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AFTER RECORDING RETURN TO: Robert D. Burton, Esq. Winstead, PC 401 Congress Ave., Suite 2100 Austin, Texas 78701

SEVENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME FOR PIAZZA ESCONDIDA CONDOMINIUMS

A Condominium Project located in El Paso County, Texas

Cross Reference to <u>Declaration of Condominium Regime for Piazza Escondida Condominiums</u> recorded as Document No. 20130084291 in the Official Public Records of El Paso County, Texas, and any amendments thereto.

SEVENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME FOR PIAZZA ESCONDIDA CONDOMINIUMS

This Seventh Amendment to Declaration of Condominium Regime for Piazza Escondida Condominiums (the "Amendment") is made by TONE VENTURES, L.L.C., a Texas limited liability company ("Declarant"), and is as follows:

RECITALS:

- Piazza Escondida Condominiums, a condominium regime (the "Regime"), located in El Paso County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Piazza Escondida Condominiums, recorded as Document No. 20130084291 in the Official Public Records of El Paso County, Texas, as amended by that certain First Amendment to Declaration of Condominium Regime for Piazza Escondida Condominiums, recorded as Document No. 20140026989 in the Official Public Records of El Paso County, Texas, as amended by that certain Second Amendment to Declaration of Condominium Regime for Piazza Escondida Condominiums, recorded as Document No. 20150055049 in the Official Public Records of El Paso County, Texas, as amended by that certain Third Amendment to Declaration of Condominium Regime for Piazza Escondida Condominiums, recorded as Document No. 20170022026 in the Official Public Records of El Paso County, Texas, as amended by that certain Fourth Amendment to Declaration of Condominium Regime for Piazza Escondida Condominiums, recorded as Document No. 20170082509 in the Official Public Records of El Paso County, Texas, as amended by that certain Fifth Amendment to Declaration of Condominium Regime for Piazza Escondida Condominiums, recorded as Document No. 20190008770 in the Official Public Records of El Paso County, Texas, as amended by that certain Sixth Amendment to Declaration of Condominium Regime for Piazza Escondida Condominiums, recorded as Document No. 20100033274, in the Official Public Records of El Paso County, Texas (collectively, the "Declaration").
- **B.** Pursuant to *Provision A.3.3* of <u>Appendix "A"</u> to the Declaration, Declarant may modify the initial development plan to respond to perceived or actual changes and opportunities in the marketplace. Modifications may include, without limitation, the subdivision, or combination of Units, changes in the sizes, styles, configurations, materials and appearances of Units, and Common Elements.
- C. Pursuant to *Provision A.3.7 and A.3.8* of <u>Appendix "A"</u> to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to subdivide, combine, or reconfigure Units or convert Units into Common Elements, in the exercise of statutory Development Rights.

PIAZZA ESCONDIDA CONDOMINIUMS SEVENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

- **D.** The Development Period is for a term of ten (10) years from the date the Declaration was recorded in the Official Public Records of El Paso County, Texas. The Declaration was recorded on November 13, 2013, and the Development Period is still in effect.
- E. The total number of Units within the Regime after giving effect to this Amendment is equal to thirty-one (31).

NOW THEREFORE, the Declaration is hereby amended as follows:

- 1. <u>Subdivision of Unit A11 and Creation of Units.</u> In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and *Provisions A.3.3, A.3.7(ii)* and A.3.8(iv) and (v) of <u>Appendix "A"</u> to the Declaration, Declarant hereby subdivides Unit A11 and creates one (1) Unit, which is designated as A21 (collectively, the "New Unit") The New Unit is hereby classified as a Residential Unit. The Owner of Unit A11 consents to subdivision by its signature below.
- 2. <u>Replacement of Attachment 1</u>. Attachment 1 to the Declaration is hereby deleted in its entirety and the Plats and Plans attached hereto as <u>Exhibit "A"</u> (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.
- **3.** Replacement of Attachment 3. The Schedule of Allocated Interests, Common Interest Allocation and Common Expense Liability assigned to each Unit within the Regime is set forth on Exhibit "B", attached hereto. Exhibit "B", attached hereto, supersedes and replaces Attachment 3 attached to the Declaration.
- **4.** <u>Miscellaneous.</u> Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

[SIGNATURE PAGE TO FOLLOW]

| EXECUTED to be effective as | of the day of te brugge 2021. DECLARANT: |
|--|--|
| | By: Printed Name: Second String Title: |
| THE STATE OF TEXAS COUNTY OF DO POSO This instrument was acknowled to the county of t | edged before me this day of Juliany 2021 by Manages Tone Ventures, LLC, a Texas limited mited liability company. |
| VANESSA PARCIDE 12415009-7 NOTARY PUBLIC In and for the State of My commission expire My commission expire | Texas |

VAN 1, LLC, a Texas limited liability Victor A. Nacin THE STATE OF Hizma COUNTY OF Mancopa § This instrument was acknowledged before me this 1/14 day of 1/2021 by Van 1, LLC, a Texas limited liability company, as the Owner of Unit A11. CAMBIA ROSE Notary Public - State of Artzoni MARICOPA COUNTY Commission # 594890 Expires December 10, 2024

Notary Public Signature

APPROVAL AND ACKNOWLEDGEMENT:

OWNER OF UNIT A11:

EXHIBIT "A"

ATTACHMENT 1 TO THE DECLARATION OF CONDOMINIUM REGIME FOR PIAZZA ESCONDIDA CONDOMINIUMS

SEE SHEET 2 FOR ORIGINAL CERTIFICATION

PIAZZA ESCONDIDA CONDOMINIUMS SEVENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

PIAZZA ESCONDIDA CONDOMINIUMS

EXHIBIT "A" PIAZZA ESCONDIDA CONDOMINIUMS

[PLATS AND PLAN] [CERTIFICATION OF SURVEYOR]

THE ATTACHED PLATS AND PLANS, ATTACHED HERETO AS "ATTACHMENT 1" CONTAIN THE INFORMATION REQUIRED BY SECTION 82.059 OF THE TEXAS UNIFORM CONDOMINIUM ACT, AS APPLICABLE.





