

DEED RECORD

341/No

AMENDMENT TO
DECLARATION AND MASTER DEED
LOS NOGALES CONDOMINIUMS

THIS AMENDMENT TO DECLARATION AND MASTER DEED is made and executed on this 30th day of January, 1979, by LOU SMITH, INC., a Texas corporation (hereinafter referred to as the "Developer"), pursuant to the provisions of the Texas Condominium Act, Article 1301a of the Texas Revised Civil Statutes (hereinafter referred to as the "Act") for the purpose of amending the previous Declaration and Master Deed dated September 14, 1978, that created the Los Nogales Condominiums, a Condominium Regime on the real property described on Exhibit "A", attached hereto and made a part hereof.

W I T N E S S E T H :

WHEREAS, on the 14th day of September, 1978, Lou Smith submitted a Declaration and Master Deed thereby submitting the property to a condominium regime; and

WHEREAS, said Declaration and Master Deed was filed for record in Volume 78182, Page 68, Condominium Records of Dallas County, Texas; and

WHEREAS, said Declaration and Master Deed established a condominium regime with thirty-one (31) dwelling units, erroneously combining former units 118 and 119 into a single unit 118, in Building D; and

WHEREAS, to correct such error, it is now desired to alter said Declaration and Master Deed and other attached documents which pertain to Unit 118 in order to establish two separate apartment homes therein, to-wit: Units 118 and 119, thereby making the condominium regime contain a total of thirty-two (32) dwelling units.

NOW, THEREFORE, the Declaration and Master Deed and attachments thereto, are hereby amended to provide that the condominium regime contains thirty-two (32) dwelling units and that apartment home 118 is converted to two units, being numbered 118 and 119.

FURTHER, Page 8 of the Subdivision Plan, which subdivision plan is attached to the Declaration and Master Deed as Exhibit "A" and incorporated therein, is deleted, and submitted herewith as Exhibit "B" of this Amendment is a new Page 8 to such subdivision plan reflecting new Units 118 and 119, which new Page 8 is substituted and incorporated into the original subdivision plan as if originally included therein.

FURTHER, Paragraph 4(b) of the Declaration and Master Deed is amended to delete the following language:

<u>"Condominium Number</u>	<u>Percentage of Value Assigned</u>
<u>Building D</u>	
118 with 1,392 sq. ft.	5.8203%

and in its place shall be substituted the following language reflecting the values assigned to new Units 118 and 119:

<u>"Condominium Number</u>	<u>Percentage of Value Assigned</u>
<u>Building D</u>	
118 with 928 sq. ft.	3.9139%
119 with 452 sq. ft.	1.9064%

This amendment is dated this 30th day of January, 1979.

LOU SMITH, INC., Developer

By: *Mike Grossman*
Executive Vice President

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared MIKE GROSSMAN, of LOU SMITH, INC., a corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and as the act and deed of said corporation, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 30th day
of January, 1979.

