

TERMINATION OF RESTRICTIVE COVENANT
FOR ZONING CASE: C14-82-185(RCT)

OWNER: 4401 Gillis LLC, a Texas limited liability company

OWNER ADDRESS: 2300 South Lamar Boulevard #106
Austin, Texas 78704

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

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, Leon McMorro, entered into that certain Restrictive Covenant, consisting of Lot 1, Block 5, BANISTER ACRES, a subdivision of Travis County Texas, according to the map or plat thereof, recorded in Volume 4, Page 178, Plat Records Travis County, Texas (“Original Property”),

WHEREAS, the Original Property is more particularly described in the Restrictive Covenant dated March 16, 1983, and recorded in the Real Property Records of Travis County, Texas, on May 2, 1983, in Volume 8074, Page 836 (the “Restrictive Covenant”), as part of City of Austin Zoning Case No. C14-82-185; and,

WHEREAS, the Restrictive Covenant encumbers real property, being all of the remaining portion of the Original Property, which is more particularly described as Lot 1, Block 5, BANISTER ACRES, a subdivision in Travis County, Texas, according to the map or plat thereof, recorded in Book 4, Page 178, Plat Records of Travis County, Texas, SAVE AND EXCEPT that portion conveyed to Hoit D. Frierson by Warranty Deed recorded in Volume 1742, Page 507, Deed Records of Travis County, Texas; and SAVE AND EXCEPT that portion conveyed to the City of Austin by Street Deed recorded in Volume 8074, Page 832, Real Property Records of Travis County, Texas (“Released Property”), 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 Owner of the property at the time of such modification, amendment or termination; and,

WHEREAS, 4401 Gillis, LLC, a Texas limited liability company, as current owner (the “Owner”) of the Released Property now desire 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 hereinafter set forth, the City of Austin and the Owner agree as follows:

1. The Restrictive Covenant is terminated and each term, condition, and provision will have no effect 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. C14-82-185(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 8074, Page 836, Real Property Records, Travis County, Texas.

EXECUTED this the _____ day of _____, 2022.

OWNER:

4401 Gillis LLC, a Texas limited liability company

By: _____
Jay Symcox, Manager

CITY OF AUSTIN:

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

THE STATE OF TEXAS §
COUNTY OF _____ §

This instrument was acknowledged before me on this the ____ day of _____ 2022,
by Jay Symcox, Manager of 4401 Gillis LLC, a Texas limited liability company, on behalf of said
company.

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 J. Rodney Gonzales, as Assistant City Manager of the City of
Austin, a municipal corporation, on behalf of said municipal corporation.

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: C. Curtis, Paralegal