

16/c (2)



201306050511 12/12/2013 01:22:44 PM 1/16

**FIRST AMENDMENT TO DECLARATION
OF CONDOMINIUM REGIME FOR
CREEKSIDE PROFESSIONAL PLAZA, A CONDOMINIUM**

This First Amendment to Declaration of Condominium Regime for Creekside Professional Plaza, a Condominium is made by SEIDEL PROPERTIES, LTD., a Texas limited partnership (“Declarant”) and is as follows:

RECITALS

- A. Creekside Professional Plaza, a Condominium, a condominium project located in New Braunfels, Comal County, Texas, was established by and in accordance with that Declaration of Creekside Professional Plaza, a Condominium, recorded as Document #201306034897, Official Public Records of Comal County, Texas (the “Declaration”).
- B. As contemplated by Section 82.067(b)(1) of the Texas Uniform Condominium Act and as provided in *Exhibit B* of the Declaration, Declarant has reserved the right to amend the Declaration without the consent of any other Owners or any Mortgagee during the Development Period to change the size of Buildings or Units it owns to respond to changes and opportunities in the marketplace.
- C. Declarant now desires to amend the Declaration for the purpose of changing the sizes of Building 3 and Building 4 and the Units therein and to clarify Unit information shown on the Plat and Plans.

NOW, THEREFORE, the Declaration is hereby modified and amended as follows:

- 1. **Amendment to Plat.** The survey included as part of *Exhibit C* presently attached to the Declaration is hereby deleted in its entirety, and the survey attached hereto is substituted in its place.
- 2. **Amendment to Plans.** The Plans of the Project presently attached as *Exhibit D* to the Declaration are hereby deleted in its entirety and the Plans attached hereto as *Exhibit D* are substituted in its place.

3. **Amendment to Schedule of Allocated Interests.** *Exhibit E* presently attached to the Declaration setting out the allocated interests attributable to each Unit is hereby deleted in its entirety, and *Exhibit E* attached hereto is substituted in its place.

4. **Construction.** Capitalized terms used and not defined herein have the same meanings set forth in the Declaration. Unless expressly changed or modified 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.

EXECUTED to be effective as of December 12, 2013.

DECLARANT:

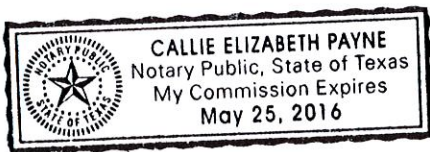
SEIDEL PROPERTIES, LTD.,
 a Texas limited partnership
 By John Seidel Enterprises, LLC,
 a Texas limited liability company,
 Its General Partner

By: *Christine M. Seidel*
 CHRISTINE M. SEIDEL, Manager

THE STATE OF TEXAS §

COUNTY OF COMAL §

This instrument was acknowledged before me on December 12, 2013, by CHRISTINE M. SEIDEL, Manager of JOHN SEIDEL ENTERPRISES, LLC, a Texas limited liability company, the General Partner of SEIDEL PROPERTIES, LTD., a Texas limited partnership, on behalf of same and in the capacity herein stated.



Callie E. Payne
 Notary Public, State of Texas

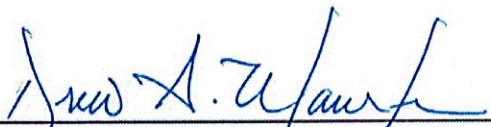
EXHIBIT C

Map or Plat

The Map or Plat of the Project which follow on the next six pages contain the information required by Section 82.059 of the Texas Uniform Condominium Act.

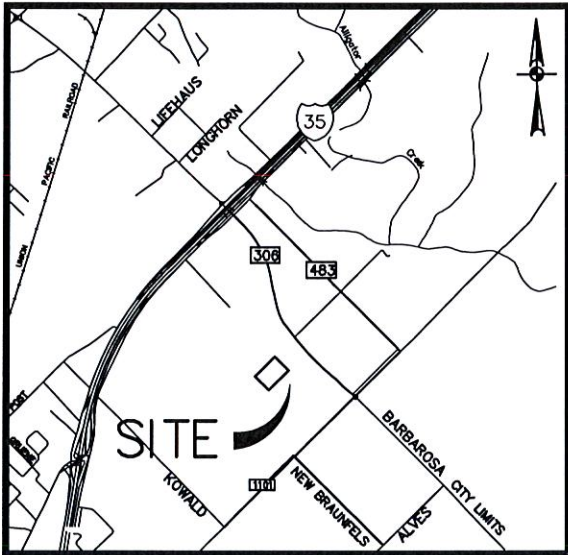
Dated: December 10TH, 2013.




DREW A. MAWYER
Registered Professional Land Surveyor
Texas Registration No. 5348
2700 Rolling Creek
Spring Branch, TX 78070
(210) 325-0858
drewm@dam-tx.com

CONDOMINIUM PLAT OF

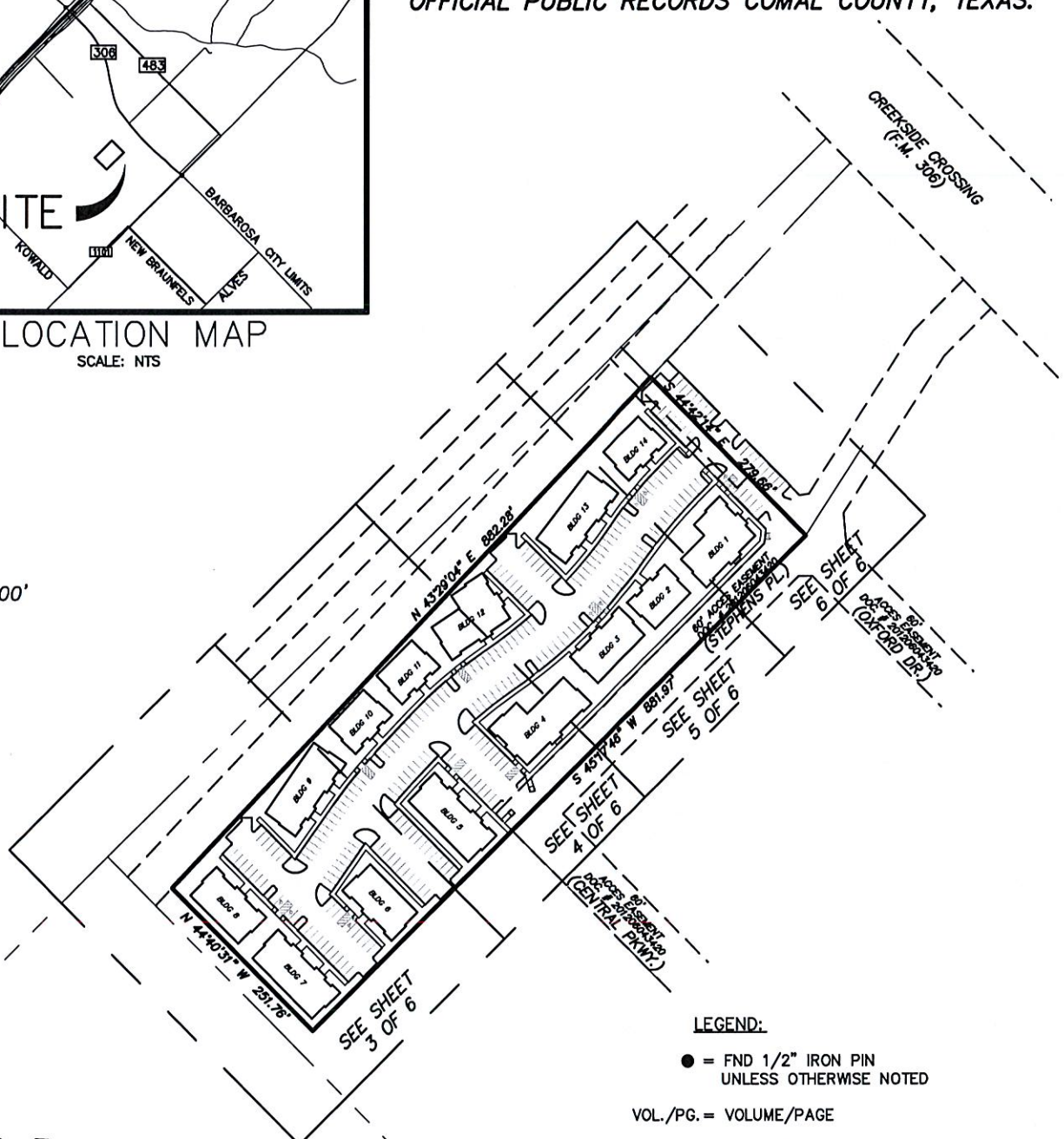
LOT 12R, AMENDING PLAT OF LOTS 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 27, 32 AND 33 OF CREEKSIDE WELLNESS CENTER SUBDIVISION, A SUBDIVISION IN COMAL COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN DOCUMENT # 201206043420, OFFICIAL PUBLIC RECORDS COMAL COUNTY, TEXAS.



