After recor	ung re	aum to	:	
				4

SECOND AMENDMENT TO AMENDED AND RESTATED DECLARATION OF CONDOMINIUM REGIME FOR OLD MILL CROSSING TOWNHOMES

A Residential Condominium Regime in Comal County, Texas

<u>CREATING UNITS 18A, 18B, 19A, 19B, 20A, 20B, 21A, and 21B</u> [Located in Buildings 18, 19, 20, and 21]

Effective Date of Second Amendment:

September 6, 2017

Declarant:

Woodland Hills Development, Inc., a Texas corporation

4411 South IH-35 #100 Georgetown, Texas 78626

After recording return to:			

SECOND AMENDMENT TO AMENDED AND RESTATED DECLARATION OF CONDOMINIUM REGIME FOR OLD MILL CROSSING TOWNHOMES

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September 6, 2017

Declarant: Woodland Hills Development, Inc., a Texas corporation

4411 South IH-35 #100 Georgetown, Texas 78626

SECOND AMENDMENT TO

AMENDED AND RESTATED DECLARATION OF CONDOMINIUM REGIME FOR OLD MILL CROSSING TOWNHOMES

A Residential Condominium Regime in Comal County, Texas

Reference is made herein to that certain Amended and Restated Declaration of Condominium Regime for Old Mill Crossing Townhomes, a Residential Condominium Regime in Comal County, Texas, (as amended, the "Declaration") executed to be effective on April 18, 2017, by Woodland Hills Development, Inc., a Texas corporation (the "Declarant"), and recorded as Document No. 201706021420 in the Official Public Records of Comal County, Texas; which Declaration was amended by that First Amendment to Amended and Restated Declaration of Condominium Regime for Old Mill Crossing Townhomes, a Residential Condominium Regime in Comal County, Texas, executed to be effective on June 2, 2017, by Declarant and recorded as Document No. 201706027272 in the Official Public Records of Comal County, Texas.

The Declaration affects the real property described as Lot 1, Block 1, Old Mill Crossing, a subdivision located in Comal County, Texas, according to the map or plat thereof recorded in Document No. 201606018979, Map and Plat Records of Comal County, Texas, and after the Effective Date, the real property described on Exhibit E to this Amendment (the "Property").

THIS SECOND AMENDMENT TO AMENDED AND RESTATED DECLARATION OF CONDOMINIUM REGIME FOR OLD MILL CROSSING TOWNHOMES, a Residential Condominium Regime in Comal County, Texas, (this "Amendment") is made and entered into to be effective as of the date set forth on the cover page. Capitalized terms in this Amendment have the same meanings given to such terms in the Declaration except where this Amendment adopts a new definition.

WITNESSETH:

WHEREAS, the Development Period in the Declaration has not expired;

WHEREAS, pursuant to Section 20.4 of the Declaration and Section 1-3(A), (C), (D), (I), and (K) of Annex 1 to the Declaration, Declarant has the right to execute and record this Amendment;

WHEREAS, Declarant desires to amend the Declaration for the purpose of (i) annexing additional land into the Regime, and (ii) creating 8 additional Units within the Regime;

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Declarant amends the Declaration as follows:

1. <u>Annexation of Additional Land</u>: Declarant is the owner of the tract of land described on <u>Exhibit E</u> to this Amendment (the "Annexed Land"). The <u>Exhibit E</u> attached to this Amendment is hereby added as new <u>Exhibit E</u> to the Declaration. The Annexed Land is

adjacent to and abuts the Property included in the Regime, as shown on the New Plat and Plans attached to this Amendment as <u>Exhibit A</u>. By executing and recording this Amendment, Declarant hereby annexes the Annexed Land into the Regime for all purposes under the Declaration. As of the Effective Date, the definition of "Property" in the Declaration is amended to be as follows:

"Property" means, collectively, (i) Lot 1, Block 1, Old Mill Crossing, a subdivision located in Comal County, Texas, according to the map or plat thereof recorded in Document No. 201606018979, Map and Plat Records of Comal County, Texas, and (ii) that certain 0.130-acre tract described in the Plat and Plans and on Exhibit E to the Declaration, both (i) and (ii) together with all Improvements thereon and all easements, rights, and appurtenances thereto, and includes every Unit and Common Element thereon.

2. Creation of New Units.

83

- a. In accordance with the Declarant Rights reserved in Annex 1 to the Declaration, Declarant hereby creates 8 Units, which Units are designated as Units 18A, 18B, 19A, 19B, 20A, 20B, 21A, and 21B and are located in Buildings 18, 19, 20, and 21 (collectively, the "New Units"). The New Units are classified as Units that MUST BE BUILT.
- b. After the filing of this Amendment, there are 24 Units in the Regime. Declarant reserves the right to create up to fifty (50) total Units during the Development Period.
- c. Exhibit A to the Declaration is hereby deleted in its entirety and replaced by the by the new Plat and Plans attached as Exhibit A to this Amendment (the "New Plat and Plans"). The New Plat and Plans assign an identifying number to all of the Units (including the New Units), describe the Limited Common Elements reserved for the exclusive use of one or more Units (including the New Units), and include the information required by Section 82.059 of the Act.
- d. Exhibit C to the Declaration is hereby deleted in its entirety and replaced by the by the new Exhibit C to this Amendment.
- 3. <u>Ratification</u>. The Declaration is hereby ratified and confirmed in all respects except as amended in this Amendment.

