



RESTRICTIVE COVENANT

Owner: South Lamar Apartments Limited Partnership, a Delaware limited partnership

Owner's Address: c/o Hanover R.S. Limited Partnership, 5847 San Felipe, Suite 3600 Houston, TX 77057

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.

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

City's Address: P.O. Box 1088, Austin, Texas 78767-1088

Property: Described on Exhibit "B" attached hereto.

Project: Hanover South Lamar at 809 South Lamar Blvd. and identified as Case No. SP-2012-0064C in the City of Austin's Planning and Development Review Department (the "Project")

- A. Owner is applying for a density bonus (dimensional standards exemption) under City of Austin Vertical Mixed Use Ordinance #20081016-049.
- B. Owner has agreed to provide additional affordable units per Declaration of Restrictive Covenants filed for record in the Official Public Records of Travis County, Texas under file # 2012174268.

NOW, THEREFORE, it is declared that the Owner of the Property, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid to the Owner, the receipt and sufficiency of which is hereby acknowledged, agrees that the Property shall be held, developed, used, sold and conveyed subject to the following covenants and restrictions impressed upon the Property by this Restrictive Covenant agreement. This Restrictive Covenant agreement shall run with the Property and shall be binding on the Owner of the Property, their successors and assigns.

- 1. Development Restrictive Covenants.** Development of the Property shall provide the following:

- a. The total number of residential units in the Project is 340. However, in the VMU portion of the Project there are 116 residential units. Pursuant to Part 3.A. of the City's Vertical Mixed Use Ordinance No. #20081016-049, 10 percent of the residential dwelling units available for rental on the VMU portion of the Property will be reserved for rental to households earning no more than 60 percent of the annual median family income (adjusted for family size) in the Austin-Round Rock-San Marcos Texas Metropolitan Statistical Area, as determined by the director of the City of Austin's Neighborhood Housing and Community Development Office. Owner shall be deemed in compliance with the Part 3.A. of Ordinance No. #20081016-049 if 12 units in the overall Project are reserved for rental to households earning no more than 60% of the annual median family income (adjusted for family size) in the Austin-Round Rock-San Marcos Texas Metropolitan Statistical Area, as published by the director of the City of Austin's Neighborhood Housing and Community Development Office from time to time.
- b. Pursuant to Restrictive Covenant # 2012174268, an additional eight (8) residential dwelling units in the overall Project will be reserved for rental to residential households whose income is no more than 60% of the annual median family income (adjusted for family size) for the City, as published from time to time by the Austin Housing Finance Corporation.
- c. When the 8 units in paragraph b. are combined with the 12 units in Paragraph a. above, a total of 20 units in the overall Project will be reserved for rental to residential households whose income is no more than 60% of the annual median family income (adjusted for family size) for in the Austin-Round Rock-San Marcos Texas Metropolitan Statistical Area, as published by the Director of the City of Austin Neighborhood Housing and Community Development Office, from time to time.
- d. Pursuant to Restrictive Covenant # 2012174268, an additional fourteen (14) dwelling in the overall Project will be reserved for rental to residential households whose income is no more than 80% of the annual median family income (adjusted for family size) for the City, as published from time to time by the Austin Housing Finance Corporation.
- e. The restriction described in Paragraph a. shall remain in effect for a period of forty (40) years from the date a certificate of occupancy is first issued for any rental unit in the Project.

2. Compliance and Monitoring. The Neighborhood Housing and Community Development Office will conduct compliance and monitoring of the affordability requirements of this Restrictive Covenant agreement. The director of Neighborhood Housing and Community Development (NHCD) shall establish compliance and monitoring guidelines and criteria for implementing the affordability requirements of this Restrictive Covenant agreement.

3. Modification and Amendment. This Restrictive Covenant agreement may only be modified, amended or terminated upon the filing of a modification, amendment or termination in the Official Public Records of Travis County, Texas, executed, acknowledged and approved by (i) the Owner; and (ii) the officer or employee signing on behalf of the City. The joint action shall only become effective after it is reduced to writing and signed by the parties listed above.

4. Duration. This Restrictive Covenant agreement shall be effective for the period described in Paragraph 1.e. above, unless modified, amended, or terminated in accordance with Section 3 (Modification and Amendment).

