

Upon recording return to:  
 Zachary M. Garsek  
 Barlow Garsek & Simon, LLP  
 920 Foch Street  
 Fort Worth, Texas 76107

Cross References:  
 Volume 3, Page 314  
 Llano County, Texas records

**THIRD SUPPLEMENT TO THE  
 DECLARATION OF THE WATERS AT HORSESHOE BAY RESORT CONDOMINIUM  
 (Buildings 7, 8 and 9)**

THIS THIRD SUPPLEMENT TO THE DECLARATION OF THE WATERS AT HORSESHOE BAY RESORT CONDOMINIUM (Buildings 7, 8 and 9) (the "**Supplemental Declaration**") is made this 29 day of March, 2021, by JAFFE INTERESTS, LP, a Texas limited partnership, f/k/a Horseshoe Bay Resort, Ltd. (the "**Declarant**").

WITNESSETH:

WHEREAS, The Waters at Horseshoe Bay Resort Condominium, a condominium regime, located in Llano County, Texas, was established pursuant to that certain Declaration of The Waters at Horseshoe Bay Resort Condominium recorded in Volume 3, Page 314, Official Public Records of Llano County, Texas (as amended and supplemented, the "**Declaration**");

WHEREAS, pursuant to the terms of Section 2.2 of the Declaration, the Declarant has previously exercised its development rights to add to the Condominium Tracts AAA-1A and AAA-4A, Horseshoe Bay, Plat No. 64.3 recorded in Volume 15, Pages 56 through 58 of the Plat Records of Llano County, Texas (the "**Tracts**");

WHEREAS, pursuant to Article 4 of the Declaration, the Declarant has reserved the right, without obligation, to construct additional Units;

WHEREAS, the Declarant desires to exercise its development rights and to create upon the Tracts three (3) additional buildings, designated as "Building 7", "Building 8" and "Building 9", within the portion of the Condominium consisting of the Tracts; and

NOW, THEREFORE, pursuant to the powers retained by the Declarant under the Declaration, the Declarant hereby designates Building 7, Building 8 and Building 9 as part of the Condominium. Declarant hereby subjects each of Building 7, Building 8 and Building 9 to the provisions of the Declaration, as supplemented and amended, and this Supplemental Declaration, which shall apply to each of Building 7, Building 8 and Building 9 in addition to the provisions of the Declaration. Building 7, Building 8 and Building 9 shall each be sold, transferred, used, conveyed, occupied, and mortgaged or otherwise encumbered pursuant to the provisions of this Supplemental Declaration and the Declaration, both of which shall run with the title to each of Building 7, Building 8 and Building 9 and shall be binding upon all persons having any right, title, or any interest in Building 7, Building 8 or Building 9, their respective heirs, legal representatives, successors, successors-in-title and assigns. The provisions of this Supplemental Declaration shall be binding upon The Waters Condominium Association, Inc., a Texas nonprofit corporation, its successors and assigns in accordance with the terms of the Declaration.

**ARTICLE 1**  
**Definitions**

Except as specifically amended hereby, Article I of the Declaration shall remain in full force and effect and the definitions set forth in Article I of the Declaration are incorporated herein by reference.

**ARTICLE 2**  
**Votes and Liability for Common Expenses**

Section 5.5 of the Declaration, setting forth an equal allocation of liability for Common Expenses, and Section 5.6 of the Declaration, providing for an equal allocation of votes, shall remain in full force and effect.

**ARTICLE 3**  
**Units**

It is anticipated that Building 7, Building 8 and Building 9 will consist of twenty (20) separate Units each, together with an undivided interest in the Common Elements and Limited Common Elements assigned thereto, and that the Condominium will consist of two hundred twenty-two (222) separate Units, Limited Common Elements and Common Elements. Declarant reserves the right to designate additional property within the portion of the Condominium consisting of the Tracts. As set forth in Appendix B of the Declaration, the Declarant reserves the right, without obligation, to construct additional Units within the Condominium up to a maximum of four hundred (400) Units.

**ARTICLE 4**  
**Undivided Interest in Common Elements**

Each Unit is allocated an equal undivided interest in the Common Elements, as set forth in Article 5 of the Declaration.

**ARTICLE 5**  
**Assignment of Limited Common Elements**

Sections 5.2 and 5.3 of the Declaration, providing for assignment and reassignment of the Limited Common Elements, shall remain in full force and effect.

For purposes of establishing additional assignments of Limited Common Element parking spaces and storage units to the Units created within the Additional Property, Declarant hereby amends and supplements Appendix "F" of the Declaration with the contents contained in Exhibit "A" attached hereto and incorporated herein by reference.

**ARTICLE 6**  
**Amendment to Supplemental Declaration**

This Supplemental Declaration may be amended in accordance with the provisions of Article 20 of the Declaration.

**ARTICLE 7**  
**Amendment to Plats and Plans of the Declaration**

Section 2.2 of the Declaration provides that upon any amendment or supplement to the Declaration for the purpose of expanding the Condominium, the Declarant shall be required to provide the Plats and Plans for the submitted property, thus Declarant hereby amends and supplements Appendix "D" of the Declaration with the contents contained in Exhibit "B" attached hereto and incorporated herein by reference.

**ARTICLE 8**  
**Declaration**

Except as specifically amended hereby, the Declaration, and all terms thereof, including but not limited to all exhibits thereto, shall remain in full force and effect.

[SIGNATURES APPEAR ON THE NEXT PAGE]

IN WITNESS WHEREOF, Declarant has caused this instrument to be executed on the day and year written below.

**DECLARANT:**

**JAFFE INTERESTS, LP,**  
a Texas limited partnership

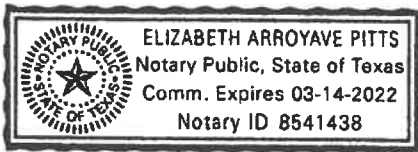


Ron Lynn Mitchell, Vice Chairman, President and COO

STATE OF TEXAS

COUNTY OF TARRANT

This instrument was acknowledged before me on the 2 day of March, 2021, by Ron Lynn Mitchell, in his capacity as Vice Chairman, President and COO of JAFFE INTERESTS, LP, a Texas limited partnership, and on behalf of said limited partnership.

  
\_\_\_\_\_  
Notary Public, State of Texas

Commission Expiration Date: \_\_\_\_\_

[Notary Seal]

**APPENDIX "D"**  
**EXHIBIT "C"**  
**THE WATERS AT HORSESHOE BAY RESORT CONDOMINIUM**  
**PHASE III**  
**GENERAL NOTES**

GENERAL NOTES:

1. All improvements and land reflected on the plat are designated as general common elements, save and except portions of the regime designated as limited common elements or units: (i) in the Declaration of Condominium Regime for The Waters at Horseshoe Bay Resort Condominium (the "**Declaration**") or (ii) on the plats and plans of the regime.
2. Ownership and use of condominium units is subject to the rights and restrictions contained in the Declaration.
3. Each unit, building, limited common element and general common element is subject to special rights reserved by the Declarant as provided Provision B.4. of Appendix "B" to the Declaration. Pursuant to such provisions, among other things, Declarant has reserved the right to (i) complete or make improvements indicated on the plat and plans, as provided in Provision B.4(a) of Appendix "B" to the Declaration; (ii) exercise any development right permitted by the Texas Uniform Condominium Act (the "**Act**") and the Declaration, including the addition of real property to the regime, which property may be added as units, general common elements and/or limited common elements, as provided in Section 2.2 of the Declaration and Provision B.4(b) of Appendix "B" to the Declaration; (iii) make the property part of a larger condominium or planned community, as provided in Provision B.4(c) of Appendix "B" to the Declaration; (iv) use units owned or leased by Declarant as models, storage areas, and offices for the marketing, management, maintenance, customer service, construction, and leasing of the property, as provided in Provision B.4(d) of Appendix "B" to the Declaration; and (v) appoint or remove any Declarant-appointed officer or director of the Association during the Declarant Control Period (as defined in the Declaration) consistent with the Act, as provided in Provision B.4(g) of Appendix "B" to the Declaration. As provided in Provision B.4(e) of Appendix "B" to the Declaration, for purposes of promoting, identifying, and marketing the property, Declarant reserves 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 property, including items and locations that are prohibited to other owners. Declarant reserves an easement and right to maintain, relocate, replace, or remove the same from time to time within the property. As provided in Provision B.4(f) of Appendix "B" to the Declaration, Declarant has an easement and light or ingress and egress in and through the Common Elements (as defined in the Declaration) 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 and the Declaration.

### **CERTIFICATION OF CONDOMINIUM PLANS**

The condominium plans attached hereto contain the information required by Sections 82.052 and 82.059 of the Texas Uniform Condominium Act, as applicable.

**APPENDIX "D"**  
**EXHIBIT "C"**  
**THE WATERS AT HORSESHOE BAY RESORT CONDOMINIUM**  
**PHASE III**  
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STATE OF TEXAS  
COUNTY OF LLANO

FILED AND RECORDED AT 4:20 O'CLOCK P M. ON  
THE 29 DAY OF march A.D. 2021.

I hereby certify that this instrument was FILED on the date and at the time stamped hereon  
by me and was duly RECORDED in the CONDOMINIUM Records of Llano County, Texas.

INSTRUMENT NO:



COUNTY CLERK, LLANO CO., TEXAS

BY R Jatsch DEPUTY

21 02766

NO OF PAGES: 34



**EXHIBIT "A"**

**ASSIGNMENTS OF LIMITED COMMON ELEMENT PARKING SPACES AND STORAGE**

**UNITS – BUILDING 7**

<b>Unit#</b>	<b>Parking</b>	<b>Storage</b>
721	P701 & C1-1	C1-D
722	P702 & SP-9	
723	P703 & SP-8	
724	P704 & SP-7	
725	P705 & C1-2	C1-E
731	P706 & P707	C1-F
732	P708 & P709	C1-G
733	P710 & SP-6	C1-H
734	P711 & SP-5	C1-J
735	P712 & P713	C1-K
741	P714 & P715	S701
742	P716 & SP-4	S702
743	P717 & SP-3	C1-L
744	P718 & SP-2	S703
745	P719 & P720	S704
751	P722 & P723	S705
752	P724 & C1-4	S706
753	P725 & SP-1	S707
754	P726 & C1-3	S708
755	P728 & P727	S709

**ASSIGNMENTS OF LIMITED COMMON ELEMENT PARKING SPACES AND STORAGE  
UNITS – BUILDING 8**

<b>Unit#</b>	<b>Parking</b>	<b>Storage</b>
821	P801 & C1-5	C2-G
822	P802 & SP-18	
823	P803 & SP-17	
824	P804 & SP-16	
825	P805 & C1-6	C2-H
831	P806 & P807	C2-J
832	P808 & P809	C2-K
833	P810 & SP-15	C2-L
834	P811 & SP-14	C1-A
835	P812 & P813	C1-B
841	P814 & P815	S701
842	P816 & SP-13	S702
843	P817 & SP-12	C1-C
844	P818 & SP-11	S803
845	P819 & P820	S804
851	P822 & P823	S805
852	P824 & C2-1	S806
853	P825 & SP-10	S807
854	P826 & C2-2	S808
855	P828 & P827	S809