DATED 01-05-2021

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JOB # 12-2968 DATE: 01-05-2021FIELD: JM OFFICE: JR

LOCATED IN ZONE C PANEL # 480214-0039-B DATED 10-15-82

RECORDED IN VOL: 1 PAGE 36 , PLAT RECORDS, EL PASO COUNTY, TX

6350 ESCONDIDO DRIVE A PORTION OF LOT 2, BLOCK 15A CHAPARRAL PARK UNIT SEVEN CITY OF EL PASO, EL PASO COUNTY, TEXAS

CONSULTING COMPANY 1790 LEE TREVINO DRIVE SUITE 503 EL PASO, TEXAS, 79936 (915) 633-6422

PIAZZA ESCONDIDA CONDOMINIUMS SEVENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

PIAZZA ESCONDIDA CONDOMINIUMS

GENERAL NOTES

Also, for your information we will request certain notes be included on the plot. An example of typical notes requested are as follows:

- All improvements and lend reflected on the plot are designated as general common elements, save and except portions of the regime designated as limited common elements or units: (i) in the Declaration of Condominium Regime for Pluzza Excendida Condominium (the "Declaration") or (8) on the plots and plans of the regime.
- Ownership and use of condominium units is subject to the rights and restrictions contained in the Declaration of condominium regime for Plazza Escandida.
- 3) The property is subject to special rights reserved by the Declarant in the Declaration. Pursuant to such provisions, among other things, Declarant has reserved the right to () complete or mote improvements indicated on the plot and plans; (ii) exercise only development right permitted by the Texas Uniform Condominian Act (the "Act") and the Declaration, including the addition of real property the regime, which property may be added as units, general common elements and/or limited common elements; (iii) make the property part of a larger condominiam or planned community; (iv) use units owned or leased by Declarant as medals, storage areas, and offices for the marketing, management, maintenance, customer service, construction, and lessing of the property; and (v) appoint or remove any Declarant—appointed officer or director of the Association during the purposes of premoting, identifying, and marketing the property. Declarant has reserved an essement and right to place or install signs, banners, flags, display lighting, potted plants, exterior decorative flams, associated constructions, temporary whose treatments, and seasonal lendecoping on the property, including items and isociations that are prohibited to other owners. Declarant has assembled in the foregoing sentence from the tother. Declarant has reserved on essement and right to improve the temporary including them and isociates that are prohibited to other owners. Declarant has desembled in the Europeing sentence from time to time. Declarant has reserved on essement and right of ingress and agrees in and through the common otherwise, and ensured the Act and the Declaration.

Surveyor's Certificate

To: Tone Ventures LLC

I hereby certify to the above persons, their successors and ass February 28, 2018:

Items Depicted: The Survey depicts among other matters the folio

Survey: This survey was made on the ground and correctly shows the mott listed in paragraphs A 2-10 below; and is an accurate on-the-ground instrume survey with Job No. 81275 (the "Survey") of the premises (the "Property") was conducted under my direction according to load professional practices. The Survey shows all parimeter land boundaries of the condensation as required by 82,059 of the Texas Uniform Condensation Act Chapter 82 of the Texas Propert

Correct: The Survey, the Informetion, and the metes and bounds description, using occurse and distances shown thereon, are correct. The survey creates and entered the second course and distances shown thereon, are correct. The survey correctly we (1) the bounderies and areas of the Property and Location and type of reversents thereon (if any); (1) the location of all rights—of-way, comment or matters of record or of which I have innoved the second of the correctly shown.

Sets providing access to the Property together with the settin and name thereo Monuments: All measurements shown on the Survey country and, and the ston, size and type of most-rick thereof are correctly shown.

Boundary and Possession lines: The title lines and lines of actual possession Property are the earns, except as shown.

Ensements: There are no essements, rights—of-ways, old highways or about the title imposition of the same, other than those shown and depicted on the sys. The survey shoets the location of all seasons works or actual possession of the condominant, and the location of any underground statisty line that saturated estates a recorded essement.

Exercactments: Everyt as shown on the Survey, there are no visible show—and encroactments an adjocent property, conflicts: Except as shown an opposite property, and except as shown on the Property.

Conflicts: Except as shown and specifically identified as such an the Survey, for or no the Property.

Conflicts: Except as shown and other exceptions, as noted in the Essements: All recorded essements and other exceptions, as noted in

are are no visible discrepancies, conflicts, shortages in area or boundary line shiftets.

Essements: All recorded eccennents and other ecceptions, as noted in markinest No. 501036 provided by Stewart Title Guaranty Company have more orderly plotted on the survey.

Utility improvements: The Survey shows the location of any visible telephone, egraph, electric or other power lines, wives and poles on the Property.

Improvements: The location and dimensions of any vertical unit boundaries to shown or projected on recorded plans and the Unit's Identifying number. The action, with reference to established data, of any horizontal Unit's boundaries not seen or projected on recorded plans and the Unit's Identifying number. The action and dimensions of United Common Elements, other than those parties by 82.052(2) and (4) of the Texas Uniform Condominium Act. The hence and bearings locating each building from all other buildings and from at all one boundary line of the real property constituting the condominium.

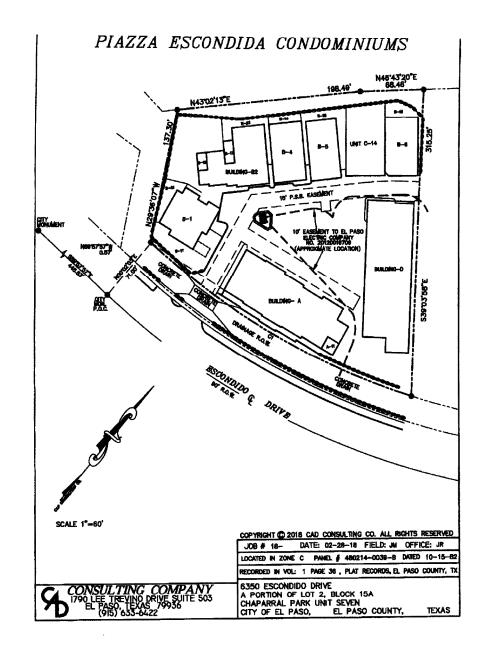
The Texas Boundary line of the red property constituting the condominium.

