# 2013018165 Electronically Recorded

Official Public Records

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2013 Feb 28 01:49 PM
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Williamson County Texas

# FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME FOR THE PRESERVE AT MAYFIELD RANCH CONDOMINIUMS

This First Amendment to Declaration of Condominium Regime for The Preserve at Mayfield Ranch Condominiums (the "Amendment") is made Allen Group II, LLC, a Mississippi limited liability company D/B/A The Preserve at Mayfield Ranch, LLC ("Declarant"), and is as follows:

#### RECITALS:

- A. The Preserve at Mayfield Ranch Condominiums, a condominium regime (the "Regime"), located in Williamson County, Texas, was established pursuant to that certain <u>Declaration of Condominium Regime for The Preserve at Mayfield Ranch Condominiums</u>, recorded as Document No. 2013005392, in the Official Public Records of Williamson County, Texas (the "Declaration").
- B. Pursuant to *Provision A.3.10(v)* of <u>Appendix "A"</u> to the Declaration, Declarant, during the Development Period, may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to subdivide, combine or reconfigure Units, or convert Units into Common Elements, in the exercise of statutory development rights.
- C. Pursuant to Section 82.060 of the Texas Uniform Condominium Act, to exercise a statutory development right, Declarant must prepare execute and record an amendment to the Declaration and record new plats and plans for that real property.
- D. The "Development Period" as such term is defined in the Declaration, is a fifteen (15) year period commencing on the date the Declaration was recorded in the Official Public Records of Williamson County, Texas. The Declaration was recorded in the Official Public Records of Williamson County, Texas, on January 17, 2013; as such, the Development Period has not expired.
- E. Declarant now desires to amend the Declaration to reconfigure the boundaries of Units 228, 230, 232, 234, 401, 403 and 405 in the Regime, as set forth more fully hereinbelow. Declarant is the owners of all the Units in the Regime.

**NOW THEREFORE**, the Declaration is hereby amended as follows:

- 1. Reconfiguration of Units. In accordance with the rights reserved by the Declarant pursuant to Provision A.3.10(v) of Appendix "A" to the Declaration, Declarant hereby reconfigures the boundaries of Units 228, 230, 232, 234, 401, 403 and 405 in the Regime as set forth on the New Plats and Plans (as defined below).
- 2. Replacement of Attachment 1. Attachment 1 to the Declaration is hereby deleted in its entirety and the Plats and Plans attached hereto as Exhibit "A" (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; and (ii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.
- 3. <u>Common Interest/Common Expense Allocation</u>. The Common Interest Allocation and percentage of liability of common expenses shall remain as stated in the Declaration and shall be unaffected by this Amendment.

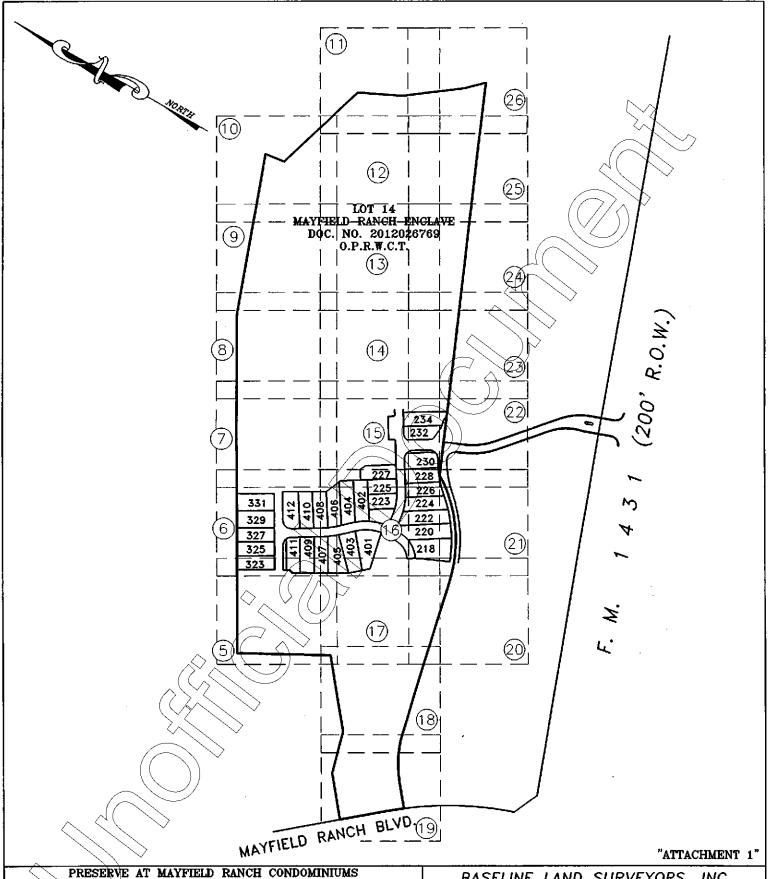
Miscellaneous. Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other, terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed. EXECUTED to be effective as of the 28 day of February , 2013. **DECLARANT**: ALLEN GROUP II, LLC, a Mississippi limited liability company d/b/a THE PRESERVE AT MAYFIELD RANCH, LLC Printed Name:\_ Title: Monager THE STATE OF TEXAS COUNTY OF Laborate § This instrument was acknowledged before me this 28 day of February 2013, by David B. Blackburn, Manager, of Allen Group II, LLC, a Mississippi limited liability company d/b/a The Preserve at Mayfield Ranch/LLC, on behalf of said limited liability company. (SEAL) Notary Public Signature NOTARY PUBLIC ID No. 102132 Corom, expires

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#### EXHIBIT "A"