**ASSIGNMENTS OF LIMITED COMMON ELEMENT PARKING SPACES AND STORAGE  
UNITS – BUILDING 9**

<b>Unit#</b>	<b>Parking</b>	<b>Storage</b>
921	P901 & C2-6	
922	P902 & SP-27	
923	P903 & SP-26	
924	P904 & SP-25	
925	P905 & C2-5	
931	P906 & P907	C2-A
932	P908 & P909	C2-B
933	P910 & SP-24	C2-C
934	P911 & SP-23	C2-D
935	P912 & P913	C2-E
941	P914 & P915	S901
942	P916 & SP-22	S902
943	P917 & SP-21	C2-F
944	P918 & SP-20	S903
945	P919 & P920	S904
951	P922 & P923	S905
952	P924 & C2-4	S906
953	P925 & SP-19	S907
954	P926 & C2-3	S908
955	P928 & P927	S909

**EXHIBIT "B"**

**PLATS AND PLANS**

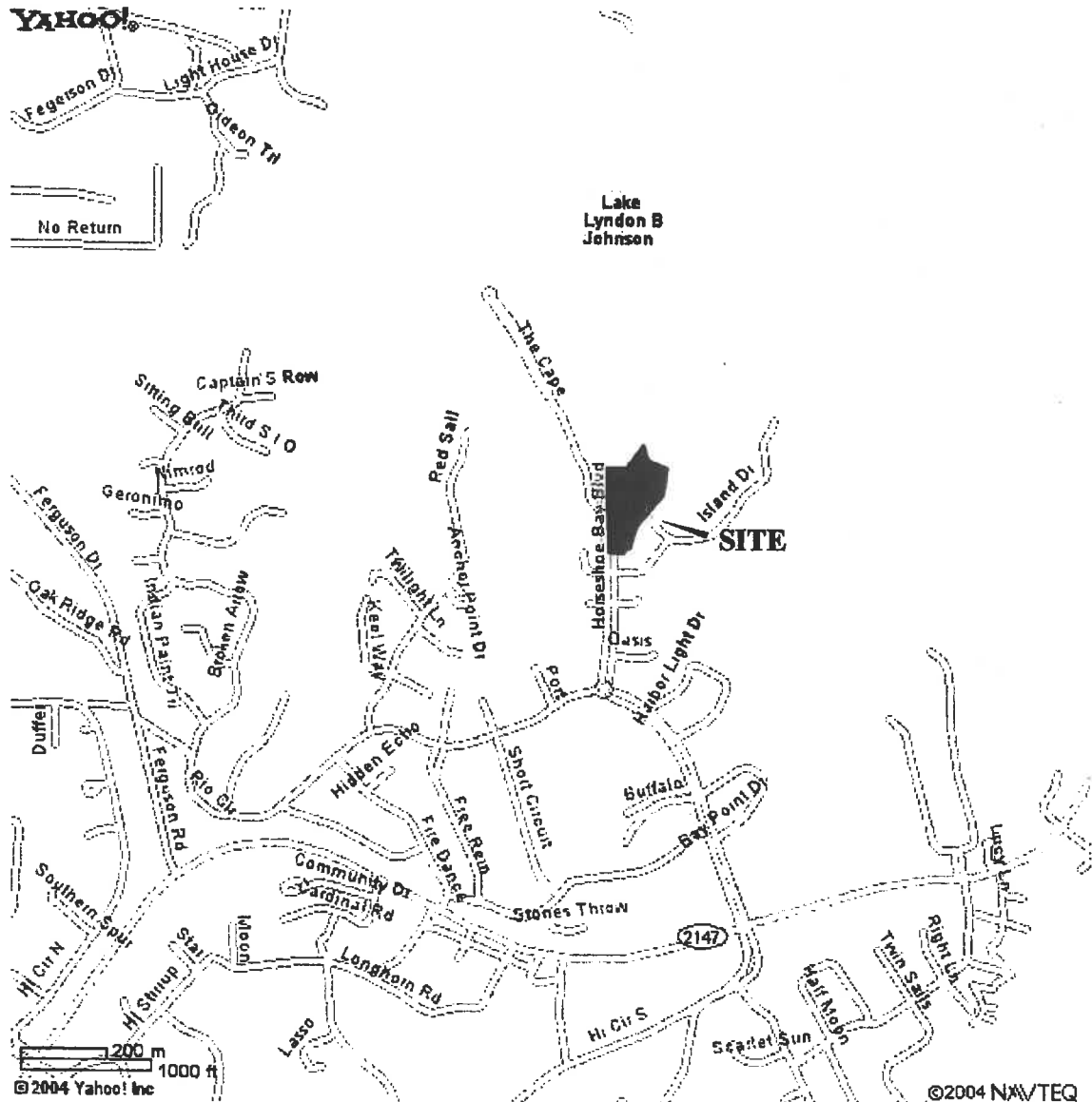
*Consisting of 22 pages titled Appendix "D" Exhibit "C"*

Willis - Sherman Associates, Inc.



LAND SURVEYORS AND PLANNERS  
310 MAIN • MARBLE FALLS, TEXAS • 78654  
(830) 693-3566 FAX (830) 693-5362  
FIRM NUMBER: 10027600

APPENDIX "D"  
EXHIBIT "C"  
THE WATERS AT  
HORSESHOE BAY  
RESORT CONDOMINIUM PHASE III  
VICINITY MAP



THIS SURVEY IS INTENDED TO SERVE AS A PLAT OF "THE WATERS AT HORSESHOE BAY RESORT CONDOMINIUM, PHASE III, BUILDING 7 LOCATED ON TRACTS AAA-4A AND AAA-4B, HORSESHOE BAY, PLAT NO. 64.3 RECORDED IN VOLUME 15, PAGES 56 THRU 58 OF THE PLAT RECORDS OF LLANO COUNTY, TEXAS, AND THIS PLAT CONTAINS ALL INFORMATION REQUIRED FOR THE PURPOSE OF COMPLIANCE WITH CHAPTER 82.059 SUBSECTION (b), UNIFORM CONDOMINIUM ACT OF THE TEXAS PROPERTY CODE.

THIS SURVEY WAS MADE FOR THE BENEFIT OF HORSESHOE BAY RESORT DESTINATIONS, LLC

DATE

DONALD SHERMAN REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1877

OFFICE: J.FRAILEY JOB#: 15872

PAGE 1 OF 22



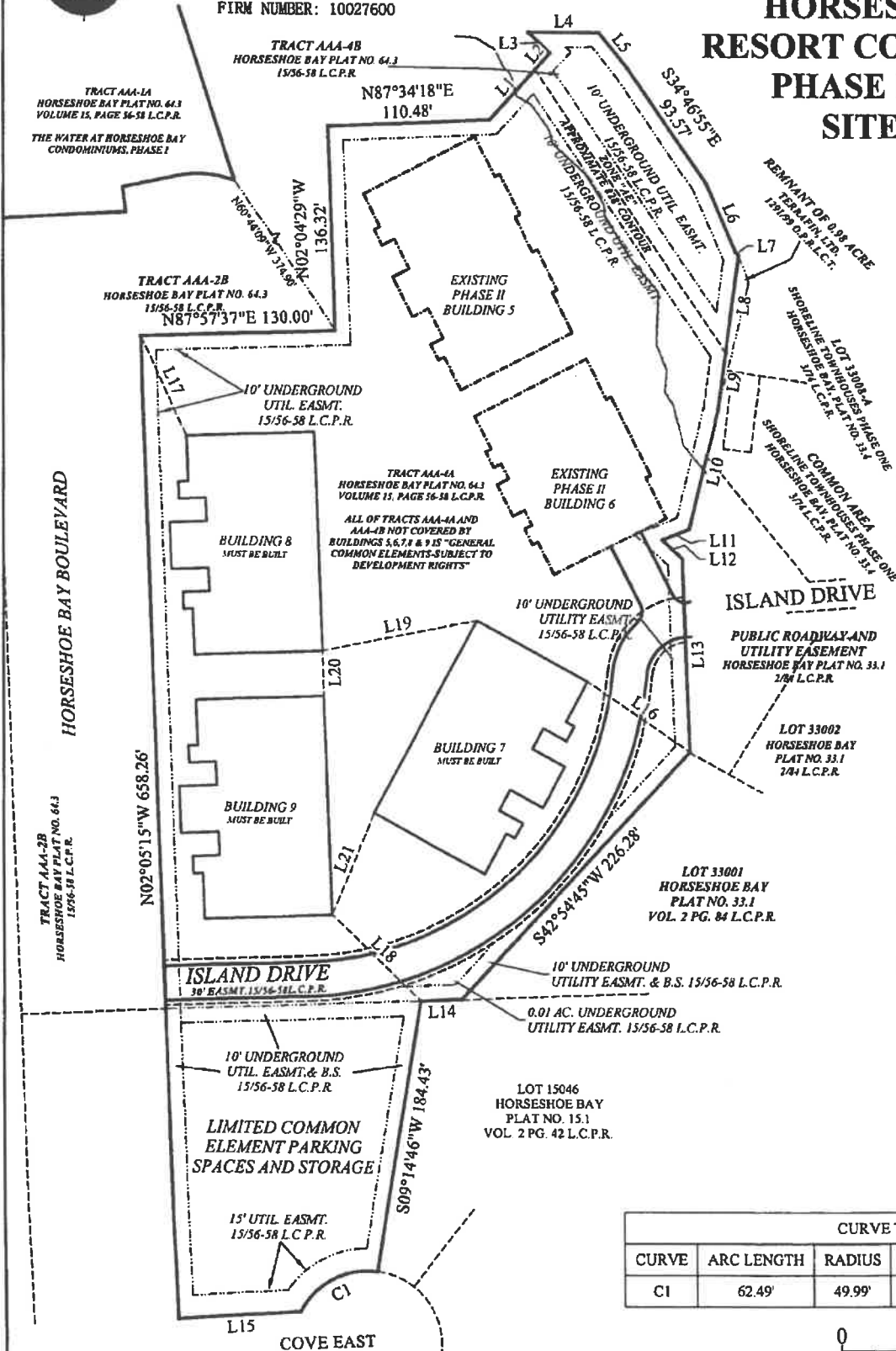
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**RESORT CONDOMINIUM PHASE III**  
**GENERAL NOTES**

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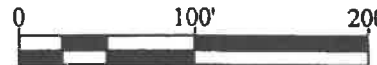


**APPENDIX "D"**  
**EXHIBIT "C"**  
**THE WATERS AT**  
**HORSESHOE BAY**  
**RESORT CONDOMINIUM**  
**PHASE II AND III**  
**SITE PLAN**



LINE TABLE		
LINE	BEARING	LENGTH
L1	N42° 34' 18"E	45.40'
L2	N42° 34' 18"E	15.31'
L3	S47° 25' 42"E	20.36'
L4	N89° 57' 30"E	48.27'
L5	S39° 14' 22"E	30.06'
L6	S23° 32' 11"E	49.68'
L7	S42° 03' 57"E	3.27'
L8	S07° 46' 49"W	65.82'
L9	S07° 46' 49"W	37.71'
L10	S13° 45' 20"W	82.94'
L11	S68° 23' 01"W	19.57'
L12	S47° 07' 00"E	18.26'
L13	S02° 05' 15"E	129.90'
L14	S87° 54' 45"W	28.00'
L15	S86° 20' 45"W	82.98'
L16	S55° 38' 18"E	83.32'
L17	S24° 53' 10"E	72.97'
L18	S46° 36' 10"E	83.16'
L19	N78° 59' 38"E	107.23'
L20	S01° 38' 42"E	30.18'
L21	N22° 59' 30"E	74.13'

CURVE TABLE					
CURVE	ARC LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	62.49'	49.99'	071°36'54"	S62°22'47"W	58.50'



SCALE 1" = 100'

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FIRM NUMBER: 10027600

**APPENDIX "D"**  
**EXHIBIT "C"**  
**THE WATERS AT**  
**HORSESHOE BAY**  
**RESORT CONDOMINIUM PHASE III**  
**BUILDING 7**

TRACT AAA-4A  
HORSESHOE BAY PLAT NO. 64.3  
VOLUME 15, PAGE 56-58 L.C.P.R.