5. Violation. If any person or entity shall violate or attempt to violate this Restrictive Covenant agreement, it shall be lawful for the City to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate such agreement or covenant to prevent the person or entity from taking actions in violation of this Restrictive Covenant agreement. No Owner of the Property shall be declared in violation or declared in attempted violation of this Restrictive Covenant agreement until the City has provided written notice to such Owner of such alleged violation and the Owner has not cured the alleged violation within 30 days of the Owner's receipt of such written notice. City agrees that Owner will be relying on prospective tenants to provide Owner with the prospective tenant's family/household income information to determine whether the prospective tenant is an income qualifying household for purposes of Section 1 above. City agrees that Owner will not be in breach or violation of this Restrictive Covenant agreement as a result of Owner relying in good faith on a prospective tenant's family/household income information if such information is subsequently determined to be false or otherwise incorrect.

6. No Waiver. The failure to enforce any provision of this Restrictive Covenant agreement at any time shall not constitute a waiver of the right thereafter to enforce any such provision or any other provision of this Restrictive Covenant agreement. A violation of any provision of this Restrictive Covenant agreement shall never be grounds for, nor give rise to, the modification, amendment or termination of any other provision of this Restrictive Covenant agreement.

7. Governing Law; Place of Performance. This Restrictive Covenant agreement and all rights and obligations hereunder shall be governed by the laws of the State of Texas. This Restrictive Covenant agreement is performable in Travis County, Texas.

8. Severability. The provisions of this Restrictive Covenant agreement are deemed to be independent and severable, and the invalidity or partial invalidity of any provision or portion does not affect the validity or enforceability of any other provision.

9. Entire Agreement. This Restrictive Covenant agreement, which includes Exhibit "A" and attached Exhibit "B" contain all the representations and the entire agreement between the parties with respect to the subject matter hereof. Any prior correspondence, memoranda or agreements are superseded in total.

10. **Counterparts.** This Restrictive Covenant agreement may be executed in any number of counterparts which will, together, be deemed to constitute one document.

11. **Interpretation.** Regardless of which Party prepared the initial draft of this Restrictive Covenant agreement, this Restrictive Covenant agreement shall in the event of any dispute, over its meaning or application, be interpreted fairly and reasonably and neither more strongly for nor against any party.

EXECUTED to be effective the _____ day of _____, 2015.

OWNER:

SOUTH LAMAR APARTMENTS LIMITED PARTNERSHIP,
a Delaware limited partnership

By: SLJV G.P. LLC, a Delaware limited liability company,
its general partner

By: Kathy K. Binford
Kathy K. Binford, Vice President

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on this the 8th day of October, 2015, by Kathy K. Binford, Vice President of SLJV G.P. LLC, a Delaware limited liability company, as general partner of South Lamar Apartments Limited Partnership, a Delaware limited partnership, on behalf of said company and partnership.



Leticia Leija
Notary Public, State of Texas

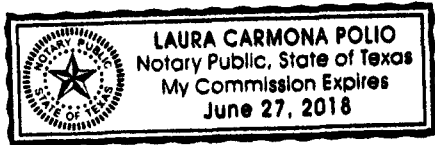
CITY OF AUSTIN:


By: 

Bert Lumbreras
Assistant City Manager
City of Austin

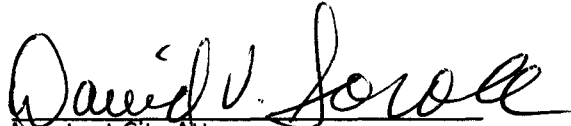
THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 30th day of October, 2015, by Bert Lumbreras, 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:


Assistant City Attorney
City of Austin



City of Austin

Exhibit A

P.O. Box: 1088, Austin, TX 78767
www.cityofaustin.org/housing

Neighborhood Housing and Community Development Department

October 2, 2015

Affordability Certification

**Hanover R.S. Limited Partnership -809 South Lamar Blvd.: Hanover South Lamar
(id # 65802)**

TO WHOM IT MAY CONCERN:

Hanover R.S. Limited Partnership (contact: David Ott: dott@hanoverco.com; phone (713) 580-1136) is planning to develop a mixed use development with 340 multi-family units located at **809 N. Lamar**. Only a portion of the property was zoned Vertical Mixed Use (VMU- ordinance # 20081016-049) while the other portion were zoned MF-6. Per the VMU portion of the development, **12 units** would be set aside to serve households at 60% MFI. The developer has agreed per private restrictive covenant, as recorded in Travis County, document # 2012174268, to set aside an additional **8 units** to serve households at 60%MFI and another 14 units to serve households at 80% MFI. Per the VMU ordinance and restrictive covenant, the affordability term will be 40 years. The term begins at the time of the issuance of Certificate of Occupancy.

