



20130827001209360

08/27/2013 10:21:47 AM AM 1/14

AFTER RECORDING RETURN TO:  
Tim Hagen  
Glast, Phillips & Murray, P.C.  
14801 Quorum Drive, Suite 500  
Dallas, Texas 75254

**FIRST AMENDMENT TO  
SUBORDINATE CONDOMINIUM DECLARATION FOR  
THE HARBOR AT ADRIATICA RESIDENTIAL CONDOMINIUMS,  
A SUB-CONDOMINIUM LOCATED WITHIN  
THE HARBOR AT ADRIATICA CONDOMINIUMS**

THIS FIRST AMENDMENT TO SUBORDINATE CONDOMINIUM DECLARATION FOR THE HARBOR AT ADRIATICA RESIDENTIAL CONDOMINIUMS, A SUB-CONDOMINIUM LOCATED WITHIN THE HARBOR AT ADRIATICA CONDOMINIUMS (this "Amendment") is made by HIMALAYAN VENTURES, L.P., a Texas limited liability company ("Declarant"), as of the 23 day of August, 2013.

WHEREAS, on August 20, 2013, Declarant recorded that certain Subordinate Condominium Declaration for The Harbor at Adriatica Residential Condominiums, a Sub-Condominium Located Within The Harbor at Adriatica Condominiums (the "Declaration"), dated August 20, 2013, in the Official Public Records of Collin County, Texas, under Instrument No. 20130820001180150; and

WHEREAS, the Declaration established a condominium regime under the Texas Uniform Condominium Act; and

WHEREAS, pursuant to Section 11.2B of the Declaration, Declarant reserved certain Development Rights, which may be exercised by Declarant at any time during the Declarant Control Period. The Development Rights include the right to amend the Declaration to create Limited Common Elements within the Condominium; and

WHEREAS, Section 12.4B of the Declaration provides that during the Declaration Control Period, Declarant, without the consent of other Owners or any mortgagee, shall, upon not less than thirty (30) days prior written notice to all Owners, have the right and authority to unilaterally amend the Declaration, on one or more occasions, to reflect actions to be taken by Declarant pursuant to Sections 11.1 and 11.2 of the Declaration; and

WHEREAS, thirty (30) days prior written notice has been given to the Owners or such notice requirement has been waived, in writing, by the Owners; and

WHEREAS, Declarant is the sole Owner of Condominium Units within the Condominium and hereby waives the notice requirements described above; and

WHEREAS, the Declarant Control Period has not expired; and

WHEREAS, the Declaration remains in full force and effect; and

5364540v1 1st Amend Sub Condo Decl (The Harbor) v2  
IBG-30A

WHEREAS, Declarant desires to amend the Declaration to, among other things, create an additional Unit.

NOW, THEREFORE, Declarant declares that the Declaration is hereby amended as follows:

1. Unless otherwise expressly stated herein to the contrary, capitalized terms used herein shall have the meanings given to such terms in the Declaration.

2. Pursuant to the Development Rights reserved to Declarant in the Declaration, Declarant hereby makes the following designations:

- (i) Residential Parking Spaces 299 and 301, and Storage Area 126 are designated as Limited Common Elements, appurtenant to and reserved for the exclusive use and benefit of the Owner of Condominium Unit 3203.
- (ii) Residential Parking Spaces 321 and 323, and Storage Area 127 are designated as Limited Common Elements, appurtenant to and reserved for the exclusive use and benefit of the Owner of Condominium Unit 3404.
- (iii) Residential Parking Spaces 521 and 522, and Storage Area 100 are designated as Limited Common Elements, appurtenant to and reserved for the exclusive use and benefit of the Owner of Condominium Unit 3405.
- (iv) Residential Parking Spaces 332 and 334, and Storage Area 104 are designated as Limited Common Elements, appurtenant to and reserved for the exclusive use and benefit of the Owner of Condominium Unit 3502.
- (v) Residential Parking Spaces 331 and 333, and Storage Area 102 are designated as Limited Common Elements, appurtenant to and reserved for the exclusive use and benefit of the Owner of Condominium Unit 3504.
- (vi) Residential Parking Spaces 327 and 329, and Storage Area 125 are designated as Limited Common Elements, appurtenant to and reserved for the exclusive use and benefit of the Owner of Condominium Unit 3506.

3. The locations of the Residential Parking Spaces described in Section 2 above are shown on Exhibit "A" attached to this Amendment and made a part hereof for all purposes.

4. The locations of the Storage Areas described in Section 2 above are shown on Exhibit "B" attached to this Amendment and made a part hereof for all purposes.

5. Upon recordation of this Amendment in the Official Public Records of Collin County, Texas, Exhibit "A" attached to this Amendment and Exhibit "B" attached to this Amendment shall become a part of the Map Plat.

EXECUTED as of the date set forth above.

DECLARANT:

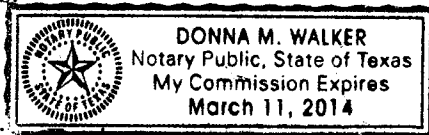
HIMALAYAN VENTURES, L.P.,  
a Texas limited partnership

By: DENALI SUMMIT, LLC,  
a Texas limited liability company  
- General Partner

By:   
David R. Brooks, Manager

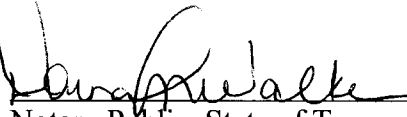
STATE OF TEXAS                   §  
   §  
COUNTY OF COLLIN           §

This instrument was acknowledged before me on August 23, 2013, by DAVID R. BROOKS, Manager of DENALI SUMMIT, LLC, a Texas limited liability company and general partner of HIMALAYAN VENTURES, L.P., a Texas limited partnership, on behalf of said entities.