ALL OF TRACTS AAA-4A AND  
AAA-4B NOT COVERED BY  
BUILDINGS 5, 6, 7, 8 & 9 IS "GENERAL  
COMMON ELEMENTS-SUBJECT TO  
DEVELOPMENT RIGHTS"

EXISTING  
PHASE II  
BUILDING 6

BUILDING 8  
MUST BE BUILT

BUILDING 9  
MUST BE BUILT

BUILDING 7  
MUST BE BUILT

N02°05'15"W 658.26'

**ISLAND DRIVE**  
30' EASMT. 15/56-58 L.C.P.R.

10' UNDERGROUND  
UTILITY EASMT.  
15/56-58 L.C.P.R.

10' UNDERGROUND  
UTILITY EASMT. & B.S. 15/56-58 L.C.P.R.

LO  
HORSE  
PLAT  
VOL. 2 P





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**EXHIBIT "C"**  
**THE WATERS AT**  
**HORSESHOE BAY**  
**RESORT CONDOMINIUM**  
**PHASE III BUILDING 7**  
**PODIUM PARKING/STORAGE**

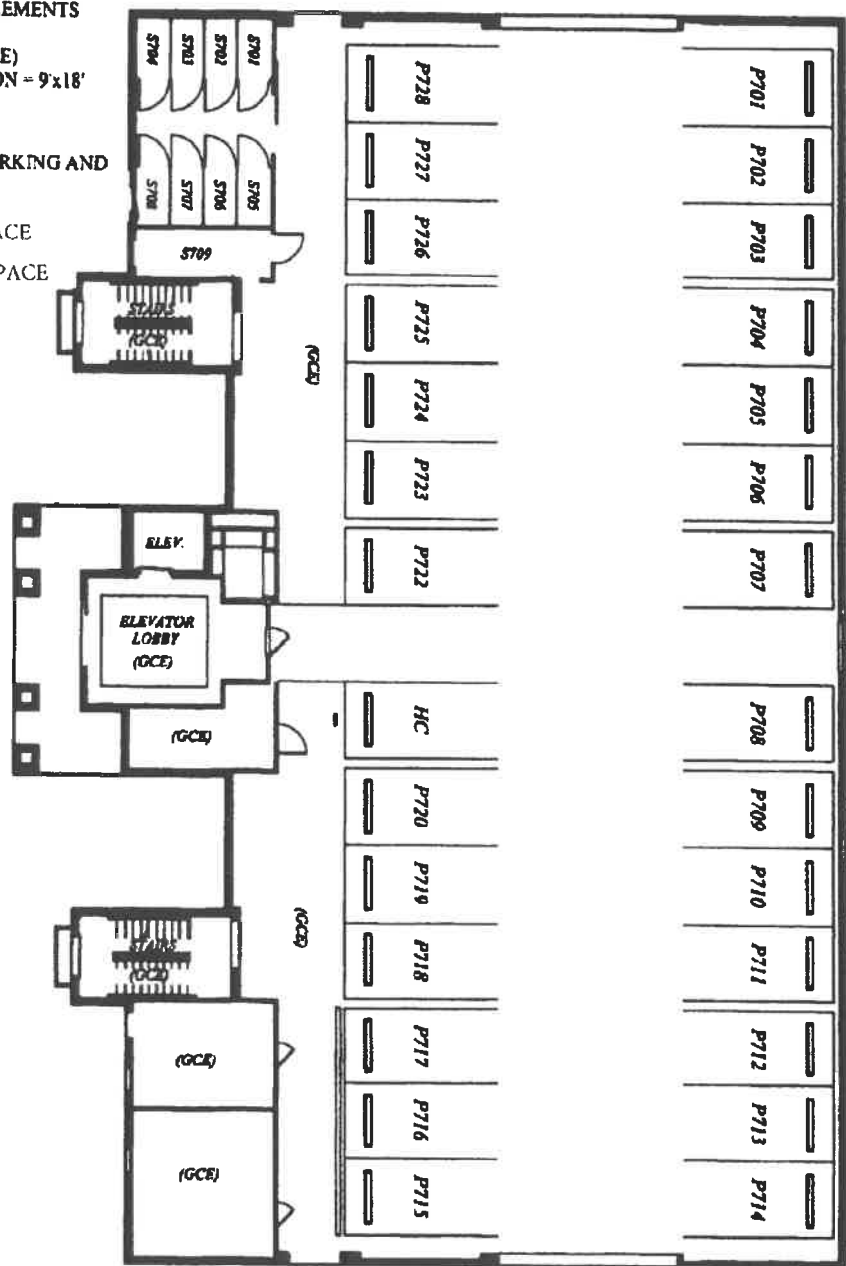
**NOTES:**

1. ALL PARKING AND STORAGE SPACES SHOWN HEREON ARE LIMITED COMMON ELEMENTS (LCE)
2. GENERAL COMMON ELEMENTS (GCE)
3. TYPICAL PARKING SPACE DIMENSION = 9'x18'

**EXHIBIT "A"**

LIMITED COMMON ELEMENT PODIUM PARKING AND STORAGE CODE:

P- PODIUM PARKING - FOLLOWED BY SPACE NUMBER  
S- STORAGE - FOLLOWED BY STORAGE SPACE NUMBER



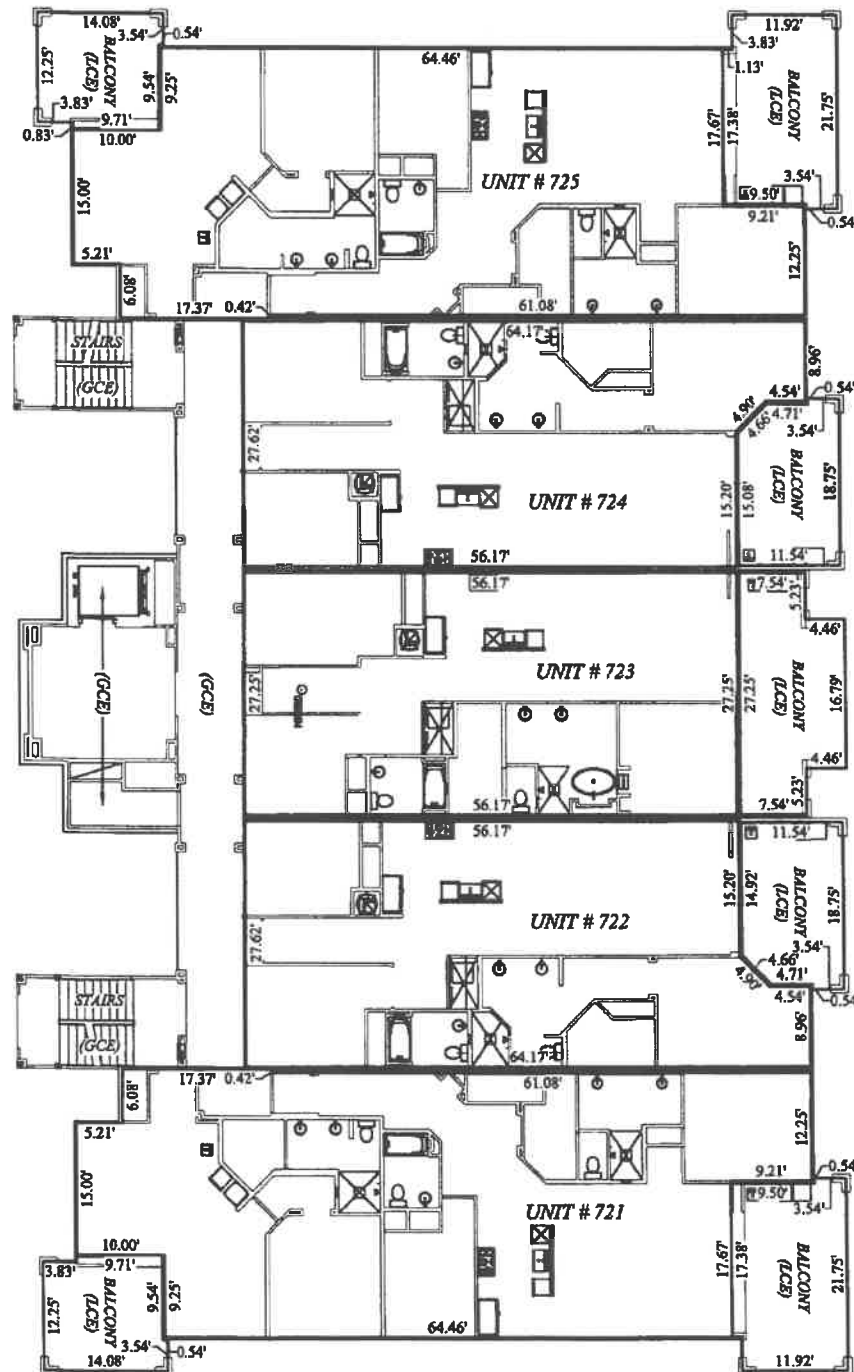
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**HORSESHOE BAY**