PRESERVE AT MAYFIELD RANCH CONDOMINIUMS
BEING 26.65 ACRES OF LAND OUT OF THE EPHRAIM EVANS
SURVEY, ABSTRACT NUMBER 212 IN WILLIAMSON COUNTY,
TEXAS AND BEING KNOWN AS LOT 14, BLOCK A,
LOT 14 MAYFIELD RANCH ENCLAVE,
A SUBDIVISION OF RECORD IN DOCUMENT NUMBER
2012026769 OF THE OFFICIAL PUBLIC RECORDS OF
WILLIAMSON COUNTY, TEXAS AS CONVEYED TO
ALLEN GROUP II, LLC BY INSTRUMENT OF RECORD IN
DOCUMENT NUMBER 2007016507 OF THE OFFICIAL PUBLIC
RECORDS OF WILLIAMSON COUNTY, TEXAS

BASELINE LAND SURVEYORS, INC.
PROFESSIONAL LAND SURVEYING SERVICES
8333 CROSS PARK DRIVE

AUSTIN, TEXAS 78757

OFFICE: 512.374.9722 FAX: 512.873.9743 ron-baseline@austin.rr.com

File: S:\\Mayfield\Preserve	h CONDO BASE	
Job No.	Snapshot: Sy-Condo Regime	SHEET
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# "ATTACHMENT-1"

# PRESERVE AT MAYFIELD RANCH CONDOMINIUMS

Plats and Plans

\$ Certification of Surveyor

The attached plats and plans, attached hereto as "Attachment—1" contain the information required by Section 82.059 of the Texas Uniform Condominium Act, as applicable.

Ronnie Wallace R.P.L.S. No. 5222

Date: 20 February 2013

ONNIE WALLACE

5222

SURV

"ATTACHMENT 1"

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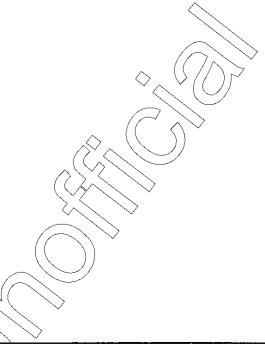
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#### GENERAL NOTES

- 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 "L.C.E." OR UNITS: (i) IN THE DECLARATION OF CONDOMINIUM REGIME FOR PRESERVE AT MAYFIELD RANCH CONDOMINIUMS (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 DÉCLARATION.
- 3.) EACH UNIT, BUILDING, LIMITED COMMON ELEMENT AND GENERAL COMMON ELEMENT IS SUBJECT TO SPECIAL RIGHTS RESERVED BY THE DECLARANT AS PROVIDED IN APPENDIX "A" OF THE DECLARATION OF CONDOMINIUM, REGIME FOR PRESERVE AT MAYFIELD RANCH CONDOMINIUMS. 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 APPENDIX "A" OF THE DECLARATION; (ii) EXERCISE ANY DEVELOPMENT RIGHT PERMITTED BY THE TEXAS UNIFORM CONDOMINIUM ACT AND THE DECLARATION, INCLUDING THE ADDITION OF REAL PROPERTY TO THE REGIME DESCRIBED ON THIS PLAT AS "ADDITIONAL PROPERTY WHICH MAY BE ADDED 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 APPENDIX "A" OF THE DECLARATION; (iii) MAKE THE PROPERTY PART OF A LARGER CONDOMINIUM OR PLANNED COMMUNITY, AS PROVIDED IN APPENDIX "A" OF 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 APPENDIX "A" OF THE DECLARATION, AND (V) APPOINT OR REMOVE ANY DECLARANT-APPOINTED OFFICER OR DIRECTOR OF THE ASSOCIATION DURING THE DECLARANT CONTROL PERIOD (AS DESCRIBED IN THE DECLARATION) CONSISTENT WITH THE TEXAS UNIFORM CONDOMINIUM ACT, AS PROVIDED IN APPENDIX "A" OF THE DECLARATION. AS PROVIDED IN APPENDIX "A" OF 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 AND RESIDENTS. DECLARANT RESERVES AN EASEMENT AND RIGHT TO MAINTAIN, RELOCATE, REPLACE, OR REMOVE THE SAME FROM TIME TO TIME WITHIN THE PROPERTY. AS PROVIDED IN APPENDIX "A" OF THE DECLARATION, DECLARANT HAS AN EASEMENT AND RIGHT OF 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 TEXAS UNIFORM CONDOMINIUM ACT AND THE DECLARATION.



"ATTACHMENT 1"

PRESERVE AT MAYFIELD RANCH CONDOMINIUMS
BEING 26.65 ACRES OF LAND OUT OF THE EPHRAIM EVANS SURVEY, ABSTRACT NUMBER 212 IN WILLIAMSON COUNTY, TEXAS AND BEING KNOWN AS LOT 14, BLOCK A, LOT 14 MAYFIELD RANCH ENCLAVE, A SUBDIVISION OF RECORD IN DOCUMENT NUMBER 2012026769 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS AS CONVEYED TO ALLEN GROUP II, LLC BY INSTRUMENT OF RECORD IN DOCUMENT NUMBER 2007016507 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS

BASELINE LAND SURVEYORS, INC. PROFESSIONAL LAND SURVEYING SERVICES 8333 CROSS PARK DRIVE

> AUSTIN, TEXAS 78757 OFFICE: 512.374.9722 FAX: 512.873.9743 ron-baseline@austin.rr.com

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### **LEGEND**

1/2" IRON REBAR FOUND (UNLESS OTHERWISE\_NOTED)

IRON PIPE FOUND

NAIL FOUND

1/2" IRON REBAR SET W/PLASTIC CAP 0 WHICH READS "BASELINE INC."

CALCULATED POINT ▲

R.O.W. RIGHT-OF-WAY

P.U.E. PUBLIC UTILITY EASEMENT

LIMITED COMMON ELEMENT L.C.E.