My Commission Expires:

03-11-2014

  
Notary Public, State of Texas

Donna M. Walker  
(Printed or Typed Name of Notary)

IBG-30A

**CONSENT, JOINDER AND SUBORDINATION  
OF MORTGAGEE**

The undersigned, the mortgagee holding a current deed of trust lien on all or a portion of the Property (as such term is described in the Declaration), does hereby consent to the execution and recordation of the foregoing First Amendment to Subordinate Condominium Declaration for The Harbor at Adriatica Residential Condominiums, and agrees that all liens currently held by it shall be subject and subordinate to the provisions of the First Amendment to Subordinate Condominium Declaration for The Harbor at Adriatica Residential Condominiums.

EXECUTED this the 23rd day of August, 2013.

INWOOD NATIONAL BANK

By: Roger V. McLaren  
Name: Roger V. McLaren  
Title: Vice President

STATE OF TEXAS                   §  
   §  
COUNTY OF COLLIN           §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Roger V. McLaren, VP of INWOOD NATIONAL BANK, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as a duly authorized officer of such entity, and as the act and deed of such entity, for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 23 day of August, 2013.

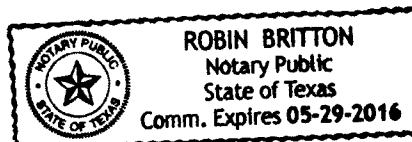
My Commission Expires:

5/29/16

Robin Britton  
Notary Public, State of Texas

Robin Britton  
(Printed or Typed Name of Notary)

IBG-30A

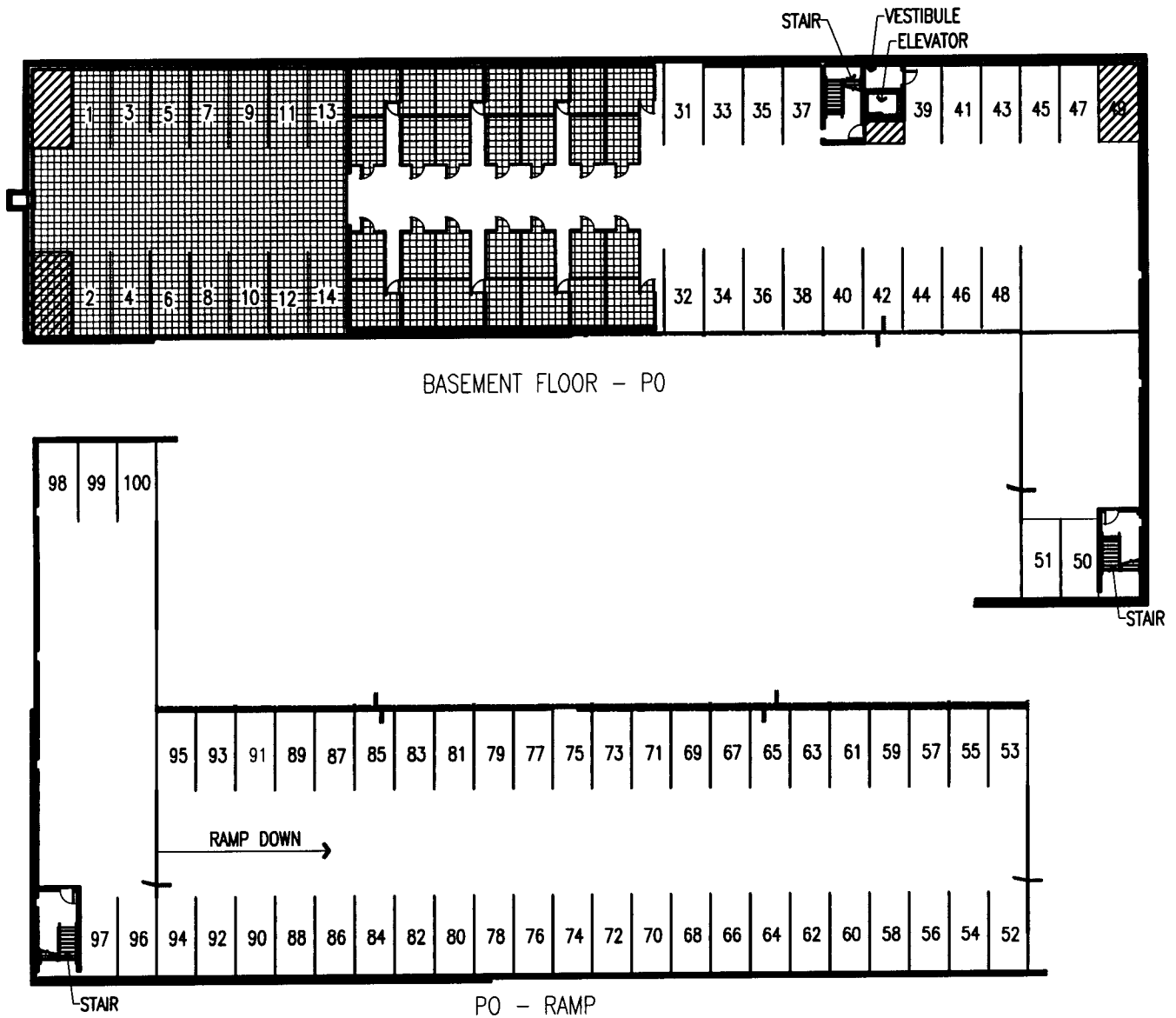


**EXHIBIT "A"**

[SEE ATTACHED]

