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*Dana DeBeauvoir*

Dana DeBeauvoir, County Clerk  
Travis County, Texas

Jan 31, 2022 09:12 AM Fee: \$46.00

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**AFTER RECORDING RETURN TO:**

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Austin, Texas 78701  
Email: [rburton@winstead.com](mailto:rburton@winstead.com)

**EIGHTH AMENDMENT TO**  
**MUELLER MASTER COMMUNITY COVENANT**

*Travis County, Texas*

Master Declarant: CATELLUS AUSTIN, LLC, a Delaware limited liability company

Cross reference to Mueller Master Community Covenant, recorded as Document No. 2004238007 in the Official Public Records of Travis County, Texas (the "Records"), as corrected by the Scrivener's Affidavit, recorded as Document No. 2005039311 in the Records, as further amended by First Amendment to Mueller Master Community Covenant, recorded as Document No. 2006050356 in the Records, as further amended by Second Amendment to Mueller Master Community Covenant, recorded as Document No. 2006193523 in the Records, as further amended by Third Amendment to Mueller Master Community Covenant, recorded as Document No. 2009190773 in the Records, as further amended by Fourth Amendment to Mueller Master Community Covenant, recorded as Document No. 2010193075 in the Records, as further amended by Fifth Amendment to Mueller Master Community Covenant, recorded as Document No. 2015153449 in the Records, as further amended by Sixth Amendment to Mueller Master Community Covenant, recorded as Document No. 2018182655 in the Records, and as further amended by Seventh Amendment to Mueller Master Community Covenant, recorded as Document No. 2021048265 in the Records.

**EIGHTH AMENDMENT TO MUELLER MASTER COMMUNITY COVENANT**

This Eighth Amendment to Mueller Master Community Covenant (this "**Amendment**") is made by CATELLUS AUSTIN, LLC, a Delaware limited liability company ("**Master Declarant**"), and is as follows:

**RECITALS**

A. Master Declarant previously caused to be recorded the Mueller Master Community Covenant, recorded as Document No. 2004238007 in the Official Public Records of Travis County, Texas (the "**Records**"), as corrected by the Scrivener's Affidavit, recorded as Document No. 2005039311 in the Records, as further amended by First Amendment to Mueller Master Community Covenant, recorded as Document No. 2006050356 in the Records, as further amended by Second Amendment to Mueller Master Community Covenant, recorded as Document No. 2006193523 in the Records, as further amended by Third Amendment to Mueller Master Community Covenant, recorded as Document No. 2009190773 in the Records, as further amended by Fourth Amendment to Mueller Master Community Covenant, recorded as Document No. 2010193075 in the Records, as further amended by Fifth Amendment to Mueller Master Community Covenant, recorded as Document No. 2015153449 in the Records, as further amended by Sixth Amendment to Mueller Master Community Covenant, recorded as Document No. 2018182655 in the Records, and as further amended by Seventh Amendment to Mueller Master Community Covenant, recorded as Document No. 2021048265 in the Records (as so amended, the "**Master Covenant**").

B. Pursuant to *Section 20.2(a)* of the Master Covenant, the Master Declarant may, with the prior written consent of the City of Austin, amend the Master Covenant by recording in the Official Public Records of Travis County, Texas, an instrument executed and acknowledged by Master Declarant. The City of Austin hereby consents to this Amendment by its execution of this instrument in the space provided below.

NOW, THEREFORE, Master Declarant hereby amends and modifies the Master Covenant, as follows:

1. **Transfer or Dedication of Master Community Facilities.** *Section 19.3* of the Master Covenant currently conflicts with the MDA. Therefore the following provision is hereby added to the end of *Section 19.3* of the Master Covenant in order to comply with the MDA:

Notwithstanding anything contained within this *Section 19.3*, the Master Declarant during the Development and Sale Period, and the Board thereafter, may unilaterally convey any park that is a part of the Master Community Facilities to the City of Austin, Texas, if such park is contemplated to be conveyed to the City of Austin, Texas, in accordance with the MDA.

2. **Effect of Amendment.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Master Covenant. Unless expressly amended by this Amendment, all other terms and provisions of the Master Covenant remain in full force and effect as written.

*[SIGNATURE PAGE AND ACKNOWLEDGEMENTS FOLLOW]*

EXECUTED to be effective on the date this instrument is recorded in the Official Public Records of Travis County, Texas.

**MASTER DECLARANT:**

**CATELLUS AUSTIN, LLC**, a Delaware limited liability company

By: 

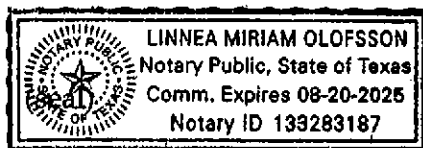
Printed Name: Gregory J. Weaver

Title: Executive Vice President

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this 11 day of November, 2021 by Gregory J. Weaver, Executive Vice President of Catellus Austin, LLC, a Delaware limited liability company, on behalf of said limited liability company.



  
Notary Public Signature

**SIGNATURES AND ACKNOWLEDGEMENTS CONTINUE ON FOLLOWING PAGE**

**CONSENT PROVIDED PURSUANT TO  
SECTION 20.2(a) OF THE MASTER COVENANT:**

**THE CITY OF AUSTIN**, a Texas home rule  
city and municipal corporation

By: *Michael Gates*  
Michael Gates, Interim Officer, Office of Real Estate Services

Date: *January 20, 2022*

THE STATE OF TEXAS §  
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the *20<sup>th</sup>* day of *January*, 20*22*  
by Michael Gates, Interim Officer, Office of Real Estate Services of the City of Austin, a  
municipal corporation, on behalf of said municipal corporation.

[SEAL]



*Diana Justice*  
Notary Public Signature

Approved as to content:

By: *Sylvia Holt-Rabb*  
Sylvia Holt-Rabb  
Acting Director, Economic  
Development Department

Approved as to form:

By: *Kent Smith*  
Kent Smith  
Assistant City Attorney