[remainder of this page blank]

IN WITNESS WHEREOF, the Declarant has caused this Amendment to be executed effective as of the date set forth on the cover page to this Amendment.

DECLARANT:

WOODLAND HILLS DEVELOPMENT, INC.

otary Public, State of Texas

A Texas corporation

By:

. Jacobs,

resident

STATE OF TEXAS

8

COUNTY OF WILLIAMSON

8

On this day of Scotton, 2017, before me, a Notary Public, the undersigned officer, personally appeared James H. Jacobs, President of Woodland Hills Development, Inc., a Texas corporation, executed the foregoing instrument for the purposes therein contained on behalf of such entity.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

MATTI SMITH
Notary Public, State of Texas
Comm. Expires 06-22-2020
Notary ID 129030822

3

CONSENT OF MORTGAGEE

The undersigned, being the sole owner and holder of the lien created by a Deed of Trust (the "Lien") recorded as Document No. 201606038739 in the Official Public Records of Comal County, Texas, securing a note of even date therewith, executes this Amendment solely for the purposes of (i) evidencing its consent to this Amendment, and (ii) subordinating the Lien to the Declaration (as amended by this Amendment), both on the condition that the lien shall remain superior to the Assessment lien described in Section 8.1 in all events and circumstances. The undersigned further consents and subordinates the Lien to any subsequent amendments to this Declaration executed by Declarant for the sole purpose of adding Units and reallocating General Common Elements, Limited Common Elements, and Common Interest Percentages associated with the addition of Units and revising the Plat and Plans required to add such Units, all in accordance with the Declaration. The undersigned makes no representation or warranty, express or implied, of any nature whatsoever, to any Owner with respect to any Unit or the effect of the terms and provisions of this Regime.

Notwithstanding the foregoing. this consent and subordination (i) shall not be construed or operate as a release of the Lien, but shall instead confirm that the Lien shall hereafter be upon and against each and all of the Units, and all appurtenances thereto, and all of the undivided shares and interests in the Common Elements of the Regime established by the Declaration; (ii) shall not release, subordinate, impair, or otherwise affect any and all rights the lender has under the Declaration in the event of a foreclosure of the Lien; and (iii) shall not modify or amend the terms and provisions of the Deed of Trust.

PROSPERITY BANK

Print Name

Print Title:

STATE OF TEXAS		§	
COUNTY OF	Comal	§ §	

On this day of Sofomols, 2017, before me, a Notary Public, the undersigned officer, personally appeared Level Villams, Regional President of PROSPERITY BANK, executed the foregoing instrument for the purposes therein contained on behalf of such bank.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

LISA DIETERT

Notary Public, State of Texas

My Commission Expires

MARCH 05, 2018

Notary Public, State of Texas

My commission expires:

EXHIBIT A

NEW PLAT AND PLANS

The attached Plat and Plans include eight (8) sheets and the Unit Address Chart.

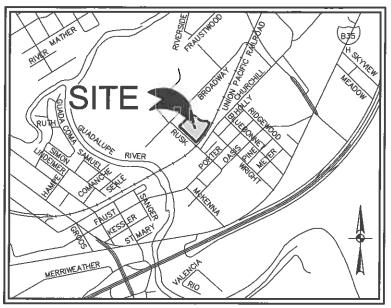
[see attached]

CONDOMINIUM PLAT ESTABLISHING

MILL CROSSING TOWNHOMES

A CONDOMINIUM REGIME IN COMAL COUNTY, TEXAS, ESTABLISHED UPON LOT 1, BLOCK 1, OLD MILL CROSSING, A SUBDIVISION OF RECORD ACCORDING TO THE MAP OR PLAT THEREOF RECORDED AS DOCUMENT NO. 201606018979, MAP AND PLAT RECORDS, COMAL COUNTY, TEXAS, AND ALL OF A CALLED 0.130 ACRE TRACT OF LAND DESCRIBED IN DOCUMENT NO. 201706003139, OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS.

