

Zoning Case No. C14-2022-0077**RESTRICTIVE COVENANT**

OWNER: KVG INVESTMENTS, LLC, A TEXAS LIMITED LIABILITY COMPANY

OWNER ADDRESS: 121 Pickle Road
Austin, Texas, 78704

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: 220 Ralph Ablanado Drive, City of Austin, Travis County, Texas, said 3.99 acres of land being more particularly described by metes and bounds in **Exhibit "A"** and **Exhibit "B"** 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. Development on the Property is subject to the recommendations contained in the Neighborhood Traffic Analysis ("NTA") memorandum from the Transportation Development Services division of the Austin Transportation Department dated August 19, 2022. The NTA memorandum shall be kept on file at the 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 _____, 2022.

OWNER: KVG Investments LLC, a Texas limited liability company

By: _____
Kevin Goradia, Member

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the _____ day of _____ 2022, by Kevin Goradia, as Member of KVG Investments, LLC, a Texas limited liability company, on behalf of said company.

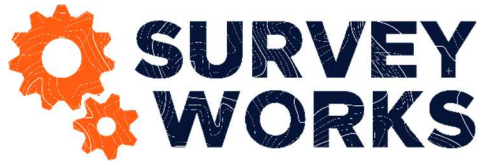
Notary Public, State of Texas

APPROVED AS TO FORM:

Name: _____
Assistant City Attorney
City of Austin

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

EXHIBIT "A"



TRACT 1 – CS-CO ZONING

METES AND BOUNDS DESCRIPTION OF A SURVEY OF 3.544 ACRE TRACT OUT OF THE WILLIAM CANNON LEAGUE SURVEY NO. 19, ABSTRACT NO. 6 IN TRAVIS COUNTY, TEXAS, BEING OUT OF A CALLED 4.00 ACRE TRACT OF LAND, AS RECORDED IN VOLUME 6608, PAGE 1319, DEED RECORDS OF TRAVIS COUNTY, TEXAS, BEING A PORTION OF A CALLED 2.36 ACRE TRACT OF LAND, AS RECORDED IN VOLUME 750, PAGE 130, DEED RECORDS OF TRAVIS COUNTY, TEXAS, BEING A PORTION OF A CALLED 5.00 ACRE TRACT OF LAND, AS RECORDED IN VOLUME 2013, PAGE 157, DEED RECORDS OF TRAVIS COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT AN IRON ROD FOUND (1/2-INCH DIAMETER) WITH CAP STAMPED "M&S" FOR THE NORTHWEST CORNER OF SAID 4.00 ACRE TRACT, BEING A POINT IN THE EAST RIGHT OF WAY LINE OF PEACEFUL HILL LANE, BEING A POINT IN THE WEST LINE OF SAID 2.36 ACRE TRACT;