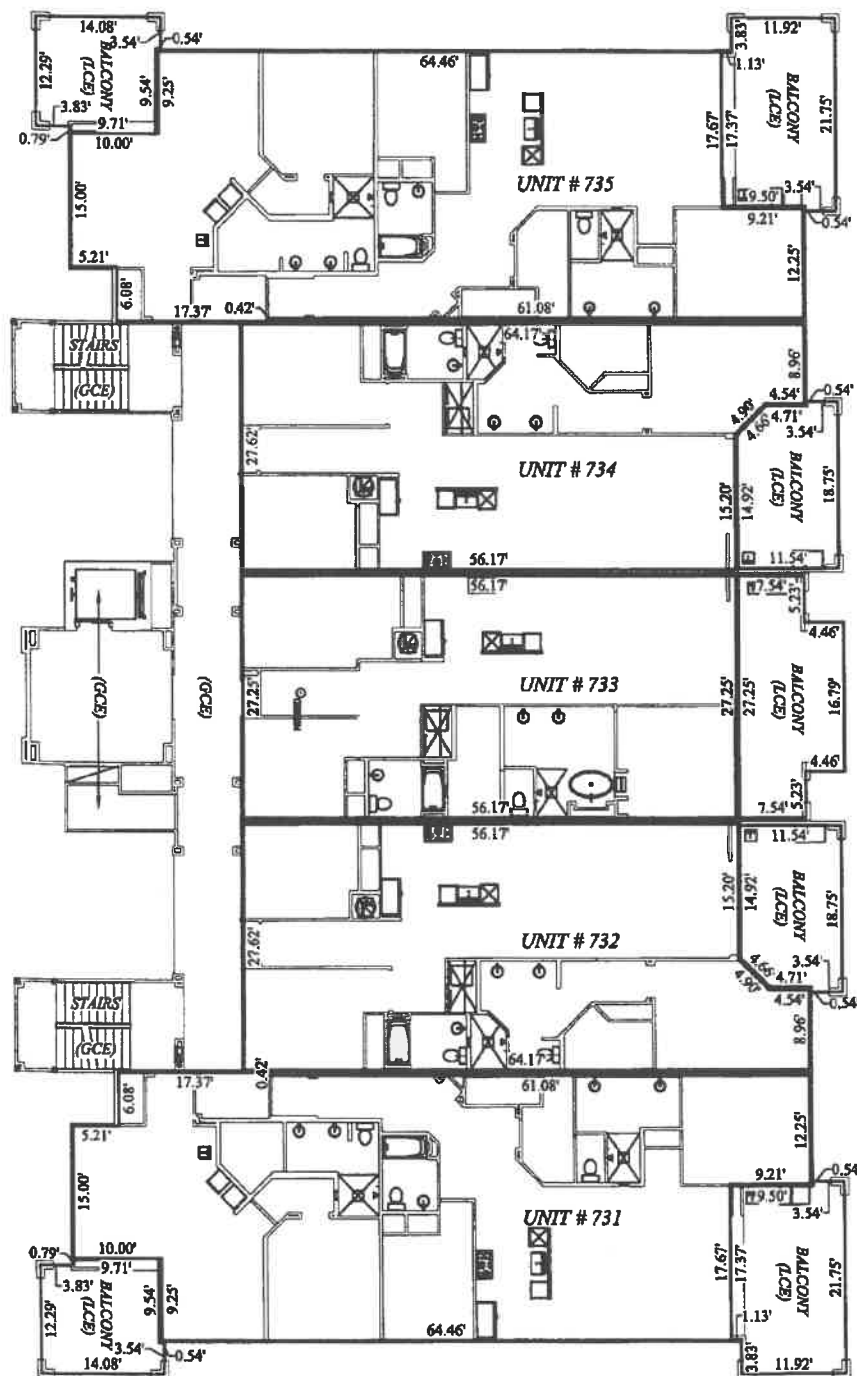
**RESORT CONDOMINIUM PHASE III**  
**BUILDING 7 FIRST FLOOR LIVING AREA**





**APPENDIX "D"**  
**EXHIBIT "C"**  
**THE WATERS AT**  
**HORSESHOE BAY**

**RESORT CONDOMINIUM PHASE III  
BUILDING 7 SECOND FLOOR LIVING AREA**





**APPENDIX "D"**  
**EXHIBIT "C"**  
**THE WATERS AT**  
**HORSESHOE BAY**

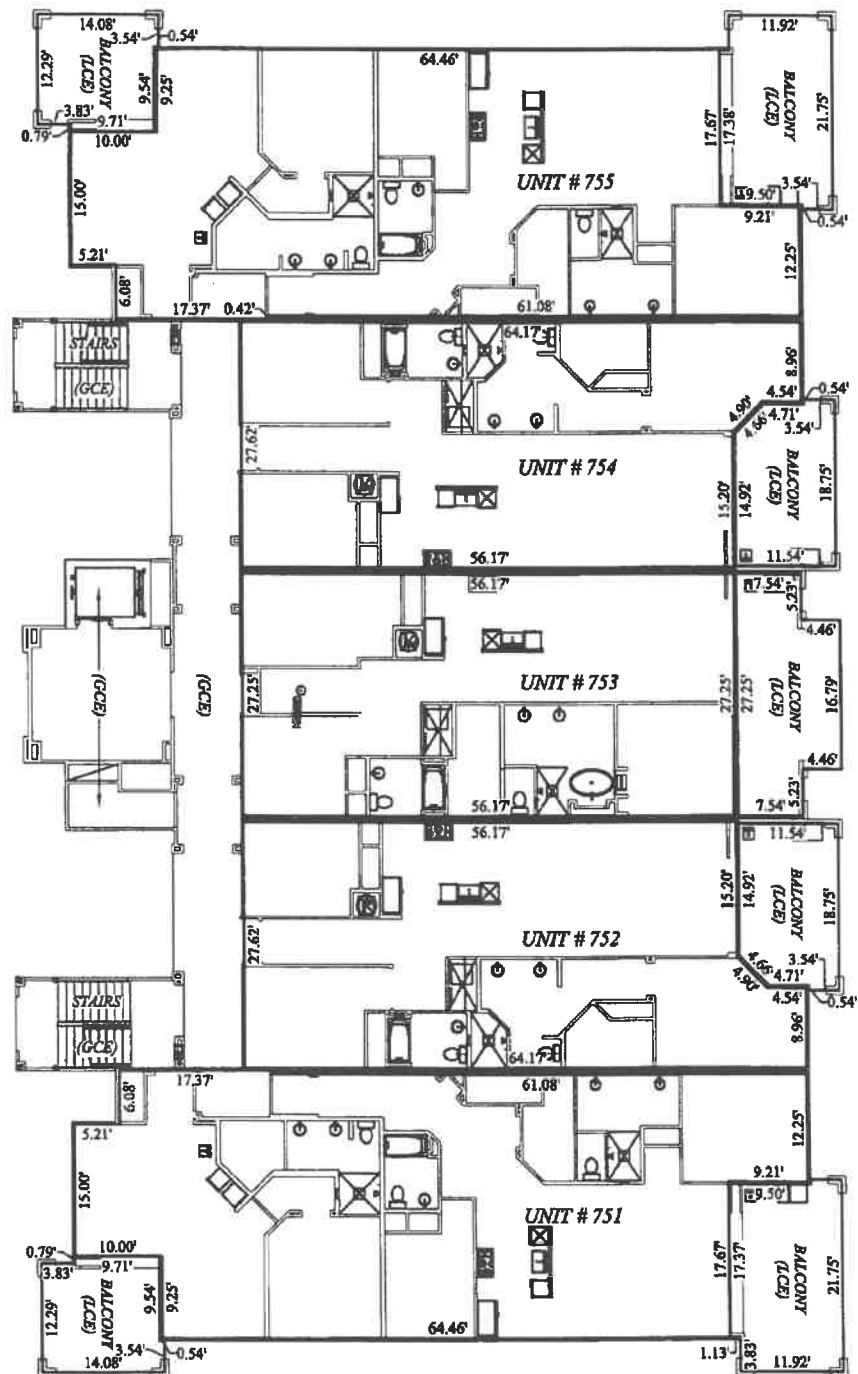
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APPENDIX "D"  
EXHIBIT "C"  
THE WATERS AT  
HORSESHOE BAY  
RESORT CONDOMINIUM PHASE III  
BUILDING 7 FOURTH FLOOR LIVING AREA



Willis - Sherman Associates, Inc.

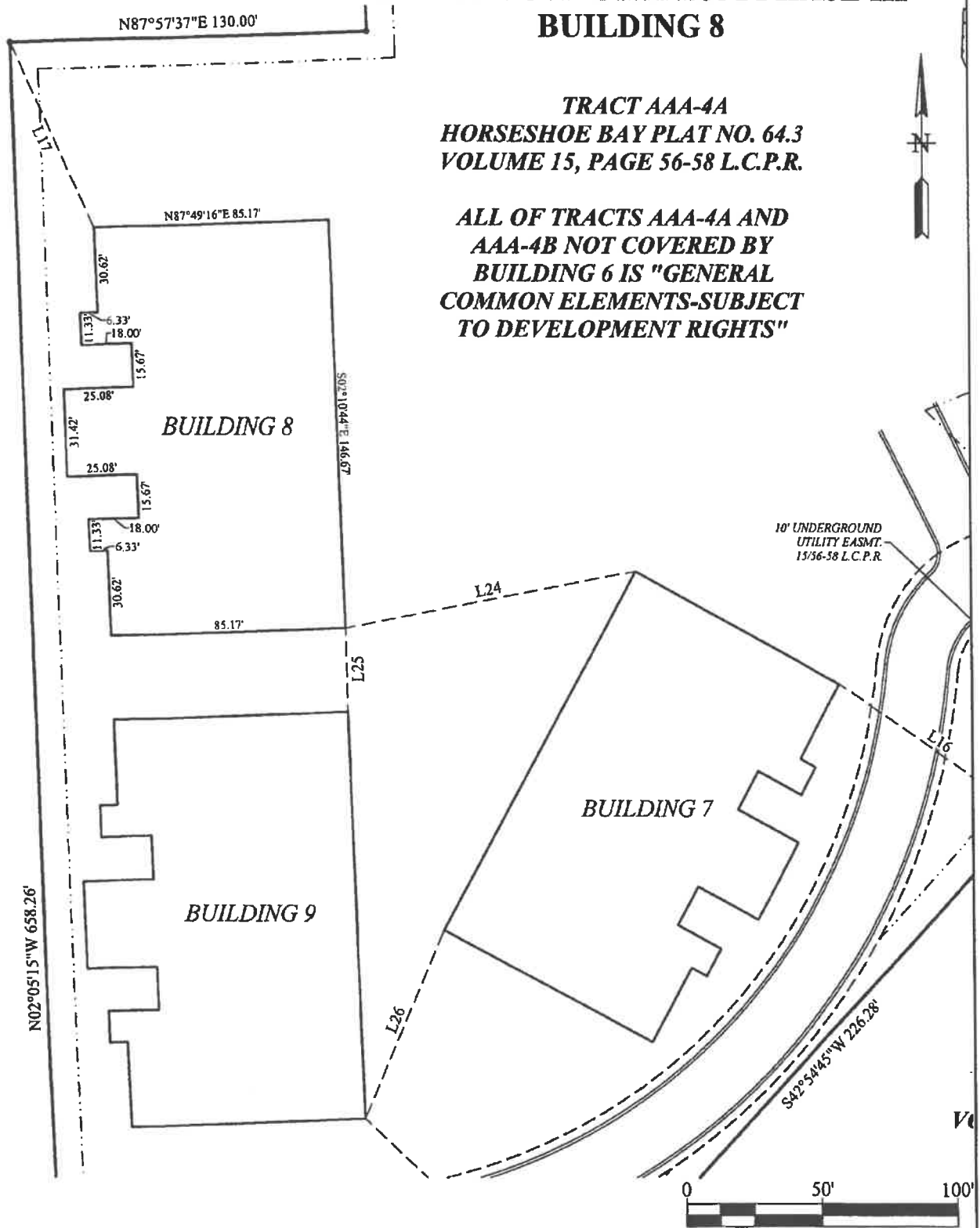


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**EXHIBIT "C"**  
**THE WATERS AT**  
**HORSESHOE BAY**  
**RESORT CONDOMINIUM PHASE III**  
**BUILDING 8**