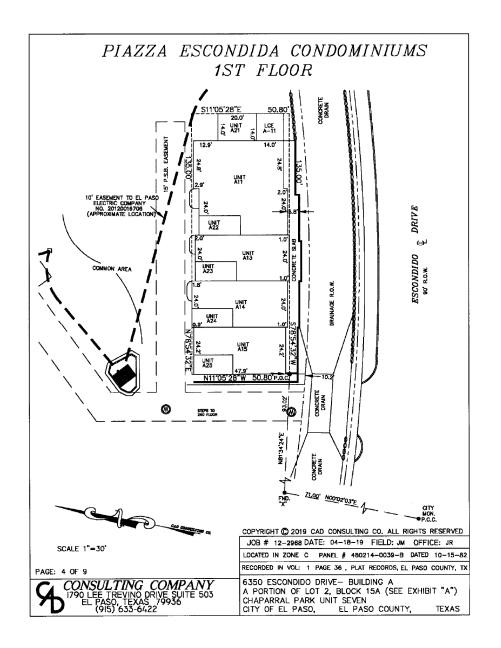
The Texas Boundary line of Standards and Specifications for a Category 1A.

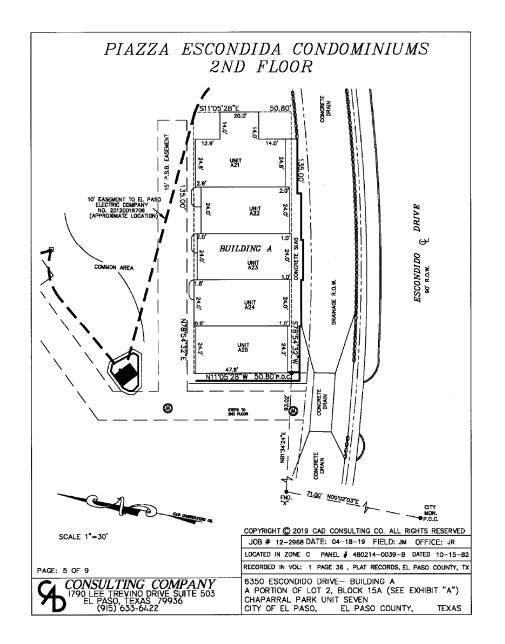
Society of Professional Standards and Specifications for a Category 1A.

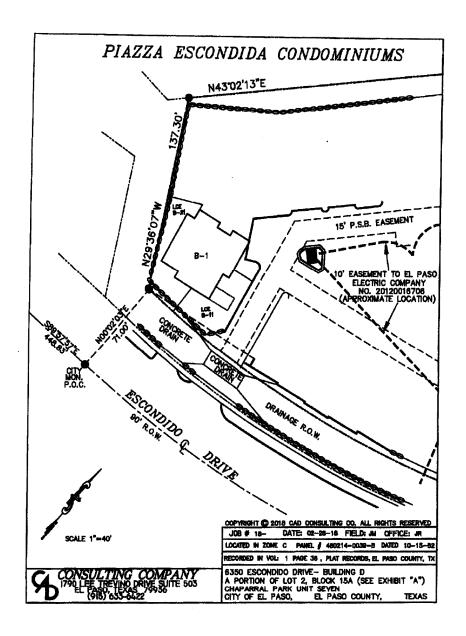
He Survey Contains. The Survey contains all infermedian required to be on adominium plot under 82.059 of the Texas Uniform Candominium Act, Chapter (1 the Texas Property Code.

