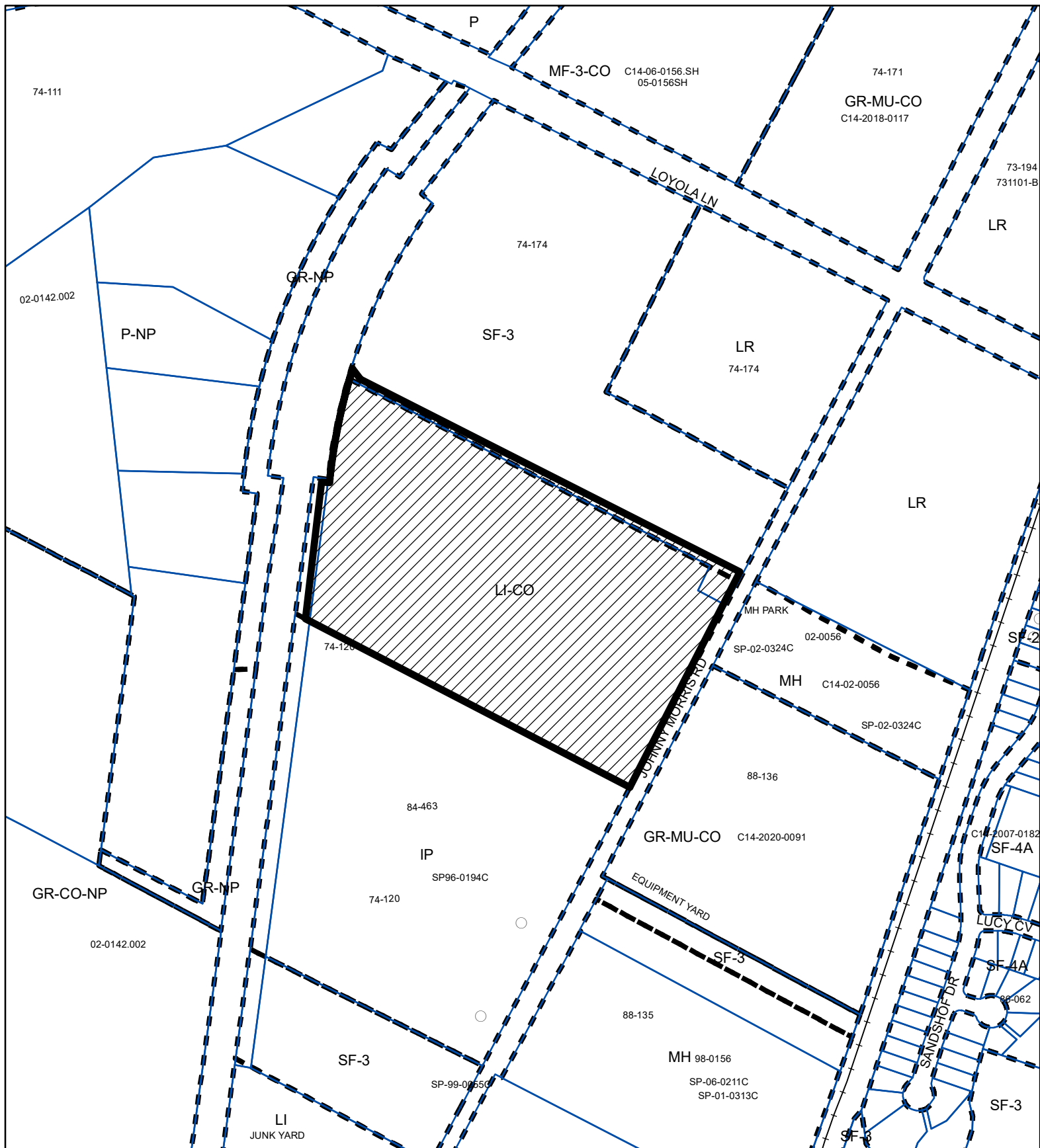
PR1: Parkland dedication will be required for the new residential units proposed by this development, condominiums with GR-MU-CO-NP zoning, at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the criteria in City Code Title 25, Article 14, as amended. Should fees in-lieu be required, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-607 (B)(1) & (2). If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: thomas.rowlinson@austintexas.gov. At the applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.




