

NOTICE OF RESTRICTION

STATE OF TEXAS

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KNOW ALL MEN BY THESE PRESENTS THAT:

COUNTY OF WILLIAMSON §

Williamson County is the owner of that real property more particularly described and shown in Exhibit "A" (hereinafter the "Property") attached hereto and made a part hereof. The Property is subject to special conditions of Department of the Army Nationwide Permit 14 for Project Number SWF-2010-00168, dated March 19, 2007, or a revision thereof. One of the special conditions of the referenced permit requires restrictions be placed on the deed for the Property for the purpose of providing compensation for adverse impacts to waters of the United States. Any purchaser of all or any part of the Property or any person having an interest in or proposing to acquire an interest in all or part of the property, or any person proposing to develop or improve all or any part of the Property, is hereby notified that development restrictions affecting the Property are as follows:

- 1) The Property, or a portion of the Property, is hereby dedicated in perpetuity as a wetland and riparian area mitigation area associated with the construction of improvements to U.S. 183. The Property is dedicated for the purpose of providing compensatory mitigation for adverse impacts to waters of the United States, including wetlands. The Property shall not be disturbed without obtaining a revision of the aforementioned USACE permit, except by those USACE-approved activities that would not adversely affect the intended extent, condition, and function of the mitigation bank;
- 2) This restriction may not be revised without obtaining a modification of the aforementioned USACE authorization. Permit modifications may be granted only by the USACE;
- 3) This restriction may not be removed without the prior written approval of the USACE; and
- 4) Disturbance of the dedicated property may require Department of the Army authorization.
- 5) Owner and its successors and assigns shall be responsible for maintenance and short/long term management of the property in accordance with Section 17.0 and 18.0 of the Mitigation Plan titled: US 183 from SH 29 to 183A USACE Project # SWF-2010-00168, TxDOT Austin District and Williamson County, dated July 2010.

This notice of restriction does not grant any property rights or exclusive privileges.

EXECUTED THIS \_\_\_\_ day of \_\_\_\_\_, 2010

WILLIAMSON COUNTY, TEXAS

By: 

Dan A. Gattis, County Judge