Patricia C. Smith
Notary Public, Dallas County, Texas

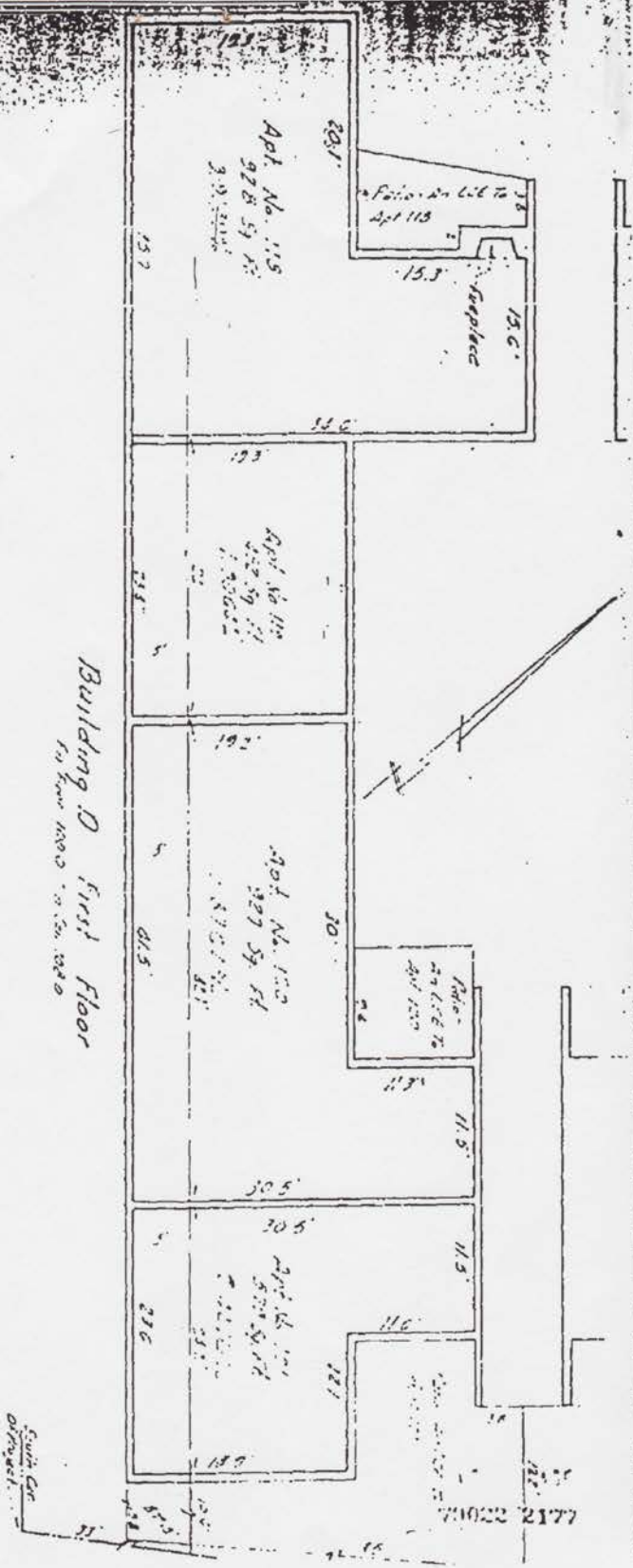
My Commission expires:
4-13-80

2000 2100

EXHIBIT "A" TO AMENDMENT TO
DECLARATION AND MASTER DEED
LOS NOGALES CONDOMINIUMS

The Northwesterly 15.33 feet of Lot 6 and all of Lots 7, 8, 9, 10, and 11, Block 8, City Block 1616 of Clifton Place No. 1, an addition to the City of Dallas as recorded in Volume 1, Page 438, of the Map Records of Dallas County, Texas.

77002 2176



Showing the Dimensions, Location, Square
 Footage of the Apartments Herein Designated as
 Apartments 118, 119, 120, 121,
 122, 123, 124, 125, 126, 127,
 128, 129, 130, 131, 132, 133,
 134, 135, 136, 137, 138, 139,
 140, 141, 142, 143, 144, 145,
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 272, 273, 274, 275, 276, 277,
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 284, 285, 286, 287, 288, 289,
 290, 291, 292, 293, 294, 295,
 296, 297, 298, 299, 300.

EXHIBIT "B" TO AMENDMENT TO
 DECLARATION AND MASTER DEED
 LOS NOGALES CONDOMINIUMS

Los Nogales Condominium
 Lots 111-150
 By
 N.W. Simpson, Jr.
 2001 N. 1st Street, Phoenix, AZ
 Exhibit B Sheet 8 of 9
 1/10/95

ROBERT L. Mc KINNEY
3710 REPUBLIC AVE. BE TOWER 12
DICKENS TX 75201

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 01-10-2001 BY 60322
AL/STP/STP

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 01-10-2001 BY 60322
AL/STP/STP

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 01-10-2001 BY 60322
AL/STP/STP

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 01-10-2001 BY 60322
AL/STP/STP

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 01-10-2001 BY 60322
AL/STP/STP

The State of Texas,
County of Dallas

Know all Men by These Presents:

That the COUNCIL OF CO-OWNERS OF LOS NOGALES CONDOMINIUM

75201

hereinafter termed Grantor,

for and in consideration of * * * ONE AND NO/100 * * * (\$ 1.00) DOLLARS to it in hand paid by Dallas Power & Light Company, a Texas Corporation, has granted, sold and conveyed and by these presents do hereby grant unto Dallas Power & Light Company, a Texas Corporation, and Southwestern Bell Telephone Company, a Missouri Corporation, their successors and assigns, hereinafter termed Grantees, an easement and right of way in, under, over and across the following described property:

Lying and situated in the City and County of Dallas, Texas, and being more particularly described as LOTS 8 and 10 in City of Dallas BLOCK 8/1616, being a part of the property described in a "Declaration And Master Deed" dated September 14, 1978, of record in Volume 78182, page 0068, Microfilm Deed Records of Dallas County, Texas.

Said easement shall be in TWO PARTS, each 15.00 feet in width and each described by center line as follows:

PART 1 - BEGINNING at a point on the northeast line of a 15 foot alley, said point being located 45.92 feet S 45° 00' 00" E (assumed bearing and basis for the hereinafter mentioned bearings) along said line, from the most westerly corner of the above described Lot 10;

THENCE N 36° 39' 00" E, 23.00 feet to the end of Part 1.

PART 2 - BEGINNING at a point on the northeast line of the above mentioned 15 foot alley, said point being located 103.58 feet S 45° 00' 00" E along said line, from the point of beginning of the above described Part 1;

THENCE N 10° 20' 20" W, 39.00 feet to the end.