**TRACT AAA-4A**  
**HORSESHOE BAY PLAT NO. 64.3**  
**VOLUME 15, PAGE 56-58 L.C.P.R.**

**ALL OF TRACTS AAA-4A AND**  
**AAA-4B NOT COVERED BY**  
**BUILDING 6 IS "GENERAL**  
**COMMON ELEMENTS-SUBJECT**  
**TO DEVELOPMENT RIGHTS"**



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**THE WATERS AT**  
**HORSESHOE BAY**  
**RESORT CONDOMINIUM**  
**PHASE III BUILDING 8**  
**PODIUM PARKING/STORAGE**

**NOTES:**

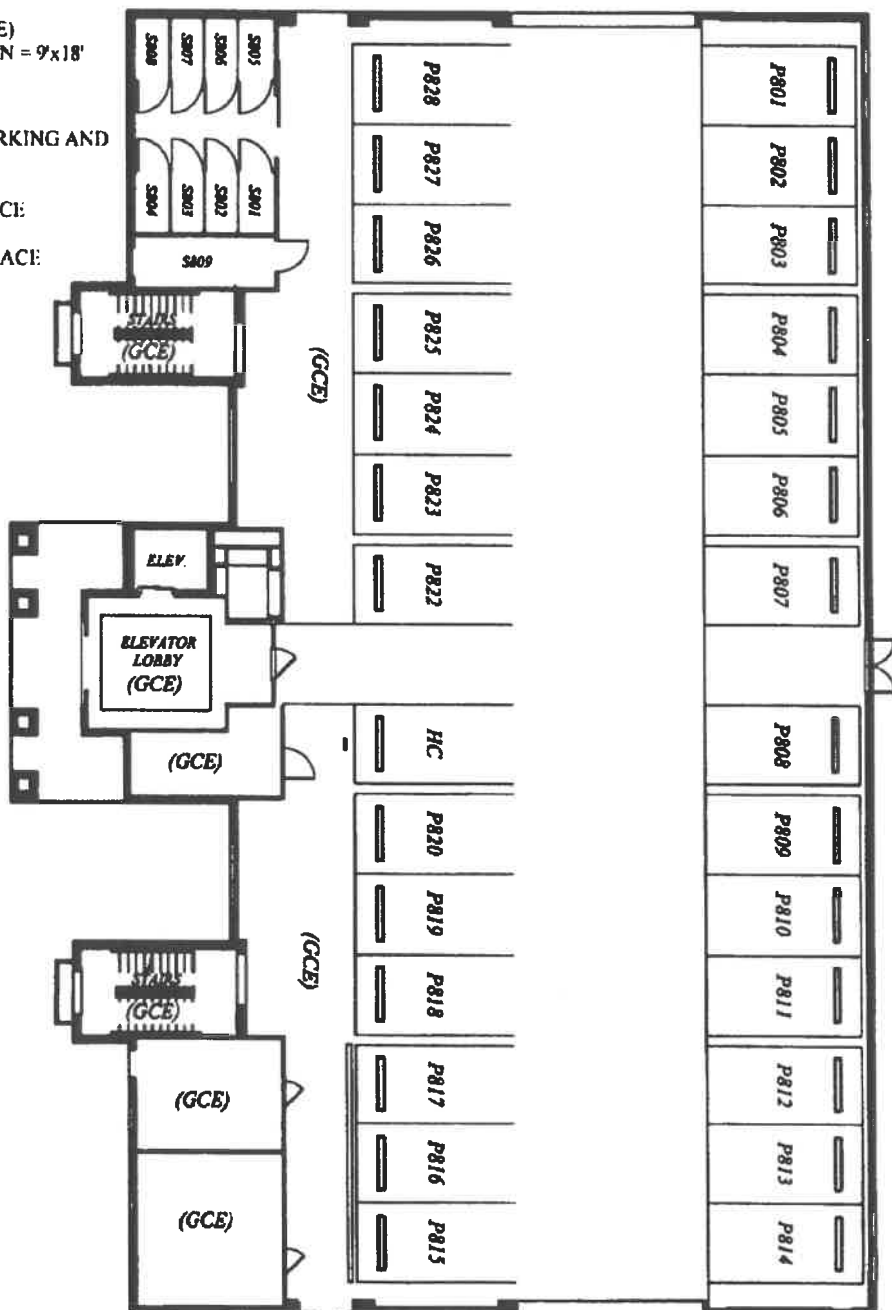
1. ALL PARKING AND STORAGE SPACES SHOWN HEREON ARE LIMITED COMMON ELEMENTS (LCE)
2. GENERAL COMMON ELEMENTS (GCE)
3. TYPICAL PARKING SPACE DIMENSION = 9'x18'

**EXHIBIT "A"**

**LIMITED COMMON ELEMENT PODIUM PARKING AND STORAGE CODE:**

**P- PODIUM PARKING - FOLLOWED BY SPACE NUMBER**

**S- STORAGE - FOLLOWED BY STORAGE SPACE NUMBER**





**APPENDIX "D"**  
**EXHIBIT "C"**  
**THE WATERS AT**  
**HORSESHOE BAY**

[illegible]

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**APPENDIX "D"**  
**EXHIBIT "C"**  
**THE WATERS AT**  
**HORSESHOE BAY**

[illegible]

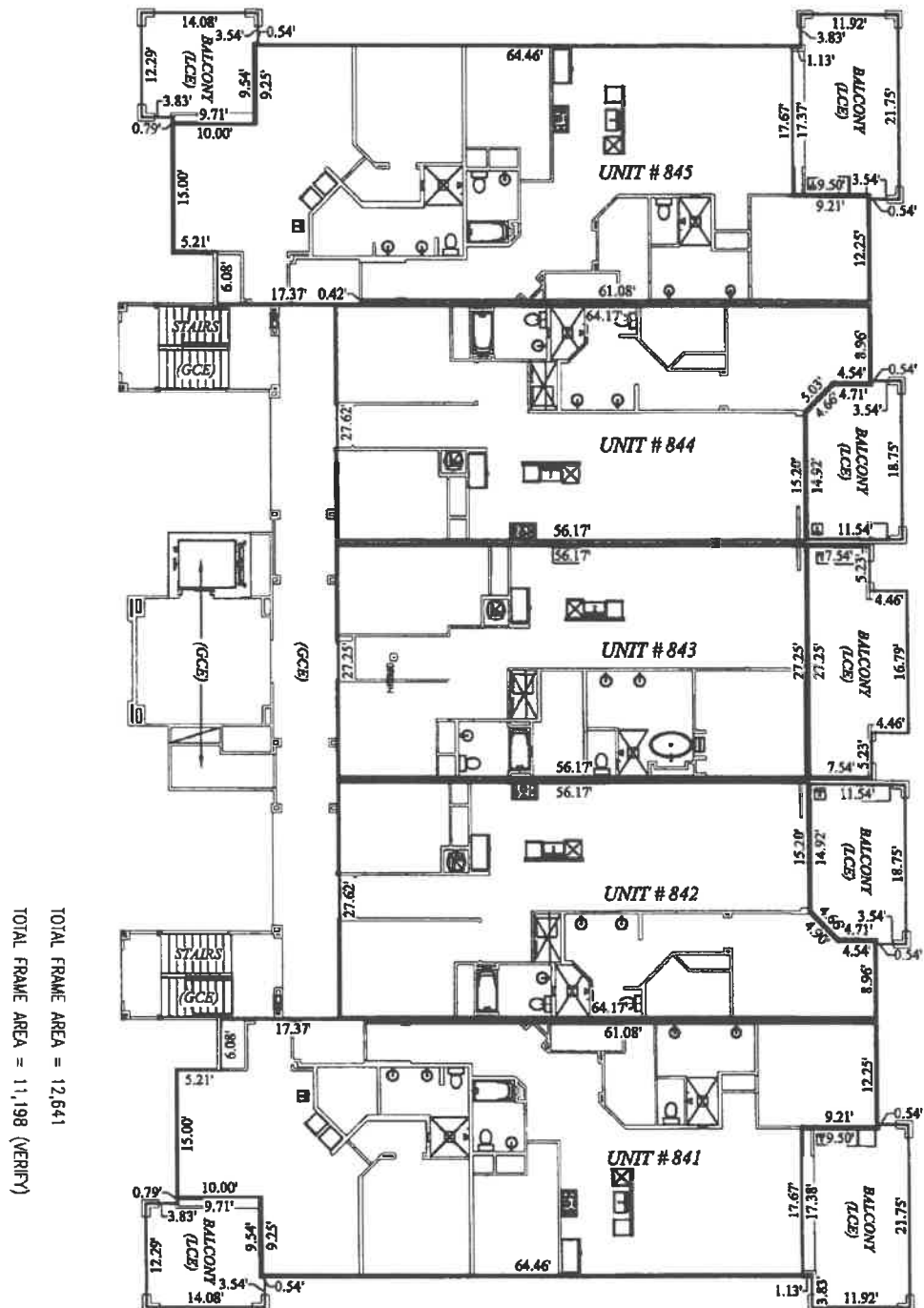
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**LAND SURVEYORS AND PLANNERS**  
**310 MAIN • MARBLE FALLS, TEXAS • 78654**  
**(830) 693-3566 FAX (830) 693-5362**  
**FIRM NUMBER: 10027600**