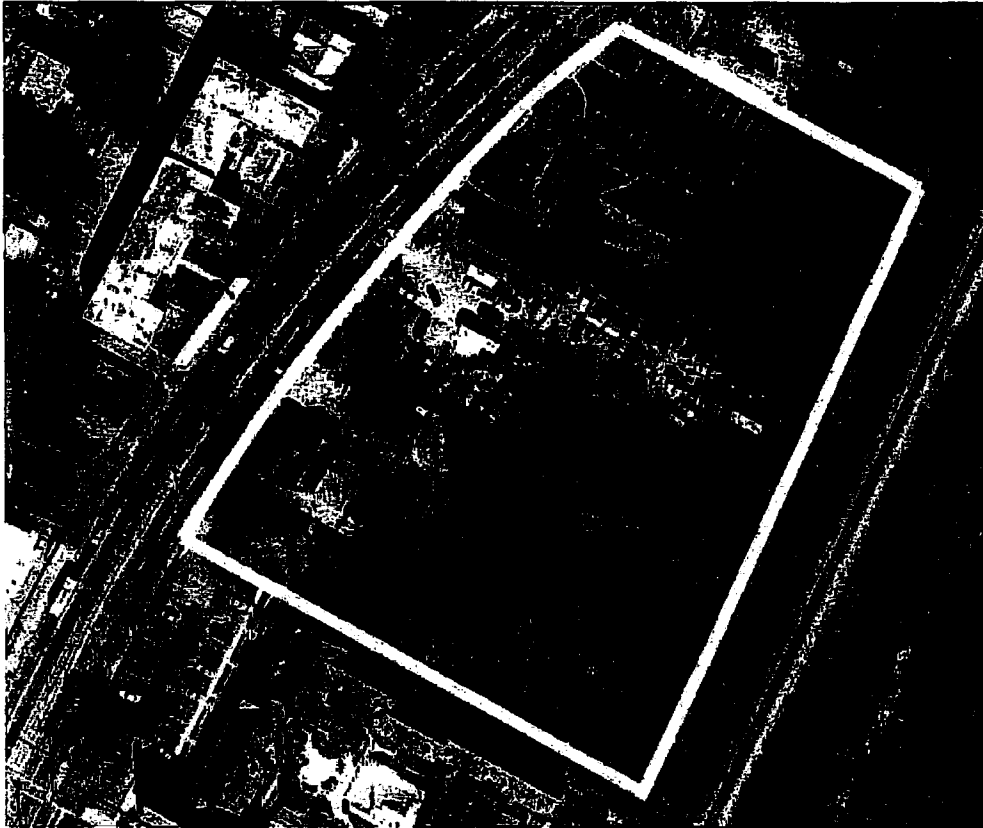
Please contact me at 974-3154 if you need additional information.

Javier V. Delgado
Neighborhood Housing and Community Development

Cc: Gina Copic, NIICD
Maureen Meredith, PDRD
Erika Leak, PDRD
Susan Kincl, NIICD

EXHIBIT "B"

Property



**DESCRIPTION
(809 SOUTH LAMAR BLVD.)**

A 1.106 ACRE TRACT OF LAND OUT OF THE ISAAC DECKER LEAGUE ABSTRACT NO. 8, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN 1.105 ACRE TRACT OF LAND CONVEYED TO LAMAR BUILDING PARTNERS, L.P. BY DEED OF RECORD IN DOCUMENT NO. 2007132902 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 1.106 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at an iron pipe found in the curving easterly right-of-way line of South Lamar Boulevard (R.O.W. varies), being the northwesterly corner of that certain 0.504 acre tract of land conveyed to Lamar Building Partners, L.P. by deed of record in Document No. 2011109173 of said Official Public Records and the southwesterly corner of said 1.105 acre tract of land, for the southwesterly corner hereof;

THENCE, along said curving easterly right-of-way line of South Lamar Boulevard, being the westerly line of said 1.105 acre tract of land, for the westerly line hereof, the following two (2) courses and distances:

- 1) Along a curve to the right, having a radius of 1393.47 feet, a central angle of $03^{\circ}04'19''$, an arc length of 74.71 feet and a chord which bears, $N45^{\circ}27'24''E$, a distance of 74.70 feet to an "X"-cut found at the end of said curve;
- 2) $N47^{\circ}13'11''E$, a distance of 100.35 feet to a 1/2 inch iron rod found at the southwesterly corner of that certain 0.378 acre tract of land conveyed to 801, Ltd. by deed of record in Document No. 2002207417 of said Official Public Records, being the northwesterly corner of said 1.105 acre tract of land and for the northwesterly corner hereof;

THENCE, $S60^{\circ}31'10''E$, leaving the easterly right-of-way line of South Lamar Boulevard, along the southerly line of said 0.378 acre tract of land, being the northerly line of said 1.105 acre tract of land, for the northerly line hereof, a distance of 253.55 feet to an iron pipe found in the westerly right-of-way line of the International and Great Northern Railroad (100' R.O.W.), for the southeasterly corner of said 0.378 acre tract of land and the northeasterly corner of said 1.105 acre tract of land, and for the northeasterly corner hereof;

THENCE, $S25^{\circ}40'49''W$, along the westerly right-of-way line of said Railroad, being the easterly line of said 1.105 acre tract of land, for the easterly line hereof, a distance of 170.14 feet to a 1/2 inch iron rod with cap set for the northeasterly corner of said 0.504 acre tract of land, and for the southeasterly corner of said 1.105 acre tract of land and for the southeasterly corner hereof;

THENCE, $N60^{\circ}05'26''W$, along the northerly line of said 0.504 acre tract of land, being the southerly line of said 1.105 acre tract of land, for the southerly line hereof, a distance of 315.97 feet to the **POINT OF BEGINNING**, and containing 1.106 acre (48,169 square feet) of land, more or less, within these metes and bounds.

**DESCRIPTION
(811 SOUTH LAMAR BLVD.)**

A 0.506 ACRE TRACT OF LAND OUT OF THE ISAAC DECKER LEAGUE ABSTRACT NO. 8, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN 0.504 ACRE TRACT OF LAND CONVEYED TO LAMAR BUILDING PARTNERS, L.P. BY DEED OF RECORD IN DOCUMENT NO. 2011109173 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.506 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at an iron pipe found in the curving easterly right-of-way line of South Lamar Boulevard (R.O.W. varies), being the southwesterly corner of that certain 1.105 acre tract of land conveyed to Lamar Building Partners, L.P. by deed of record in Document No. 2007132902 of said Official Public Records and the northwesterly corner of said 0.504 acre tract of land, for the northwesterly corner hereof;

THENCE, S60°05'26"E, leaving the easterly right-of-way line of South Lamar Boulevard, along the southerly line of said 1.105 acre tract of land, being the northerly line of said 0.504 acre tract of land, for the northerly line hereof, a distance of 315.97 feet to a 1/2 inch iron rod with cap set in the westerly right-of-way line of the International and Great Northern Railroad (100' R.O.W.), for the southeasterly corner of said 1.105 acre tract of land and the northeasterly corner of said 0.504 acre tract of land, for the northeasterly corner hereof;

THENCE, S25°40'49"W, along the westerly right-of-way line of said Railroad, being the easterly line of said 0.504 acre tract of land, for the easterly line hereof, a distance of 68.50 feet to a 1/2 inch iron rod with cap set for the northeasterly corner of that certain 0.421 acre tract of land conveyed to Mervyn Fatter, Jr. and Barnaby Evans by deed of record in Document No. 2000204366 of said Official Public Records, being the southeasterly corner of said 0.504 acre tract of land, for the southeasterly corner hereof;

THENCE, N59°50'53"W, along the northerly line of said 0.421 acre tract of land and the northerly line of that certain 3,234 square foot tract of land conveyed to Mervyn Fatter, Jr. and Barnaby Evans by deed of record in Document No. 2012141443 of said Official Public Records, being the southerly line of said 0.504 acre tract of land, for the southerly line hereof, a distance of 335.98 feet to a nail found in said curving easterly right-of-way line of South Lamar Boulevard, being the northwesterly corner of said 3,234 square foot tract of land and the southwesterly corner of said 0.504 acre tract of land, for the southwesterly corner hereof;

THENCE, along said curving easterly right-of-way line of South Lamar Boulevard, being the westerly line of said 0.504 acre tract of land, for the westerly line hereof, along a curve to the right, having a radius of 1393.47 feet, a central angle of 02°49'07", an arc length of 68.55 feet and a chord which bears, N42°30'41"E, a distance of 68.55 feet to the **POINT OF BEGINNING**, and containing 0.506 acre (22,060 square feet) of land, more or less, within these metes and bounds.