WATER UTILITY

AW1. The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Exhibit
- C. Applicant Letter
- D. Restrictive Covenant



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

Restrictive Covenant Termination

ZONING CASE#: C14-88-0137(RCT)

1" = 400'

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 the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or



Created: 5/12/2021



Property Profile



1: 9,600



0.3 0 0.15 0.3 Miles

NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet

Date Printed:

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

Legend

Street Labels

Zoning Review Cases- IN REV

Fully Developed Floodplain

- COA Fully Developed 25-Year
- COA Fully Developed 100-Year
- COA Master Plan 25-Year
- COA Master Plan 100-Year
- 100-Year (Detailed-AE)
- 100-Year (Shallow-AO,AH)
- 100-Year (Approx-A)

Notes



Mahoney Engineering
8201 South Congress Avenue
Austin, Texas 78745

Ms. Heather Chaffin

Planning Development Center
6310 Wilhelmina Delco Drive
Austin, TX 78752

Reference: Restrictive Covenant Termination Request
Johnny Morris 22-Acre MF
6402 Johnny Morris Road
Austin, Texas 78724

Dear Ms. Chaffin,

We are writing to request that the following restrictive covenants in the attached RC document be vacated:

1. "PRIOR TO RELEASE OF A SITE PLAN FOR THE PROPERTY... DEVELOPMENT OF THE PROPERTY SHALL BE DESIGNED TO MINIMIZE TRAFFIC CONFLICTS WITH THE "SF-3" ZONED TRACT ACROSS JOHNNY MORRIS ROAD."

The RC states "SF-3 tract across Johnny Morris Road", which no longer exists. The SF-3 tract has since been rezoned to MH as seen in **Figure 1**. Therefore, we see the RC as having no practical value to the property and can be vacated.

2. "OWNER SHALL RESERVE 125 FEET OF RIGHT-OF-WAY FOR FUTURE RIGHT-OF-WAY OF MOKAN EXPRESSWAY... NO STRUCTURE SHALL BE ERECTED, NOR SHALL IMPROVEMENTS BE MADE WITHIN THE RESERVED RIGHT OF WAY..."

Before 1985, the Mokan Expressway was envisioned to pass through to the west side of 6402 Johnny Morris Road property (**Figure 2**). In 1985, the plan was abandoned, and Mokan Expy became SH 130, which still impacted the project site (**Figure 3**). However, in 1994, SH 130 had a major alignment change that relocated it east of US 183 (**Figure 4**). The Mokan Expy no longer appears in the transportation master plans. The restrictive covenant is no longer applicable, therefore, should be able to be vacated.

Sincerely,

MAHONEY ENGINEERING

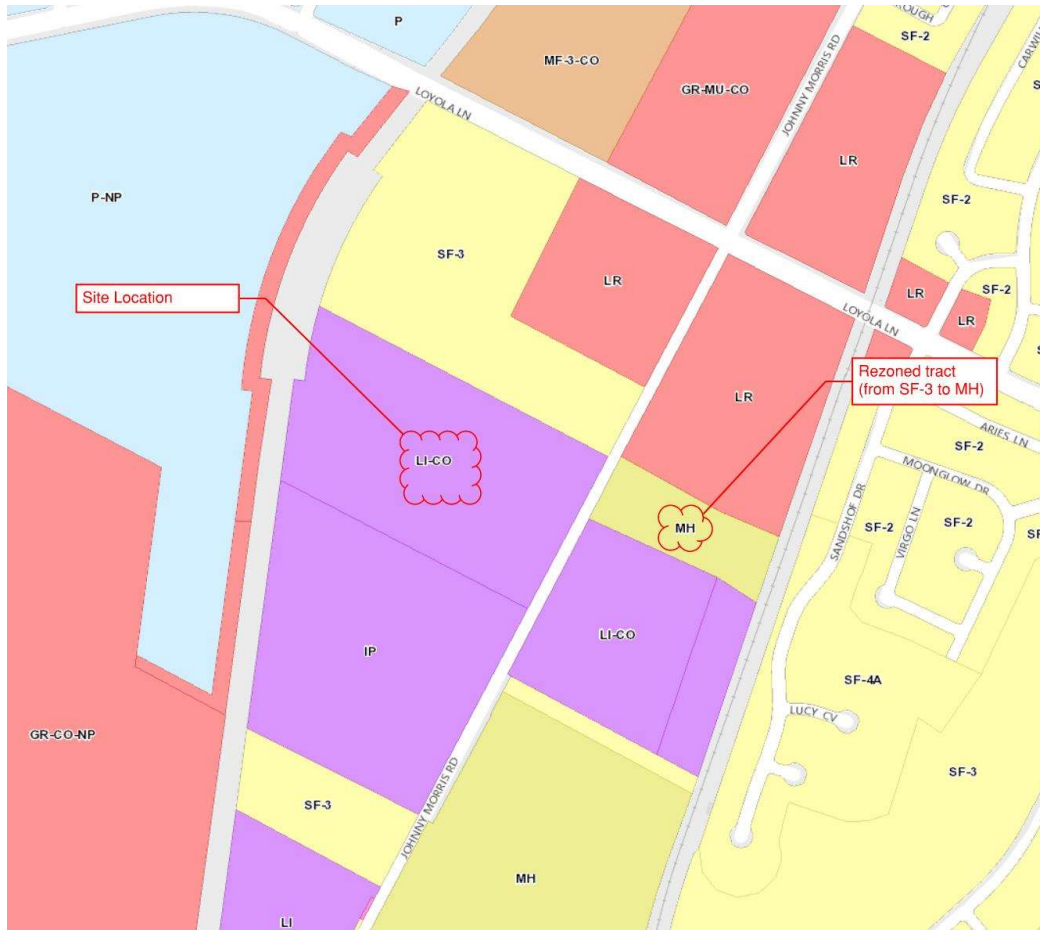
A handwritten signature in blue ink, reading "Daniel M. Mahoney". The signature is fluid and cursive, with a large initial "D" and "M".