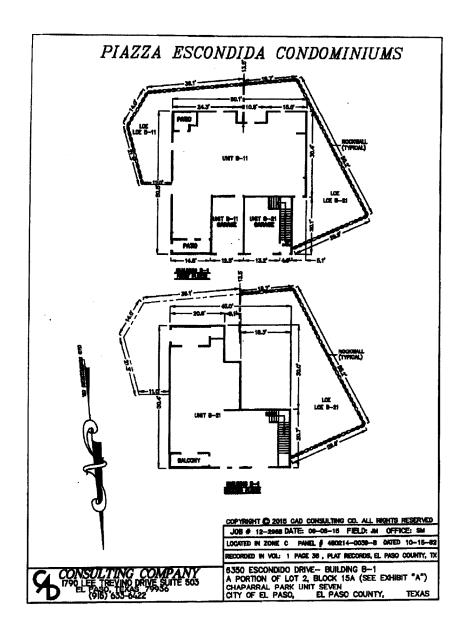


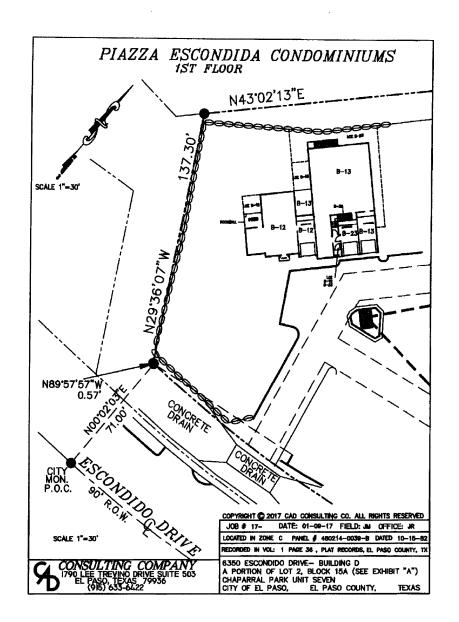


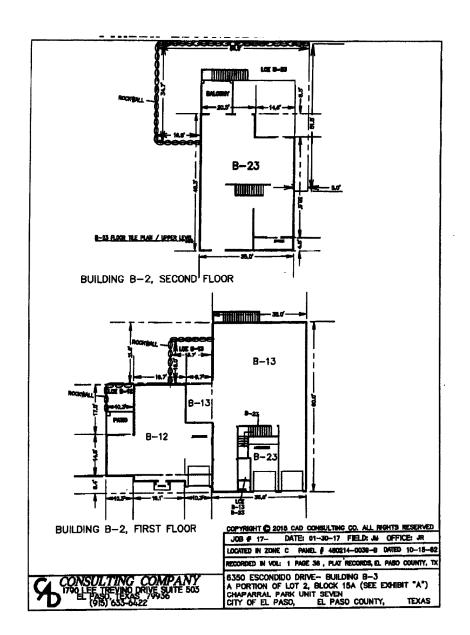


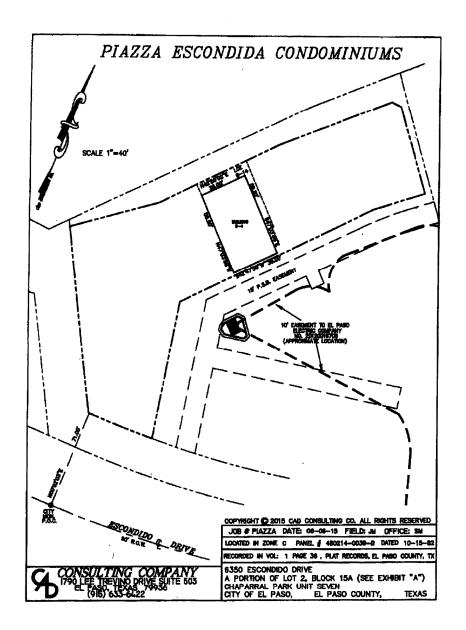




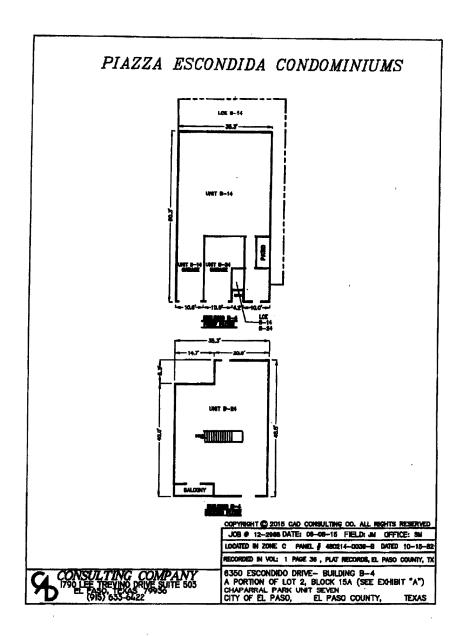


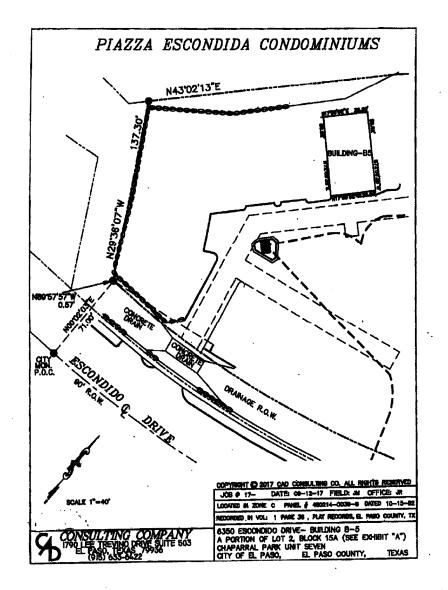




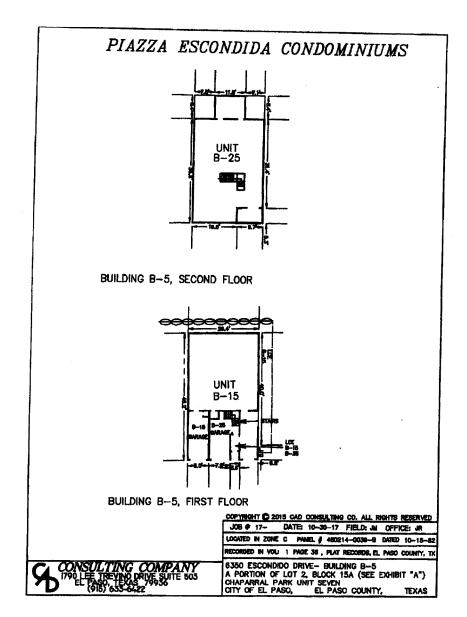


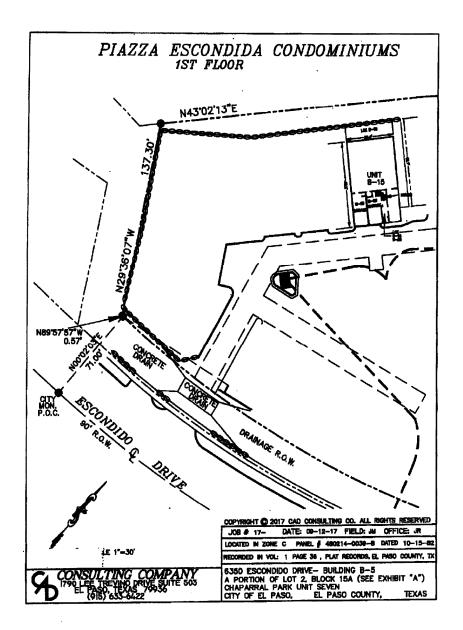
PIAZZA ESCONDIDA CONDOMINIUMS SEVENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