DECLARANT: WOODLAND HILLS DEVELOPMENT, INC., A TEXAS CORPORATION



LOCATION MAP NOT TO SCALE

SHEET INDEX:

- 1. COVER SHEET
- 2. CONDO LAYOUT
- ANNEXED LAND
- 4. GENERAL NOTES
- 5. CONDO DETAIL "1"
- 6. CONDO DETAIL "2"
- 7. UNIT DETAILS
- 8. CURVE & LINE TABLES



OLD MILL CROSSING TOWNHOMES

A CONDOMINIUM REGIME IN COMAL COUNTY, TEXAS, ESTABLISHED UPON LOT 1, BLOCK 1, OLD MILL CROSSING, A SUBDIVISION OF RECORD ACCORDING TO THE MAP OR PLAT THEREOF RECORDED AS DOCUMENT NO. 201606018979, MAP AND PLAT RECORDS, COMAL COUNTY, TEXAS, AND ALL OF A CALLED 0.130 ACRE TRACT OF LAND DESCRIBED IN DOCUMENT NO. 201706003139, OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS.

LEGEND:

= FND 1/2" IRON PIN

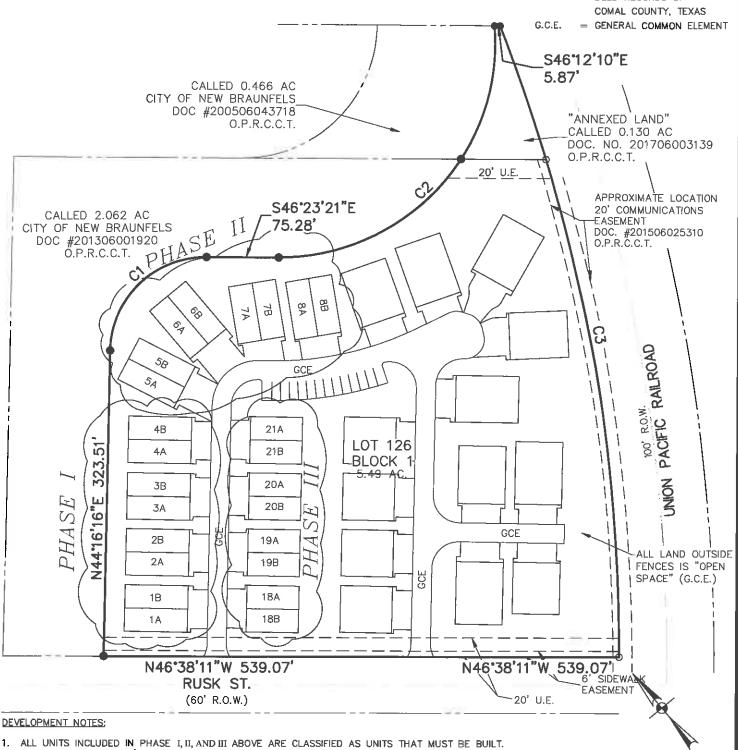
O = SET 1/2" IRON PIN W/ PLASTIC CAP STAMPED "HMT"

