

Version 2 - Clean

**AMENDMENT TO RESTRICTIVE COVENANT
FOR ZONING CASE: C14-93-0047(RCA)**

OWNER: Howard Route Center, Ltd., a Texas limited partnership
OWNER ADDRESS: 404 West Powell Lane, Suite 202
Austin, Texas, 78753

OWNER: Barr Properties Ventures, LLC, a Texas limited liability company
OWNER ADDRESS: 6325 Muleshoe Bend Trail
Marble Falls, Texas, 78654

OWNER: C&T Shops on Howard Lane, Ltd., a Texas limited partnership
OWNER ADDRESS: 3859 Owena Street
Honolulu, Hawaii, 96815

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, I35-DESSAU ROAD JOINT VENTURE, a Texas joint venture, as owner of that property more particularly described in Zoning Case No. C14-93-0047 (the "Original Property") is subject to that certain Restrictive Covenant, dated October 19, 1993, and recorded in the Real Property Records of Travis County, Texas, on February 14, 1994, in Volume 12123, Page 0045; and

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

WHEREAS, Howard Route Center, Ltd., a Texas limited partnership, Barr Properties Ventures, LLC, a Texas limited liability company, and C&T Shops on Howard Lane, Ltd., a Texas limited partnership, as the current owners (the "Owners") of the property on the date of this Restrictive Covenant amendment ("Amendment"), desire to amend the Restrictive Covenant.

(Remainder of page intentionally left blank)

WHEREAS, the City Council agrees the Restrictive Covenant should be amended to release from the Original Property the following described lot:

LOT 6-A, RESUBDIVISION OF LOTS 3, 4, AND 5 OF THE REPLAT OF ROUTE SUBDIVISION, a subdivision in Travis County, Texas, according to the map or plat thereof, recorded as Document No, 200400233, Official Public Records of Travis County, Texas.

(the “Released Property”.)

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

1. The Restrictive Covenant is amended to update the legal description of the Property to remove the Released Property described herein and as depicted in **Exhibit “A”**.
2. Except as expressly provided for in this Amendment, each and every one of the terms, conditions, and provisions of the Restrictive Covenant, as set forth in the Restrictive Covenant, shall continue in full force and effect on and after the effective date of this Amendment.
3. The City Manager, or his designee, shall execute on behalf of the City, this Amendment as authorized by the City Council of the City of Austin. The Amendment shall be filed in the Official Public Records of Travis County, Texas.

(Remainder of page intentionally left blank)

EXECUTED this the _____ day of _____, 2025.

OWNER:

Howard Route Center, Ltd.,
a Texas limited partnership

By: Route Service Center, Inc.,
a Texas corporation,
its General Partner

Eric Layne, President

**STATE OF TEXAS
COUNTY OF TRAVIS**

Before me, the undersigned notary, on this day personally appeared Eric Layne, President of Route Service Center, Inc., a Texas corporation, the General Partner of Howard Route Center, Ltd., a Texas limited partnership, on behalf of said entity, 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 Texas

OWNER:

Barr Properties Ventures, LLC,
a Texas limited liability company

Donald Barr, Manager

STATE OF TEXAS **§**
COUNTY OF TRAVIS **§**

Before me, the undersigned notary, on this day personally appeared Donald Barr, Manager of Barr Properties Ventures, LLC, a Texas limited liability company, on behalf of said entity, 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 Texas

OWNER:

C&T Shops on Howard Lane, Ltd.,
a Texas limited partnership

Jeffrey M. Kissel, Authorized Signatory, on behalf
of general partners of C&T Shops on Howard Lane,
Ltd.