5364352v1 1st Amend Sub Condo Decl (The Harbor)  
IBG-30A

**EXHIBIT "A"**  
**The Harbor at Adriatica Condominiums**  
**GARAGE - BASEMENT**  
**BUILT**



**IBG Adriatica Holdings, Inc.**

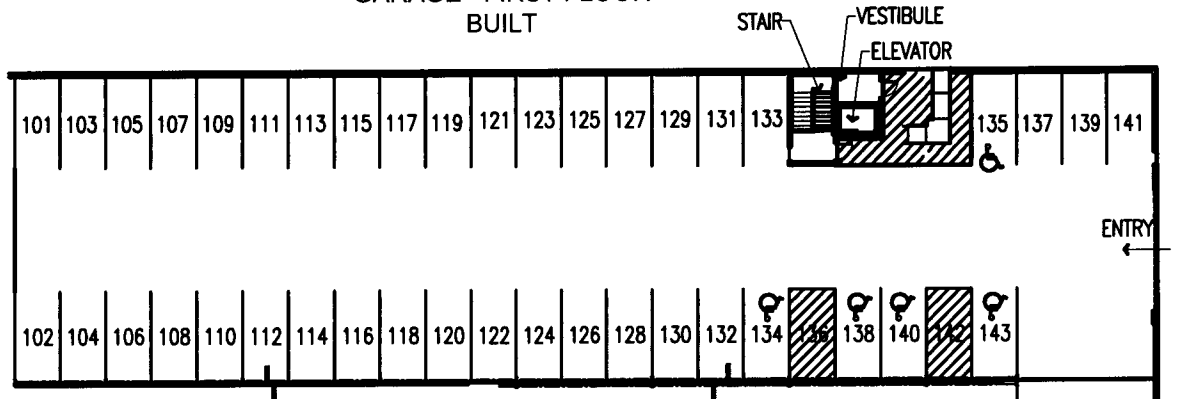
1600 N. Redbud Blvd.  
Suite 400  
McKinney, Texas 75069  
Phone (972) 562-0231

[george@adriaticavillage.com](mailto:george@adriaticavillage.com)

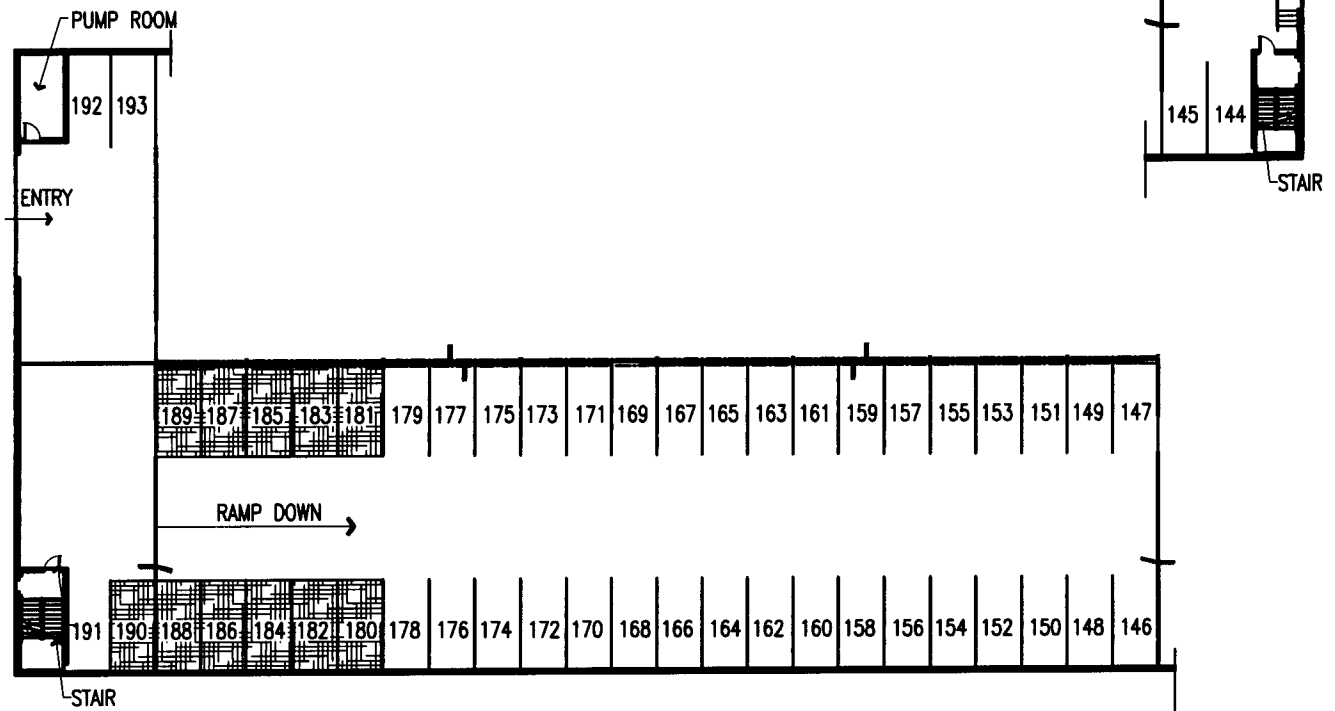
Sht. 31

DATE: 8/23/2013

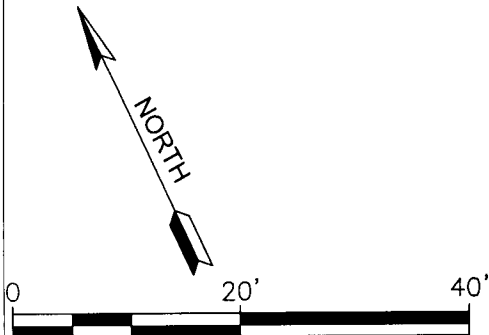
**EXHIBIT "A"**  
**The Harbor at Adriatica Condominiums**  
**GARAGE - FIRST FLOOR**  
**BUILT**