*Inc.*  
NERS  
78654  
-5362

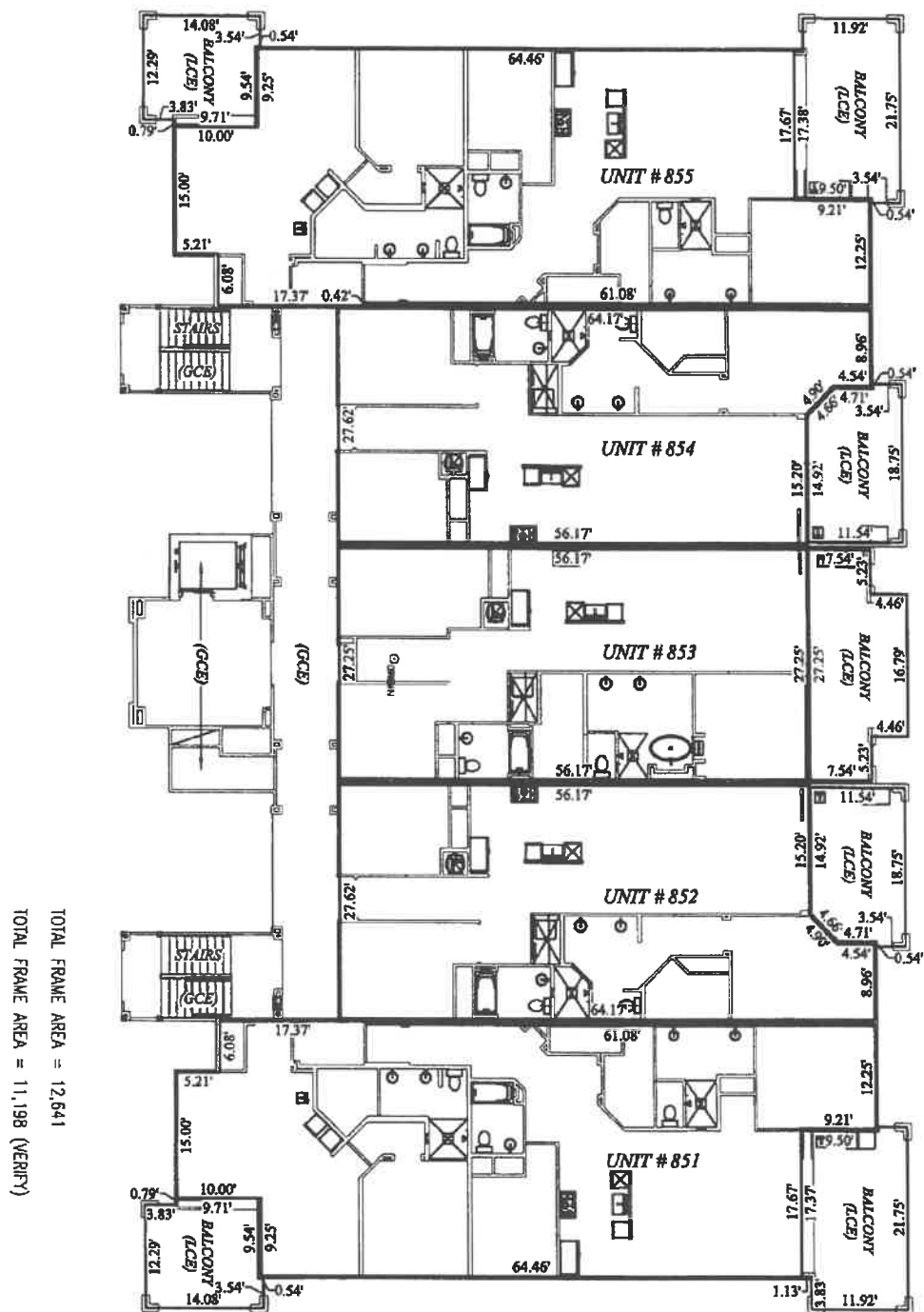
**APPENDIX "D"  
EXHIBIT "C"  
THE WATERS AT  
HORSESHOE BAY  
RESORT CONDOMINIUM PHASE III  
BUILDING 8 THIRD FLOOR LIVING AREA**





**APPENDIX "D"**  
**EXHIBIT "C"**  
**THE WATERS AT**  
**HORSESHOE BAY**

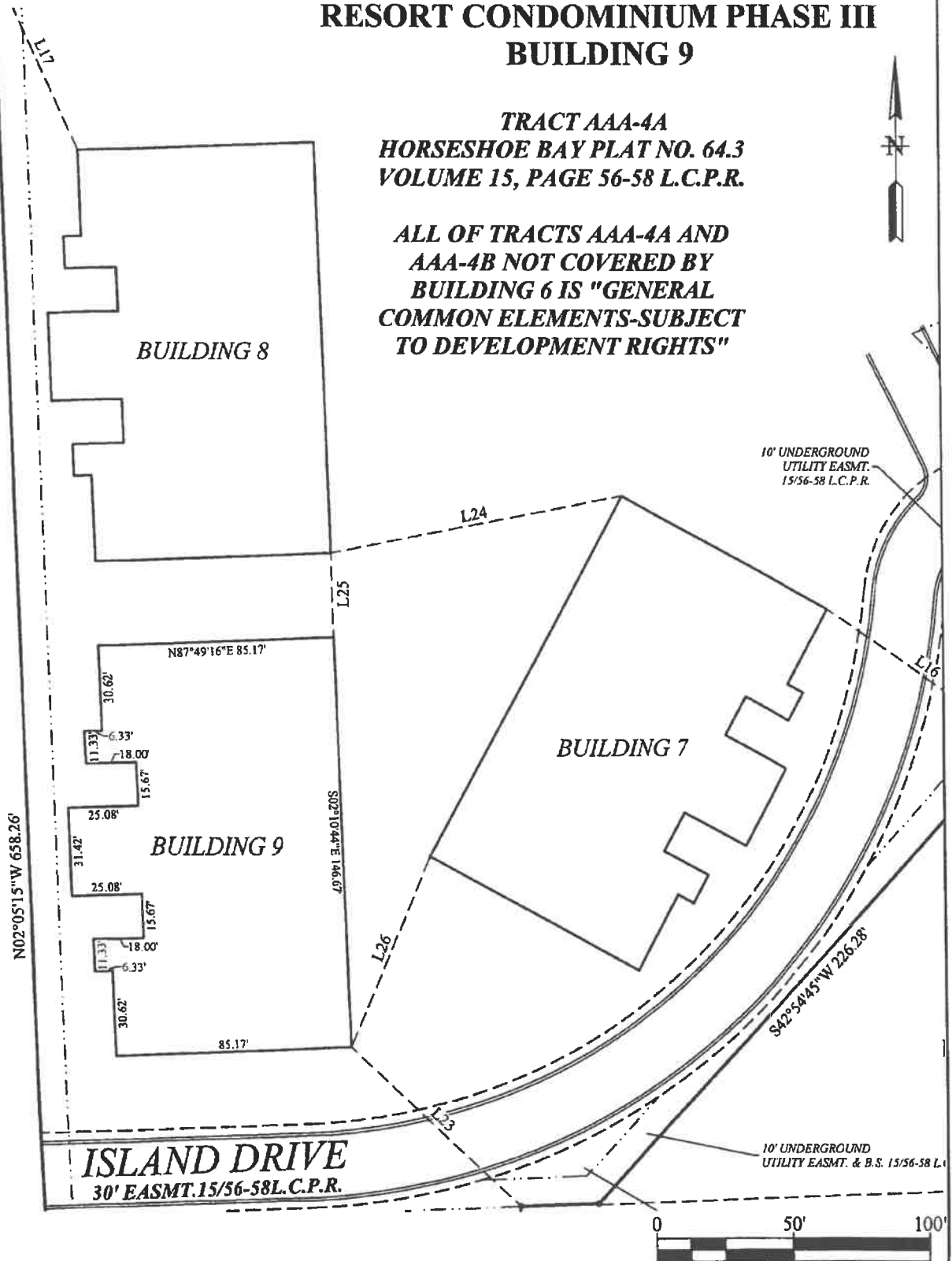
**RESORT CONDOMINIUM PHASE III  
BUILDING 8 FOURTH FLOOR LIVING AREA**





**APPENDIX "D"**  
**EXHIBIT "C"**  
**THE WATERS AT**  
**HORSESHOE BAY**  
**RESORT CONDOMINIUM PHASE III**  
**BUILDING 9**

**ALL OF TRACTS AAA-4A AND  
AAA-4B NOT COVERED BY  
BUILDING 6 IS "GENERAL  
COMMON ELEMENTS-SUBJECT  
TO DEVELOPMENT RIGHTS"**



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**APPENDIX "D"**  
**EXHIBIT "C"**  
**THE WATERS AT**  
**HORSESHOE BAY**  
**RESORT CONDOMINIUM**  
**PHASE III BUILDING 9**  
**PODIUM PARKING/STORAGE**

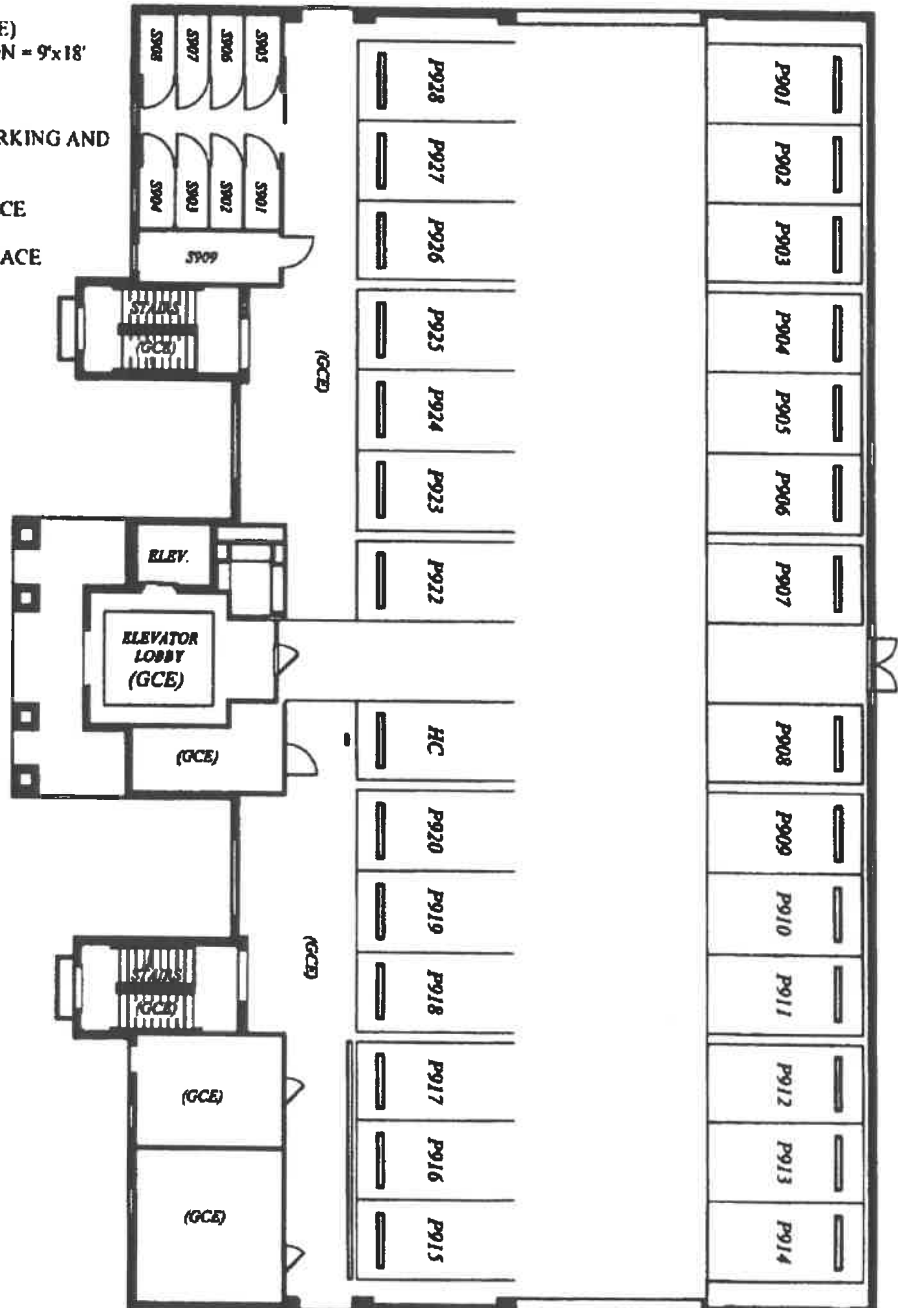
**NOTES:**

1. ALL PARKING AND STORAGE SPACES SHOWN HEREON ARE LIMITED COMMON ELEMENTS (LCE)
2. GENERAL COMMON ELEMENTS (GCE)
3. TYPICAL PARKING SPACE DIMENSION = 9'x18'

