

TERMINATION OF RESTRICTIVE COVENANT
ZONING CASE: C14-78-189(RCT)

OWNER: Richard T. Suttle, Jr., Trustee of CTN Nominee Trust.
100 Congress Avenue, Suite 1300, Austin, Texas, 78701

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, Cox Enterprises, Inc. entered into that certain restrictive covenant, consisting of LOT 1, MILLER SUBDIVISION, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat thereof as recorded in Book 77, Page 284, Plat Records of Travis County, Texas, (the "Property"); and,

WHEREAS, the Property is more particularly described in the Restrictive Covenant dated December 7, 1978, and recorded in the Real Property Records of Travis County, Texas, on March 6, 1979, in Volume 6478, Page 1040 (the "Restrictive Covenant"), as part of City of Austin Zoning Case No. C14-78-189; and,

WHEREAS, the Property is more particularly described in the Restrictive Covenant dated December 7, 1978, and recorded in the Real Property Records of Travis County, Texas, on March 19, 1979, in Volume 6504, Page 2053 (the "Restrictive Covenant"), as part of City of Austin Zoning Case No. C14-78-189; and,

WHEREAS, the Restrictive Covenant imposes certain restrictions and covenants on the Property; and,

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

WHEREAS, Richard T. Suttle, Jr., Trustee of CTN Nominee Trust (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 set forth in this covenant, the City of Austin and the Owner agree as follows:

1. The Restrictive Covenant is terminated by this termination. Each and every one of the terms, conditions, and provisions of the Restrictive Covenant, as set forth in the Restrictive Covenant, shall have no force or effect on and 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. C14-78-189(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 Travis County, Texas, which will terminate the document of record in Volume 6478, Page 1040, Real Property Records, Travis County, Texas.
3. The City Manager, or his designee, shall execute, on behalf of the City, this Termination of Restrictive Covenant for Zoning Case No. C14-78-189(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 Travis County, Texas, which will terminate the document of record in Volume 6504, Page 2053, Real Property Records, Travis County, Texas.

EXECUTED this the _____ day of _____, 2022.

OWNER:

CTN Nominee Trust

By: _____
Richard T. Suttle, Jr., Trustee

CITY OF AUSTIN:

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

APPROVED AS TO FORM:

Name: _____
Assistant City Attorney
City of Austin

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the ____ day of _____, 2022, by Richard T. Suttle, Jr., Trustee of CTN Nominee Trust.

Notary Public, State of Texas

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the ____ day of _____, 2022, by Rodney J. Gonzales, as Assistant City Manager of the City of Austin, a municipal corporation, on behalf of the municipal corporation.

Notary Public, State of Texas

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