FIRST FLOOR - P1



P1 - RAMP



 No Parking

Sht. 32

**IBG Adriatica**  
**Holdings, Inc.**

1600 N. Redbud Blvd.  
 Suite 400

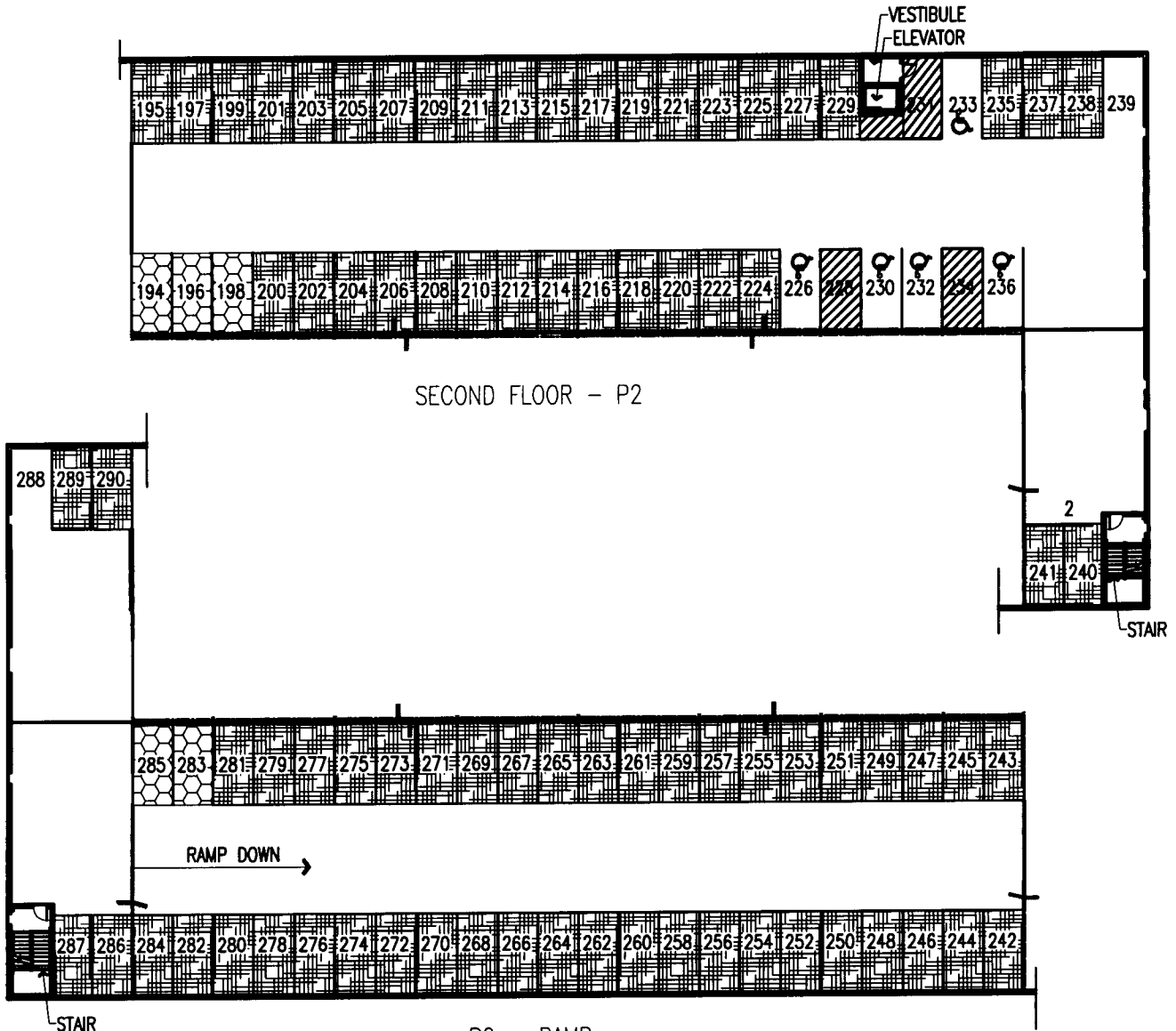
McKinney, Texas 75069

Phone (972) 562-0231

george@adriaticavillage.com

DATE: 8/23/2013

**EXHIBIT "A"**  
**The Harbor at Adriatica Condominiums**  
**GARAGE - SECOND FLOOR**  
**BUILT**



P2 - RAMP



Office Unit - L.C.E.



Residential Loft Unit - L.C.E.