**DESCRIPTION
(813 SOUTH LAMAR BLVD. – FORMER ROW LAND)**

A 3,254 SQUARE FOOT TRACT OF LAND OUT OF THE ISAAC DECKER LEAGUE ABSTRACT NO. 8, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN 3,234 SQUARE FOOT TRACT OF LAND CONVEYED TO MERVYN FATTER, JR. AND BARNABY EVANS BY DEED OF RECORD IN DOCUMENT NO. 2012141443 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 3,254 SQUARE FOOT TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found at the northeasterly corner of that certain 3,254 square foot tract of land conveyed to Robert S. Ellis, Jr. by deed of record in Document No. 2012141445 of said Official Public Records, being the southwesterly corner of that certain 0.421 acre tract of land conveyed to Mervyn Fatter, Jr. and Barnaby Evans by deed of record in Document No. 2000204366 of said Official Public Records, the northwesterly corner of that certain 0.435 acre tract of land conveyed to Robert S. Ellis, Jr. by deed of record in Document No. 2003066311 of said Official Public Records and the southeasterly corner of said 3,234 square foot tract of land, for the southeasterly corner hereof;

THENCE, N59°55'31"W, along the northerly line of said 3,254 square foot tract of land, being the southerly line of said 3,234 square foot tract of land, for the southerly line hereof, a distance of 52.75 feet to a 1/2 inch iron rod with cap set in the curving easterly right-of-way line of South Lamar Boulevard (R.O.W. varies), for the northwesterly corner of said 3,254 square foot tract of land and the southwesterly corner of said 3,234 square foot tract of land, for the southwesterly corner hereof;

THENCE, along said curving easterly right-of-way line of South Lamar Boulevard, being the westerly line of said 3,234 square foot tract of land, for the westerly line hereof, along a curve to the right, having a radius of 1393.47 feet, a central angle of 02°37'56", an arc length of 64.02 feet and a chord which bears, N39°47'09"E, a distance of 64.01 feet to a nail found at the southwesterly corner of that certain 0.504 acre tract of land conveyed to Lamar Building Partners, L.P. by deed of record in Document No. 2011109173 of said Official Public Records, being the northwesterly corner of said 3,234 square foot tract of land, for the northwesterly corner hereof;

THENCE, S59°50'53"E, leaving the easterly right-of-way line of South Lamar Boulevard, along the southerly line of said 0.504 acre tract of land, being the northerly line of said 3,234 square foot tract of land, for the northerly line hereof, a distance of 49.94 feet to an iron pipe found at the northwesterly corner of said 0.421 acre tract of land, being the northeasterly corner of said 3,234 square foot tract of land, for the northeasterly corner hereof;

THENCE, S37°17'40"W, along the westerly line of said 0.421 acre tract of land, being the easterly line of said 3,234 square foot tract of land, for the easterly line hereof, a distance of 63.53 feet to the **POINT OF BEGINNING**, and containing 3,254 square feet (0.075 acre) of land, more or less, within these metes and bounds.

**DESCRIPTION
(813 SOUTH LAMAR BLVD.)**

A 0.422 ACRE TRACT OF LAND OUT OF THE ISAAC DECKER LEAGUE ABSTRACT NO. 8, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN 0.421 ACRE TRACT OF LAND CONVEYED TO MERVYN FATTER, JR. AND BARNABY EVANS BY DEED OF RECORD IN DOCUMENT NO. 2000204366 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.422 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found at the southeasterly corner of that certain 3,234 square foot tract of land conveyed to Mervyn Fatter, Jr. and Barnaby Evans by deed of record in Document No. 2012141443 of said Official Public Records, being the northwesterly corner of that certain 0.435 acre tract of land conveyed to Robert S. Ellis, Jr. by deed of record in Document No. 2003066311 of said Official Public Records, the northeasterly corner of that certain 3,254 square foot tract of land conveyed to Robert S. Ellis, Jr. by deed of record in Document No. 2012141445 of said Official Public Records and the southwesterly corner of said 0.421 acre tract of land, for the southwesterly corner hereof;