**EXHIBIT "A"**

**LIMITED COMMON ELEMENT PODIUM PARKING AND STORAGE CODE:**

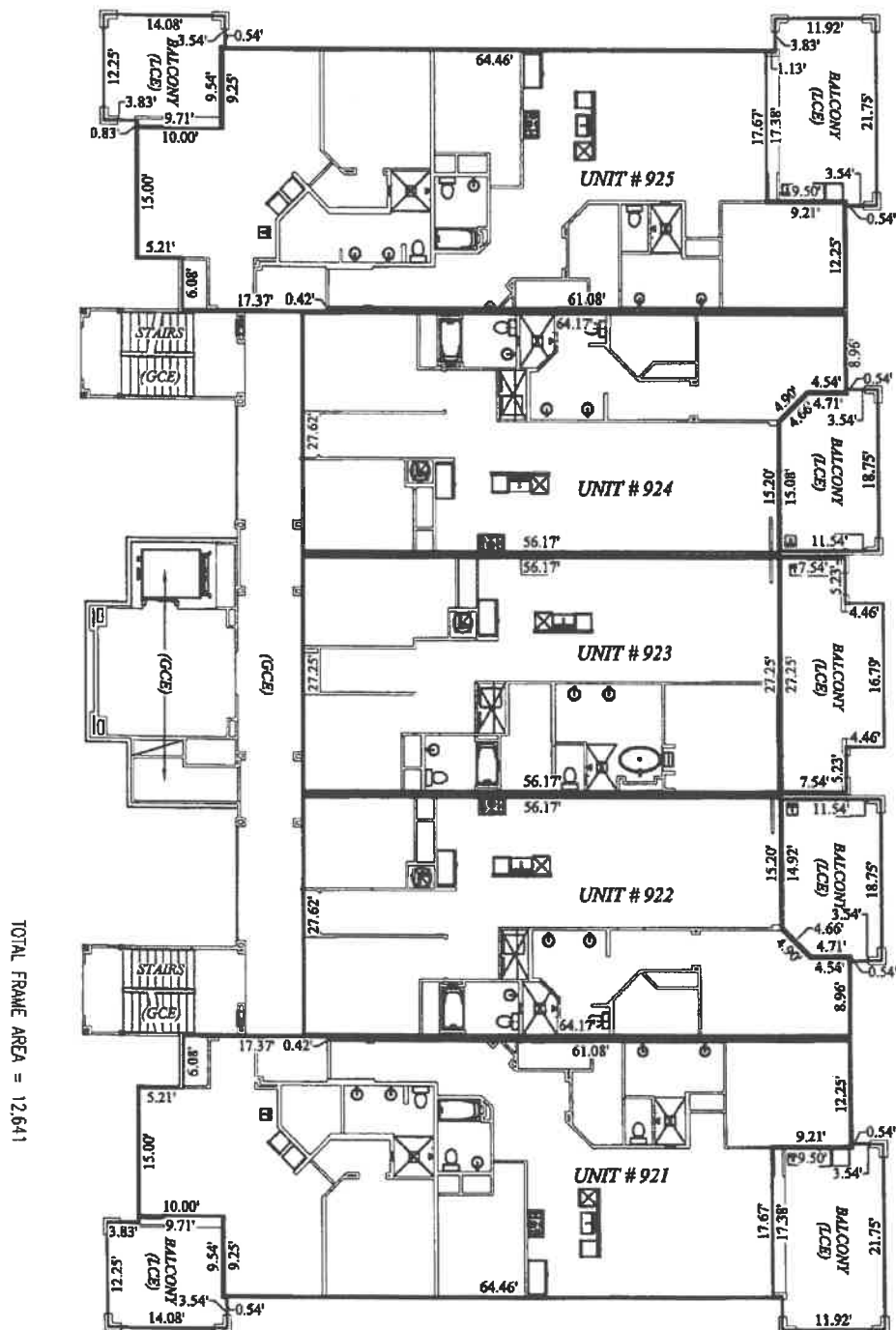
**P- PODIUM PARKING - FOLLOWED BY SPACE NUMBER**  
**S- STORAGE - FOLLOWED BY STORAGE SPACE NUMBER**





**APPENDIX "D"**  
**EXHIBIT "C"**  
**THE WATERS AT**  
**HORSESHOE BAY**

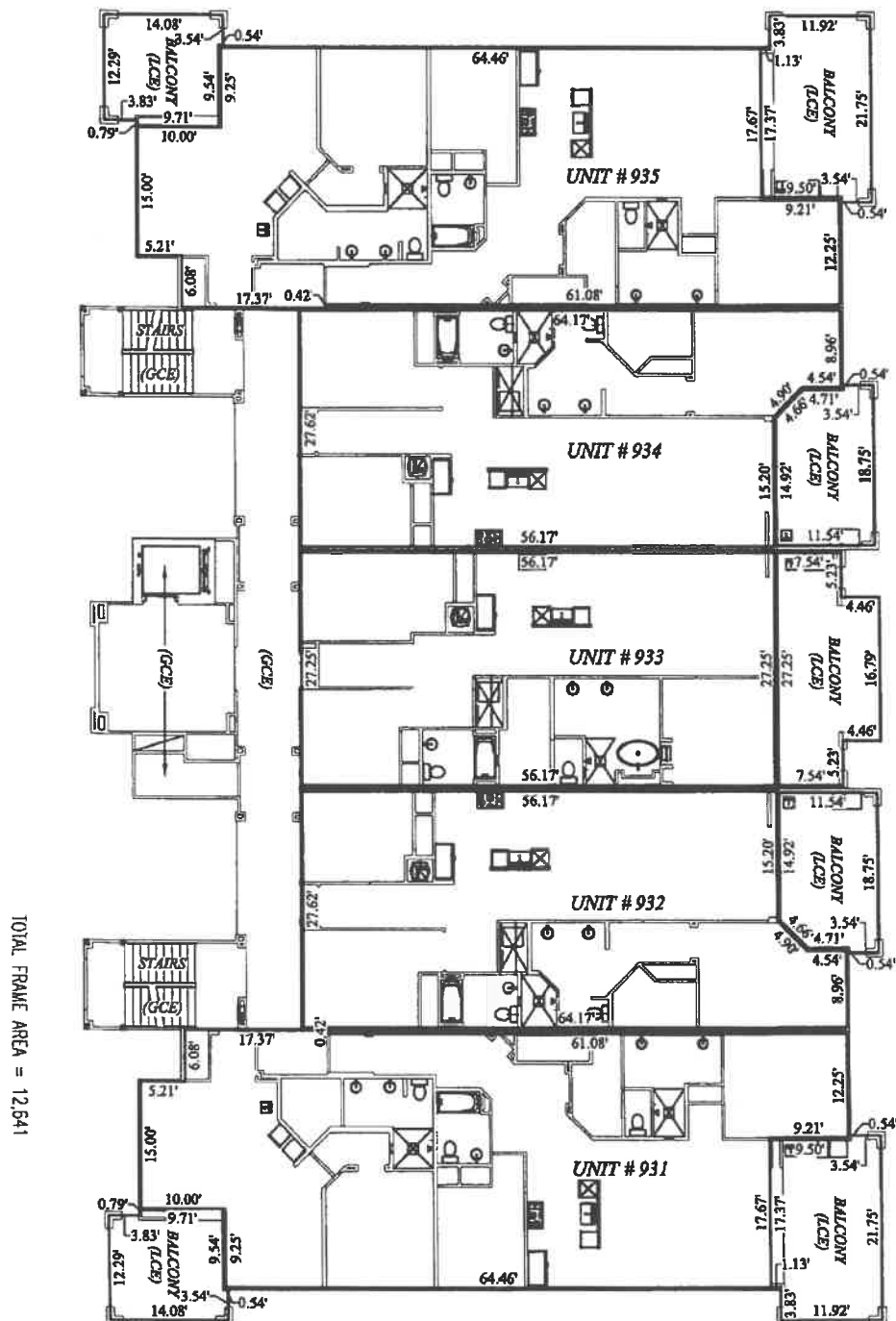
**RESORT CONDOMINIUM PHASE III  
BUILDING 9 FIRST FLOOR LIVING AREA**





**APPENDIX "D"**  
**EXHIBIT "C"**  
**THE WATERS AT**  
**HORSESHOE BAY**

**RESORT CONDOMINIUM PHASE III  
BUILDING 9 SECOND FLOOR LIVING AREA**



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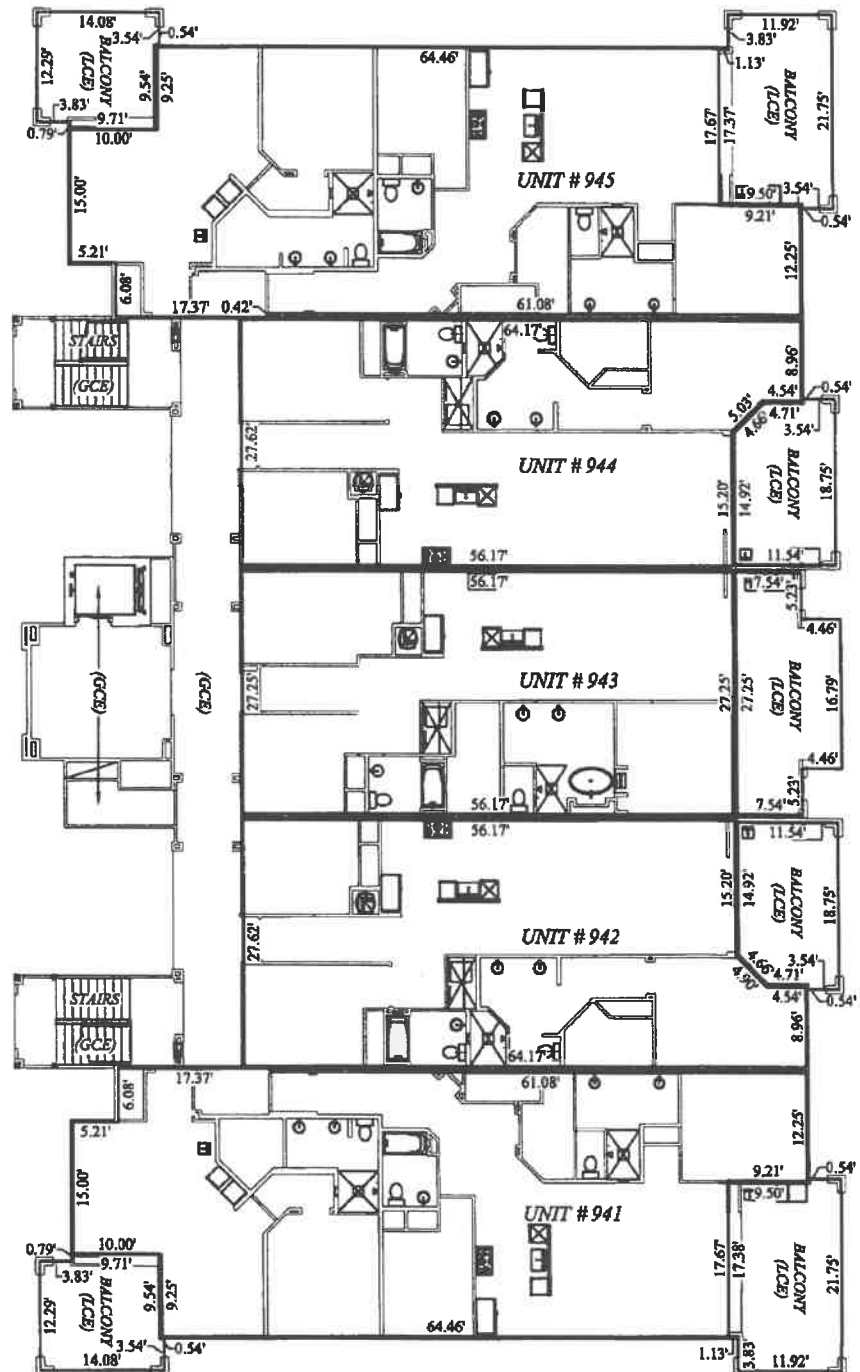