LOCATION MAP
SCALE: NTS



SCALE: 1"=200'



LEGEND:

● = FND 1/2" IRON PIN
UNLESS OTHERWISE NOTED

VOL./PG. = VOLUME/PAGE

DOC. = DOCUMENT

SQ. FT. = SQUARE FEET

DE = DRAINAGE EASEMENT

UE = UTILITY EASEMENT

⑩ = PARKING SPACE



2700 ROLLING CREEK
SPRING BRANCH, TX 78070
PH: (210)325-0858
drewm@dam-tx.com
FIRM #10191500

DATE: DECEMBER 2013 JOB MOE070

Drawing Name: S:\DW\11-2013\Projects\MOE070-CREEKSIDE WELLNESS CENTER\MOE070-PLAT\MOE070-PLAT.dwg User: Mawyer\dam Date: 11-20-2013 9:35am



SCALE: 1"=100'

**CONDOMINIUM PLAT OF
LOT 12R, AMENDING PLAT OF LOTS
5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15,
16, 17, 18, 27, 32 AND 33 OF
CREEKSIDE WELLNESS CENTER
SUBDIVISION, A SUBDIVISION IN
COMAL COUNTY, TEXAS, ACCORDING
TO THE PLAT RECORDED IN
DOCUMENT # 201206043420,
OFFICIAL PUBLIC RECORDS COMAL
COUNTY, TEXAS.**

Drawn: M. M. S. 01/11/2013, Project: MOE070 - Creekside Professional Plaza, Project: 2013 - 01/11/2013 - 01/11/2013
Checked: M. M. S. 01/11/2013, Project: MOE070 - Creekside Professional Plaza, Project: 2013 - 01/11/2013 - 01/11/2013
Title: M. M. S. 01/11/2013, Project: MOE070 - Creekside Professional Plaza, Project: 2013 - 01/11/2013 - 01/11/2013



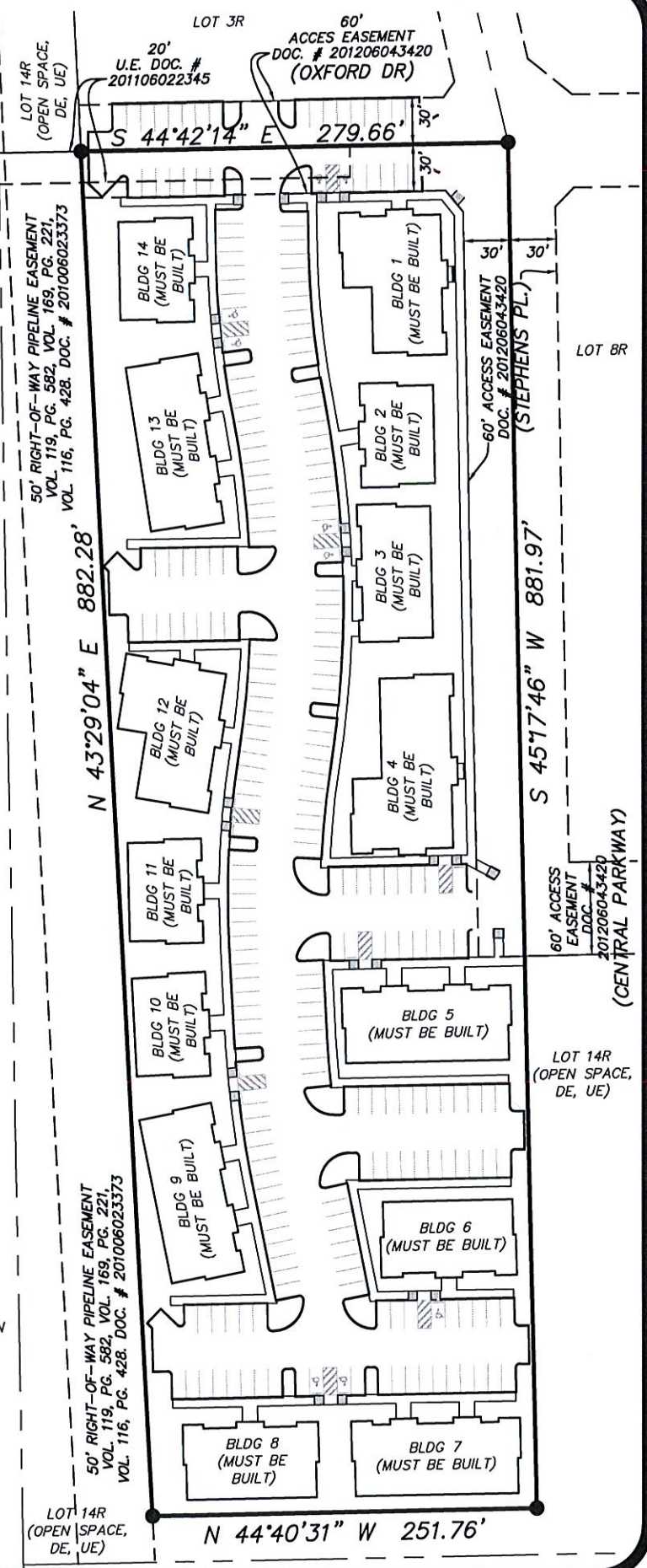
D.A. MAWYER
LAND SURVEYING
2700 ROLLING CREEK
SPRING BRANCH, TX 78070
PH: (210)325-0858
drawm@damm-tx.com
FIRM #10191500

