



Dyana Limon-Mercado

Dyana Limon-Mercado, County Clerk
Travis County, Texas

Dec 01, 2023 08:25 AM Fee: \$38.00

2023134470

Electronically Recorded

STATE OF TEXAS §
COUNTY OF TRAVIS §

**AMENDMENT TO THE AMENDED AND
RESTATED DECLARATION FOR CONDOMINIUM REGIME FOR
THE PENINSULA ON LAKE AUSTIN PHASE ONE AND PHASE TWO**

Reference is hereby made to the **Amended and Restated Declaration for Condominium Regime for The Peninsula on Lake Austin Phase One and Phase Two**, filed of record in Vol. 12441 Page 1217 of the Real Property Records of Travis County, Texas (May 19, 1995) (together with all subsequent amendments, the "**Declaration**").

WHEREAS the Members of the **THE PENINSULA ON LAKE AUSTIN COMMON AREA COUNCIL OF OWNERS, INC.** ("**Association**") have voted to approve the attached exhibit to the Declaration establishing certain limited common elements and access rights thereto, in the Peninsula on Lake Austin condominium regime, such vote having been approved by 67% of all voting interest as required by Texas Property Code §82.067, and by 60% of the voting interest in Phase I and 60% of the voting interest in Phase II as required by Declaration §6.14, Exhibit A attached hereto is hereby adopted as an amendment to the Declaration. To the extent of any conflict with prior Declaration provisions, this amendment shall control.

THE PENINSULA ON LAKE AUSTIN COMMON COUNCIL OF OWNERS, INC.

Acting by and through its Board of Directors

Filed of record by Niemann & Heyer LLP, attorneys and authorized agents, filing in accordance with Chapter 202, Texas Property Code

By:

Connie N. Heyer
Connie N. Heyer

Acknowledgement

STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was executed before me on the 30th day of November, 2023 by Connie N. Heyer in the capacity stated above.

Elizabeth A. Escamilla
Notary Public, State of Texas

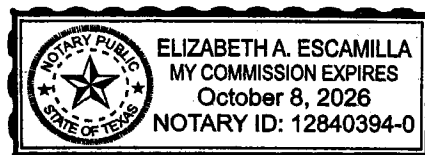


EXHIBIT A

Unit 14 must submit plans and receive written permission from the Association prior to altering landscaping in the Limited Common Area adjacent to Unit 14. The limited common area adjacent to Unit 14 is also an access area for Owners, residents and invitees of Units 12, 13 and 14 for purposes of pedestrian access to and from the pool area. Notwithstanding, Units 12 and 13 may not use this access route and must use an alternate route to the pool should there be more than 10 individuals (cumulatively, including residents of a unit and their guests) accessing the pool (for example but without limitation, for a party). Further, if Unit 14 residents are entertaining guests or invitees outside in this Limited Common Element area, Units 12 and 13 must use alternate access to the pool area. Association contractors may also use the access area to the east of Unit 14 to access the pool/peninsula area for maintenance.

Subject to the limitations above, Units 12 and 13 shall have pedestrian access from the rear/east side of their units, along the path adjacent to the south boat docks, and to the peninsula area, as further identified by the arrow on the below diagram. Nothing shall be placed or stored on such path which unreasonably inhibits pedestrian access or unreasonably inhibits the loading or unloading of boats and water-related recreational equipment on and off boats while docked.

No Unit owner may change the appearance of the common elements, including the limited common elements assigned hereby, without prior written approval of the board of directors of the Association. The board may delegate in writing such approval authority related to landscape maintenance and design oversight to a committee established by the Board¹. The Association, or its written designee, shall have sole right and responsibility of maintenance of the landscaped areas of the peninsula (including the pool and adjacent landscaped areas – as further identified by the cross-hatched areas in the below diagram.) At the time of adoption of this document, the peninsula contains four mature palm trees on the south end of the peninsula, the general location of which is identified by “x”s on the first map attachment hereto. These palm trees will not be removed by the Association unless they die, are diseased, or removal is otherwise recommended by a certified arborist retained by the Association.