U.E. = UTILITY EASEMENT

R.O.W. = RIGHT-OF-WAY

O.P.R.C.C.T. = OFFICIAL PUBLIC RECORDS
OF COMAL COUNTY, TEXAS

D.R.C.C.T. = DEED RECORDS OF

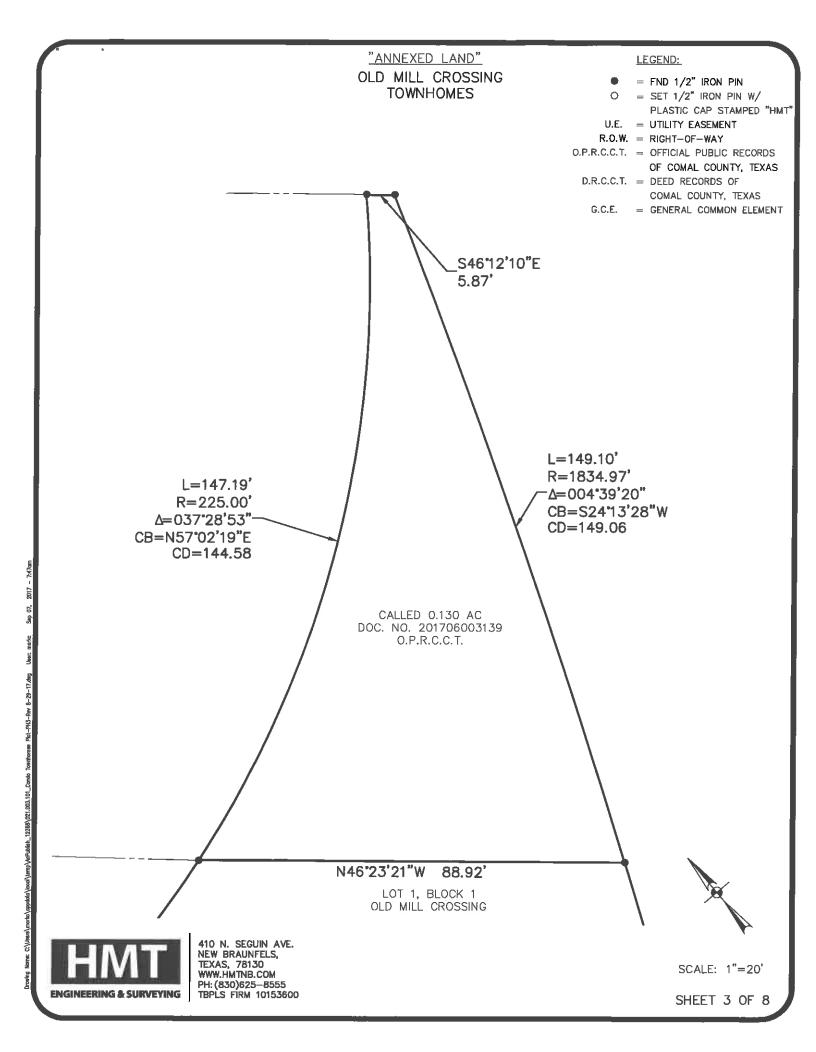


HMT
ENGINEERING & SURVEYING

410 N. SEGUIN AVE. NEW BRAUNFELS, TEXAS, 78130 WWW.HMTNB.COM PH: (830)625-8555 TBPLS FIRM 10153600

SCALE: 1"=100'

SHEET 2 OF 8



GENERAL NOTES OLD MILL CROSSING **TOWNHOMES**

GENERAL NOTES:

- 1. THIS CONDOMINIUM PLAT WAS PREPARED BY MARK F. CONLAN, RPLS NO. 6342, OF HMT ENGINEERING & SURVEYING. BY EXECUTING THIS CONDOMINIUM PLAT BELOW, THE SURVEYOR CERTIFIES THAT THIS CONDOMINIUM PLAT CONTAINS ALL OF THE INFORMATION REQUIRED BY SECTIONS 82.052 AND 82.059 OF THE TEXAS UNIFORM CONDOMINIUM ACT, TEXAS PROPERTY CODE, CH. 82 (THE "ACT"), AS APPLICABLE.
- 2.CAPITALIZED TERMS USED IN THESE GENERAL NOTES HAVE THE SAME MEANINGS ASSIGNED TO THEM IN THE DECLARATION OF CONDOMINIUM REGIME FOR OLD MILL CROSSING TO WHICH THIS CONDOMINIUM PLAT IS
- 3.ALL IMPROVEMENTS AND LAND REFLECTED ON THE CONDOMINIUM PLAT ARE DESIGNATED AS GENERAL COMMON ELEMENTS (OR "GCE"), SAVE AND EXCEPT THE UNITS AND THE PORTIONS OF THE REGIME DESIGNATED AS LIMITED COMMON ELEMENTS (OR "LCE") EITHER IN THE DECLARATION OR ON THE CONDOMINIUM PLAT, OR
- 4.OWNERSHIP AND USE OF THE UNITS IS SUBJECT TO THE DECLARATION AND ALL OF THE RIGHTS AND RESTRICTIONS CONTAINED THEREIN.
- 5.CERTAIN EASEMENTS OVER THE REGIME, INCLUDING EASEMENTS OVER THE UNITS, GENERAL COMMON ELEMENTS, AND LIMITED COMMON ELEMENTS, ARE RESERVED IN THE DECLARATION FOR THE BENEFIT OF THE OWNERS, THE ASSOCIATION, AND DECLARANT.
- 6.THE UNITS ARE SUBJECT TO ASSESSMENTS AS SET FORTH IN THE DECLARATION, AND THE ASSESSMENTS ARE SECURED BY A LIEN ON EACH OWNER'S UNIT.
- 7.EACH OWNER HAS CERTAIN MAINTENANCE AND REPAIR OBLIGATIONS WITH RESPECT TO HIS, HER, OR ITS UNIT AS SET FORTH IN THE DECLARATION.
- 8.EACH UNIT AND EVERY OTHER ASPECT OF THE REGIME (INCLUDING GENERAL COMMON ELEMENTS AND LIMITED COMMON ELEMENTS) ARE SUBJECT TO CERTAIN DEVELOPMENT RIGHTS AND THE DEFINED SPECIAL DECLARANT RIGHTS RESERVED TO DECLARANT, ALL OF WHICH ARE DESCRIBED IN ANNEX A TO THE DECLARATION. THE RESERVED RIGHTS INCLUDE (BUT ARE NOT LIMITED TO) THE FOLLOWING:

 a. THE RIGHT TO CONSTRUCT ALL OF THE IMPROVEMENTS IN THE REGIME.
 b. THE RIGHT TO CREATE ADDITIONAL UNITS IN THE REGIME.
 c. THE RIGHT TO EXERCISE THE DEVELOPMENT RIGHTS DESCRIBED IN THE ACT, INCLUDING ADDITIONAL REAL PROPERTY TO THE REGIME AND WITHDRAWING REAL PROPERTY FROM THE REGIME.
 d. THE RIGHT TO MAKE THE REGIME PART OF A LARGER CONDOMINIUM REGIME.
 e. THE RIGHT TO USE UNITS OWNED BY THE DECLARANT AS MODELS, STORAGE AREAS, AND OFFICES FOR THE MARKETING, MANAGEMENT, MAINTENANCE, CUSTOMER SERVICE, CONSTRUCTION, AND LEASING OF THE REGIME.