THENCE, N 87°50'55" E, ALONG THE NORTH LINE OF SAID 4.00 ACRE TRACT, PASS A DISTANCE OF 9.88 FEET TO AN IRON ROD FOUND (1/2-INCH DIAMETER), FOR THE SOUTHWEST CORNER OF LOT 2, STEEL CONCEPTS PARK, AS RECORDED IN VOLUME 78, PAGE 69, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, BEING A POINT IN THE EAST RIGHT OF WAY LINE OF PEACEFUL HILL LANE, FOR A TOTAL DISTANCE OF **50.49 FEET**, TO AN IRON ROD SET (1/2-INCH DIAMETER) WITH PINK CAP STAMPED "SURVEY WORKS", FOR THE **POINT OF BEGINNING**, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N 87°50'55" E, ALONG THE NORTH LINE OF SAID 4.00 ACRE TRACT, FOR A DISTANCE OF **393.70 FEET** TO AN IRON ROD FOUND (1/2-INCH DIAMETER), FOR THE NORTHEAST CORNER OF SAID 4.00 ACRE TRACT, BEING THE SOUTHEAST CORNER OF SAID LOT 2, BEING A POINT IN THE WEST LINE OF LOT 9, BLOCK C OF PARKRIDGE GARDENS, AS RECORDED IN DOCUMENT NO. 200600394, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, BEING A POINT IN THE EAST LINE OF SAID 5.00 ACRE TRACT, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, S 05°37'34" W, ALONG THE EAST LINE OF SAID 4.00 ACRE TRACT, COMMON WITH THE WEST LINE OF LOT 1 THROUGH LOT 9 OF SAID PARKRIDGE GARDENS, FOR A DISTANCE OF **393.99 FEET**, TO A 8" DIAMETER CONCRETE MONUMENT SET WITH PINK CAP STAMPED "SURVEY WORKS", BEING A POINT IN THE NORTH RIGHT OF WAY LINE OF RALPH ABLANEDO DRIVE, BEING THE SOUTHEAST CORNER OF SAID 4.00 ACRE TRACT, THE SOUTHWEST CORNER OF LOT 1 OF SAID PARKRIDGE GARDENS, THE NORTHEAST CORNER OF A 0.2 ACRES RIGHT OF WAY DEED AS RECORDED IN VOLUME 1317, PAGE 234, DEED RECORDS OF TRAVIS COUNTY, TEXAS, THE NORTHWEST CORNER OF A 0.22 ACRES RIGHT OF WAY DEED AS RECORDED IN VOLUME 1317, PAGE 234, DEED RECORDS OF TRAVIS COUNTY, TEXAS, FOR THE SOUTHEAST CORNER OF HEREIN DESCRIBED TRACT;

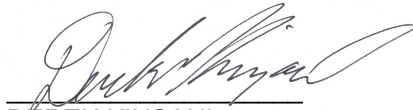
THENCE, S 87°31'07" W, ALONG THE NORTH RIGHT OF WAY LINE OF RALPH ABLANEDO DRIVE, BEING SOUTH LINE OF SAID 4.00 ACRE TRACT, COMMON WITH THE NORTH LINE OF SAID 0.2 ACRES RIGHT OF WAY DEED, A DISTANCE OF **395.21 FEET**, TO AN IRON ROD SET (1/2-INCH DIAMETER) WITH PINK CAP STAMPED "SURVEY WORKS", FOR THE

SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A MAG NAIL SET WITH WASHER STAMPED "SURVEY WORKS" BEARS S 87°31'07" W, FOR A DISTANCE OF 50.53 FEET, BEING THE RIGHT OF WAY INTERSECTION OF RALPH ABLANEDO DRIVE AND PEACEFUL HILL LANE, BEING THE SOUTHWEST CORNER OF SAID 4.00 ACRE TRACT, A POINT IN THE WEST LINE OF SAID 2.36 ACRE TRACT, BEING THE NORTHWEST CORNER OF SAID 0.2 ACRES RIGHT OF WAY DEED;

THENCE, N 05°47'51" E, OVER AND ACROSS SAID 4.00 ACRE TRACT, FOR A DISTANCE OF **396.45 FEET**, TO THE **POINT OF BEGINNING**, IN ALL CONTAINING 3.544 ACRES OF LAND, MORE OR LESS.

ALL BEARINGS AND DISTANCES ARE BASED ON STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NAD 1983.

THIS DESCRIPTION TO ACCOMPANY A PLAT OF LIKE DATE REPRESENTING AN ON THE GROUND SURVEY SUPERVISED BY ME DEREK KINSAUL, REGISTERED PROFESSIONAL LAND SURVEYOR.



