



Contact:
Jason Meeker
RG4N Communications Chairman
press@rg4n.org

LEGAL AGREEMENT SETS COURT DATE, HALTS WAL-MART SUPERCENTER

*Lincoln Property Agrees To Suspend Demolition.
RG4N and Allandale Neighborhood Association Lawsuits To Be Combined.*

AUSTIN, Texas – August 14, 2007 – Responsible Growth for Northcross (RG4N) has reached an agreement with the City of Austin and Lincoln Property Company regarding RG4N's Northcross Mall lawsuit.

The agreement preserves almost all of the 29 protected trees authorized to be destroyed by the City of Austin, at least until a bench trial, which the parties have agreed to schedule on November 13, 2007. Under the agreement, Lincoln additionally would not begin any exterior building demolition in the area designated for the planned Wal-Mart Supercenter prior to November 20, 2007.

RG4N had filed pleadings asking the Court to temporarily halt demolition and destruction of trees. By securing this Agreement, RG4N has eliminated the need to go to court to obtain this relief. The Agreement does allow Lincoln to build a small water quality pond and destroy three trees where the pond will be built.

As a result of a separate agreed order, RG4N will consolidate its lawsuit with the Allandale Neighborhood Association, which has also sued the City of Austin and Lincoln over traffic concerns.

On June 28, 2007, RG4N filed a lawsuit in Travis County District Court against the City of Austin and Lincoln after a second site plan for Northcross Mall was approved by the City on June 26.

RG4N has filed suit to get a court to order the City of Austin and Lincoln to follow the law and to declare the second approved site plan for Northcross to be illegal and invalid.

If RG4N wins on any one of the four claims described below, the entire site plan and all the current development activity at Northcross would be declared invalid. Lincoln would be

-- more --

required to stop work at the site and seek approval of a new plan, which would be subject to several regulations that did not apply to the current plan. As a result of the new regulations, any new site plan would be unlikely to include a Supercenter and would more closely resemble the type of redevelopment the neighborhoods desire.

RG4N's lawsuit claims that in approving Lincoln's site plan, the City failed to follow the law in the following four areas:

- The City failed to enforce a subdivision plat note which protects Shoal Creek from flooding and pollution
- The City failed to enforce the City tree ordinance, thereby illegally permitting destruction of 29 large, mature trees on the Northcross property
- The City failed to follow traffic and public safety provisions of the law, thereby endangering public safety and overburdening the street system, increasing risk of traffic accidents, increasing ozone pollution levels, and reducing emergency vehicle response times
- The City failed to follow the required process for approving a site plan that involves a garden center. The correct process would have required Lincoln to get a conditional use permit from the city's Zoning and Platting Commission and to seek approval from City Council.

About Responsible Growth for Northcross

Responsible Growth for Northcross is a group of citizens from the Allandale, Brentwood, Crestview, North Shoal Creek, Rosedale and Wooten neighborhoods pushing for a mixed-use redevelopment of the Northcross area. The group is working to stop the inclusion of a Wal-Mart Supercenter in the Northcross redevelopment. RG4N's growth-oriented solution for Northcross Mall would preserve the character, diversity and quality of life of the Northcross-area neighborhoods. This solution was developed to address the needs and concerns expressed by Austin citizens, businesses and civic organizations while ensuring a successful, profitable endeavor for the developer. For more information about RG4N, visit www.rg4n.org.

###