BETTY TIMMERMAN
TRUSTEE OF JEROME W. TIMMERMAN
FAMILY TRUST
90.68 ACRES
DOC. NO. 200906008789

DATE: DECEMBER 2013 JOB MOE070

30' PIPELINE EASEMENT
VOL. 171, PG. 411, DOC. # 201006023374

30' PIPELINE EASEMENT
VOL. 171, PG. 411, DOC. # 201006023374



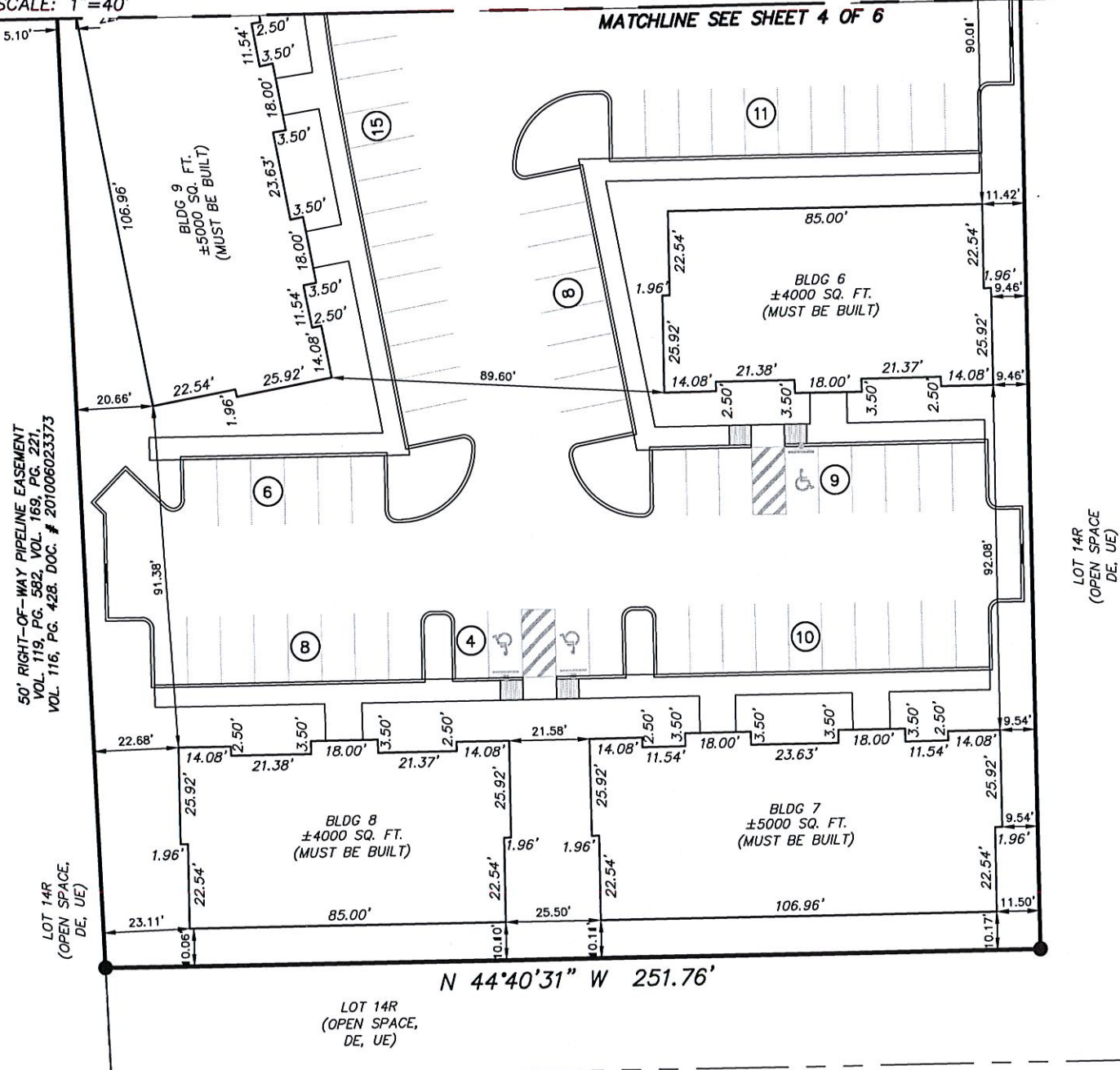
CONDOMINIUM PLAT OF

BEING LOT 12R, AMENDING PLAT OF LOTS 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 27, 32 AND 33 OF CREEKSIDE WELLNESS CENTER SUBDIVISION, A SUBDIVISION IN COMAL COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN DOCUMENT # 201206043420, OFFICIAL PUBLIC RECORDS COMAL COUNTY, TEXAS.



SCALE: 1"=40'

MATCHLINE SEE SHEET 4 OF 6



50' RIGHT-OF-WAY PIPELINE EASEMENT
VOL. 119, PG. 582, VOL. 169, PG. 221,
VOL. 116, PG. 428, DOC. # 201006023373

LOT 14R
(OPEN SPACE
DE, UE)

LOT 14R
(OPEN SPACE,
DE, UE)

N 44°40'31" W 251.76'

B B L PROPERTIES
TRACT 1
39.91 ACRES
DOC. # 200006017551



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FIRM #10191500

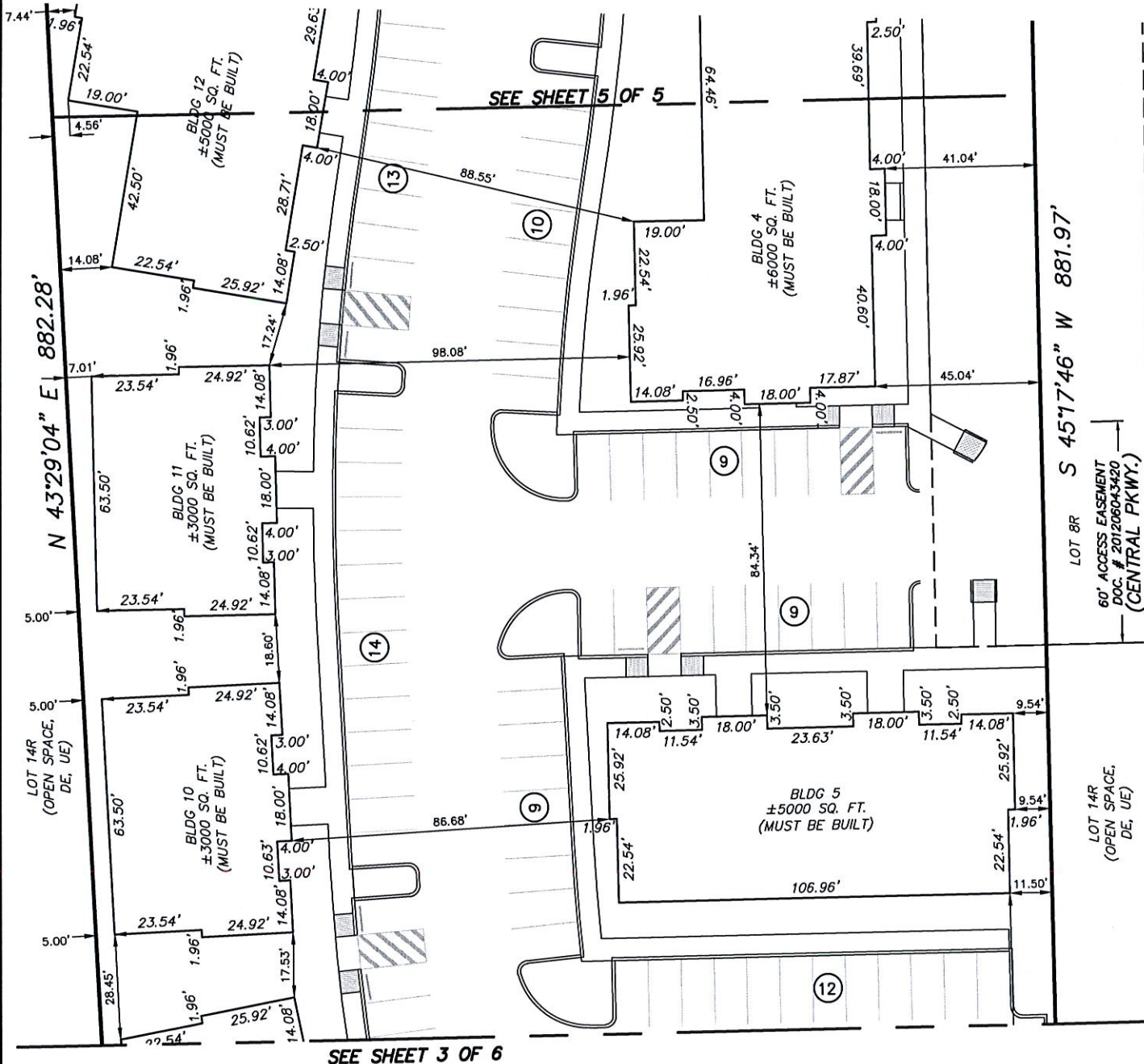
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CONDOMINIUM PLAT OF

LOT 12R, AMENDING PLAT OF LOTS 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 27, 32 AND 33 OF CREEKSIDE WELLNESS CENTER SUBDIVISION, A SUBDIVISION IN COMAL COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN DOCUMENT # 201206043420, OFFICIAL PUBLIC RECORDS COMAL COUNTY, TEXAS.

