

AMENDMENT OF RESTRICTIVE COVENANT
FOR ZONING CASE: C14-84-0022(RCA)

OWNER: DK Riata, LLC., a Delaware limited liability company

ADDRESS: 55 East Monroe Street, Suite 3900
Chicago, Illinois, 60603

CITY: City of Austin, Texas, a Texas home-rule municipal corporation situated in the counties of Hays, Travis, and Williamson.

CITY COUNCIL: 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, the receipt and sufficiency of which is acknowledged.

WHEREAS, Milwood Joint Venture II, a Texas joint venture, as owner of all that certain property described in Zoning File No. C14-84-0022, consisting of LOTS 1, 2, 3, AND 4, MILWOOD SECTION 19, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 85, Page 55A, of the Plat Records of Travis County, Texas (the "Property"), as more particularly described in the restrictive covenant recorded in the Real Property Records of Travis County, Texas, in Volume 9775, Page 543 (the "Restrictive Covenant") imposed certain restrictions and covenants on the Property by the Restrictive Covenant.

WHEREAS, the Restrictive Covenant provided that the covenant could be modified, amended, or terminated by joint action of both (a) a majority of the members of the City Council of the City of Austin, or such other governing body as may succeed the City Council of the City of Austin, and (b) the owners of the Property at the time of such modification, amendment or termination.

WHEREAS, DK Riata, LLC., a Delaware limited liability company ("DK Riata, LLC") is the current owner of LOTS 1 AND 2, MILWOOD SECTION 19, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 85, Page 55A, of the Plat Records of Travis County, Texas, generally identified in the map attached as **Exhibit "A"** ("Lots 1 and 2") on this date as first written below desires to amend the Restrictive Covenant and seeks the City of Austin's consent to amend as to Lots 1 and 2.

WHEREAS, the City Council and DK Riata, LLC agree the Restrictive Covenant should be amended.

NOW, THEREFORE, for and in consideration of the premises and mutual promises, covenants, and agreement hereinafter set forth, the City of Austin and DK Riata, LLC agree as follows:

The terms, conditions, and provisions set forth in the Restrictive Covenant shall have no force or effect on LOTS 1 AND 2, MILWOOD SECTION 19, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 85, Page 55A, of the Plat Records of Travis County, Texas.

(Remainder of page intentionally left blank)

EXECUTED this the _____ day of _____, 2025.

OWNER:

DK RIATA LLC, a Delaware limited liability company

By: DK Fund, LP, a Delaware limited partnership
Its: Manager

By: DK Fund GP, LLC,
a Delaware limited liability company
Its: General Partner

Name: Blaz Puzon
Title: Chief Investment Officer

STATE OF _____ §
COUNTY OF _____ §

Before me, the undersigned notary, on this day personally appeared Blas Puzon, Chief Investment Officer of DK Fund GP, LLC, a Delaware limited liability company, as General Partner of DK Fund, LP. a Delaware limited partnership, as the Manager on behalf of DK Riata LLC, a Delaware limited liability company, known to me through valid identification to be the person whose name is subscribed to the preceding instrument and acknowledged to me that the person executed the instrument in the person's official capacity for the purposes and consideration expressed in the instrument.

Given under my hand and seal of office on _____, 2025.

[Seal]

Notary Public, State of _____

CITY OF AUSTIN:

By: _____
Dr. Eric Anthony Johnson
Assistant City Manager
City of Austin

STATE OF _____ §
COUNTY OF _____ §

Before me, the undersigned notary, on this day personally appeared Dr. Eric Anthony Johnson, as Assistant City Manager of City of Austin, known to me through valid identification to be the person whose name is subscribed to the preceding instrument and acknowledged to me that the person executed the instrument in the person's official capacity for the purposes and consideration expressed in the instrument.

Given under my hand and seal of office on _____, 2025.