- f. THE RIGHT TO APPOINT AND REMOVE CERTAIN OFFICERS OF THE ASSOCIATION AND CERTAIN MEMBERS OF THE ASSOCIATION'S BOARD IN THE MANNER AND FOR THE PERIODS PERMITTED BY THE ACT AND THE DECLARATION.
- g.AN EASEMENT AND RIGHT TO PLACE OR INSTALL SIGNS, BANNERS, FLAGS, DISPLAY LIGHTING, POTTED PLANTS, EXTERIOR DECORATIVE ITEMS, SEASONAL DECORATIONS, TEMPORARY WINDOW TREATMENTS, AND SEASONAL LANDSCAPING ON THE REGIME, INCLUDING ITEMS AND LOCATIONS THAT ARE PROHIBITED TO OTHER OWNERS, AND A RIGHT TO HOST AND SPONSOR MARKETING EVENTS TO PROMOTE THE SALE OF UNITS
- h.AN EASEMENT AND RIGHT OF INGRESS AND EGRESS IN AND THROUGH THE COMMON ELEMENTS AND UNITS OWNED OR LEASED BY DECLARANT FOR PURPOSES OF CONSTRUCTING, MAINTAINING, MANAGING, AND MARKETING THE PROPERTY, AND FOR DISCHARGING DECLARANT'S OBLIGATIONS UNDER THE ACT.
- 9.THE REGIME MAY BE CONSTRUCTED IN PHASES IN ACCORDANCE WITH SECTION 3.1 OF THE DECLARATION. THE DECLARANT MAY ADD UNITS TO THE REGIME DURING THE DEVELOPMENT PERIOD BY FILING AN AMENDMENT TO THE DECLARATION EXPRESSLY FOR THE PURPOSE OF CREATING ADDITIONAL UNITS. EACH SUCH AMENDMENT WILL INCLUDE AN AMENDED CONDOMINIUM PLAT.
 9.1. PHASE 1 OF THE REGIME CONSISTS OF BUILDINGS 1-4.
 9.2. PHASE 2 OF THE REGIME CONSISTS OF BUILDINGS 5-8.
 9.3. PHASE 3 OF THE REGIME CONSISTS OF BUILDINGS 18-21.

STATE OF TEXAS COUNTY OF COMAL

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THIS SURVEY IS TRUE AND CORRECT ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION

THIS 4TH DAY OF APRIL 2017 REVISED THIS 17TH DAY OF APRIL 2017 (ADDRESSED COMMENTS)
REVISED THIS 17TH DAY OF MAY 2017 (ADDED PHASE 2)
REVISED THIS 31ST DAY OF MAY 2017 (ADDED PHASE 2 BUILDINGS)
REVISED THIS 29TH DAY OF AUGUST 2017 (ADDED PHASE 3) REVISED THIS 5TH DAY OF SEPTEMBER 2017 (ADDRESS PHASE 3 COMMENTS)