THENCE, N37°17'40"E, along the easterly line of said 3,234 square foot tract of land, being the westerly line of said 0.421 acre tract of land, for the westerly line hereof, a distance of 63.53 feet to an iron pipe found in the southerly line of that certain 0.504 acre tract of land conveyed to Lamar Building Partners, L.P. by deed of record in Document No. 2011109173 of said Official Public Records, being the northeasterly corner of said 3,234 square foot tract of land and the northwesterly corner of said 0.421 acre tract of land, for the northwesterly corner hereof;

THENCE, S59°50'53"E, along the southerly line of said 0.504 acre tract of land, being the northerly line of said 0.421 acre tract of land, for the northerly line hereof, a distance of 286.05 feet to a 1/2 inch iron rod with cap set in the westerly right-of-way line of the International and Great Northern Railroad (100' R.O.W.), for the southeasterly corner of said 0.504 acre tract of land and the northeasterly corner of said 0.421 acre tract of land, and for the northeasterly corner hereof;

THENCE, S25°40'49"W, along the westerly right-of-way line of said Railroad, being the easterly line of said 0.421 acre tract of land, for the easterly line hereof, a distance of 62.82 feet to a 5/8 inch iron rod found at the northeasterly corner of said 0.435 acre tract of land, being the southeasterly corner of said 0.421 acre tract of land, for the southeasterly corner hereof;

THENCE, N59°55'31"W, along the northerly line of said 0.435 acre tract of land, being the southerly line of said 0.421 acre tract of land, for the southerly line hereof, a distance of 298.84 feet to the **POINT OF BEGINNING**, and containing 0.422 acre (18,375 square feet) of land, more or less, within these metes and bounds.

**DESCRIPTION
(901 SOUTH LAMAR BLVD. - FORMER ROW LAND)**

A 3,251 SQUARE FOOT TRACT OF LAND OUT OF THE ISAAC DECKER LEAGUE ABSTRACT NO. 8, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN 3,254 SQUARE FOOT TRACT OF LAND CONVEYED TO ROBERT S. ELLIS, JR. BY DEED OF RECORD IN DOCUMENT NO. 2012141445 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 3,251 SQUARE FOOT TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found at the southeasterly corner of that certain 3,234 square foot tract of land conveyed to Mervyn Fatter, Jr. and Barnaby Evans by deed of record in Document No. 2012141443 of said Official Public Records, being the southwesterly corner of that certain 0.421 acre tract of land conveyed to Mervyn Fatter, Jr. and Barnaby Evans by deed of record in Document No. 2000204366 of said Official Public Records, the northwesterly corner of that certain 0.435 acre tract of land conveyed to Robert S. Ellis, Jr. by deed of record in Document No. 2003066311 of said Official Public Records and the northeasterly corner of said 3,254 square foot tract of land, for the northeasterly corner hereof;

THENCE, S37°17'40"W, along the westerly line of said 0.435 acre tract of land, being the easterly line of said 3,254 square foot tract of land, for the easterly line hereof, a distance of 62.02 feet to a 5/8 inch iron rod found in the northerly line of that certain 0.497 acre tract of land conveyed to Fine Art Services, Inc. by deed of record in Volume 12887, Page 1519 of the Real Property Records of Travis County, Texas, being the southwesterly corner of said 0.435 acre tract of land and the southeasterly corner of said 3,254 square foot tract of land, for the southeasterly corner hereof;

THENCE, N59°43'06"W, along the northerly line of said 0.497 acre tract of land, being the southerly line of said 3,254 square foot tract of land, for the southerly line hereof, a distance of 52.62 feet to a 1/2 inch iron rod found in the curving easterly right-of-way line of South Lamar Boulevard (R.O.W. varies), being the northwesterly corner of said 0.497 acre tract of land and the southwesterly corner of said 3,254 square foot tract of land, for the southwesterly corner hereof;

THENCE, along said curving easterly right-of-way line of South Lamar Boulevard, being the westerly line of said 3,254 square foot tract of land, for the westerly line hereof, along a curve to the right, having a radius of 1393.47 feet, a central angle of 02°32'31", an arc length of 61.82 feet and a chord which bears, N37°11'56"E, a distance of 61.82 feet to a 1/2 inch iron rod with cap set at the southwesterly corner of said 3,234 square foot tract of land, being the northwesterly corner of said 3,254 square foot tract of land, for the northwesterly corner hereof;

THENCE, S59°55'31"E, along the southerly line of said 3,234 square foot tract of land, being the northerly line of said 3,254 square foot tract of land, for the northerly line hereof, a distance of 52.75 feet to the **POINT OF BEGINNING**, and containing 3,251 square feet (0.075 acre) of land, more or less, within these metes and bounds.

