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## SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS CANDALARIA VILLAGE

THE STATE OF TEXAS

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This Supplemental Declaration of Covenants, Conditions and Restrictions is hereby made effective as of June 1, 2016, by CANDALARIA PROPERTIES, L.P., a Texas limited partnership (the "Declarant").

#### WITNESSETH:

WHEREAS, Declarant has heretofore executed and recorded that certain Declaration of Covenants, Conditions and Restrictions Candalaria Village of record under County Clerk's File No. 20060021620, Real Property Records, El Paso County, Texas, as amended by First Amendment to Declaration of Covenants, Conditions and Restrictions Candalaria Village, dated effective the 31<sup>st</sup> day of May, 2006, of record under County Clerk's File No. 20060052197 (collectively the "Declaration"), which Declaration covers and pertains to all Candalaria Village, a subdivision in El Paso, Texas, according to the plat thereof recorded in the Plat Records of El Paso County, Texas, of record under Clerk's File No. 20060021617; and

WHEREAS, Declarant has elected to cause its Class B memberships to cease and be converted to Class A memberships in accordance with Section 4.05(b)(ii) of the Declaration.

NOW, THEREFORE, the Declaration is supplemented as follows:

1. Effective as of June 1, 2016 (the "Conversion Date"), Declarant hereby converts its Class B membership interests to Class A memberships.

2. Effective as of the Conversion Date, Declarant hereby transfers all of its interest in the Common Facilities to the Candalaria Village Property Owners' Association, a Texas nonprofit corporation, without warranty, express or implied, including any implied covenants arising from Texas Property Code §5.023.

3. Effective as of the Conversion Date, each of the initial directors of the Association as set forth in the First Amendment to Declaration of Covenants, Conditions and Restrictions Candalaria Village resigned.

4. Except as amended herein, the remaining terms and conditions of the Declaration shall remain in full force and effect.

5. Capitalized terms used herein and not defined herein shall have the meanings ascribed thereto in the Declaration.

### DECLARANT:

CANDALARIA PROPERTIES, L.P., a Texas limited partnership

By: Bour Boys, L.L.C., a Texas limited liability company

**General** Partner By: John Q. Martin, Manager

### STATE OF TEXAS

## COUNTY OF EL PASO

This instrument was acknowledged before me this <u>J</u> day of June, 2016, by John C. Martin, Manager of Bour Boys, L.L.C., a Texas limited liability company, in its capacity as general partner of Candalaria Properties, L.P., a Texas limited partnership, on behalf of said partnership.

VICTORIA L BREWEF NOTARY PUBLIC NOTARY ID# 8684180 and for the State of Texas My commission expires MARCH 30, 2019

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NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

# **AFTER RECORDING RETURN TO:**

Candalaria Properties, L.P. 6701 601 N. Mesa, Suite 100 El Paso, Texas 20001 79912 Attn: John Martin

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Doc # 20160038427 #Pages 2 #NFPages 1 6/3/2016 2:06 PM Filed & Recorded in Official Records of El Paso County Delia Briones County Clerk Fees \$30.00

#### eRecorded

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded by document number in the Official Public Records of Real Property in El Paso County.



Deta Brince

EL PASO COUNTY, TEXAS