Daniel M. Mahoney P.E.

President and CEO

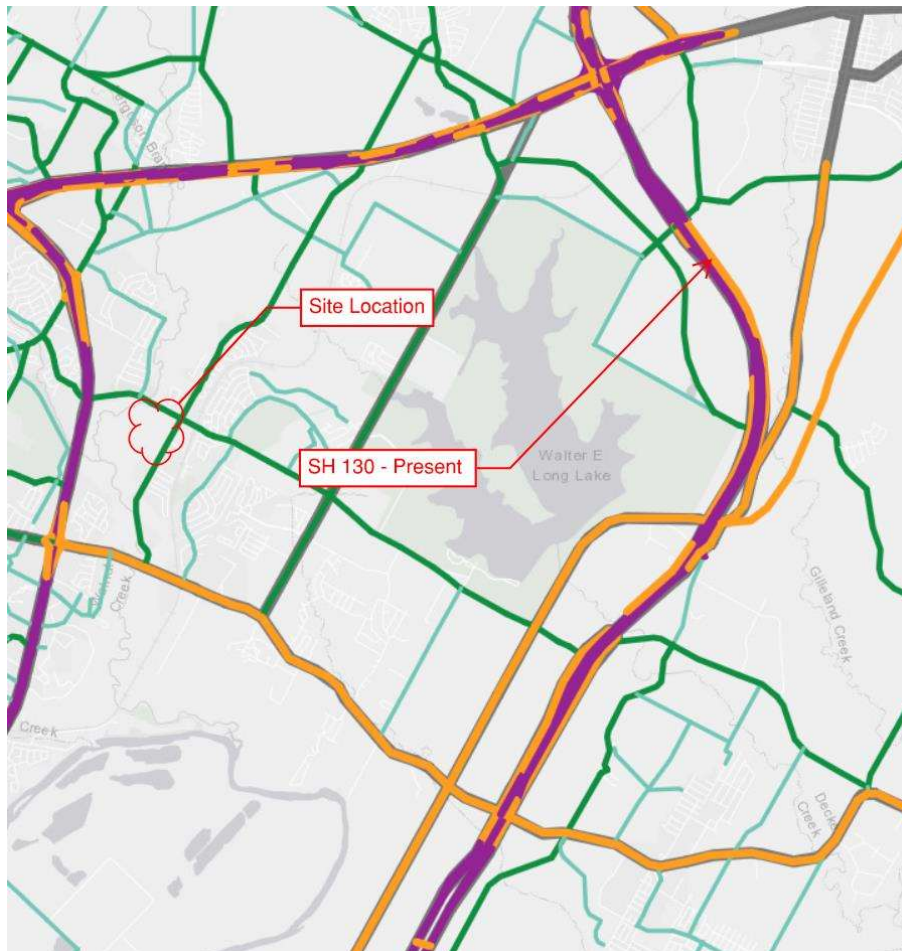
(512) 944-4525 or dmahoney@mahoneyeng.com

Figure 1 – RC 1 Zoning



[illegible]

Figure 4 - 2021



DOC. NO.