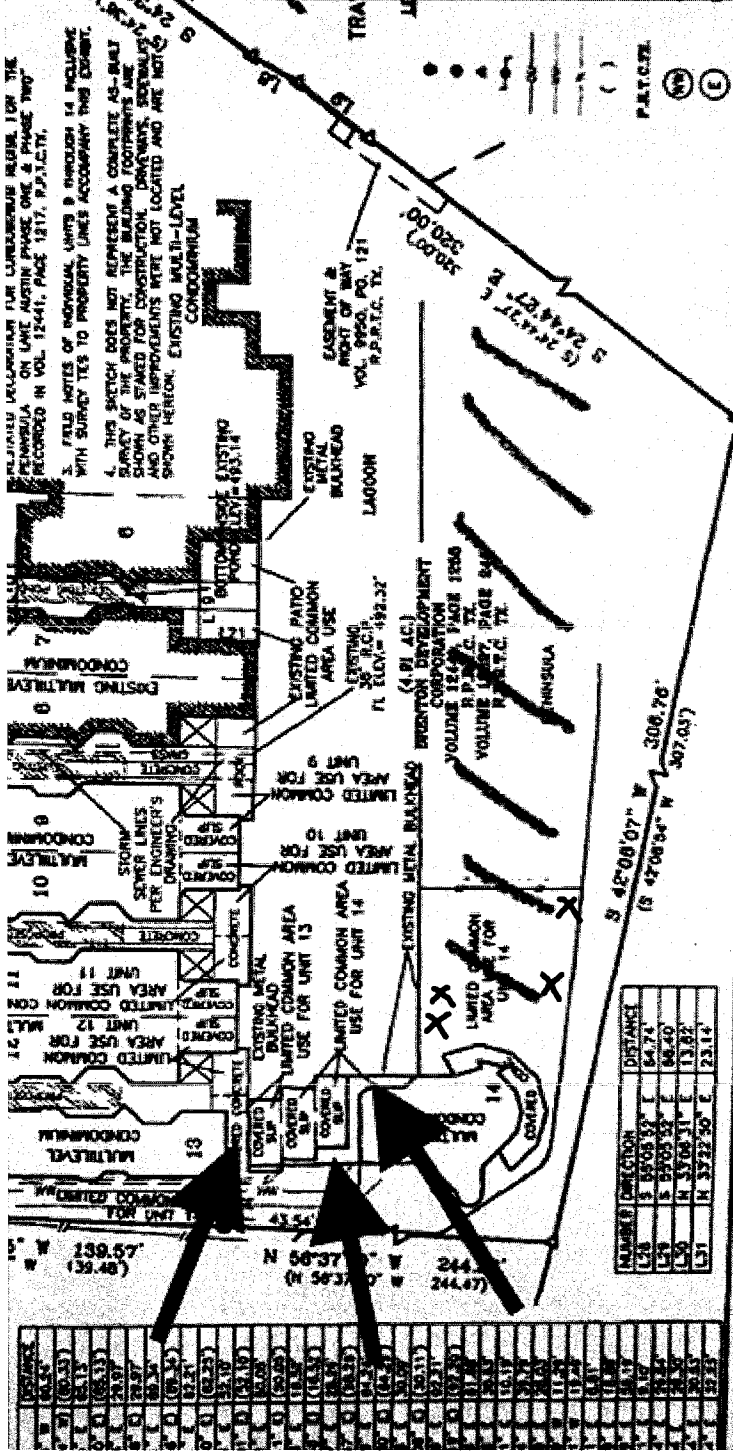
Exhibits²:

Map (cross hatched and with arrows to further identify areas noted above)

Map designating Limited Common Elements

¹At the time of filing of this instrument, the following committee has been established for these purposes: “POLA Landscaping Committee.”

²The map designating Limited Common Elements is for purposes of assigning Limited Common Elements to Units 9-14 and does not accurately represent all structures on the Property, including without limitation a second bridge exists to the peninsula, between Units 8 and 9.