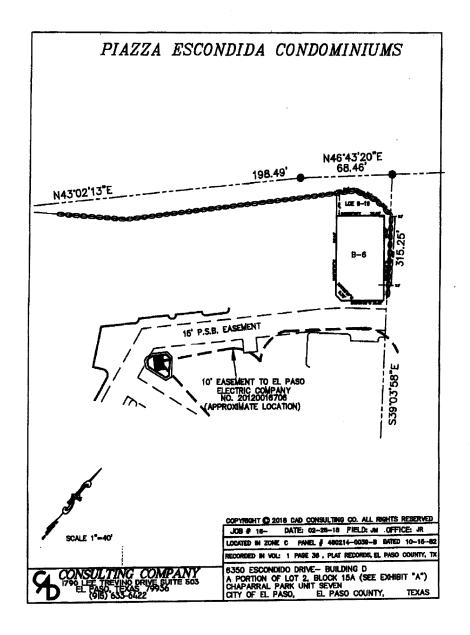


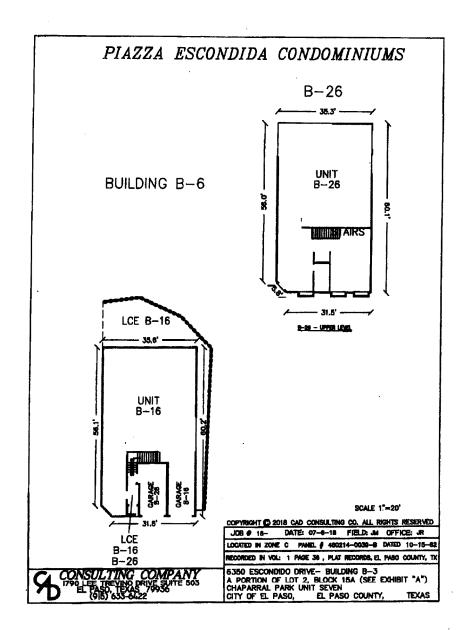


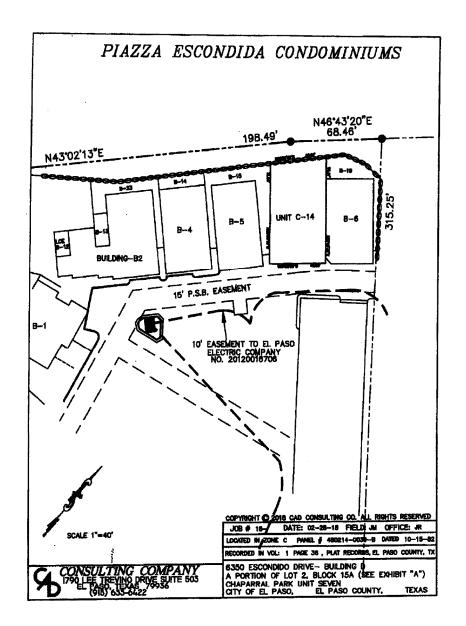
PIAZZA ESCONDIDA CONDOMINIUMS SEVENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

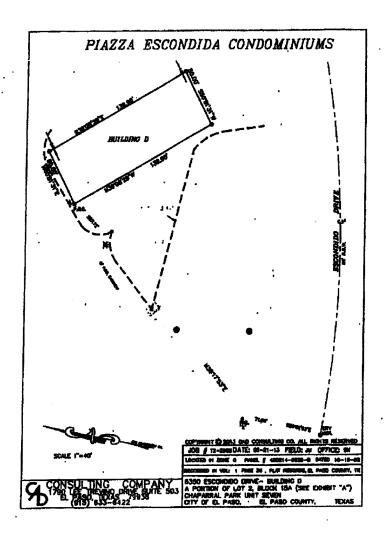




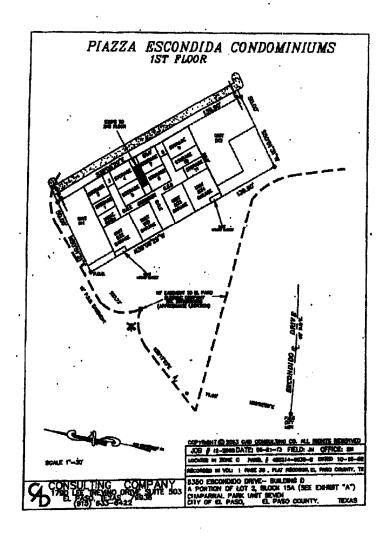


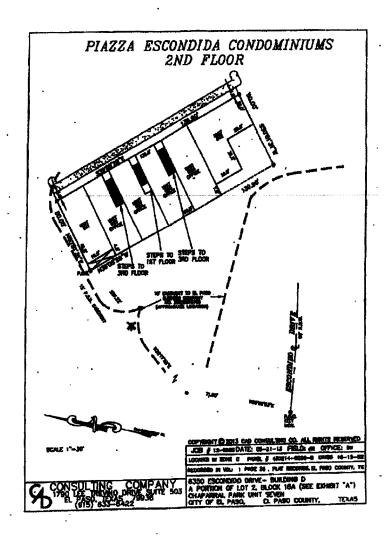


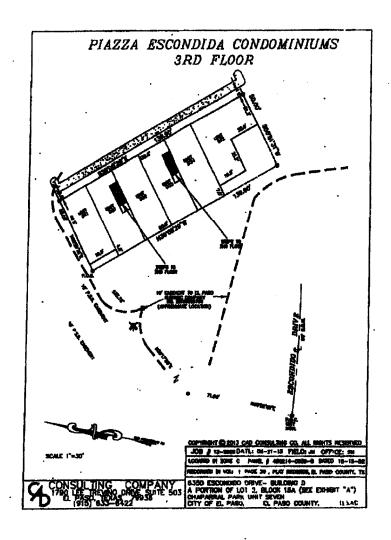




PIAZZA ESCONDIDA CONDOMINIUMS SEVENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME





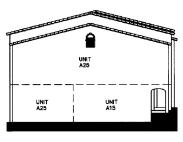


PIAZZA ESCONDIDA CONDOMINIUMS SEVENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

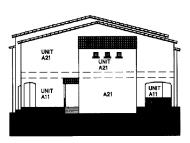


PIAZZA ESCONDIDA CONDOMINIUMS SEVENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