DEREK KINSAUL
RPLS NO. 6356
JOB #22-0088.02
OCTOBER 12, 2022
MAPSCO 674J
CITY GRID MG14
TCAD # 0428110201



OF 3.544 ACRES ± OUT OF A CALLED 4.00 ACRES
VOLUME 6608, PAGE 1319, DEED RECORDS, TRAVIS COUNTY, TX
AND THE WILLIAM CANNON LEAGUE SURVEY NO. 19,
ABSTRACT NO. 6, TRAVIS COUNTY, TEXAS

SCALE: 1" = 100'



SHEET
3 of 3



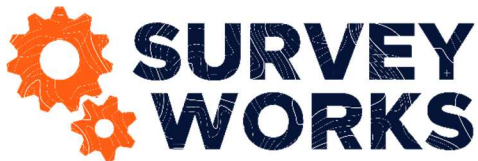





— — — — —	ZONING BOUNDARY
— — — — —	ADJOINER LINE
DOC. NO.	DOCUMENT NUMBER
O.P.R.T.C.	OFFICIAL PUBLIC RECORDS
	TRAVIS COUNTY
VOL. PG.	VOLUME AND PAGE
D.R.T.C.	DEED RECORDS
	TRAVIS COUNTY
P.R.T.C.	PLAT RECORDS
	TRAVIS COUNTY
R.O.W.	RIGHT OF WAY
()	RECORD INFORMATION
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT

TEXAS STATE PLANE COORDINATE SYSTEM,
GRID NORTH, CENTRAL ZONE (4203), NAD 83.
ELEVATION DATA NAVD 88, GEOID 12B.
DISTANCES IN US SURVEY FEET (GRID).

EXHIBIT "B"



TRACT 2 – CS-CO ZONING

METES AND BOUNDS DESCRIPTION OF A SURVEY OF 0.455 ACRE TRACT OUT OF THE WILLIAM CANNON LEAGUE SURVEY NO. 19, ABSTRACT NO. 6 IN TRAVIS COUNTY, TEXAS, BEING OUT OF A CALLED 4.00 ACRE TRACT OF LAND, AS RECORDED IN VOLUME 6608, PAGE 1319, DEED RECORDS OF TRAVIS COUNTY, TEXAS, BEING A PORTION OF A CALLED 2.36 ACRE TRACT OF LAND, AS RECORDED IN VOLUME 750, PAGE 130, DEED RECORDS OF TRAVIS COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN IRON ROD FOUND (1/2-INCH DIAMETER) WITH CAP STAMPED "M&S" FOR THE NORTHWEST CORNER OF SAID 4.00 ACRE TRACT, BEING A POINT IN THE EAST RIGHT OF WAY LINE OF PEACEFUL HILL LANE, BEING A POINT IN THE WEST LINE OF SAID 2.36 ACRE TRACT, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N 87°50'55" E, ALONG THE NORTH LINE OF SAID 4.00 ACRE TRACT, PASS A DISTANCE OF 9.88 FEET TO AN IRON ROD FOUND (1/2-INCH DIAMETER), FOR THE SOUTHWEST CORNER OF LOT 2, STEEL CONCEPTS PARK, AS RECORDED IN VOLUME 78, PAGE 69, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, BEING A POINT IN THE EAST RIGHT OF WAY LINE OF PEACEFUL HILL LANE, FOR A TOTAL DISTANCE OF **50.49 FEET**, TO AN IRON ROD SET (1/2-INCH DIAMETER) WITH PINK CAP STAMPED "SURVEY WORKS", FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH AN IRON ROD FOUND (1/2-INCH DIAMETER) BEARS N 87°50'55" E, FOR A DISTANCE OF 393.70 FEET, FOR THE NORTHEAST CORNER OF SAID 4.00 ACRE TRACT, BEING THE SOUTHEAST CORNER OF SAID LOT 2, BEING A POINT IN THE WEST LINE OF LOT 9, BLOCK C OF PARKRIDGE GARDENS, AS RECORDED IN DOCUMENT NO. 200600394, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, BEING A POINT IN THE EAST LINE OF CALLED 5.00 ACRE TRACT OF LAND, AS RECORDED IN VOLUME 2013, PAGE 157, DEED RECORDS OF TRAVIS COUNTY, TEXAS;