STATE OF _____ §
COUNTY OF _____ §

Before me, the undersigned notary, on this day personally appeared Jeffrey M Kissel, Authorized Signatory of C&T Shops on Howard Lane, Ltd., a Texas limited partnership, on behalf of said entity, 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 TEXAS §
COUNTY OF TRAVIS §

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]

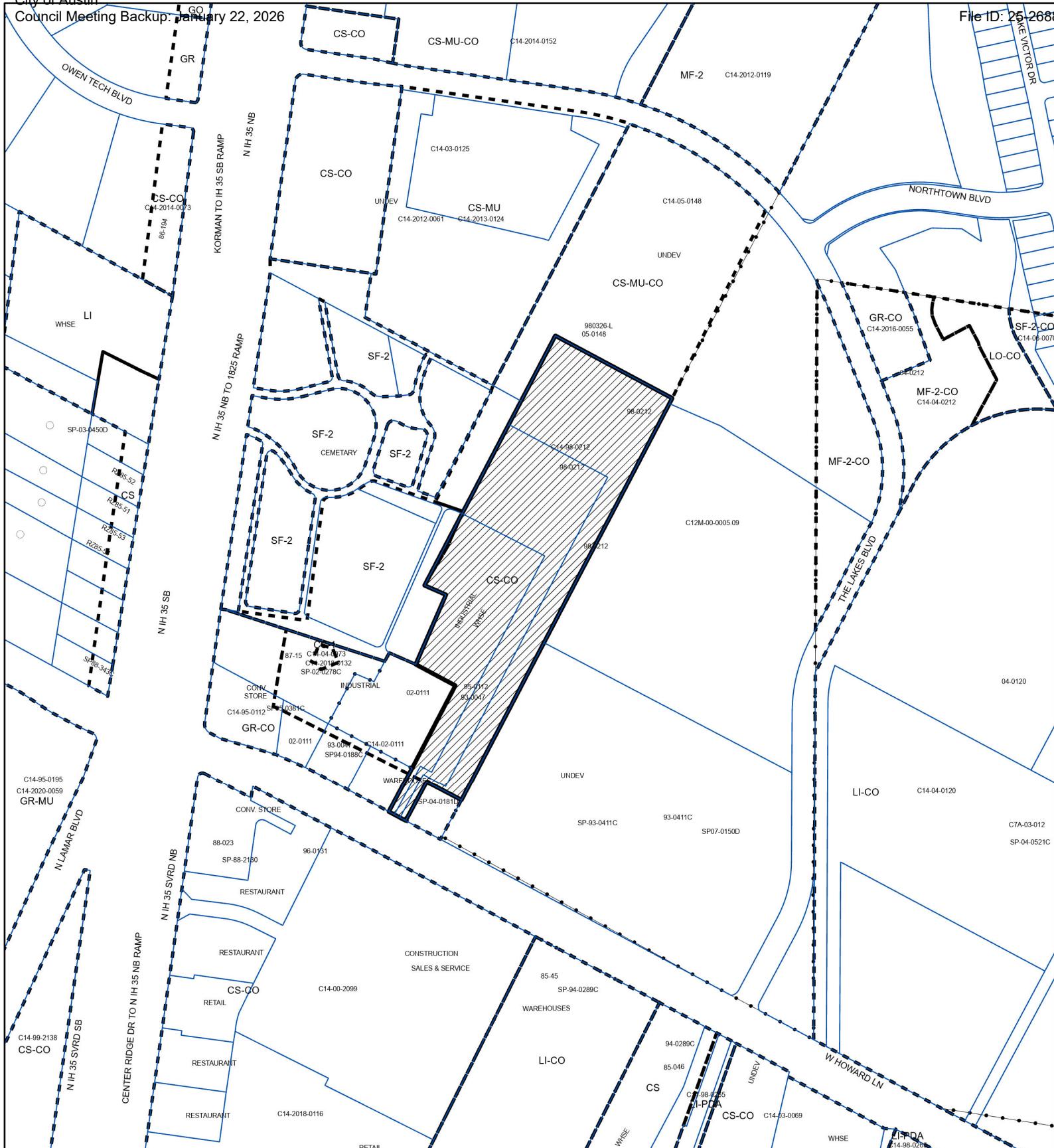
Notary Public, State of Texas

APPROVED AS TO FORM:

Name: _____
Assistant City Attorney
City of Austin

After Recording, Please Return to:

City of Austin
Department of Law
P. O. Box 1088
Austin, Texas 78767-1088
Attention: Haley Bonds



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

Restrictive Covenant Amendment

ZONING CASE#: C14-93-0047(RCA)

EXHIBIT "A"



Austin

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

0 200 400 Feet

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