SCALE: 1"=40'



Drawn: James S. Dam - 11/13/2013, Project: M0E070 - Creekside Wellness Center Subdivision, Blk 12, Lot 12R, 2013 - 5/30/13
 Checked: Robert S. Dam - 11/13/2013, Project: M0E070 - Creekside Wellness Center Subdivision, Blk 12, Lot 12R, 2013 - 5/30/13



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 drewm@dam-tx.com
 FIRM #10191500

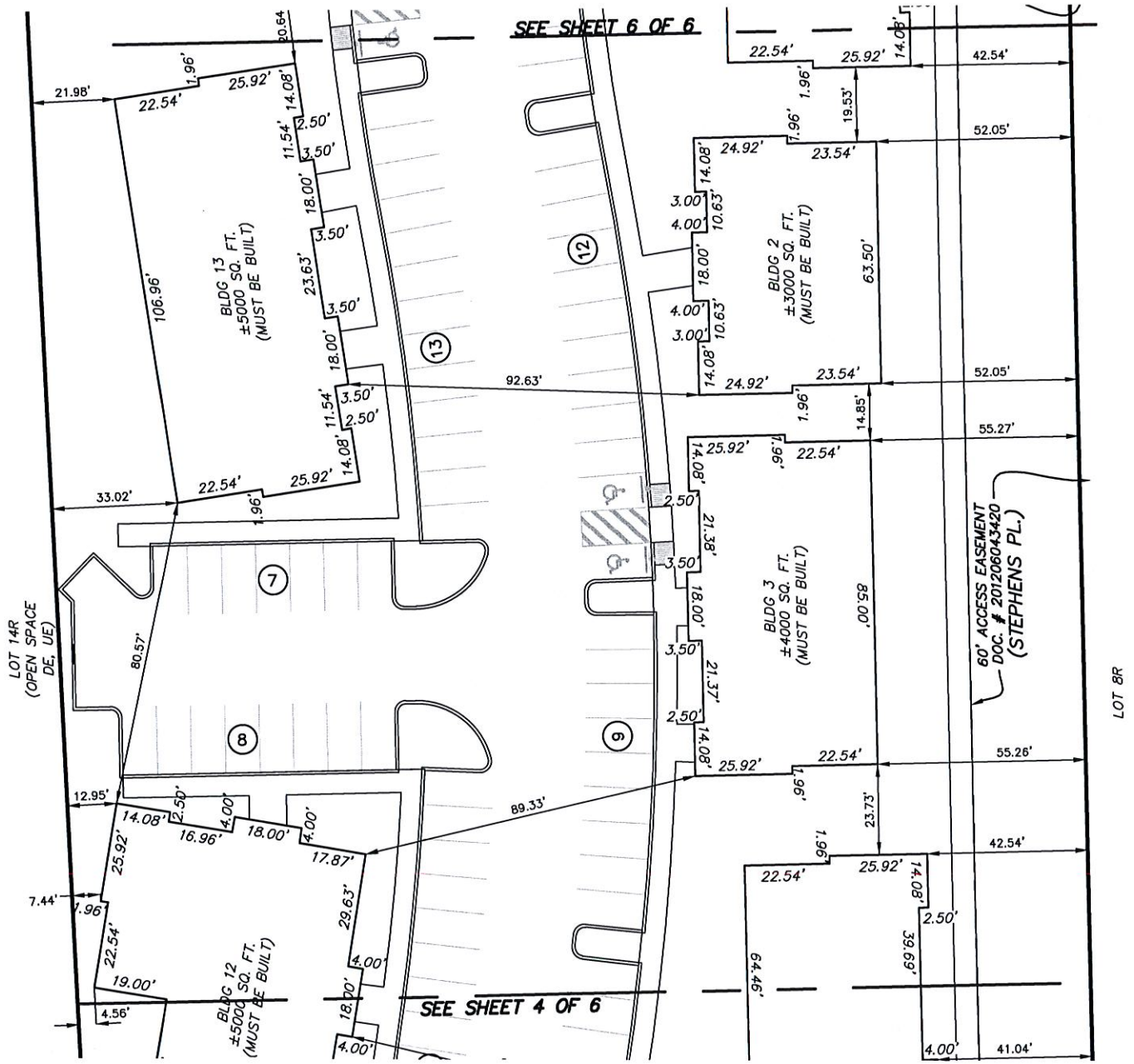
DATE: DECEMBER 2013 JOB M0E070



CONDOMINIUM PLAT OF

LOT 12R, AMENDING PLAT OF LOTS 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 27, 32 AND 33 OF CREEKSIDE WELLNESS CENTER SUBDIVISION, A SUBDIVISION IN COMAL COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN DOCUMENT # 201206043420, OFFICIAL PUBLIC RECORDS COMAL COUNTY, TEXAS.

SCALE: 1"=40'



Dustin M. M... S... D.M. - M.V. 2013 Projects/Vectors - CREDS/SE PROFESSIONAL SURVEYOR - STATE OF TEXAS License # 10191500