MARK F. CONLAN
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6342





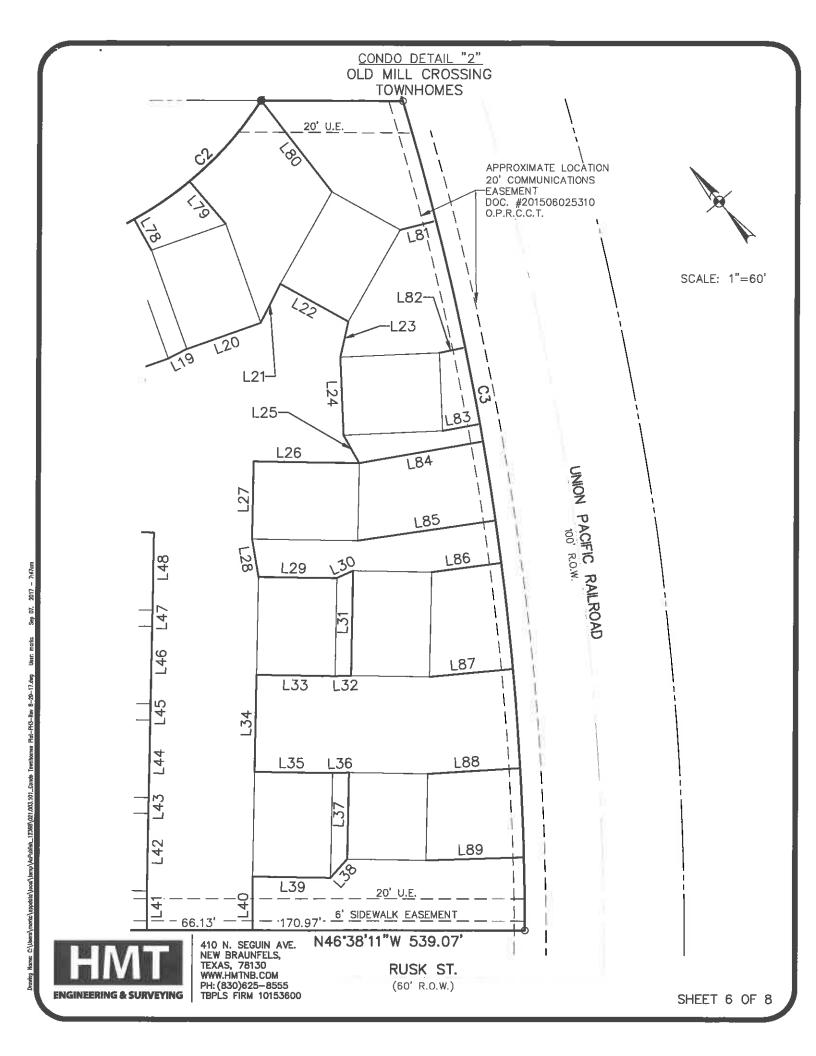
410 N. SEGUIN AVE. NEW BRAUNFELS, TEXAS, 78130 WWW.HMTNB.COM PH: (830)625-8555 TBPLS FIRM 10153600

RUSK ST.

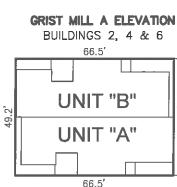
(60' R.O.W.)



410 N. SEGUIN AVE. NEW BRAUNFELS, TEXAS, 78130 WWW.HMTNB.COM PH: (830)625-8555 TBPLS FIRM 10153600

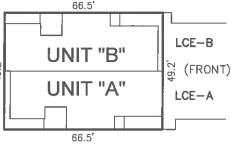


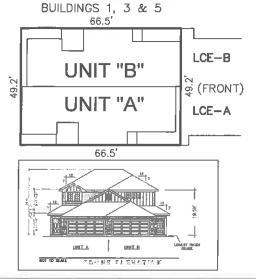




UNIT DETAILS OLD MILL CROSSING **TOWNHOMES**

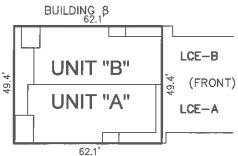
SCALE: 1"=40'





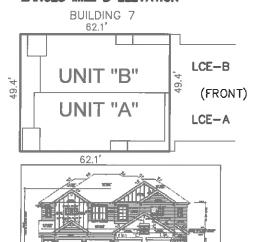
GRIST MILL B ELEVATION

LANGES MILL A ELEVATION

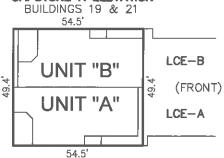


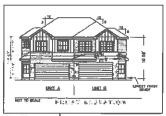


LANGES MILL B ELEVATION



CAPSTONE A ELEVATION

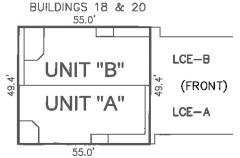






410 N. SEGUIN AVE. NEW BRAUNFELS, TEXAS, 78130 WWW.HMTNB.COM PH: (830)625-8555 TBPLS FIRM 10153600

CAPSTONE B ELEVATION





CURVE & LINE TABLES OLD MILL CROSSING **TOWNHOMES**

	CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD LENGTH	CHORD BEARING
C1	155.93'	100.00'	089'20'23"	98.85'	140.60'	N88'56'28"E
C2	374.29'	225.00'	09518'47"	246.90'	332.60	N85'57'16"E
С3	682.35	1834.97	021"18'21"	345.16'	678.42'	S32'32'59"W

LINE TABLE				
LINE #	DIRECTION	LENGTH		
L1	N43'21'49"E	25.39'		
L2	N44"16'16"E	49.17'		
L3	N44"16'16"E	10.21		
L4	N44"16'16"E	49.17'		
L5	N44"16'16"E	10.21		
L6	N44"16'16"E	49.17		
L7	N44"16'16"E	10.21'		
L8	N44"16'16"E	49.17		
L9	N19'42'01"W	21.28'		
L10	N70'32'50"E	49.17'		
L11	N09'04'54"E	9.83'		
L12	S86°55'36"E	49.17		
L13	S06'19'24"W	20.67		
L14	S56"18'32"E	49.45		
L15	S29'21'22"E	11.23'		
L16	S5618'32"E	49.32'		
L17	S55°27'47"E	20.76'		
L18	S66"16'31"E	49.44'		
L19	S74°15'07"E	13.07		
L20	S66°16'31"E	49.17		
L21	N69°34'14"E	27.57		
L22	S17°32'19"E	49.17'		
L23	S55'54'01"W	23.05'		
L24	S40'47'20"W	49.44'		
L25	S14'08'14"W	20.28'		
L26	N45°43'44"W	66.46		
L27	S44°16'16"W	49.17		
L28	S33'37'43"W	24.37		
L29	S45'43'37"E	49.44		
L30	S71"16'44"E	11.22'		