This easement and right of way, together with all rights and privileges hereby granted, may be used by Grantees or either of them, their successors and assigns, for the location, construction, reconstruction, relocation, alteration, maintenance, inspection, operation and removal of an electric and/or communication system, or systems, or part or parts thereof, and all necessary or desirable appurtenances thereto, including but not limited to, poles, wires, guys, cross arms, transformers, switches, manholes, conduits, and cables; and Grantees shall, at all times, have the right of ingress and egress over the above described property to and from said right of way.

The Grantor shall not construct or place within 7.50 feet of the center line of the above described right of way any building, fence, tree, shrub, or any other structure, improvement or growth which may endanger or in any way interfere with the construction, efficiency or convenient operation and maintenance of said system or systems, and Grantees shall, at all times, have the right to remove, and keep removed, all or parts of any building, fence, tree, shrub, or other structure, improvement or growth of any character which is not located 7.5 feet or more from said center line and which, in the judgment of Grantees, may endanger or in any way interfere with the construction, efficiency or convenient operation and maintenance of said system or systems.

The right is hereby reserved to Grantor, to use said easement and right of way for any purpose not inconsistent with the use for which this grant is made, subject to the written approval of Dallas Power & Light Company's Manager of Engineering and Southwestern Bell Telephone Company's General Plant Manager.

TO HAVE AND TO HOLD the above described easement and rights unto Dallas Power & Light Company and Southwestern Bell Telephone Company, their successors and assigns, until all of the system or systems covered by this easement be abandoned.

AND it hereby binds itself, its successors, legal representatives and assigns, to warrant and forever defend all and singular the above described easement and rights unto Dallas Power & Light Company and Southwestern Bell Telephone Company, their successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 20 day of October A. D. 1978

ATTEST:

COUNCIL OF CO-OWNERS OF LOS NOGALES CONDOMINIUM

John C. Butler
Secretary

By: [Signature]
President-Board of Administration

75201 11/77

STATE OF TEXAS
COUNTY OF _____

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared _____

known to me to be the person whose name _____ subscribed to the foregoing instrument, and acknowledged to me that _____ executed the same for the purposes and consideration therein expressed,

GIVEN UNDER MY HAND AND SEAL OF OFFICE This _____ day of _____ A. D., 19 _____

Notary Public _____ County, Texas.

EASEMENT 16517-ET

EASEMENT AND RIGHT OF WAY

FROM
COUNCIL OF CO-OWNERS OF
LOS NOGALES CONDOMINIUM
TO
DALLAS POWER & LIGHT COMPANY
AND
SOUTHWESTERN BELL TELEPHONE COMPANY

Application AD _____
Estimate 40861 _____
District 3N-1W _____
Prepared CAG:kl 10-3, 1978
Retyped CCE:jw 10-13-78

After recording, please return to —

WILLIAM C. CHOICE
Dallas Power & Light Company
Engineering Department
DALLAS, TEXAS

Approved to Legality and Form
Theresa M. Smith
Theresa M. Smith
Notary Public
FOR THE FILES OF D.P.M. CO.

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared _____

known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of _____
COUNCIL OF CO-OWNERS
OF LOS NOGALES CONDOMINIUM
as the _____
President-Board
of Administration thereof, and for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE This 20 day of Oct A. D., 19 78

James R. Evans
Notary Public _____
in and for Dallas County, Texas.



NOTE OF THIS
I hereby certify that this instrument was duly recorded
date and time stamped herein by me and that the same
is in the public records of Dallas County, Texas as shown by the
of Dallas County, Texas as shown by the

NOV 20 1978
R.E. Marshall
COUNTY CLERK, Dallas County, Texas

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Myrtle...

Rt.
BOARD OF DIRECTORS
LOS NOGALES CONDOMINIUM ASSOCIATION
4331 DICKASON AVENUE, #201
DALLAS, TEXAS 75219

4473603

03/03/04

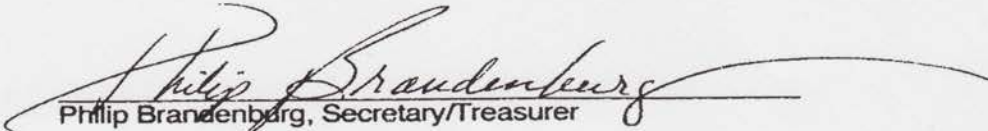
2783435

\$16.00 Miscellaneous Real Est

AMENDMENT TO BY-LAWS

"No person, or group of persons, using his/their own name or assumed names, shall be allowed to purchase ownership in the Los Nogales Condominium Association amounting to 10% or more of the 32 units making up this Association".

26 January 2004


Philip Brandenburg, Secretary/Treasurer



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