D. MAWYER

LAND SURVEYING

2700 ROLLING CREEK
SPRING BRANCH, TX 78070

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drewm@dam-tx.com

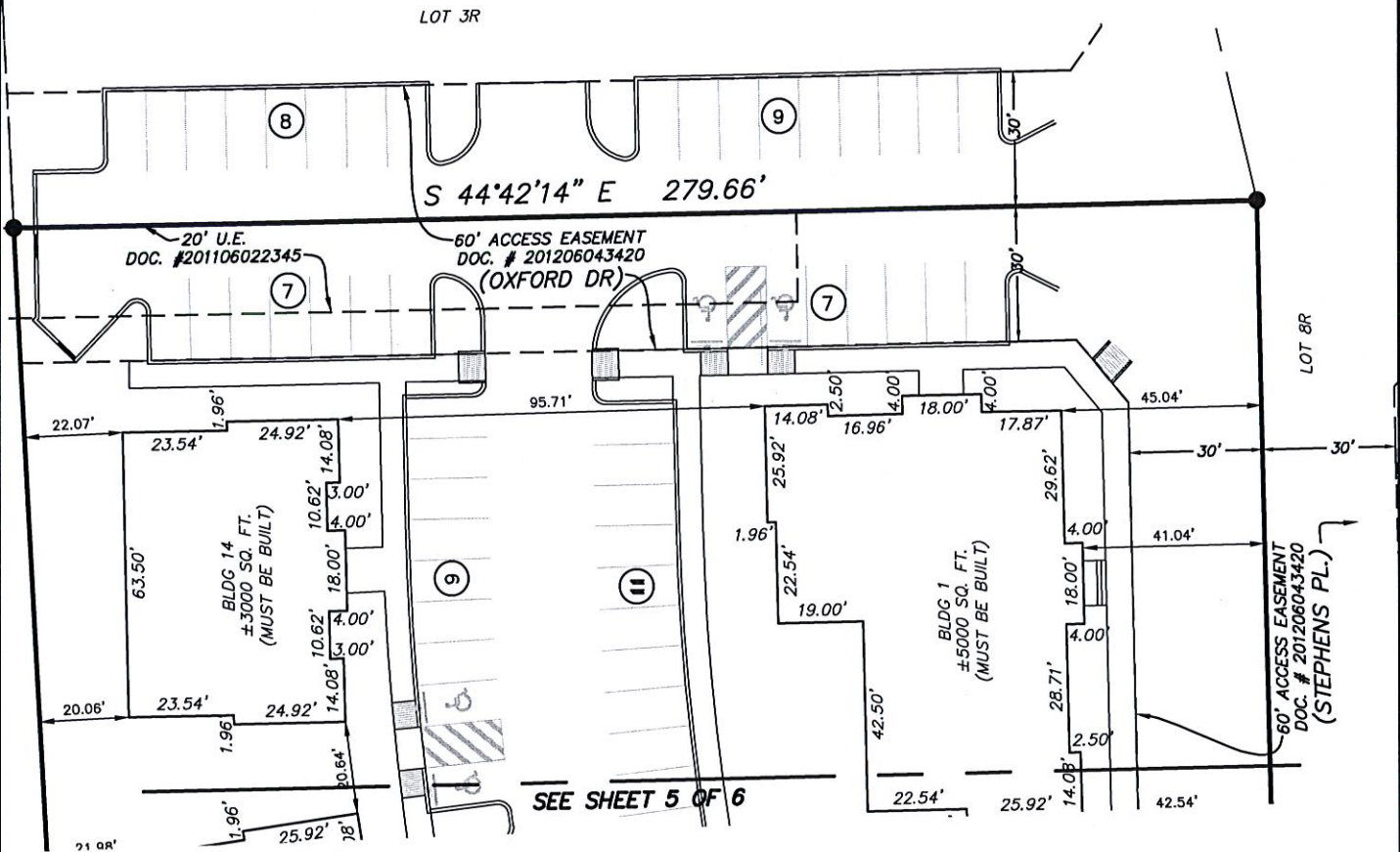
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DATE: DECEMBER 2013 JOB MOE070

CONDOMINIUM PLAT OF

LOT 12R, AMENDING PLAT OF LOTS 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 27, 32 AND 33 OF CREEKSIDE WELLNESS CENTER SUBDIVISION, A SUBDIVISION IN COMAL COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN DOCUMENT # 201206043420, OFFICIAL PUBLIC RECORDS COMAL COUNTY, TEXAS.

SCALE: 1"=40'



SEE SHEET 5 OF 6

Drawing Name: S:\DWG\2013\Projects\106070-0000\DWG\106070-0000-01.dwg User: jwheeler Date: 12/11/2013 9:38am



2700 ROLLING CREEK
 SPRING BRANCH, TX 78070
 PH: (210)325-0858
 drewm@dam-tx.com
 FIRM #10191500

DATE: DECEMBER 2013 JOB MOE070

**EXHIBIT D
THE PLANS**

Architect's Certificate

The undersigned Architect hereby certifies that I have prepared the attached Plans, consisting of sheets 1 through 5 and that:

A. Items Depicted. For the specific use of this project, the Plans depict among other matters the following:

1. These Plans are intended to document the "Creekside Professional Plaza, a Condominium", located at Lot 12R Creekside Wellness Center Subdivision, in the City of New Braunfels, Comal County, Texas, prepared for the purpose of compliance with §82.059 of the Texas Uniform Condominium Act of the Texas Property Code.
2. All dimensions shown on the Plans represent the distance between the exterior face surface of exterior outside walls of each unit to the interior face surface of the sheetrock material at the party wall dividing the units. For the purposes of this description of interior space, the off-set distances at doors and windows were not considered.
3. The dimensions in each Unit represent a finding at a general condition which is then used as a constant and do not represent an exhaustive effort to verify the same condition at multiple locations.
4. Interior walls and partitions within each Unit have not been shown on the Plans.
5. Each Unit is independent such that no unit has another unit above or below and therefore vertical boundaries of the Units are not shown on these Plans.

B. Plan Criteria. The attached Plans contain the following information required to be shown on condominium plan under §82.059(d) of the Texas Uniform Condominium Act, Chapter 82 of the Texas Property Code. These dimensions, the General shown on the attached plans and General Notes 1 through 5 above are to the best of my knowledge accurate as represented.

1. The location and dimensions of the vertical boundaries of each unit, and the unit's identifying number;
2. The horizontal unit boundaries, with reference to established data, and the unit's identifying number; and
3. Any units, appropriately identified, in which the declarant has reserved the right to create additional units or common elements.

Dated: December 5, 2013.

Open studio architecture, PLLC

By: 
Name: Greg S. Shue, AIA
Title: Managing Partner

Address:

816 Camaron Street, Suite 201
San Antonio, TX 78212
Telephone: 210.417.4307
Email: greg.s@openstudio-usa.com

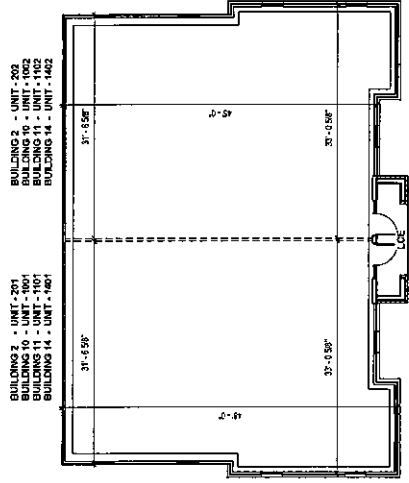
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CREEKSIDE PROFESSIONAL PLAZA
3,000 S.F. SHELL BUILDING
New Braunfels, TX
Hwy. 306 and Stephens Place

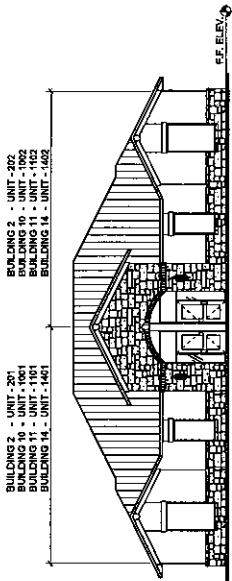
Project # 12-195
Date 3.10.13
Drawn by
Checked by
Drawing title

BUILDING 2, 10, 11 & 14
Drawing Number:

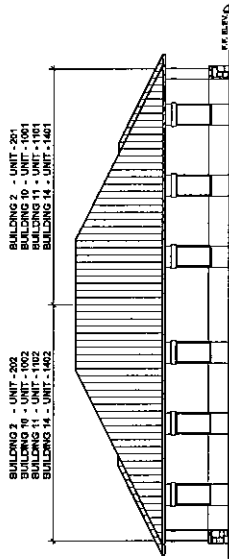
- GENERAL NOTES:**
1. THESE PLANS ARE INTENDED TO SERVE AS A PLAN OF THE CREEKSIDE PROFESSIONAL PLAZA TO BE LOCATED AT HWY 306 AND STEPHENS PLACE, NEW BRAUNFELS, TEXAS.
 2. ALL DIMENSIONS SHOWN ON THE PLANS REPRESENT THE TO-BE-BUILT DISTANCE BETWEEN THE INTERIOR FACE SURFACE OF THE SHEETROCK MATERIAL AT EACH UNIT'S OUTSIDE WALL CONDITION.
 3. THE TO-BE-BUILT DIMENSIONS REPRESENT A GENERAL CONDITION WHICH IS TO BE USED AS A CONSTANT AT MULTIPLE LOCATIONS.
 4. INTERIOR WALLS AND PARTITIONS WITHIN EACH UNIT HAVE NOT BEEN SHOWN ON THE PLANS.
 5. PORCHES ARE LIMITED COMMON ELEMENTS (C/E) ALLOCATED EXCLUSIVELY TO UNITS.
 6. THE CONFIGURATION OF THESE DRAWINGS IS BASED UPON THE CONSTRUCTION DOCUMENTS PREPARED BY GREAT STUDIO ARCHITECTURE AND ARE NOT BASED UPON ACTUAL ON-SITE OBSERVATIONS AND MEASUREMENTS.
 7. PARTY WALLS ARE CONSIDERED AS COMMON ELEMENTS. THE DEPTH OF PARTY WALLS AND EXTERIOR PERIMETER WALLS HAVE NOT BEEN NOTED.