LINE TABLE			
LINE #	DIRECTION	LENGTH	
L31	S44"16'16"W	66.46'	
L32	N48'33'34"W	10.14	
L33	N45'43'37"W	49.44'	
L34	S44"18'14"W	61.50'	
L35	S45'43'44"E	49.17	
L36	S48°30'33"E	10.31	
L37	S4476'16"W	54.96'	
L38	S84'53'46"W	15.81'	
L39	N45'43'44"W	49.17	
L40	S43'21'49"W	34.16	
L41	S43°22'24"W	25.03'	
L42	N44"16'16"E	49.17'	
L43	N44°16'16"E	10.05'	
L44	N44"16"16"E	49.17	
L45	N44°16'16"E	10.32	
L46	N44'16'16"E	49.17°	
L47	N44'16'16"E	10.32	
L48	N44"16"16"E	49.17	
L49	N45'43'44"W	65.99'	
L50	N47'30'57"W	32.11	
L51	N45'43'44"W	54.96	
L52	S44'16'16"W	49.44'	
L53	S44°16'16"W	10.05	
L54	S44'16'16"W	49.44	
L55	S44'16'16"W	10.05	
L56	S4416'16"W	49.44	
L57	S4416'16"W	10.05'	
L58	S44"16'16"W	49.44	
L59	S43°21'49"₩	25.92'	
L60	N45'43'44"W	20.54	

LINE TABLE				
LINE #	INE # DIRECTION			
L61	N45'43'44"W	20.54		
L62	N45°43°44"W	20.54		
L63	N45'43'44"W	20.54		
L64	N45*43'44"W	20.54		
L65	N45'43'44"W	20.54		
L66	N45'43'44"W	20.54		
L67	N45'43'44"W	20.54		
L68	N45°43'44"W	8.29'		
L69	N69'47'05"W	32.91'		
L70	N10'37'11"W	26.91		
L71	N27'14'28"E	22.16		
L72	N43*36'39"E	31.08'		
L73	N43'36'39"E	22.56'		
L74	N41°56'24"E	26.41'		
L75	N30°36'43"E	24.16		
L76	N28'22'01"E	25.68'		
L77	N17'04'11"E	26.55'		
L78	N13'55'27"E	22.31'		
L79	N03*11'37"E	35.23'		
L80	N05'30'17"E	73.19'		
L81	S61"11'57"E	21.39		
L82	S58*37'56"E	15.18'		
L83	S57'05'25"E	22.62'		
L84	S56°44'31"E	77.60'		
L85	S55'09'37"E	86.32'		
L86	S54°18'44*E	43.11*		
L87	S52*12'01"E	51.82'		
L88	S50°13'46"E	57.57		
L89	S48'27'35"E	61.04'		



OLD MILL CROSSING TOWNHOMES UNIT ADDRESS CHART

UNIT#	STREET ADDRESS	
Unit 1A	711 Gristmill Dr.	
Unit 1B	715 Gristmill Dr.	
Unit 2A	719 Gristmill Dr.	
Unit 2B	723 Gristmill Dr.	
Unit 3A	727 Gristmill Dr.	
Unit 3B	731 Gristmill Dr.	
Unit 4A	735 Gristmill Dr.	
Unit 4B	739 Gristmill Dr.	
Unit 5A	743 Gristmill Dr.	
Unit 5B	747 Gristmill Dr.	
Unit 6A	951 Langesmill Br.	
Unit 6B	947 Langesmill Br.	
Unit 7A	943 Langesmill Br.	
Unit 7B	939 Langesmill Br.	
Unit 8A	935 Langesmill Br.	
Unit 8B	931 Langesmill Br.	
Unit 18A	716 Gristmill Dr.	
Unit 18B	712 Gristmill Dr.	
Unit 19A	724 Gristmill Dr.	
Unit 19B	720 Gristmill Dr.	
Unit 20A	732 Gristmill Dr.	
Unit 20B	728 Gristmill Dr.	
Unit 21A	740 Gristmill Dr.	
Unit 21B	736 Gristmill Dr.	

EXHIBIT C

NEW SCHEDULE OF COMMON INTEREST PERCENTAGES

The Common Interest Percentage assigned to each of the Units is Four and One-Sixth Percent (4 1/6%).

TOTAL: 100.0% (24 Units)

THE COMMON INTEREST PERCENTAGE ASSIGNED TO EACH UNIT WILL DECREASE AS ADDITIONAL UNITS ARE CREATED UNDER THE DECLARATION.