PIAZZA ESCONDIDA CONDOMINIUMS



BUILDING A WEST ELEVATION



BUILDING A EAST ELEVATION

SCALE 1"=20"

PAGE: 7 OF 9

CONSULTING COMPANY
1790 LEE TREVINO DRIVE SUITE 503
EL PASO, TEXAS 79936
(915) 633-6422

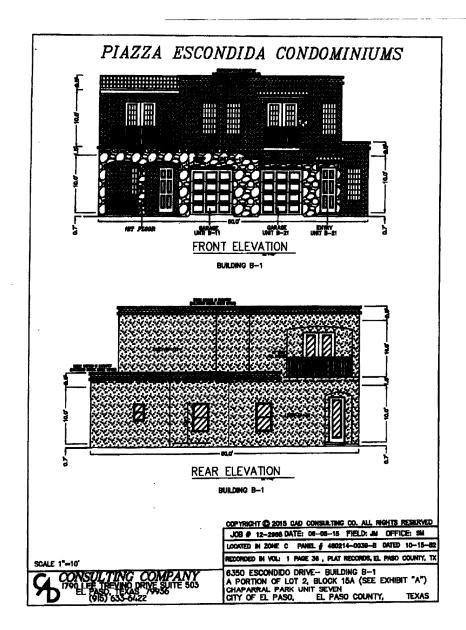
COPYRIGHT © 2019 CAD CONSULTING CO. ALL RIGHTS RESERVED

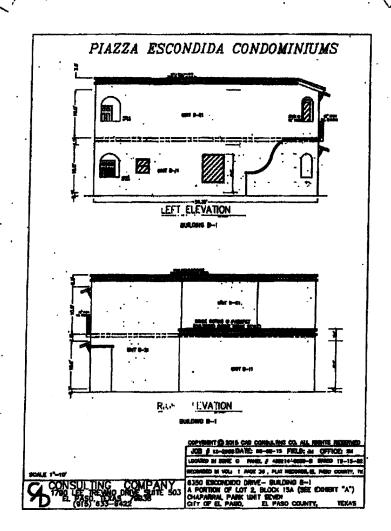
JOB # 12-2968 DATE: 04-18-19 FIELD: JM OFFICE: JR LOCATED IN ZONE C PANEL # 480214-0039-B DATED 10-15-82 RECORDED IN YOL: 1 PAGE 38 , PLAT RECORDS, EL PASO COUNTY, TX

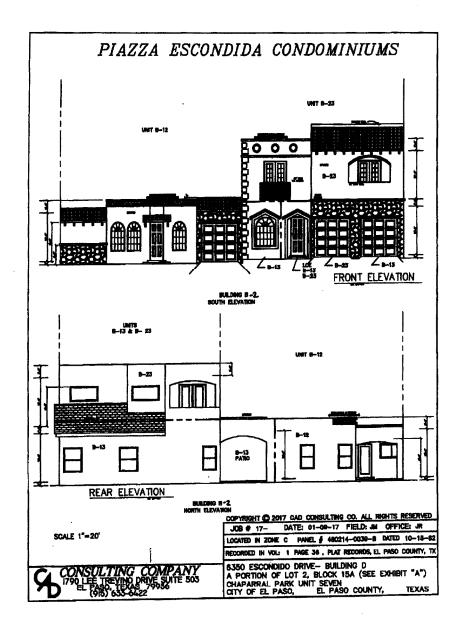
6350 ESCONDIDO DRIVE- BUILDING D

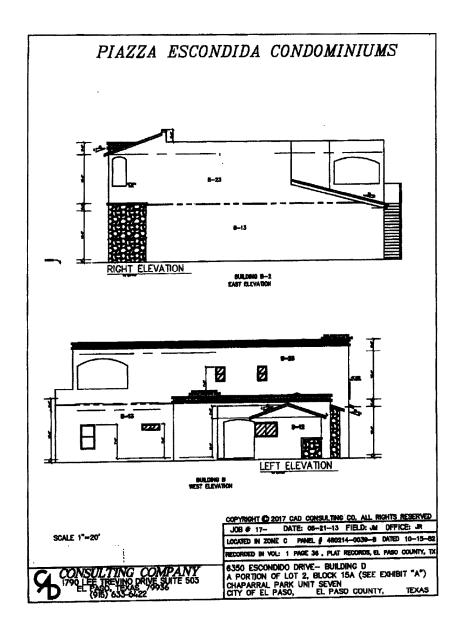
A PORTION OF LOT 2, BLOCK 15A (SEE EXHIBIT "A")
CHAPARRAL PARK UNIT SEVEN
CITY OF EL PASO, EL PASO COUNTY, TEXAS

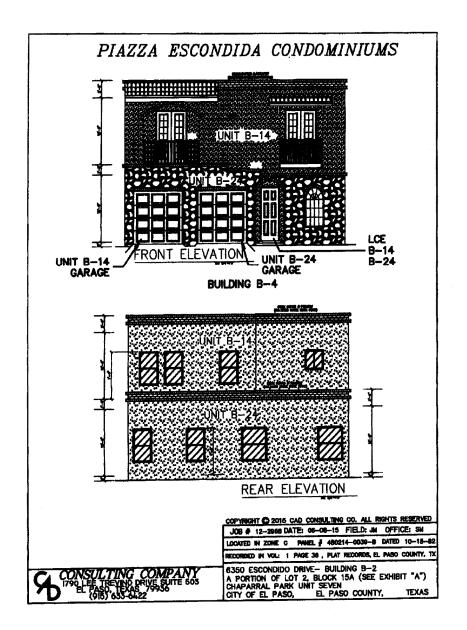
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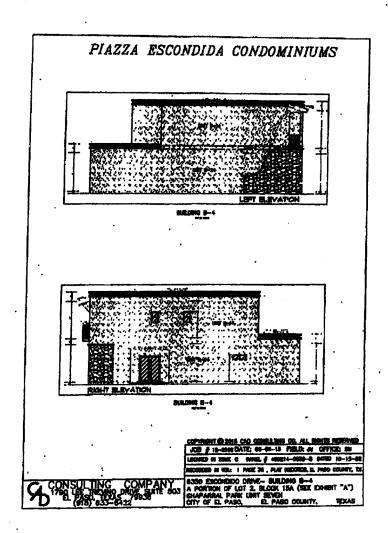