No Parking

Sht. 33

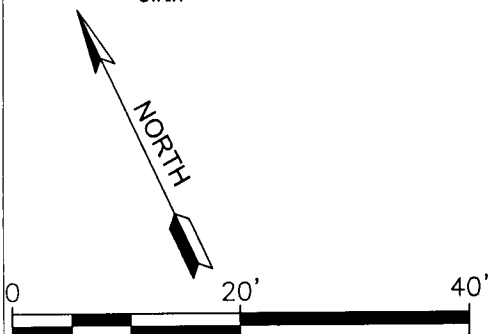
**IBG Adriatica  
Holdings, Inc.**

1600 N. Redbud Blvd.  
Suite 400

McKinney, Texas 75069

Phone (972) 562-0231

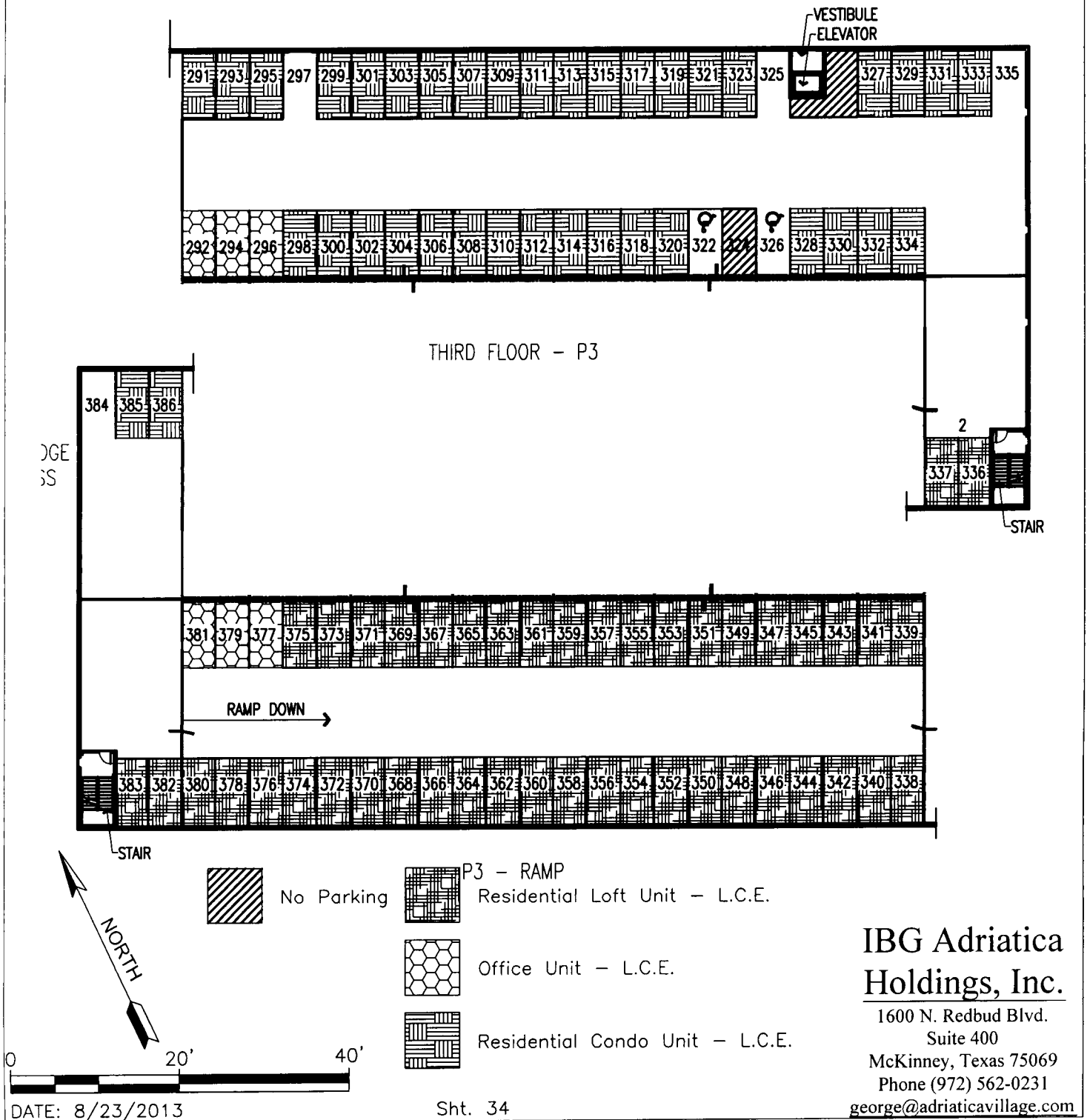
[george@adriaticavillage.com](mailto:george@adriaticavillage.com)