G.C.E. GENERAL COMMON ELEMENT

O.R.W.C.T. OFFICIAL RECORDS OF WILLIAMSON) COUNTY, TEXAS P.R.W.C.T. PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS

OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS O.P.R.W.C.T.

ESMT. DPROPOSED WATERLINE EASEMENT

"ATTACHMENT 1"

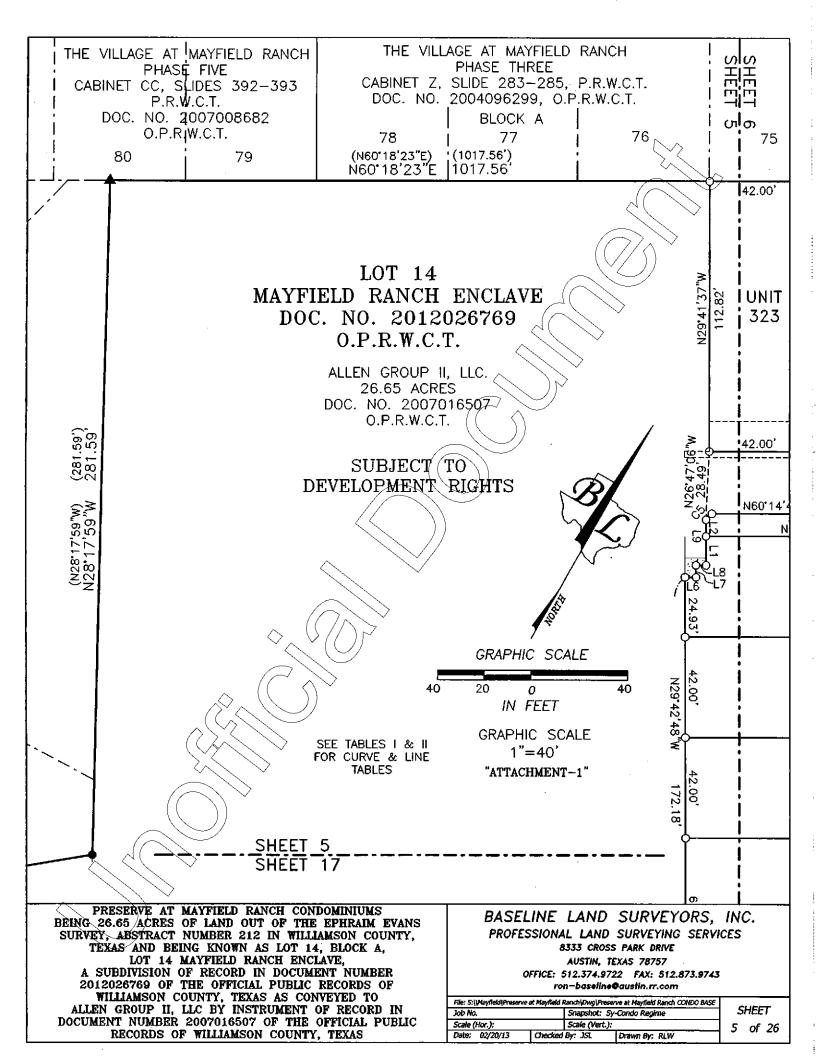
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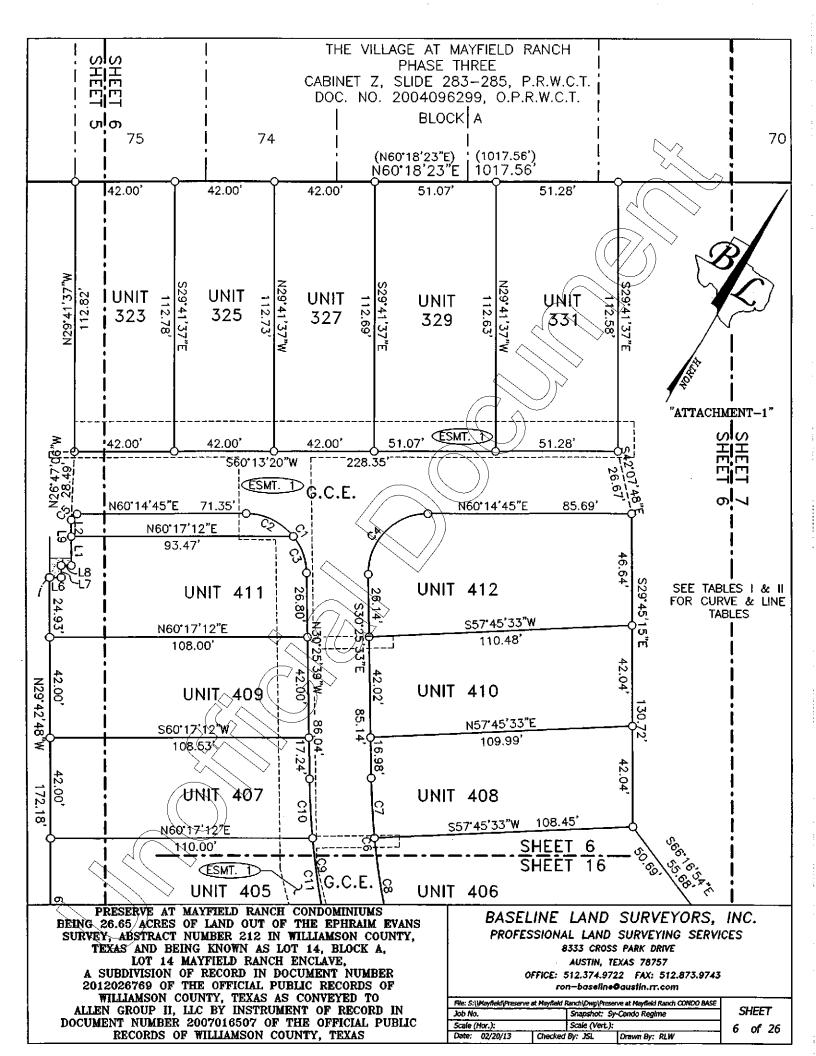
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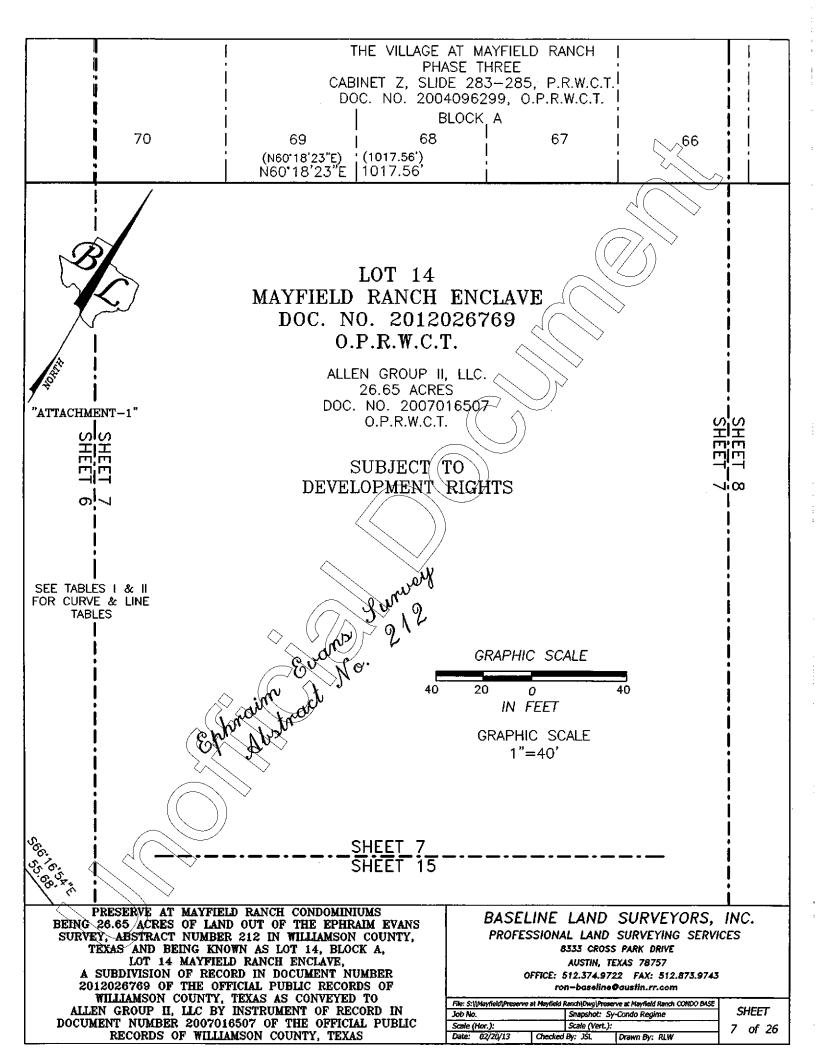
8333 CROSS PARK DRIVE