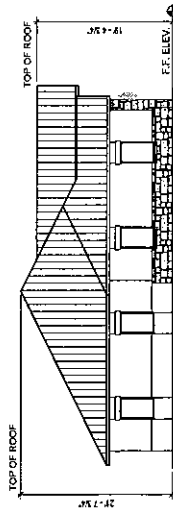
FLOOR PLAN - 3,000 S.F. (BUILDING 2, 10, 11 & 14)



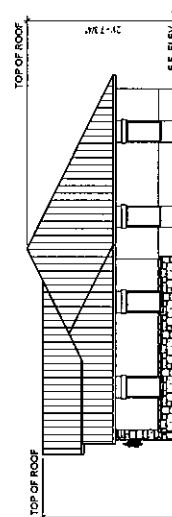
FRONT ELEVATION - 3,000 S.F. (BUILDING 2, 10, 11 & 14)



REAR ELEVATION - 3,000 S.F. (BUILDING 2, 10, 11 & 14)



LEFT ELEVATION - 3,000 S.F. (BUILDING 2, 10, 11 & 14)



RIGHT ELEVATION - 3,000 S.F. (BUILDING 2, 10, 11 & 14)

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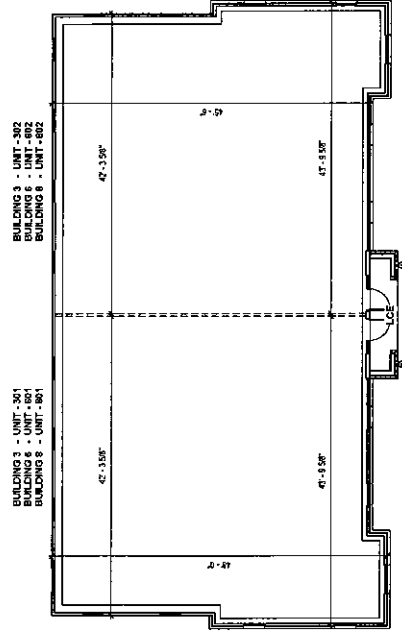
CREEKSIDE PROFESSIONAL PLAZA
4,000 S.F. SHELL BUILDING
New Braunfels, TX.
Hwy. 306 and Stephens Place

PROJECT # 12-100
DATE 11.10.13
DRAWN BY: ANR
CHECKED BY: Checker
DRAWING TITLE: Shell Building

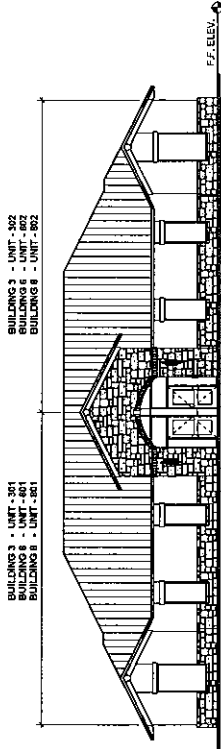
BUILDING 3, 6 & 8
DRAWING NUMBER:

GENERAL NOTES:

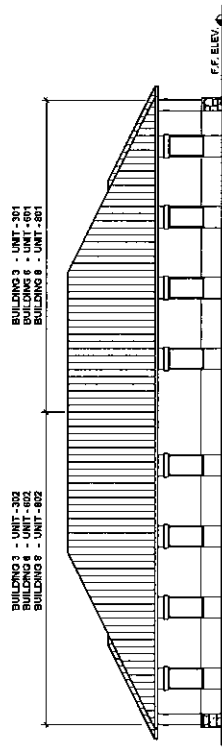
1. THESE PLANS ARE INTENDED TO SERVE AS A PLAN OF THE CREEKSIDE PROFESSIONAL PLAZA TO BE LOCATED AT HWY 306 AND STEPHENS PLACE, NEW BRAUNFELS, TEXAS.
2. ALL DIMENSIONS SHOWN ON THE PLANS REPRESENT THE TO-BE-BUILT DISTANCE BETWEEN THE INTERIOR FACE SURFACE OF THE SHEETROCK MATERIAL AT EACH UNIT'S OUTSIDE WALL CONDITION.
3. THE TO-BE-BUILT DIMENSIONS REPRESENT A GENERAL CONDITION WHICH IS TO BE USED AS A CONSTANT AT MULTIPLE LOCATIONS.
4. INTERIOR WALLS AND PARTITIONS WITHIN EACH UNIT HAVE NOT BEEN SHOWN ON THE PLANS.
5. PORCHES ARE LIMITED COMMON ELEMENTS (LCE) ALLOCATED EXCLUSIVELY TO UNITS.
6. THE CONFIGURATION OF THESE DIMENSIONS IS BASED UPON THE CONSTRUCTION DOCUMENTS PREPARED BY OPEN STUDIO ARCHITECTURE AND ARE NOT BASED UPON ACTUAL ON-SITE OBSERVATIONS AND MEASUREMENTS.
7. PARTY WALLS ARE CONSIDERED AS COMMON ELEMENTS. THE DEPTH OF PARTY WALLS AND EXTERIOR PERIMETER WALLS HAVE NOT BEEN NOTED.



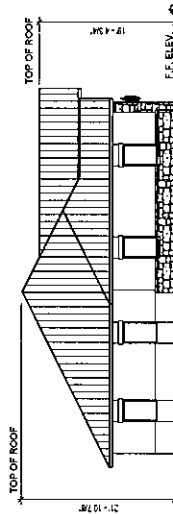
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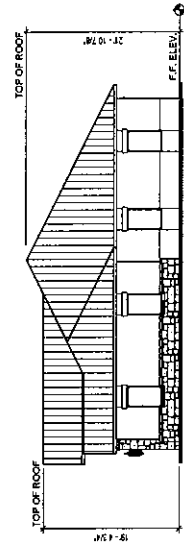
FRONT ELEVATION - 4,000 S.F. (BUILDING 3, 6 & 8)



REAR ELEVATION - 4,000 S.F. (BUILDING 3, 6 & 8)



LEFT ELEVATION - 4,000 S.F. (BUILDING 3, 6 & 8)



RIGHT ELEVATION - 4,000 S.F. (BUILDING 3, 6 & 8)

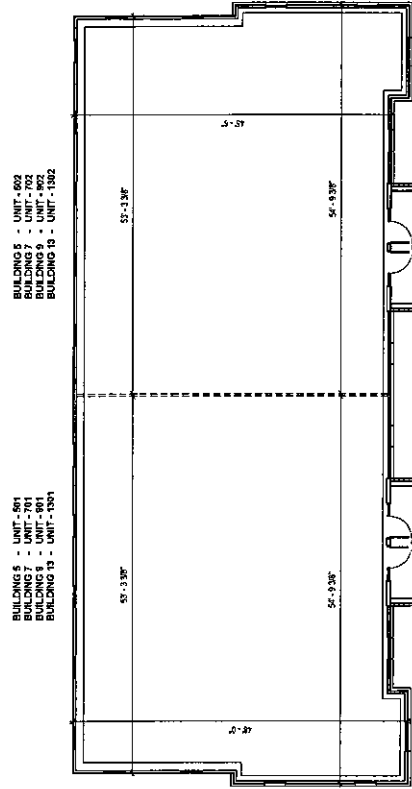
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CREEKSIDE PROFESSIONAL PLAZA
5,000 S.F. SHELL BUILDING
Hwy. 306 and Stephens Place
New Braunfels, TX