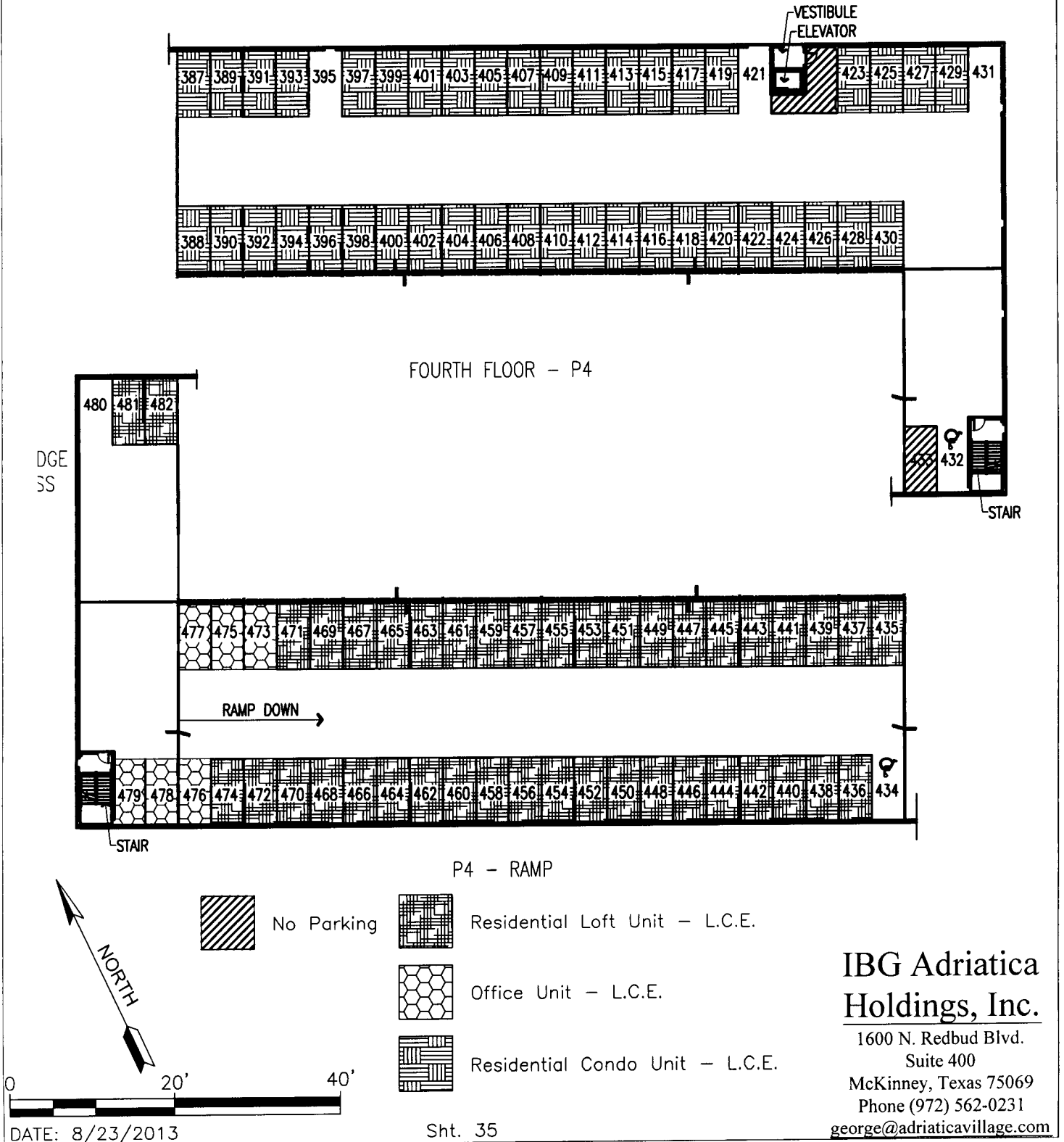
DATE: 8/23/2013



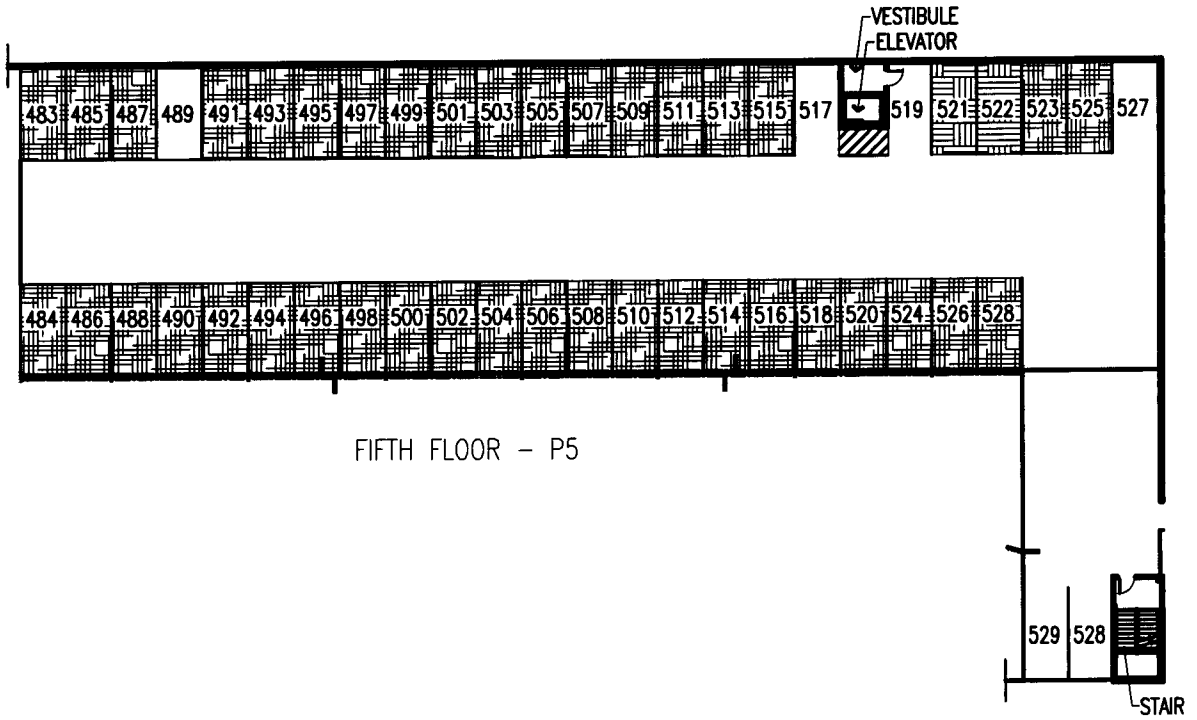
**EXHIBIT "A"**  
**The Harbor at Adriatica Condominiums**  
**GARAGE - THIRD FLOOR**  
**BUILT**