**DESCRIPTION
(901 SOUTH LAMAR BLVD.)**

A 0.435 ACRE TRACT OF LAND OUT OF THE ISAAC DECKER LEAGUE ABSTRACT NO. 8, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN 0.435 ACRE TRACT OF LAND CONVEYED TO ROBERT S. ELLIS, JR. BY DEED OF RECORD IN DOCUMENT NO. 2003066311 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.435 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found at the southeasterly corner of that certain 3,234 square foot tract of land conveyed to Mervyn Fatter, Jr. and Barnaby Evans by deed of record in Document No. 2012141443 of said Official Public Records, being the southwesterly corner of that certain 0.421 acre tract of land conveyed to Mervyn Fatter, Jr. and Barnaby Evans by deed of record in Document No. 2000204366 of said Official Public Records, the northeasterly corner of that certain 3,254 square foot tract of land conveyed to Robert S. Ellis, Jr. by deed of record in Document No. 2012141445 of said Official Public Records and the northwesterly corner of said 0.435 acre tract of land, for the northwesterly corner hereof;

THENCE, S59°55'31"E, along the southerly line of said 0.421 acre tract of land, being the northerly line of said 0.435 acre tract of land, for the northerly line hereof, a distance of 298.84 feet to a 5/8 inch iron rod found in the westerly right-of-way line of the International and Great Northern Railroad (100' R.O.W.), being the southeasterly corner of said 0.421 acre tract of land and the northeasterly corner of said 0.435 acre tract of land, for the northeasterly corner hereof;

THENCE, S25°40'49"W, along the westerly right-of-way line of said Railroad, being the easterly line of said 0.435 acre tract of land, for the easterly line hereof, a distance of 62.84 feet to an iron pipe found at the northeasterly corner of that certain 0.497 acre tract of land conveyed to Fine Art Services, Inc. by deed of record in Volume 12887, Page 1519 of the Real Property Records of Travis County, Texas, being the southeasterly corner of said 0.435 acre tract of land, for the southeasterly corner hereof;

THENCE, N59°43'06"W, along the northerly line of said 0.497 acre tract of land, being the southerly line of said 0.435 acre tract of land, for the southerly line hereof, a distance of 311.46 feet to a 5/8 inch iron rod found at the southeasterly corner of said 3,254 square foot tract of land, being the southwesterly corner of said 0.435 acre tract of land, for the southwesterly corner hereof;

THENCE, N37°17'40"E, along the easterly line of said 3,254 square foot tract of land, being the westerly line of said 0.435 acre tract of land, for the westerly line hereof, a distance of 62.02 feet to the **POINT OF BEGINNING**, and containing 0.435 acre (18,948 square feet) of land, more or less, within these metes and bounds.

**DESCRIPTION
(903 SOUTH LAMAR BLVD.)**

A 0.494 ACRE TRACT OF LAND OUT OF THE ISAAC DECKER LEAGUE ABSTRACT NO. 8, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN 0.497 ACRE TRACT OF LAND CONVEYED TO FINE ART SERVICES, INC. BY DEED OF RECORD IN VOLUME 12887, PAGE 1519 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.494 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found in the curving easterly right-of-way line of South Lamar Boulevard, being the northwesterly corner of that certain 0.5031 acre tract of land conveyed to Sola Management LLC by deed of record in Document No. 2011029453 of said Official Public Records and the southwesterly corner of said 0.497 acre tract of land, for the southwesterly corner hereof;

THENCE, along said curving easterly right-of-way line of South Lamar Boulevard, being the westerly line of said 0.497 acre tract of land, for the westerly line hereof, along a curve to the right having a radius of 1393.47 feet, a central angle of 02°24'05", an arc length of 58.40 feet and a chord which bears, N34°43'38"E, a distance of 58.40 feet to a 1/2 inch iron rod found at the southwesterly corner of that certain 3,254 square foot tract of land conveyed to Robert S. Ellis, Jr. by deed of record in Document No. 2012141445 of said Official Public Records, being the northwesterly corner of said 0.497 acre tract of land, for the northwesterly corner hereof;