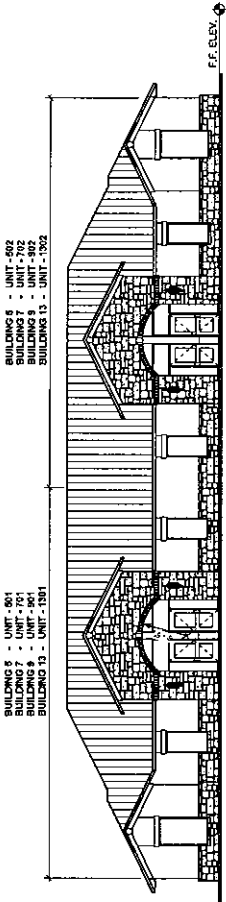
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DATE	1.16.13
Drawn By:	Chapin
Checked by:	Chapin
drawing title	

BUILDING 5, 7, 9 & 13
drawing number:

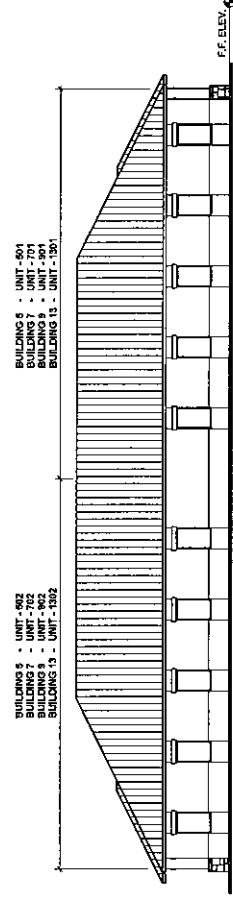
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 3. THE TO-BE-BUILT DIMENSIONS REPRESENT A GENERAL CONDITION WHICH IS TO BE USED AS A GUIDE ONLY AT MULTIPLE LOCATIONS.
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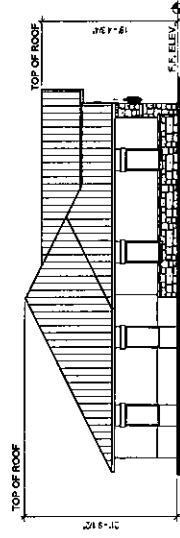
FLOOR PLAN - 5,000 S.F. (BUILDING 5, 7, 9 & 13)



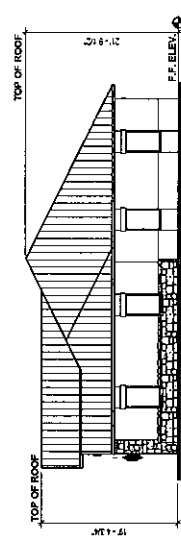
FRONT ELEVATION - 5,000 S.F. (BUILDING 5, 7, 9 & 13)



REAR ELEVATION - 5,000 S.F. (BUILDING 5, 7, 9 & 13)



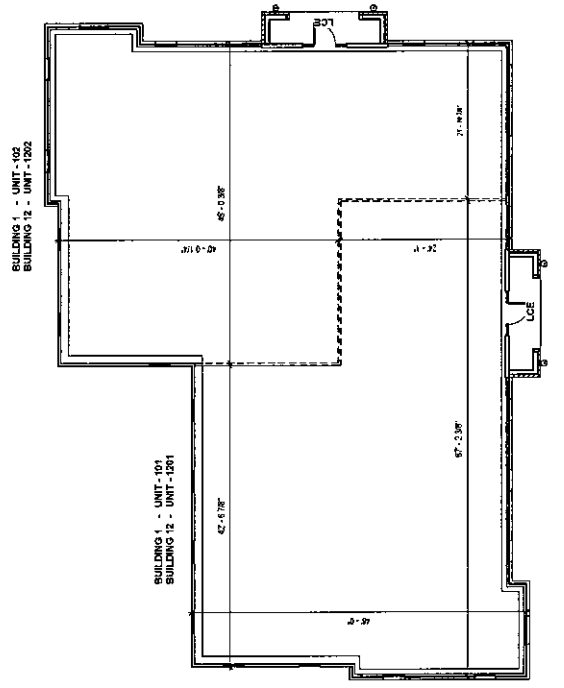
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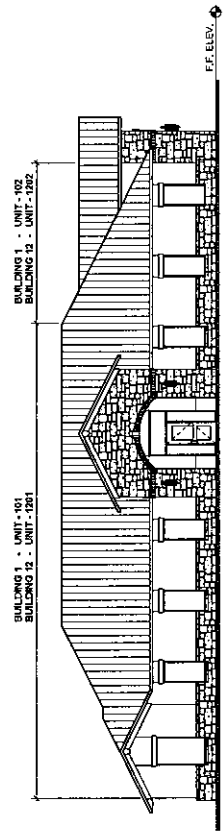
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GENERAL NOTES:

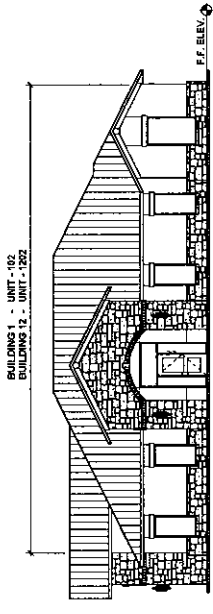
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2. THE TO-BE-BUILT DIMENSIONS REPRESENT A GENERAL CONDITION WHICH IS TO BE USED AS A CONSTANT AT MULTIPLE LOCATIONS.
3. PARTY WALLS AND PARTITIONS WITHIN EACH UNIT HAVE NOT BEEN SHOWN ON THE PLANS.
4. PORCHES ARE LIMITED COMMON ELEMENTS (LCE) ALLOCATED EXCLUSIVELY TO UNITS. THE CONFIGURATION OF THESE DRAWINGS IS BASED UPON THE CONSTRUCTION DOCUMENTS PREPARED BY OPEN STUDIO ARCHITECTURE AND ARE NOT BASED UPON ANY LOCAL OR SITE SPECIFIC ORDINANCES.
5. PARTY WALLS ARE CONSIDERED AS COMMON ELEMENTS. THE DEPTH OF PARTY WALLS AND CURBSIDE CORNER TURN WALLS HAVE NOT BEEN NOTED.