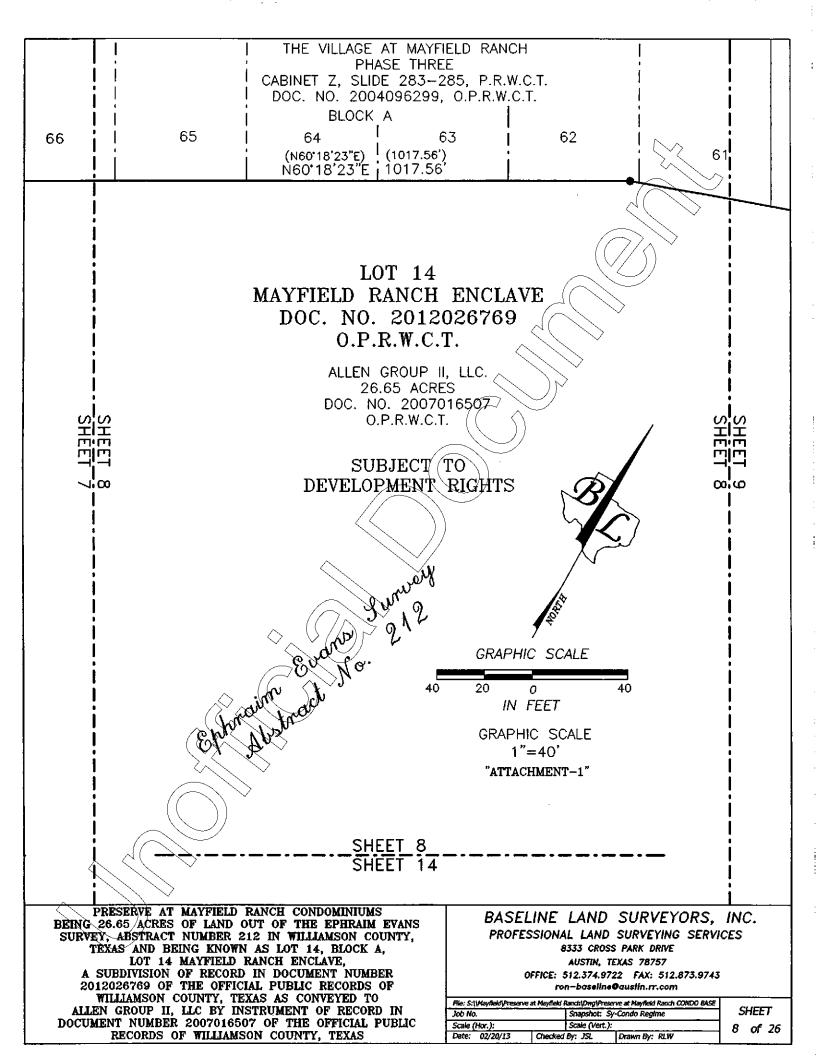
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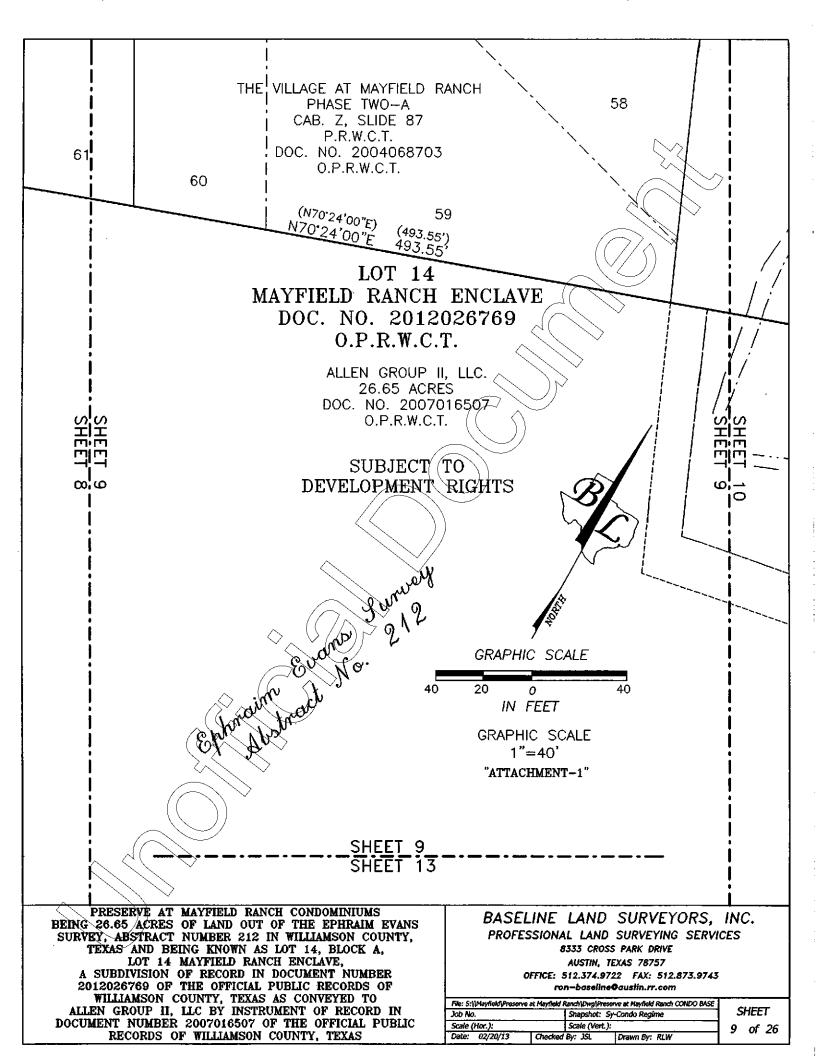
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Date: 02/20/13	Checked	By: JSL	Drawn By: RLW	•	01 20

