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VARIANCE

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

WHEREAS, by instrument titled ~~Supplemental~~ Supplemental Restrictions, Covenants and Conditions, dated September 6, 1988, recorded in Volume 10773, Page 0050, of the Real Property Records of Travis County, Texas (the "Supplemental Declaration"), Jester Land Management Company, a Texas corporation, subjected certain real property described in said Supplemental Declaration to certain covenants, conditions and restrictions, as more fully set forth therein; and

WHEREAS, the Supplemental Declaration was modified and amended by ~~instrument~~ instrument, entitled Second Supplemental Restrictions, Covenants and Conditions, dated February 12, 1991, recorded in Volume 11374, Page 0504, of the Real Property Records of Travis County, Texas (the "Second Supplemental Declaration"); and

WHEREAS, the Second Supplemental Declaration was modified and amended and corrected by an instrument entitled Correction Second Supplemental Restrictions, Covenants and Conditions (the "correction Second Supplemental Declaration"), recorded in Volume 11723, Page 1581, of the Real Property Records of Travis; and

WHEREAS, M Jon Enterprises Incorporated, a Texas corporation, and Maury J. Hood have now collectively acquired and are the current owner of the real property described in Exhibit "A" which is attached hereto and made a part hereof for all purposes (the "Property"); and

WHEREAS, the Property is included within the property described in Exhibit "B" of the aforesaid Restrictions and under the terms of the Restrictions, the Developer under the Restrictions has the right to annex the Property into the jurisdiction of the Association (as defined in the Restrictions) and make the Property subject to the Restriction; and

WHEREAS, M Jon Enterprises Incorporated and Maury J. Hood have annexed the Property into the Association, on March 18, 1998, as recorded in Volume 13142, Page 0057, of the Real Property Records of Travis County, Texas and subjected the Property to the Restrictions; and

WHEREAS, pursuant to Article IV, Section 5 of the Restrictions, the Architectural Control Committee, in the case of special size or shape of site or condition of terrain or special use, operation or treatment not provided for within the general conditions of the protective covenants or for any other reason may, in its discretion, permit such variances and exceptions as it deems necessary or desirable; and

WHEREAS, the Architectural Control committee has reviewed the plat of the Property and determined that the variance as requested herein should be permitted,

REAL PROPERTY RECORDS
Travis County, Texas

13320 0108

NOW, THEREFORE, the Architectural Control Committee hereby declares that the following variance to Article V, Section 7 of the Restrictions is hereby for each of the Lots as described in Exhibit "B" which is attached hereto and made a part hereof for all purposes: The required total combined setback from both sides of the Lots in the Property shall be ten (10) feet rather than fifteen (15) feet as required by the Restrictions.

Except for the variance granted herein, the Property shall otherwise be required to comply with the Restrictions, unless further variances are granted by the Architectural Control Committee.

**JESTER ARCHITECTURAL CONTROL
COMMITTEE**

By: Cam Witt
Cam Witt

By: Neil Gruver
Neil Gruver

By: Charlie Floyd
Charlie Floyd

THE STATE OF TEXAS \

COUNTY OF TRAVIS \

This instrument was acknowledged before me on this the 11th day of November 1998, by Cam Witt, of the Jester architectural Control Committee, on behalf of said committee.

Caroline M. Touchet
Notary Public, State of Texas

Caroline M. Touchet
(Name -- Typed or Printed)

My Commission Expires: 05/10/99

THE STATE OF TEXAS

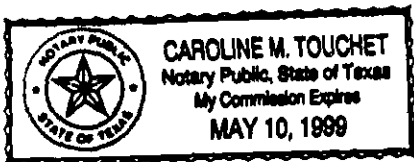
COUNTY OF TRAVIS

This instrument was acknowledged before me on this the 23rd day of October 1998, by Neil Gruver, of the Jester Architectural Control Committee, on behalf of said committee.

Caroline M. Touchet
Notary Public, State of Texas

Caroline M. Touchet
(Name -- Typed or Printed)

My Commission Expires: 05/10/99



THE STATE OF TEXAS \

COUNTY OF TRAVIS \

This instrument was acknowledged before me on this the 27th day of October 1998, by Charlie Floyd, of the Jester Architectural Control Committee, on behalf of the said committee.

Caroline M. Touchet
Notary Public, State of Texas

Caroline M. Touchet
(Name -- Typed or Printed)

My Commission Expires: 05/10/99

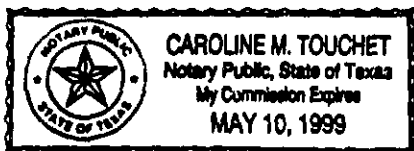


EXHIBIT " A "

All that certain property known as Jester Point 2, Section 8 PUD, a subdivision in Travis County, and more particularly described in plat which is recorded in Plat Book 100, Pages 229-231, Plat Records of Travis County, Texas.

EXHIBIT "B"

All that certain property known as Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20, Block A, of Jester Point 2, Section 8 PUD a subdivision in Travis County, Texas, according to the plat thereof of record in Plat Book 100, Pages 229-231, Plat Records of Travis County, Texas.

RETURN TO:
CASH / STAFF
STEWART TITLE AUSTIN, INC.
ATTN: POLICY DEPARTMENT
P. O. Box 1806
Austin, TX 78767

STATE OF TEXAS COUNTY OF TRAVIS
I hereby certify that this instrument was FILED on
the date and at the time stamped herein by me, and
was duly RECORDED in the Volume and Page of the
named RECORDS of Travis County, Texas, on

DEC 1 1998



Dana DeBeauvoir
COUNTY CLERK
TRAVIS COUNTY, TEXAS

FILED

98 DEC -1 PM 3:30

DANA DEBEAUVOIR
COUNTY CLERK
TRAVIS COUNTY, TEXAS

RECORDERS MEMORANDUM-At the time of
recording, this instrument was found to be inadequate
for the best photographic reproduction, because of
illegibility, carbon or photo copy, discolored paper,
etc. All blockouts, additions and changes were present
at the time the instrument was filed and recorded.

RECEIPT#: A00138100 TRANS#: A0870 DEPT: REGULAR-RECORD \$12.00
CASHIER: MDTUE FILE DATE: 12/1/98 TRANS DATE: 12/1/98
PAID BY: CHECK# 4195

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