RELATIVE TO THE SURVEY FOR THE PENINSULA ON UNIT AUSTIN PHASE ONE AS SHOWN ON RECORD IN VOL. 12441, PAGE 1217, P.P. 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

3. FIELD NOTES OF INDIVIDUAL UNITS B THROUGH 14 INCLUDING WITH SURVEY TIES TO PROPERTY LINES ACCORDING TO THIS EXHIBIT.

4. THIS SKETCH DOES NOT REPRESENT A COMPLETE AS-BUILT SURVEY OF THE PROPERTY. THE BUILDING FOOTPRINTS ARE SHOWN AS STAKED FOR CONSTRUCTION. DRIVEWAYS, SIDEWALKS, AND UTILITY IMPROVEMENTS WERE NOT LOCATED AND ARE NOT SHOWN HEREON. EXISTING MULTI-LEVEL CONDOMINIUM.

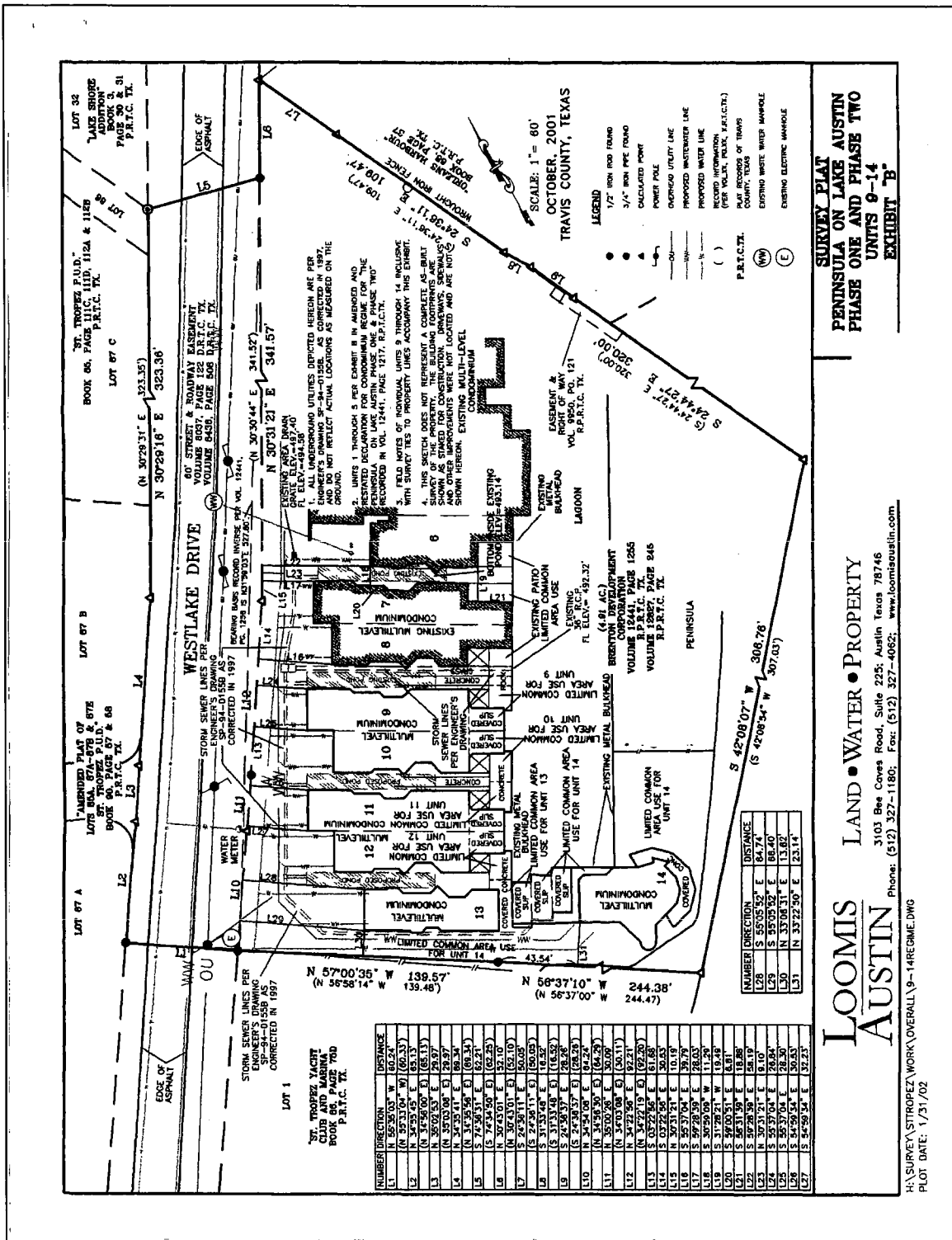
**LOOMIS
AUSTIN**

LAND • WATER • PROPERTY

3103 Bee Coves Road, Suite 225; Austin Texas 78746
Phone: (512) 327-1180; Fax: (512) 327-4082; www.loomisauustin.com

**SURVEY
PENINSULA ON
PHASE ONE AND
UNITS
EXHIBIT**

LOPEZ \WORK\DYDBALL\9-14REDUCED.DWG
1/7/02



SURVEY PLAT
PENINSULA ON LAKE AUSTIN
PHASE ONE AND PHASE TWO
UNITS 9-14
EXHIBIT 'B'

LOOMIS LAND • WATER • PROPERTY
AUSTIN
 3103 Bee Coves Road, Suite 225, Austin Texas 78746
 Phone: (512) 322-1180; Fax: (512) 322-4052; www.loomisustin.com

H:\SURVEY\STITROPEZ\WORK\OVERALL\9-14REGIME.DWG
 PLOT DATE: 1/31/02

NUMBER	DIRECTION	DISTANCE
L1	N 56°30'00" W	102.24'
L2	N 34°23'54" E	153.13'
L3	N 35°02'53" E	129.97'
L4	N 33°58'54" E	108.84'
L5	S 74°54'50" E	102.23'
L6	N 50°43'01" E	152.10'
L7	S 24°31'11" E	152.10'
L8	S 31°33'48" E	116.92'
L9	S 24°36'37" E	128.28'
L10	N 34°58'30" E	104.29'
L11	N 35°00'26" E	100.69'
L12	N 34°50'08" E	100.11'
L13	N 33°27'19" E	117.68'
L14	S 03°22'56" E	100.83'
L15	N 30°31'21" E	100.19'
L16	S 55°37'04" E	139.79'
L17	S 59°28'59" E	120.03'
L18	S 31°28'21" E	110.48'
L19	S 57°00'51" E	18.81'
L20	S 46°31'59" E	118.26'
L21	S 59°28'59" E	158.19'
L22	N 30°31'21" E	110.10'
L23	S 55°37'04" E	139.79'
L24	S 44°59'54" E	130.53'
L25	S 44°59'54" E	130.53'
L26	S 44°59'54" E	130.53'
L27	S 44°59'54" E	130.53'

NUMBER	DIRECTION	DISTANCE
L28	S 55°37'04" E	139.79'
L29	N 33°28'31" E	113.89'
L30	N 33°22'30" E	123.14'

STORM SEWER LINES PER ENGINEER'S DRAWING SP-94-D1558 AS CORRECTED IN 1997

STORM SEWER LINES PER ENGINEER'S DRAWING SP-94-D1558 AS CORRECTED IN 1997

STORM SEWER LINES PER ENGINEER'S DRAWING SP-94-D1558 AS CORRECTED IN 1997

ST. TROPEZ P.L.D., LOT 32 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 31 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 30 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 29 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 28 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 27 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 26 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 25 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 24 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 23 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 22 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 21 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 20 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 19 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 18 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 17 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 16 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 15 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 14 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 13 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 12 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 11 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 10 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 9 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 8 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 7 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 6 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 5 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 4 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 3 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 2 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 1 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 0 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31

ST. TROPEZ P.L.D., LOT 0 LAKE SHORES ADDITION P.A.T.C. TX. PAGE 30 & 31