THENCE, S 05°47'51" W, OVER AND ACROSS SAID 4.00 ACRE TRACT, FOR A DISTANCE OF **396.45 FEET**, TO AN IRON ROD SET (1/2-INCH DIAMETER) WITH PINK CAP STAMPED "SURVEY WORKS", BEING A POINT IN THE NORTH RIGHT OF WAY LINE OF RALPH ABLANEDO DRIVE, A POINT IN THE SOUTH LINE OF SAID 4.00 ACRE TRACT, A POINT IN THE NORTH LINE OF A 0.2 ACRES RIGHT OF WAY DEED AS RECORDED IN VOLUME 1317, PAGE 234, DEED RECORDS OF TRAVIS COUNTY, TEXAS, FOR THE SOUTHEAST CORNER OF HEREIN DESCRIBED TRACT, FROM WHICH A 8" DIAMETER CONCRETE MONUMENT SET WITH PINK CAP STAMPED "SURVEY WORKS" BEARS N 87°31'07" E, FOR A DISTANCE OF 395.21 FEET, BEING THE SOUTHEAST CORNER OF SAID 4.00 ACRE TRACT, THE SOUTHWEST CORNER OF LOT 1 OF SAID PARKRIDGE GARDENS, THE NORTHEAST CORNER OF SAID 0.2 ACRES, THE NORTHWEST CORNER OF A 0.22 ACRES RIGHT OF WAY DEED AS RECORDED IN VOLUME 1317, PAGE 234, DEED RECORDS OF TRAVIS COUNTY, TEXAS;

THENCE, S 87°31'07" W, ALONG THE NORTH RIGHT OF WAY LINE OF RALPH ABLANEDO DRIVE, BEING SOUTH LINE OF SAID 4.00 ACRE TRACT, COMMON WITH THE NORTH LINE OF SAID 0.2 ACRES RIGHT OF WAY DEED, A DISTANCE OF **50.53 FEET**, TO A MAG NAIL SET WITH WASHER STAMPED "SURVEY WORKS", BEING THE RIGHT OF WAY INTERSECTION OF RALPH ABLANEDO DRIVE AND PEACEFUL HILL LANE, BEING THE

SOUTHWEST CORNER OF SAID 4.00 ACRE TRACT, A POINT IN THE WEST LINE OF SAID 2.36 ACRE TRACT, BEING THE NORTHWEST CORNER OF SAID 0.2 ACRES RIGHT OF WAY DEED, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N 05°47'51" E, ALONG THE EAST RIGHT OF WAY LINE OF PEACEFUL HILL LANE COMMON WITH THE WEST LINE OF SAID 4.00 ACRE TRACT, FOR A DISTANCE OF **396.75 FEET**, TO THE **POINT OF BEGINNING**, IN ALL CONTAINING 0.455 ACRES OF LAND, MORE OR LESS.

ALL BEARINGS AND DISTANCES ARE BASED ON STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NAD 1983.

THIS DESCRIPTION TO ACCOMPANY A PLAT OF LIKE DATE REPRESENTING AN ON THE GROUND SURVEY SUPERVISED BY ME DEREK KINSAUL, REGISTERED PROFESSIONAL LAND SURVEYOR.