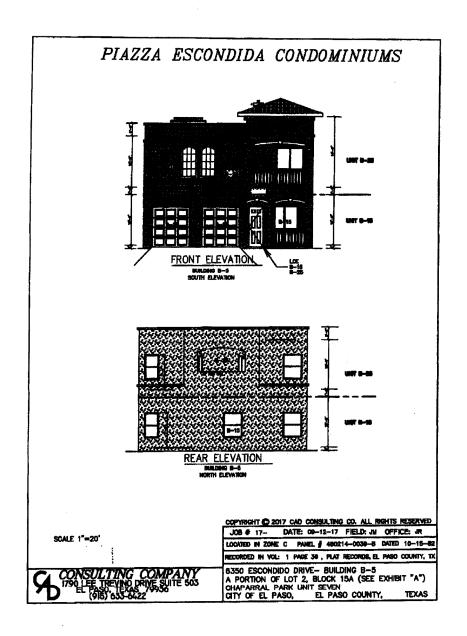


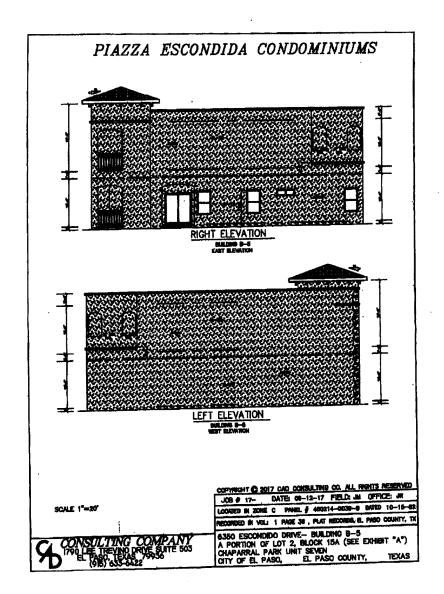


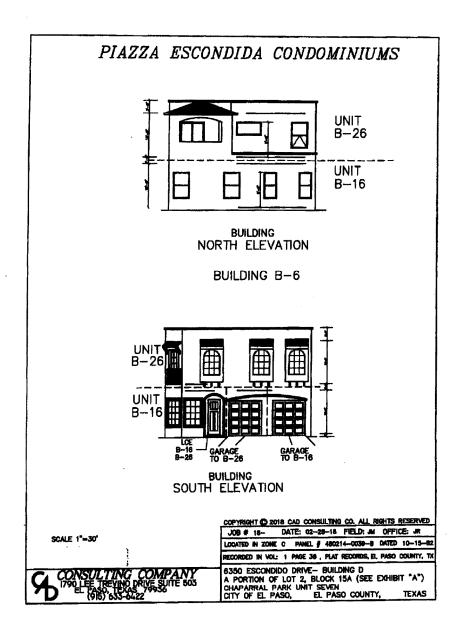


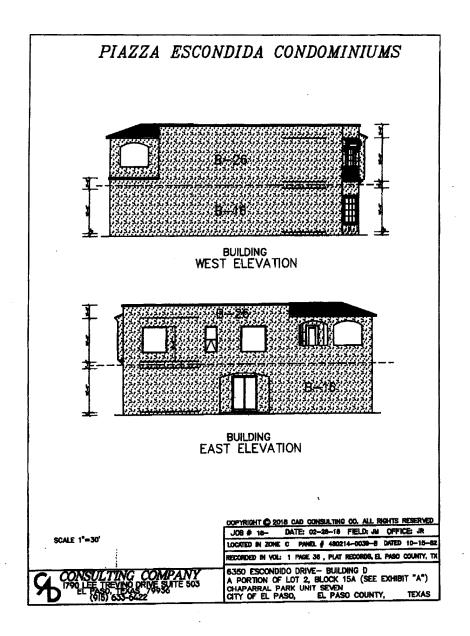


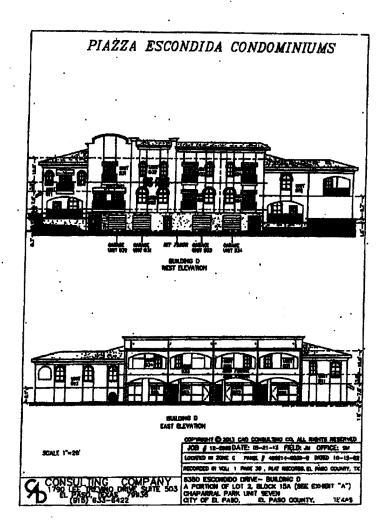




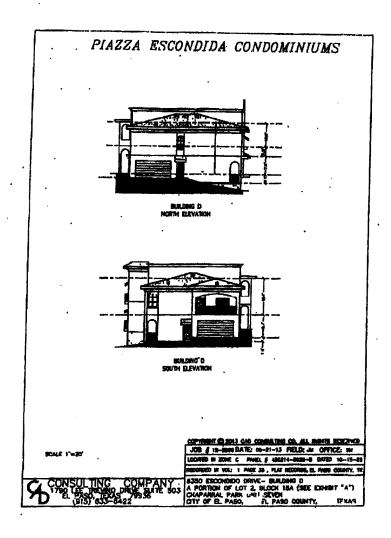








PIAZZA ESCONDIDA CONDOMINIUMS SEVENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME



PIAZZA ESCONDIDA CONDOMINIUMS

LEGEND

| 团 | = ELECTRIC BOX | |
|--------|--------------------------|--|
| Q.C.E. | - GENERAL COMMON ELEMENT | |
| * | - FIRE HYDRANT | |
| | = CONGRETE | |
| | = ROCKWALL | |

| | CURVE TABLE | |
|--------------|---|--|
| CURVE LENGTH | RADIUS TANGENTI CHORD 778.81 184.84 322.54 | BEARING DELTA N78'04'57"E 23'84'06" |

COMMENT © 2017 DATE CONSULTING CO. ALL ROUTE RESERVED.