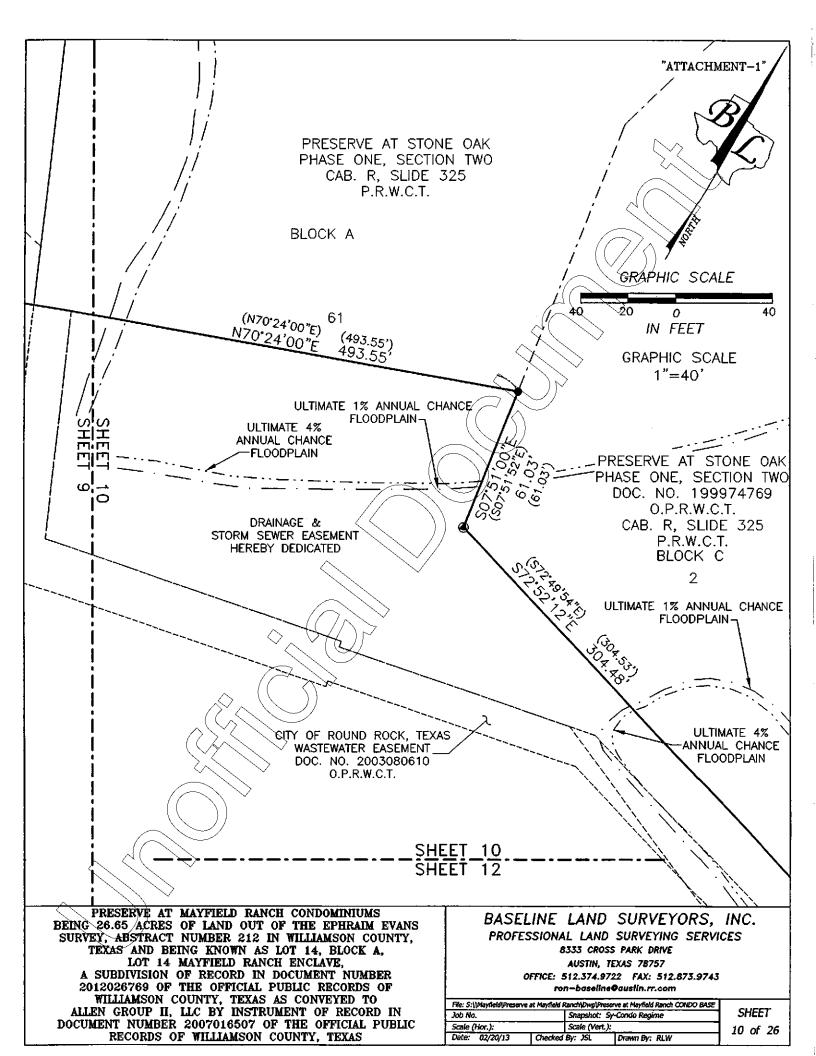


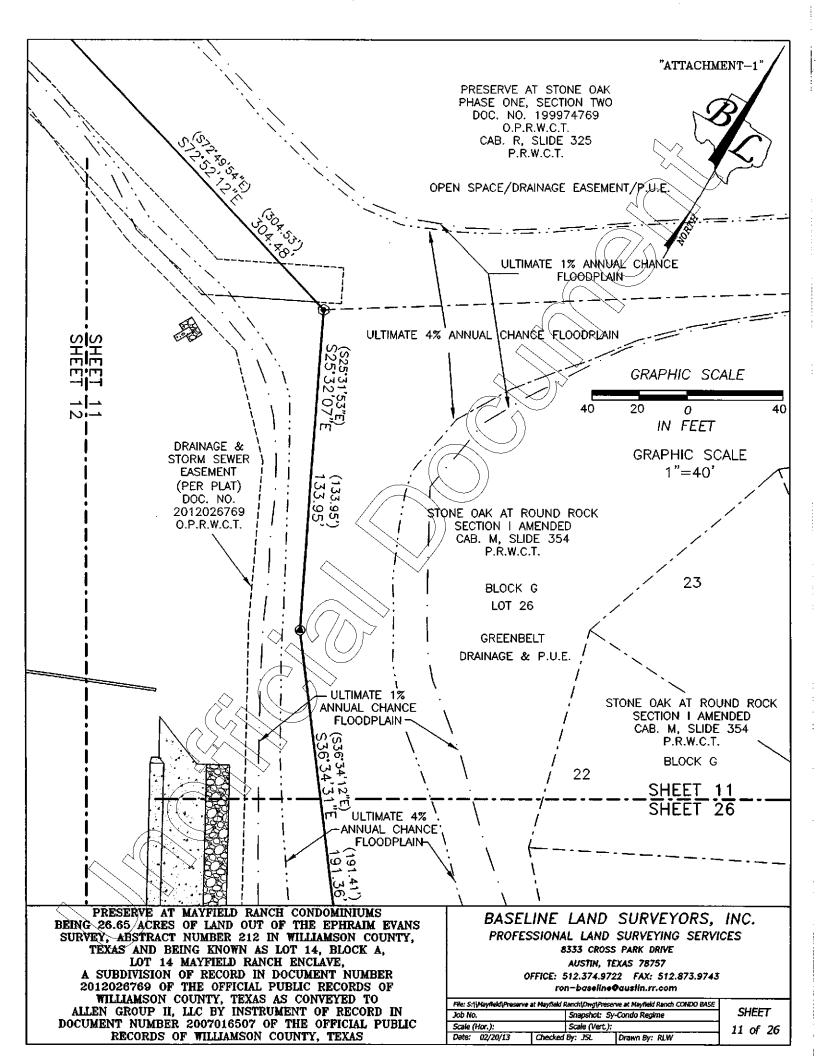


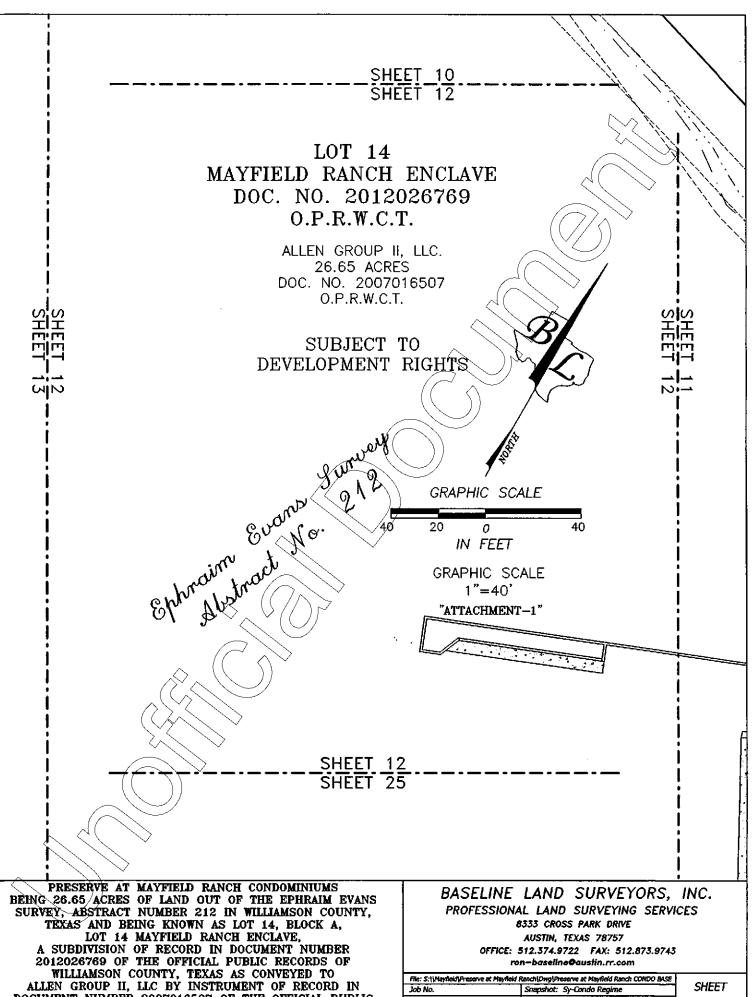












DOCUMENT NUMBER 2007016507 OF THE OFFICIAL PUBLIC