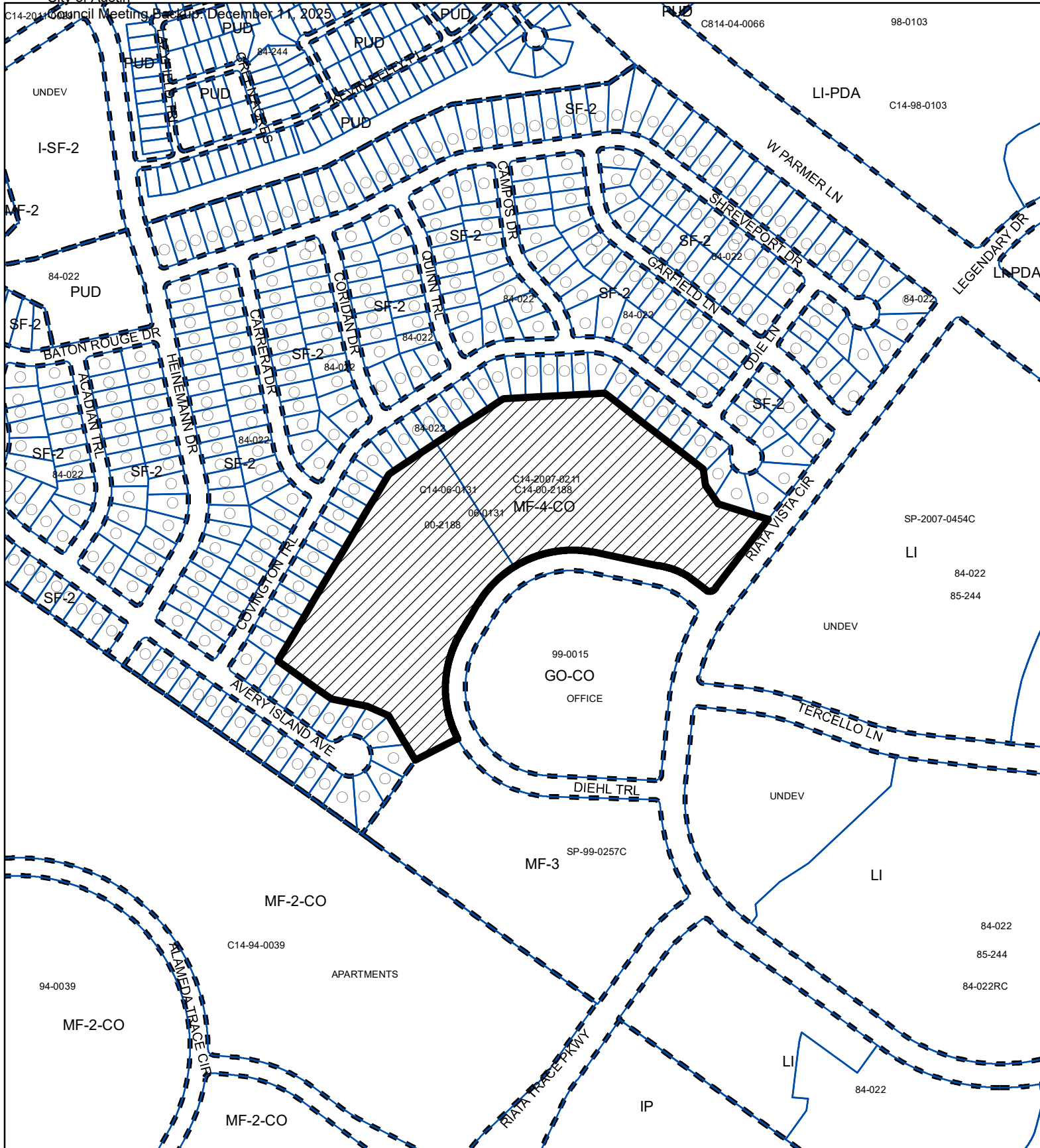
[Seal]




Notary Public, State of _____

APPROVED AS TO FORM:

Assistant City Attorney
City of Austin

After Recording, Please Return to:
City of Austin
Austin City Attorney's Office
P. O. Box 1088
Austin, Texas 78767-1088
Attention: H. Bonds, Paralegal



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

Restrictive Covenant Amendment

CASE#: C14-84-022(RCA)

EXHIBIT "A"

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



Created: 8/27/2024

1" = 400'