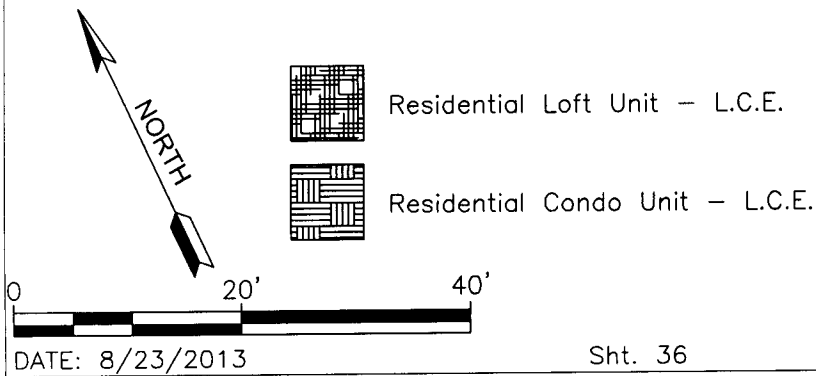
**EXHIBIT "A"**  
**The Harbor at Adriatica Condominiums**  
**GARAGE - FOURTH FLOOR**  
**BUILT**



**EXHIBIT "A"**  
**The Harbor at Adriatica Condominiums**  
**GARAGE - FIFTH FLOOR**  
**BUILT**



FIFTH FLOOR - P5



**IBG Adriatica  
Holdings, Inc.**

1600 N. Redbud Blvd.  
Suite 400

McKinney, Texas 75069

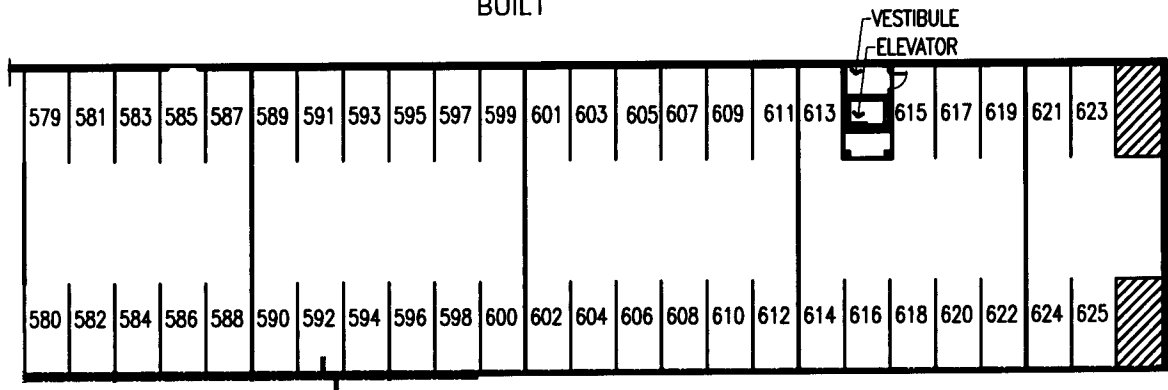
Phone (972) 562-0231

george@adriaticavillage.com

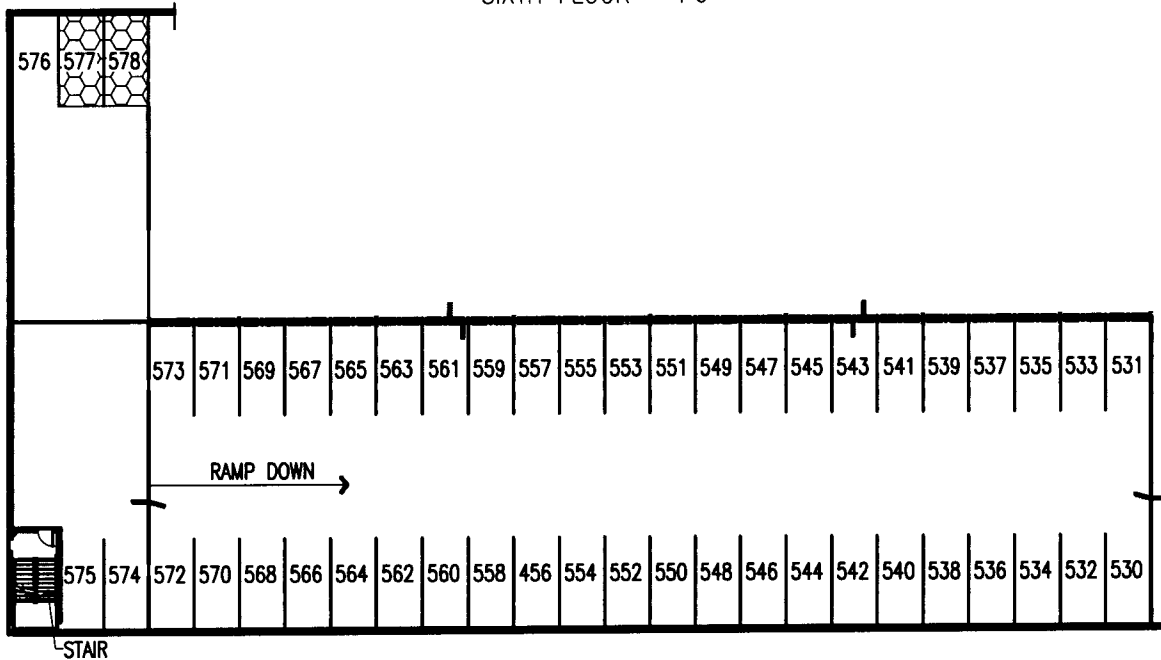
DATE: 8/23/2013

Sht. 36

**EXHIBIT "A"**  
**The Harbor at Adriatica Condominiums**  
**GARAGE - SIXTH FLOOR**  
**BUILT**



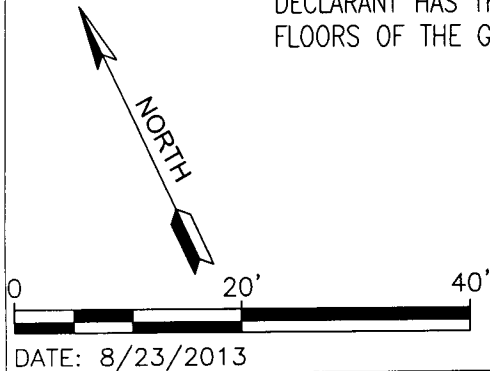
SIXTH FLOOR – P6



P5 – RAMP

**NOTE:**

DECLARANT HAS THE RIGHT TO BUILD ADDITIONAL IMPROVEMENTS ON THE TOP FLOORS OF THE GARAGE PURSUANT TO SECTION 2.11 OF THE MASTER DECLARATION.



Office Unit – L.C.E.



Residential Unit – L.C.E.



No Parking

Sht. 37