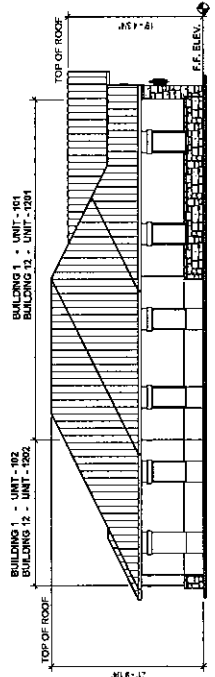
FLOOR PLAN - 5,000 S.F. "L" (BUILDING 1 & 12)



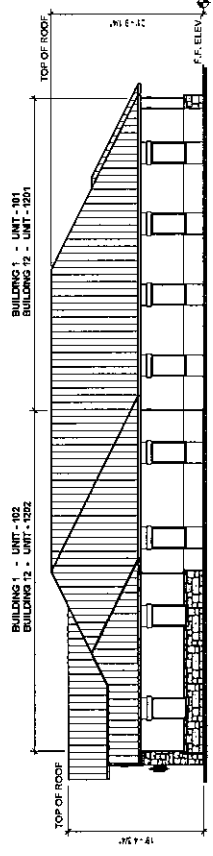
FRONT ELEVATION - 5,000 S.F. "L" (BUILDING 1 & 12)



RIGHT FRONT ELEVATION - 5,000 S.F. "L" (BUILDING 1 & 12)



LEFT REAR ELEVATION - 5,000 S.F. "L" (BUILDING 1 & 12)



RIGHT REAR ELEVATION - 5,000 S.F. "L" (BUILDING 1 & 12)

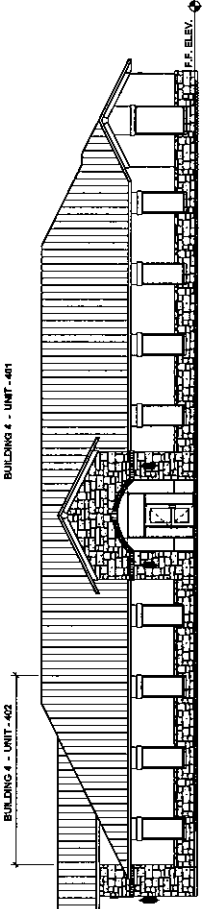
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CREEKSIDE PROFESSIONAL PLAZA
"L" 6,000 S.F. SHELL BUILDING
Hwy. 306 and Stephens Place
New Braunfels, Tx.

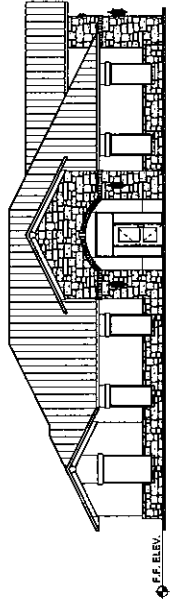
PROJECT # : 10190
DATE : 10/11
DRAWN BY : AMW
CHECKED BY : CMB
DRAWING TITLE :

BUILDING 4
drawing number:

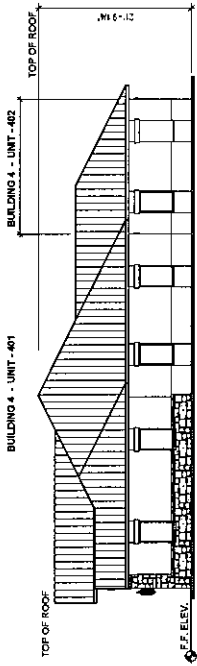
- GENERAL NOTES:**
1. THESE PLANS ARE INTENDED TO SERVE AS A PLAN OF THE CREEKSIDE PROFESSIONAL PLAZA TO BE LOCATED AT HWY. 306 AND STEPHENS PLACE, NEW BRAUNFELS, TEXAS.
 2. ALL DIMENSIONS SHOWN ON THE PLANS REPRESENT THE TO-BE-BUILT DISTANCE BETWEEN THE INTERIOR FACE SURFACE OF THE SHEETROCK MATERIAL AT EACH UNIT'S OUTSIDE WALL CONDITION.
 3. THE TO-BE-BUILT DIMENSIONS REPRESENT A GENERAL CONDITION WHICH IS TO BE USED AS A CONSTANT AT MULTIPLE LOCATIONS.
 4. INTERIOR WALLS AND PARTITIONS WITHIN EACH UNIT HAVE NOT BEEN SHOWN ON THE PLANS.
 5. PORCHES ARE LIMITED COMMON ELEMENTS (LCE) ALLOCATED EXCLUSIVELY TO UNITS.
 6. THE CONFIGURATION OF THESE DRAWINGS IS BASED UPON THE CONSTRUCTION DOCUMENTS PREPARED BY OPEN STUDIO ARCHITECTURE AND ARE NOT BASED UPON ACTUAL ON-SITE OBSERVATIONS AND MEASUREMENTS.
 7. PARTY WALLS ARE CONSIDERED AS COMMON ELEMENTS. THE DEPTH OF PARTY WALLS AND EXTERIOR PERIMETER WALLS HAVE NOT BEEN NOTED.



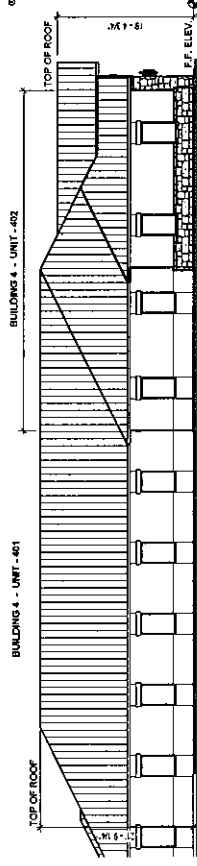
FRONT ELEVATION - 6,000 S.F. "L" (BUILDING 4)



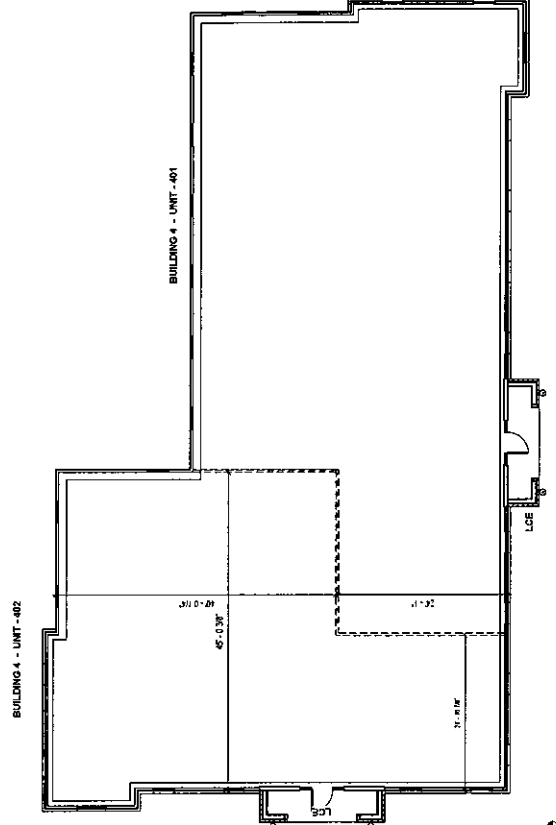
RIGHT REAR ELEVATION - 6,000 S.F. "L" (BUILDING 4)



LEFT REAR ELEVATION - 6,000 S.F. "L" (BUILDING 4)



RIGHT REAR ELEVATION - 6,000 S.F. "L" (BUILDING 4)



FLOOR PLAN - 6,000 S.F. "L" (BUILDING 4)

EXHIBIT E
Schedule of Allocated Interests

<u>Building</u>	<u>Unit</u>	<u>Allocated Interest</u>	<u>Vote</u>
1	101	4.167%	1
1	102	4.167%	1
2	201	2.500%	1
2	202	2.500%	1
3	301	3.332%	1
3	302	3.332%	1
4	401	5.002%	1
4	402	5.002%	1
5	501	4.167%	1
5	502	4.167%	1
6	601	3.332%	1
6	602	3.332%	1
7	701	4.167%	
7	702	4.167%	1
8	801	3.332%	1
8	802	3.332%	1
9	901	4.167%	1
9	902	4.167%	1
10	1001	2.500%	1
10	1002	2.500%	1
11	1101	2.500%	1
11	1102	2.500%	1
12	1201	4.167%	1
12.	1202	4.167%	1
13	1301	4.167%	1
13	1302	4.167%	1
14	1401	2.500%	1
14	1402	2.500%	1

Filed and Recorded
Official Public Records
Joy Streater, County Clerk
Comal County, Texas
12/12/2013 01:22:44 PM
CASHFOUR 16 Page(s)
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Joy Streater