JOS # 17- DATE: CO-12-17 FELD: JM OFFICE: JR

LOCKED N ZONE C PANEL # 480214-0038-8 DATE 10-15-52

RECORDED N VOL: 1 PAGE 38 , PLAT RECORDS, SL PAGE COLARY, TX

6350 ESCONDIDO DRIVE - BUILDING B-5 A PORTION OF LOT 2, BLOCK 15A CHAPARRAL PARK UNIT SEVEN CITY OF EL PASO, EL PASO COUNTY,

TEXAS

EXHIBIT "B"

ATTACHMENT 3 TO THE DECLARATION OF CONDOMINIUM REGIME FOR PIAZZA ESCONDIDA CONDOMINIUMS

COMMON INTEREST ALLOCATION AND COMMON EXPENSE LIABILITY

| | Common Interest Allocation and | |
|-------------------------|--------------------------------|--|
| <u>Units</u> | Common Expense Liability | |
| Unit D11, Building D | 3.486% | |
| Unit D12, Building D | 4.281% | |
| Unit D21, Building D | 2.228% | |
| Unit D22, Building D | 2.303% | |
| Unit D23, Building D | 2.424% | |
| Unit D24, Building D | 2.177% | |
| Unit D31, Building D | 2.218% | |
| Unit D32, Building D | 2.526% | |
| Unit D33, Building D | 2.169% | |
| Unit D34, Building D | 2.426% | |
| Unit A11, Building A | 4.577% | |
| Unit A13, Building A | 2.368% | |
| Unit A14, Building A | 2.211% | |
| Unit A15, Building A | 2.160% | |
| Unit A21, Building A | 4.059% | |
| Unit A22, Building A | 3.326% | |
| Unit A23, Building A | 3.510% | |
| Unit A24, Building A | 3.553% | |
| Unit A25, Building A | 3.158% | |
| Unit B-11, Building B-1 | 4.012% | |
| Unit B-12, Building B-2 | 2.002% | |
| Unit B-13, Building B-2 | 4.019% | |
| Unit B-14, Building B-4 | 3.885% | |
| Unit B-15, Building B-5 | 3.660% | |
| Unit B-16, Building B-6 | 3.849% | |
| Unit B-21, Building B-1 | 3.578% | |
| Unit B-23, Building B-2 | 3.595% | |
| Unit B-24, Building B-4 | 3.563% | |
| Unit B-25, Building B-5 | 3.801% | |
| Unit B-26, Building B-6 | 3.789% | |
| Unit C14, Building C | 5.090% | |

Total 100%

PIAZZA ESCONDIDA CONDOMINIUMS SEVENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME

4842-5427-2404v.1 55378-1 4/23/2019 THE COMMON INTEREST ALLOCATION ASSIGNED TO A PARTICULAR UNIT WILL DECREASE AS ADDITIONAL UNITS ARE CREATED AND ADDED TO THE REGIME BY THE DECLARANT. 3

BUILDING LCE ALLOCATION

| BUILDING LCE ALLOCATION – BUILDING D | | | |
|--------------------------------------|-------------------------|--|--|
| <u>Units</u> | Building LCE Allocation | | |
| Unit D11, Building D | 13.285% | | |
| Unit D12, Building D | 16.316% | | |
| Unit D21, Building D | 8.490% | | |
| Unit D22, Building D | 8.777% | | |
| Unit D23, Building D | 9.239% | | |
| Unit D24, Building D | 8.296% | | |
| Unit D31, Building D | 8.453% | | |
| Unit D32, Building D | 9.627% | | |
| Unit D33, Building D | 8.269% | | |
| Unit D34, Building D | 9.248% | | |

Total 100%

| BUILDING LCE ALLOCATION – BUILDING A | | | |
|--------------------------------------|-------------------------|--|--|
| <u>Units</u> | Building LCE Allocation | | |
| Unit A11, Building A | 16.049% | | |
| Unit A13, Building A | 8.188% | | |
| Unit A14, Building A | 7.643% | | |
| Unit A15, Building A | 7.467% | | |
| Unit A21, Building A | 13.812% | | |
| Unit A22, Building A | 11.498% | | |
| Unit A23, Building A | 12.135% | | |
| Unit A24, Building A | 12.286% | | |
| Unit A25, Building A | 10.920% | | |

Total 100%

| BUILDING LCE ALLOCATION – BUILDING B | | | | |
|--------------------------------------|-------------------------|--|--|--|
| <u>Units</u> | Building LCE Allocation | | | |
| Unit B11, Building B-1 | 10.091% | | | |
| Unit B12, Building B-2 | 5.037% | | | |
| Unit B13, Building B-2 | 10.110% | | | |
| Unit B14, Building B-4 | 9.774% | | | |
| Unit B15, Building B-5 | 9.207% | | | |
| Unit B16, Building B-6 | 9.683% | | | |
| Unit B21, Building B-1 | 9.000% | | | |
| Unit B23, Building B-2 | 9.043% | | | |
| Unit B24, Building B-4 | 8.963% | | | |
| Unit B25, Building B-5 | 9.561% | | | |
| Unit B26, Building B-6 | 9.530% | | | |

Total 100%

THE BUILDING LCE ALLOCATION ASSIGNED TO A PARTICULAR UNIT WILL NOT CHANGE IF ADDITIONAL UNITS ARE CREATED AND ADDED TO THE REGIME BY THE DECLARANT.

Doc # 20210014379 #Pages 47 #NFPages 1 02/16/2021 11:49 AM Filed & Recorded in Official Records of El Paso County Delia Briones County Clerk Fees \$210.00

eRecorded

I hearby certify that this instrument was filed on the date and time stamped heron by me and was duly recorded by document number in the Offical Public Records of real Property in El Paso County.



Dela Brince

EL PASO COUNTY, TEXAS