**IBG Adriatica Holdings, Inc.**

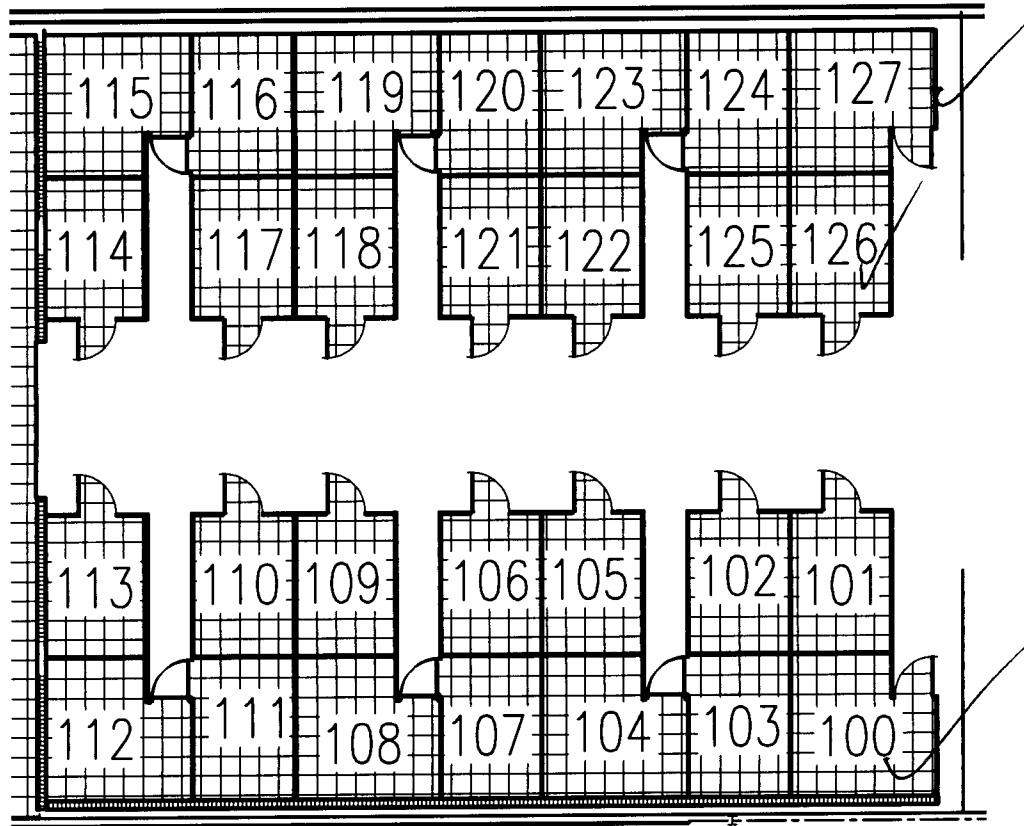
1600 N. Redbud Blvd.  
Suite 400

McKinney, Texas 75069

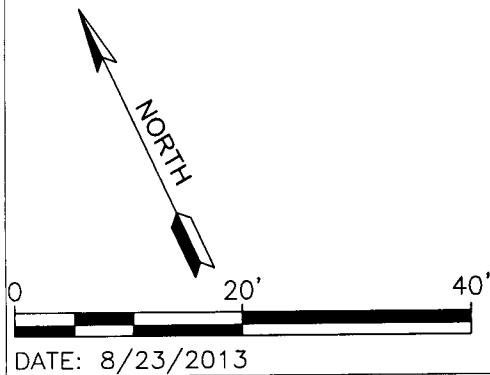
Phone (972) 562-0231

[george@adriaticavillage.com](mailto:george@adriaticavillage.com)

**EXHIBIT "B"**  
**The Harbor at Adriatica Condominiums**  
**BASEMENT- STORAGE UNITS**  
**BUILT**



BASEMENT FLOOR – P0



Sht. 1 OF 1

**IBG Adriatica  
Holdings, Inc.**

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Suite 400

McKinney, Texas 75069

Phone (972) 562-0231

[george@adriaticavillage.com](mailto:george@adriaticavillage.com)

Filed and Recorded  
Official Public Records  
Stacey Kemp, County Clerk  
Collin County, TEXAS  
08/27/2013 10:21:47 AM  
\$68.00 CJAMAL  
20130827001209360



A handwritten signature in cursive script, reading "Stacey Kemp". The signature is written in dark ink and is positioned to the right of the official seal.