DEREK KINSAUL
RPLS NO. 6356
JOB #22-0088.02
OCTOBER 12, 2022
MAPSCO 674J
CITY GRID MG14
TCAD # 0428110201



ZONING BOUNDARY EXHIBIT

OF 0.455 ACRES ± OUT OF A CALLED 4.00 ACRES
VOLUME 6608, PAGE 1319, DEED RECORDS, TRAVIS COUNTY, TX
AND THE WILLIAM CANNON LEAGUE SURVEY NO. 19,
ABSTRACT NO. 6, TRAVIS COUNTY, TEXAS

LEGEND

⊙	1/2" IRON PIPE FOUND (UNLESS NOTED)	—	ZONING BOUNDARY
●	1/2" IRON ROD FOUND (UNLESS NOTED)	- - -	ADJOINER LINE
△	MAG NAIL SET WITH WASHER STAMPED "SURVEY WORKS"	DOC. NO.	DOCUMENT NUMBER
□	8" DIAMETER CONCRETE MONUMENT SET WITH PINK CAP STAMPED "SURVEY WORKS"	O.P.R.T.C.	OFFICIAL PUBLIC RECORDS TRAVIS COUNTY
△	CALCULATED POINT	VOL. PG.	VOLUME AND PAGE
○	1/2" IRON ROD SET (PINK CAP STAMPED "SURVEY WORKS")	D.R.T.C.	DEED RECORDS TRAVIS COUNTY
		P.R.T.C.	PLAT RECORDS TRAVIS COUNTY
		R.O.W.	RIGHT OF WAY
		()	RECORD INFORMATION
		P.O.B.	POINT OF BEGINNING

0 100' 200'

SCALE: 1" = 100'

DEDICATED FOR STREET WIDENING
VOL. 78, PG. 69
P.R.T.C.

LOT 2
STEEL CONCEPTS PARK
VOL. 78, PG. 69
P.R.T.C.

CALLED 0.6817 ACRES
DOC. No. 2012105901
O.P.R.T.C.

POB
1/2" IRON ROD FOUND
WITH CAP STAMPED "M&S"

N 84°12'09" W
39.78'

CALLED 1 ACRE
DOC. No. 2012105901
O.P.R.T.C.

LOT 1-A
A RESUBDIVISION OF
LOT 1 OF A SUBDIVISION
OF A PORTION OF R.A.
NOWLIN'S SUBDIVISION
VOL. 47, PG. 35
P.R.T.C.

PEACEFUL HILL LANE
(ROW VARIES)

(S 08°15' W) (396.27')

N 05°47'51" E 396.75'

MEASURED ACREAGE
0.455 ACRES ±

S 05°47'51" W 396.45'

N 87°50'55" E
50.49'

N 05°53'19" E 246.23'

(N 89°45' W) (444.27')
N 87°50'55" E 444.18'

N 87°50'55" E 393.70'

REMAINDER OF A
CALLED 4.00 ACRES
VOL. 6608, PG. 1319
D.R.T.C.

N 87°31'07" E 395.21'

S 87°31'07" W 445.74'
(N 89°58' E) (442.3')

S 87°31'07" W
50.53'

RALPH ABLANEDO DRIVE
(ROW VARIES)

SURVEYED FOR: NICHOLAS
PROJECT NO. 22-0088.02
220 RALPH ABLANEDO DR,
AUSTIN, TX

SURVEY WORKS

INFO@SURVEYWORKS.COM
SURVEYWORKS.COM
1207 UPLAND DRIVE
AUSTIN, TX 78741
FIRM #10194157
(512) 599-8067

SHEET
3 of 3

RIGHT OF WAY DEED
CALLED 0.2 ACRES
VOL. 1317, PG. 234
D.R.T.C.

LOT 1
T.H. NEAL ADDITION
VOL. 27, PG. 6
P.R.T.C.

CULLEN LANE
(ROW VARIES)

S 00°59'03" W
70.04'

RIGHT OF WAY DEED
CALLED 0.22 ACRES
VOL. 1317, PG. 237
D.R.T.C.

CALLLED 1.2336 ACRES
DOC. No. 2014137061
O.P.R.T.C.

DATUM & BEARING BASIS

TEXAS STATE PLANE COORDINATE SYSTEM,
GRID NORTH, CENTRAL ZONE (4203), NAD 83.
ELEVATION DATA NAVD 88, GEOID 12B.
DISTANCES IN US SURVEY FEET (GRID).