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# APPENDIX "D" EXHIBIT "C" THE WATERS AT HORSESHOE BAY

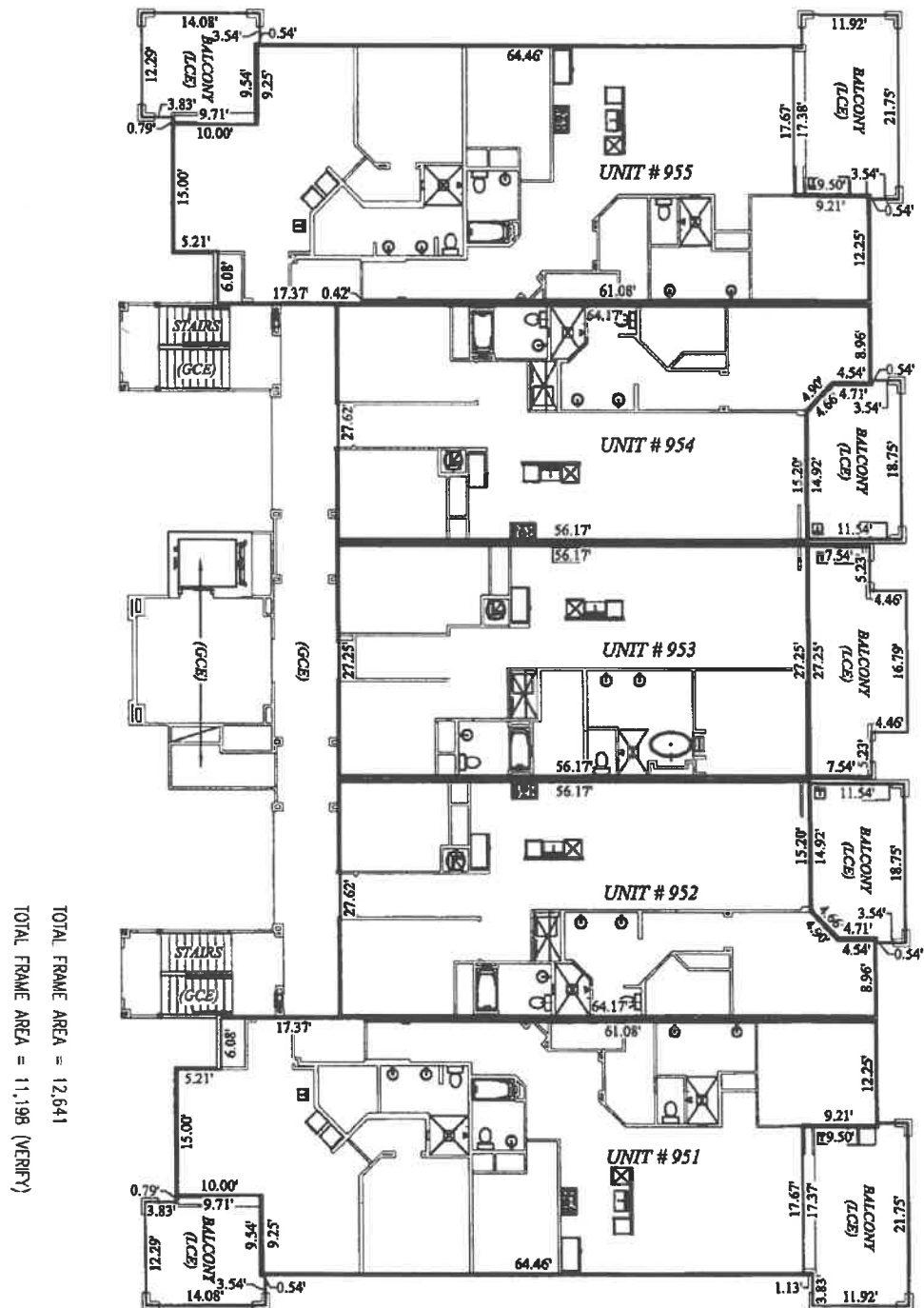
## RESORT CONDOMINIUM PHASE III BUILDING 9 THIRD FLOOR LIVING AREA

TOTAL FRAME AREA = 12,541  
TOTAL FRAME AREA = 11,198 (VERIFY)





**APPENDIX "D"**  
**EXHIBIT "C"**  
**THE WATERS AT**  
**HORSESHOE BAY**  
**RESORT CONDOMINIUM PHASE III**  
**BUILDING 9 FOURTH FLOOR LIVING AREA**



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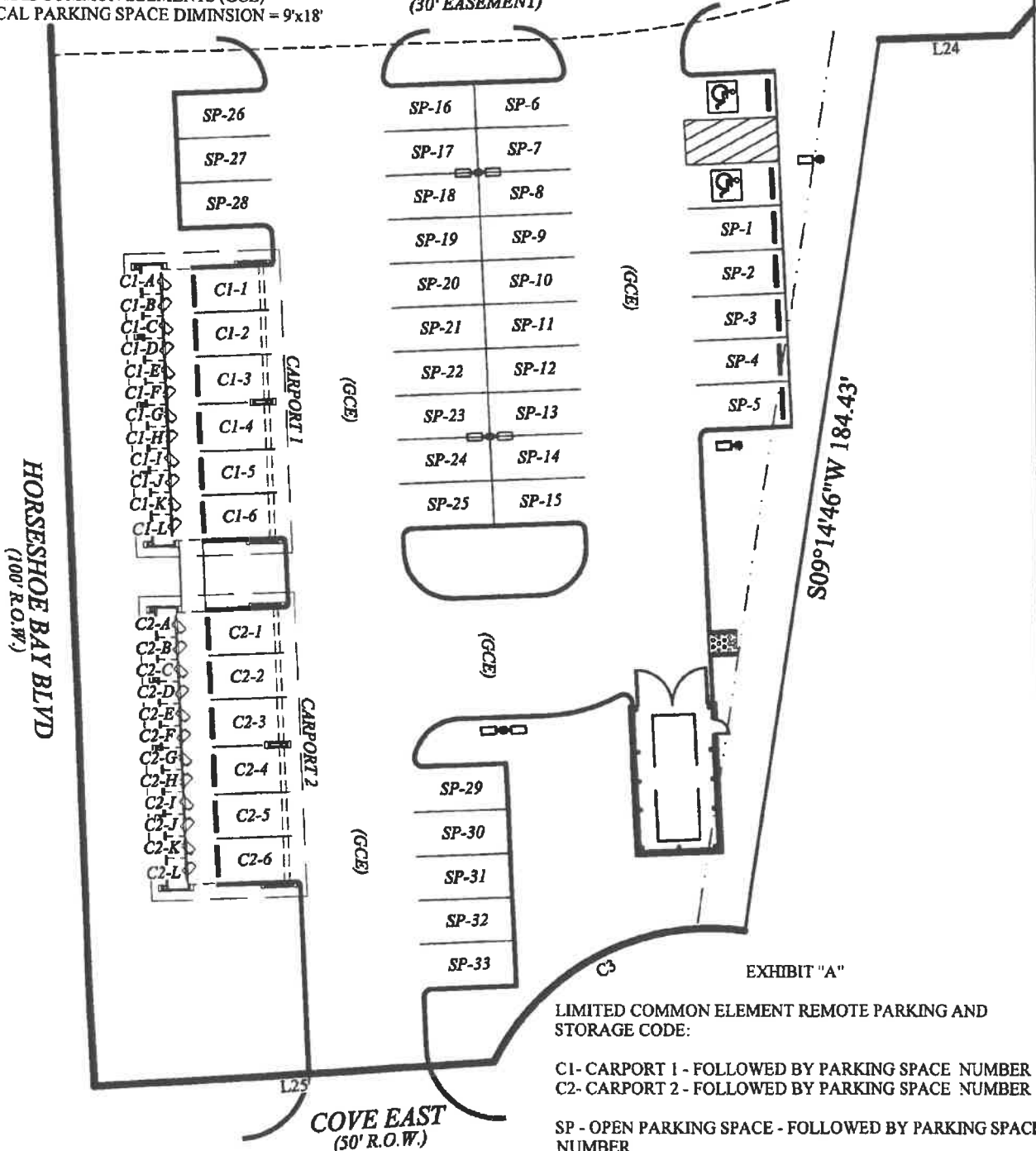
APPENDIX "D"  
EXHIBIT "C"  
THE WATERS AT  
HORSESHOE BAY

RESORT CONDOMINIUM PHASE III  
LIMITED COMMON ELEMENT REMOTE  
PARKING SPACES AND STORAGE

NOTES:

1. ALL PARKING AND STORAGE SPACES SHOWN HEREON ARE LIMITED COMMON ELEMENTS (LCE)
2. GENERAL COMMON ELEMENTS (GCE)
3. TYPICAL PARKING SPACE DIMENSION = 9'x18'

ISLAND DRIVE  
(30' EASEMENT)



LIMITED COMMON ELEMENT REMOTE PARKING AND STORAGE CODE:

C1 - CARPORT 1 - FOLLOWED BY PARKING SPACE NUMBER  
C2 - CARPORT 2 - FOLLOWED BY PARKING SPACE NUMBER

SP - OPEN PARKING SPACE - FOLLOWED BY PARKING SPACE NUMBER

C1 - CARPORT 1 - FOLLOWED BY STORAGE SPACE LETTER  
C2 - CARPORT 2 - FOLLOWED BY STORAGE SPACE LETTER