FILM CODE

89110924

00004550748

Zoning Case No. C14-88-0137

11.25

11.25
w

RESTRICTIVE COVENANT

OWNER'S/ADDRESSES:

4:40 PM 2638

11.00 INDX

1 1 12/27/89

891109.24-DOC#

CAREY LEGETT, JR. 2904 SWISHER STREET, COUNTY OF TRAVIS, AUSTIN, TEXAS, 78705.

GEORGIA FELTER LEGETT 2904 SWISHER STREET, COUNTY OF TRAVIS, AUSTIN, TEXAS, 78705.

CAREY LEGETT, III 5803 RAIN CREEK PARKWAY, COUNTY OF TRAVIS, AUSTIN, TEXAS, 78759.

GEORGE ANN NELSON 8310 CANOGA AVENUE, COUNTY OF TRAVIS, AUSTIN, TEXAS, 78724.

SUSAN EDWARDS 4515 FORD DRIVE, COUNTY OF EL PASO, COLORADO SPRINGS, COLORADO, 80908.

JON DAVID LEGETT 6135 CHURCHILL WAY, COUNTY OF DALLAS, DALLAS, TEXAS, 75230.

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: 22.68 acre tract of land out of the James Burleson League, said 22.68 acre tract of land being more particularly described by metes and bounds in "Exhibit A" attached and incorporated herein for all purposes.

WHEREAS, the Owner's of the Property and the City of Austin have agreed that the Property should be impressed with certain covenants and restrictions as conditions of zoning for the Property;

NOW, THEREFORE, it is declared that the Owner's 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 Owner's of the Property, their heirs, successors, and assigns.

1. Prior to release of a site plan for the Property, or any portion of the Property, development of the Property shall be designed to minimize traffic conflicts with the "SF-3" zoned tract across Johnny Morris Road.
2. Owner shall reserve 125 feet of right-of-way for future right-of-way of Mogan Expressway, pursuant to Section 13-5-8 of the Austin City Code. No structure shall be erected nor shall improvements be made within the reserved right-of-way as determined by the Transportation and Public Works Department.
3. 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.

4. 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.
5. 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.
6. 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 at the time of such modification, amendment or termination.

When the context requires, singular nouns and pronouns include the plural.

EXECUTED this the 23rd day of November, 1989.


CAREY LEGETT, JR.

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 23rd day of November, 1989,
by CAREY LEGETT, JR..


Notary Public Signature

JOANN HENSLEY


Type or Print of Notary

My Commission Expires: 5-27-92


GEORGIA FELTER LEGETT

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 23rd day of November, 1989,
by GEORGIA FELTER LEGETT.


Notary Public Signature

JOANN HENSLEY

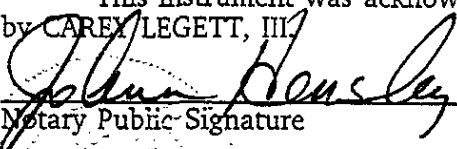
Type or Print of Notary

My Commission Expires: 5-27-92


CAREY LEGETT, III

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 22nd day of November, 1989,
by CAREY LEGETT, III.


Notary Public Signature

JOANN HENSLEY

Type or Print of Notary

My Commission Expires: 5-27-92

George Ann Nelson
GEORGE ANN NELSON

THE STATE OF TEXAS
COUNTY OF TRAVIS

§
§

This instrument was acknowledged before me on this the 23rd day of November, 1989,
by GEORGE ANN NELSON.

Jo Ann Hensley
Notary Public Signature

Jo Ann Hensley
Type or Print of Notary
My Commission Expires: 5-27-92

NOTARY SEAL

Susan Edwards
SUSAN EDWARDS

THE STATE OF COLORADO
COUNTY OF EL PASO

§
§

This instrument was acknowledged before me on this the 26th day of Nov., 1989,
by SUSAN EDWARDS.

E. Elinor Hannasch
Notary Public Signature
7360 Shoup Ct S G-80908

E. Elinor Hannasch
Type or Print of Notary
My Commission Expires: 8-2-90

NOTARY SEAL

Jon David Legett
JON DAVID LEGETT

THE STATE OF TEXAS
COUNTY OF DALLAS

§
§

This instrument was acknowledged before me on this the 23 day of November, 1989,
by JON DAVID LEGETT.

