

*Court of Appeals*  
*Fourth Court of Appeals District of Texas*  
*San Antonio*



**MEMORANDUM OPINION**

No. 04-11-00698-CV

**GATES OF CAPERNUM APARTMENTS, L.P.,**  
Appellant

v.

**BEXAR APPRAISAL DISTRICT,**  
Appellee

From the 224th Judicial District Court, Bexar County, Texas  
Trial Court No. 2010-CI-08260  
Honorable Cathleen M. Stryker, Judge Presiding

PER CURIAM

Sitting: Catherine Stone, Chief Justice  
Phylis J. Speedlin, Justice  
Steven C. Hilbig, Justice

Delivered and Filed: July 25, 2012

VACATED AND RENDERED

This court issued an opinion in this appeal on June 6, 2012. On June 22, 2012, appellant filed a motion for rehearing, citing the Texas Supreme Court's decision in *AHF Arbors at Huntsville, I v. Walker County Appraisal Dist.*, Nos. 10-0683, 10-0714, 2012 WL 2052948 (Tex. June 8, 2012). On June 27, 2012, this court issued an order requesting a response to the motion for rehearing from the appellee.

On July 16, 2012, the parties filed a joint motion, requesting this court to withdraw our prior opinion and render a judgment in accordance with the parties' agreement. The motion is granted. See TEX. R. APP. P. 42.1(a)(2)(A), 43.2; *Caballero v. Heart of Tex. Pizza, L.L.C.*, 70 S.W.3d 180 (Tex. App.—San Antonio 2001, no pet.). This court's opinion and judgment dated June 6, 2012 are withdrawn. The trial court's judgment is vacated, and judgment is rendered granting the appellant a section 11.182 tax exemption for tax year 2009. Costs of the appeal are assessed against the parties who incurred them.

PER CURIAM