EXHIBIT E

DESCRIPTION OF THE ANNEXED LAND

Being a 0.130 acre tract of land out of the A.M. Esnaurizar Survey, City of New Braunfels, Comal County, Texas, and being a portion of a tract of land called 1.936 acres, described in Volume 305, Page 572, Official Public Records, Comal County, Texas, said 0.130 acre tract of land being more particularly described as follows:

BEGINNING at a 1/2" iron pin found in the Northwesterly right-of-way line of the Missouri-Pacific Railroad, being a South corner of sald 1.936 acre tract of land, an East corner of a called 7.410 acre track of land, described in Document Number 200706042313, Official Public Records, Comal County, Texas, for the South corner of this herein described tract of land;

THENCE along the common line of this tract, said 1.936 acre tract, and said 7.410 acre tract, N 45°40'00" W a distance of 88.13 feet to a 1/2" iron pin (with cap stamped "HMT") set for the Westernmost Southerly corner of a called 0.466 acre tract of land, described in Document Number 200506043718, Official Public Records, Comal County, Texas, for the West corner of this herein described tract of land;

THENCE along the arc of a non-tangent curve to the left, having a radius of 225.00 feet, a central angle of 37°32'36", an arc length of 147.43 feet, and a chord bearing and distance of N 57°47'36" E, 144.81 feet to a 1/2" iron pin '(with cap stamped "HMT") set for the Easternmost Southerly corner of said 0.466 acre tract, in the Northeasterly line of said 1.936 acre tract, the Southwesterly line of a called 0.89 acre tract; described in Document Number 9806004370, Official Public Records, Comal County, Texas, for the Northerly corner of this herein described tract;

THENCE along the common line of this tract, said 1.936 acre tract, and said 0.89 acre tract, S 45°38'38" E a distance of 6.98 feet to a 1/2" iron pin found in the Northwesterly right-of-way line of the Missouri-Pacific Railroad, being an East corner of said 1.936 acre tract of land, for the most Easterly corner of this tract;

THENCE along the Northwest right-of-way line of said Missouri-Pacific Railroad, the Southeast line of said 1.936 acre tract and the Southeast line of this herein described tract, along the arc of a non-tangent curve to the right having a radius of 1860.10 feet, a central angle of 04°34′ 43″, an arc length of 148.65 feet, and a chord bearing and distance of S 25°42′49″ W, 148.61 feet to the Point of Beginning and containing 0.130 acres of land.

EXHIBIT E

DESCRIPTION OF THE ANNEXED LAND

Being a 0.130 acre tract of land out of the A.M. Esnaurizar Survey, City of New Braunfels, Comal County, Texas, and being a perlion of a tract of land called 1.936 acres, described in Volume 305, Page 572, Official Public Records, Comal County, Texas, said 0.130 acre tract of land being more particularly described as follows:

BEGINNING at a 1/2" iron pin found in the Northwesterly right-of-way line of the Missouri-Pacific Raliroad, being a South corner of said 1.936 acre tract of land, an East corner of a called 7.410 acre track of land, described in Document Number 200706042313, Official Public Records, Comal County, Texas, for the South corner of this herein described tract of land;

THENCE along the common line of this tract, said 1.936 acre tract, and said 7.416 acre tract, N 45°40'00" W a distance of 88.13 feet to a 1/2" iron pin (with cap stamped "HMT") set for the Westernmost Southerly corner of a called 0.466 acre tract of land, described in Document Number 200506043718, Official Public Records, Comal County, Texas, for the West corner of this herein described tract of land;

THENCE along the arc of a non-tangent curve to the left, having a radius of 225.00 feet, a central angle of 37°32'36", an arc length of 147.43 feet, and a chord bearing and distance of N 57°47'36" E, 144.81 feet to a 1/2" from pin '(with cap stamped "HMT") set for the Easternmost Southerly corner of said 0.466 acre tract, in the Northeasterly line of said 1.935 acre tract, the Southwesterly line of a called 0.89 acre tract; described in Document Number 9806004370, Official Public Records, Comal County, Texas, for the Northerly corner of this herein described tract;

THENCE along the common line of this tract, said 1.936 acre tract, and said 0.89 acre tract, S 45°38'38" E a distance of 6.98 feet to a 1/2" iron pin found in the Northwesterly right-of-way line of the Missouri-Pacific Railroad, being an East comer of said 1.936 acre tract of land, for the most Easterly corner of this tract;

THENCE along the Northwest right-of-way line of said Missouri-Pacific Railroad, the Southeast line of said 1.936 acre tract and the Southeast line of this herein described tract, along the arc of a non-tangent curve to the right having a radius of 1860.10 feet, a central angle of 04°34' 43", an arc length of 148.65 feet, and a chord bearing and distance of S 25°42'49" W, 148.61 leet to the Point of Beginning and containing 0.130

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