Jo Ann Hensley
Notary Public Signature

Jo Ann Hensley
Type or Print of Notary
My Commission Expires: 5-27-92

NOTARY SEAL

Return to:
CITY OF AUSTIN
DEPT. OF LAW
P. O. BOX 1088
AUSTIN, TEXAS 78767
Atty. Martha Ricker

FIELD NOTES TO 22.68 ACRES OF LAND OUT OF THE J. C. TAMMENHILL LEAGUE NO. 29 IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN TRACT OF LAND CONVEYED TO W. ROBERT BOON AND WILLIAM G. KEMP BY DEEDS RECORDED IN VOLUME 4048, PAGE 476, AND VOLUME 5641, PAGE 2172 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron stake found in the West R.O.W. line of Johnny Morris Road at the Northeast corner of that certain 22.075 acre tract of land, conveyed to John V. Felter by deed recorded in Volume 4634, Page 1884 of the Deed Records of Travis County, Texas, and being at the Southeast corner of that certain (22.35) acre tract of land conveyed to W. Robert Boon and William G. Kemp, et al, by deed recorded in Volume 4048, Page 476 of the Deed Records of Travis County, Texas, for the Southeast corner of the herein described tract;

THENCE with the average bearing of a crooked fence along the North line of said Felter tract and the South line of said Boon and Kemp tract, N 59° 21' W 1196.56 feet to an iron stake found in the East R.O.W. line of M.K. & T. R.R., said point being at the Northwest corner of said Felter tract and the Southwest corner of said Boon and Kemp tract, for the Southwest corner of this tract;

THENCE with the East R.O.W. line of said M.K. & T. R.R. and the West line of said Boon and Kemp tract, as found fenced, N 9 deg. 51' E 422.13 ft. to an iron stake set at base of a fence corner post at a corner of said M.K. & T. R.R. and a corner of the said Boon & Kemp tract, for a corner of this tract.

THENCE continuing with said M.K. & T. R.R. R.O.W. as found fenced S 85 deg. 36' E 50.08 ft. to an iron stake set at base of a fence corner post at a corner of said R.O.W. and an Ell corner of the said Boon and Kemp 22.35 acres, for an Ell corner of this tract;

THENCE continuing with the east R.O.W. line of said M.K. & T. R.R. along a curve to the right of which the radius is 1808.80 ft, the arc distance is 366.15 ft. and the sub-chord bears N 14 deg. 47' E 365.53 ft. to an iron stake found at a fence corner post at an angle point of that certain 20.714 acres of land conveyed to Hunter Schieffer, trustee by deed recorded in Volume 5604, Page 2167 of the Deed Records of Travis County, Texas and the Northwest corner of the said Boon and Kemp tract, for the Northwest corner of this tract;

THENCE with the south line of the said Schieffer 20.714 acres and the north line of the said Boon and Kemp 22.35 acres, as found fenced, with the courses and distances as follows: S 34 deg. 14' E 42.08 ft. to an iron stake found at fence post and S 59 deg. 52' E 1352.34 ft. to an iron stake found at base of a fence corner post in the west R.O.W. line of Johnny Morris Road at the Southeast corner of the said Schieffer tract and the Northeast corner of the said Schieffer tract and the Northeast corner of this tract;

THENCE with the west R.O.W. line of the Johnny Morris Road and the east line of the said Boon and Kemp 22.35 acres, S. 29 deg. 49' W 762.93 ft. to the Place of Beginning, containing 22.68 acres of land.

Prepared by

J. Leroy Bush

Reg. Public Surveyor
5/01/81



REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

11091 0870

EXHIBIT "A"

11281 1216

FILED

89 DEC 27 PM 4: 37

DANA DEBEAUVOIR
COUNTY CLERK
TRAVIS COUNTY, TEXAS

STATE OF TEXAS

COUNTY OF TRAVIS

I hereby certify that this instrument was FILED on
the date and at the time stamped hereon by me; and
was duly RECORDED, in the Volume and Page of the
named RECORDS of Travis County, Texas, on

DEC 27 1989



Dana Debeauvoir
COUNTY CLERK
TRAVIS COUNTY, TEXAS

RECORDER'S MEMORANDUM:

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

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

11091 0871