RECORDS OF WILLIAMSON COUNTY, TEXAS

SHEET 12 of 26

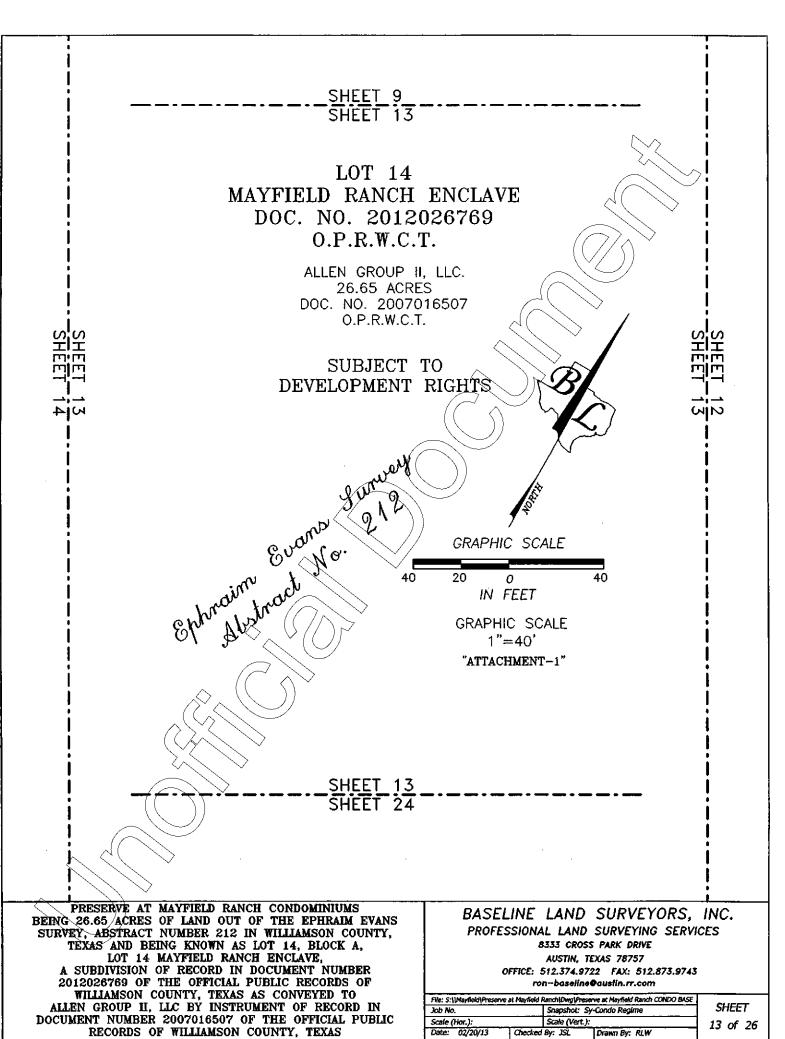
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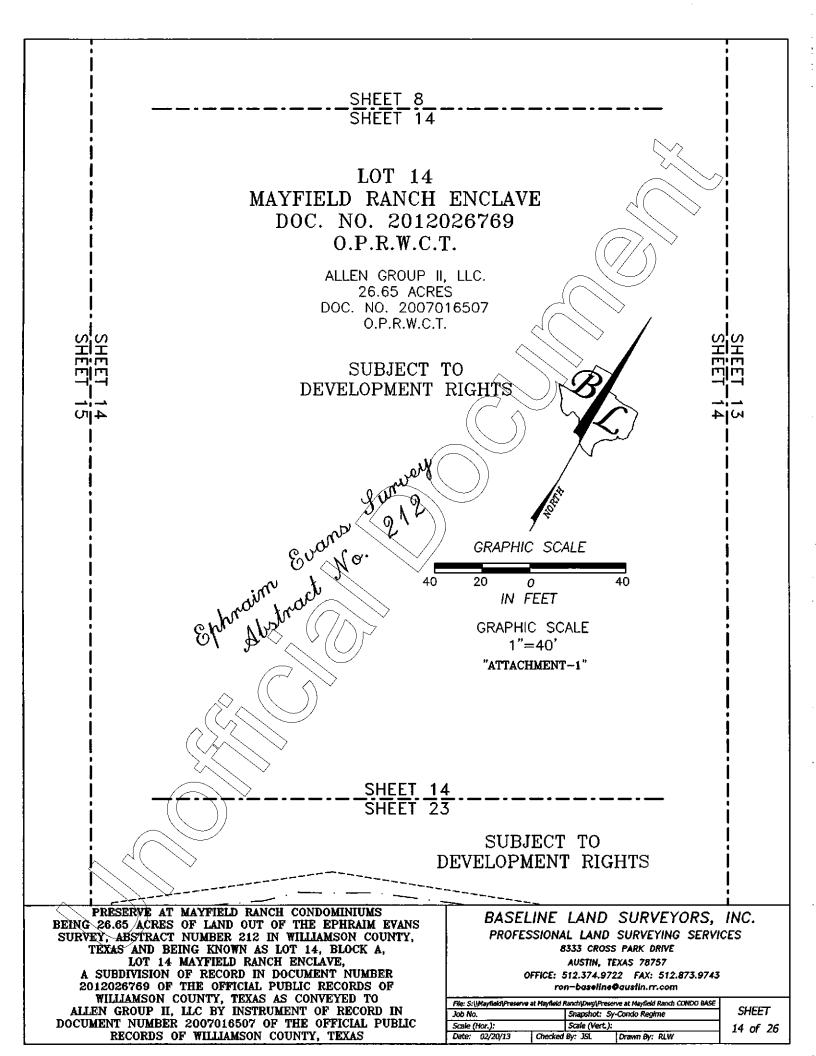
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