THENCE, S59°43'06"E, along the southerly line of said 3,254 square foot tract of land and the southerly line of that certain 0.435 acre tract of land conveyed to Robert S. Ellis, Jr. by deed of record in Document No. 2003066311 of said Official Public Records, being the northerly line of said 0.497 acre tract of land, for the northerly line hereof, a distance of 364.08 feet to an iron pipe found in the westerly right-of-way line of the International and Great Northern Railroad (100' R.O.W.), being the southeasterly corner of said 0.435 acre tract of land and the northeasterly corner of said 0.497 acre tract of land, for the northeasterly corner hereof;

THENCE, S25°40'49"W, along the westerly right-of-way line of said Railroad, being the easterly line of said 0.497 acre tract of land, for the easterly line hereof, a distance of 58.67 feet to a 1/2 inch iron rod found at the northeasterly corner of said 0.5031 acre tract of land, being the southeasterly corner of said 0.497 acre tract of land, for the southeasterly corner hereof;

THENCE, N59°40'44"W, leaving the westerly right-of-way line of said Railroad, along the northerly line of said 0.5031 acre tract of land, being the southerly line of said 0.497 acre tract of land, for the southerly line hereof, a distance of 373.31 feet to the **POINT OF BEGINNING**, and containing 0.494 acre (21,526 sq. ft.) of land, more or less, within these metes and bounds.

**DESCRIPTION
(905 SOUTH LAMAR BLVD.)**

A 0.503 ACRE TRACT OF LAND OUT OF THE ISAAC DECKER LEAGUE ABSTRACT NO. 8, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN 0.5031 ACRE TRACT OF LAND CONVEYED TO SOLA MANAGEMENT LLC BY DEED OF RECORD IN DOCUMENT NO. 2011029453 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.503 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found in the curving easterly right-of-way line of South Lamar Boulevard, being the southwesterly corner of that certain 0.497 acre tract of land conveyed to Fine Art Services, Inc. by deed of record in Volume 12887, Page 1519 of the Real Property Records of Travis County, Texas and the northwesterly corner of said 0.5031 acre tract of land, for the northwesterly corner hereof;

THENCE, S59°40'44"E, along the southerly line of said 0.497 acre tract of land, being the northerly line of said 0.5031 acre tract of land, for the northerly line hereof, a distance of 373.31 feet to a 1/2 inch iron rod found in the westerly right-of-way line of the International and Great Northern Railroad (100' R.O.W.), being the southeasterly corner of said 0.497 acre tract of land and the northeasterly corner of said 0.5031 acre tract of land, for the northeasterly corner hereof;

THENCE, S25°40'49"W, along the westerly right-of-way line of said Railroad, being the easterly line of said 0.5031 acre tract of land, for the easterly line hereof, a distance of 59.59 feet to a 1/2 inch iron rod found at the northeasterly corner of that certain 1.73 acre tract of land conveyed to 919 S. Lamar, LP by deed of record in Document No. 2007129270 of said Official Public Records, being the southeasterly corner of said 0.5031 acre tract of land, for the southeasterly corner hereof;

THENCE, N59°18'13"W, leaving the westerly right-of-way line of said Railroad, along the northerly line of said 1.73 acre tract of land, being the southerly line of said 0.5031 acre tract of land, for the southerly line hereof, a distance of 380.16 feet to a 1/2 inch iron rod found in said curving easterly right-of-way line of South Lamar Boulevard, being the northwesterly corner of said 1.73 acre tract of land and the southwesterly corner of said 0.5031 acre tract of land, for the southwesterly corner hereof;

THENCE, along said curving easterly right-of-way line of South Lamar Boulevard, being the westerly line of said 0.5031 acre tract of land, for the westerly line hereof, along a curve to the right having a radius of 1393.47 feet, a central angle of 02°20'29", an arc length of 56.94 feet and a chord which bears, N32°21'21"E, a distance of 56.94 feet to the **POINT OF BEGINNING**, and containing 0.503 acre (21,916 sq. ft.) of land, more or less, within these metes and bounds.

AFTER RECORDING RETURN TO:

City of Austin Law Department
P.O. Box 1088
Austin, Texas 78767-1088
Attn: Michele Thompson

Neighborhood Housing and Community Development
1000 East 11th Street, Suite 200
Austin, TX 78702
Attn: Regina Copic

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

Nov 06, 2015 12:57 PM

2015178680

RAMIREZA: \$86.00

Dana DeBeauvoir, County Clerk

Travis County TEXAS

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.