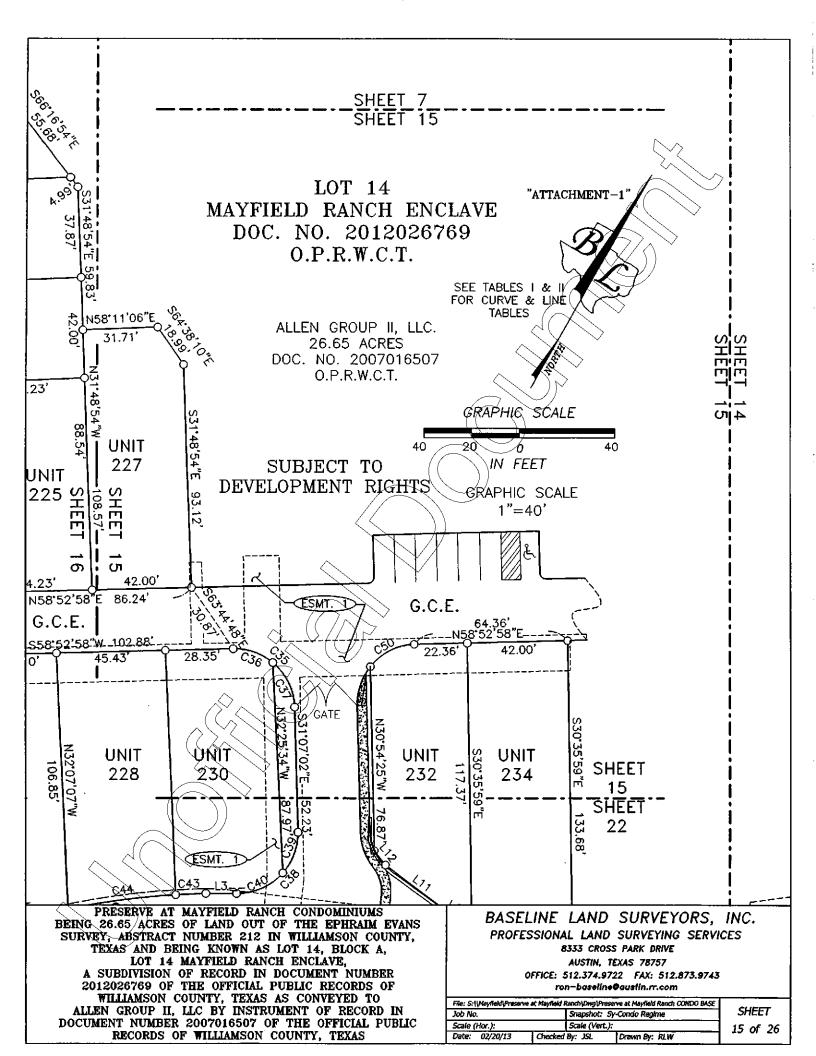
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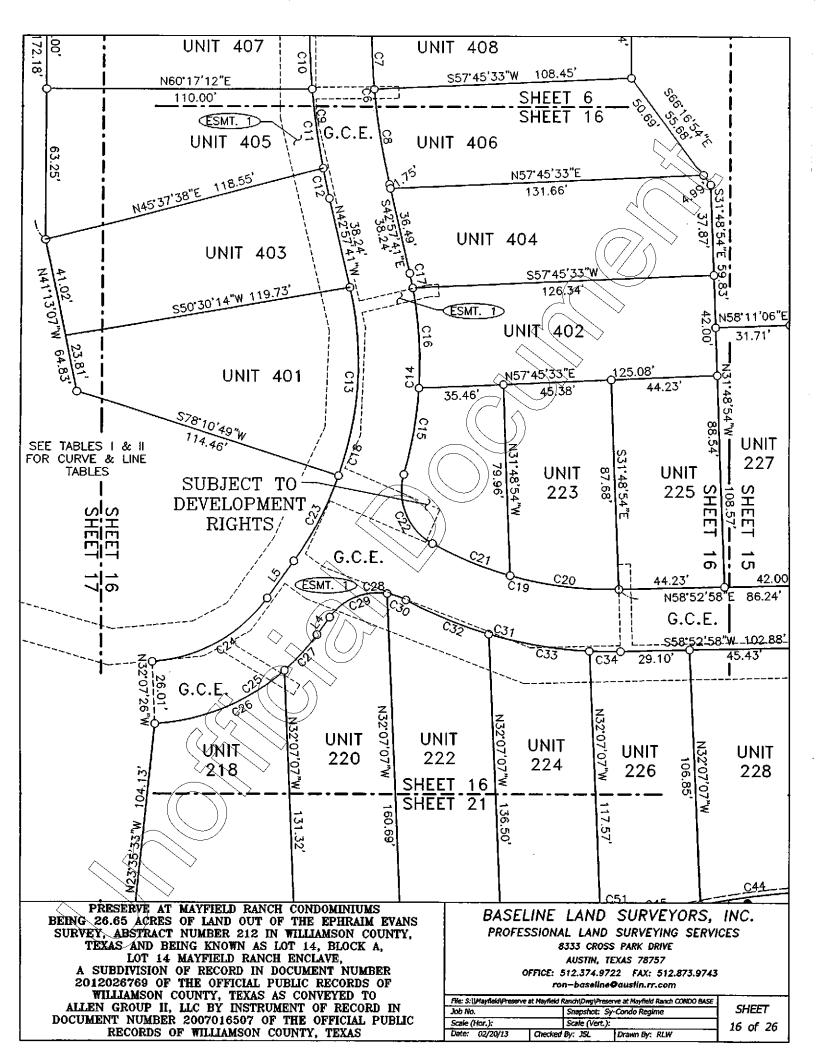
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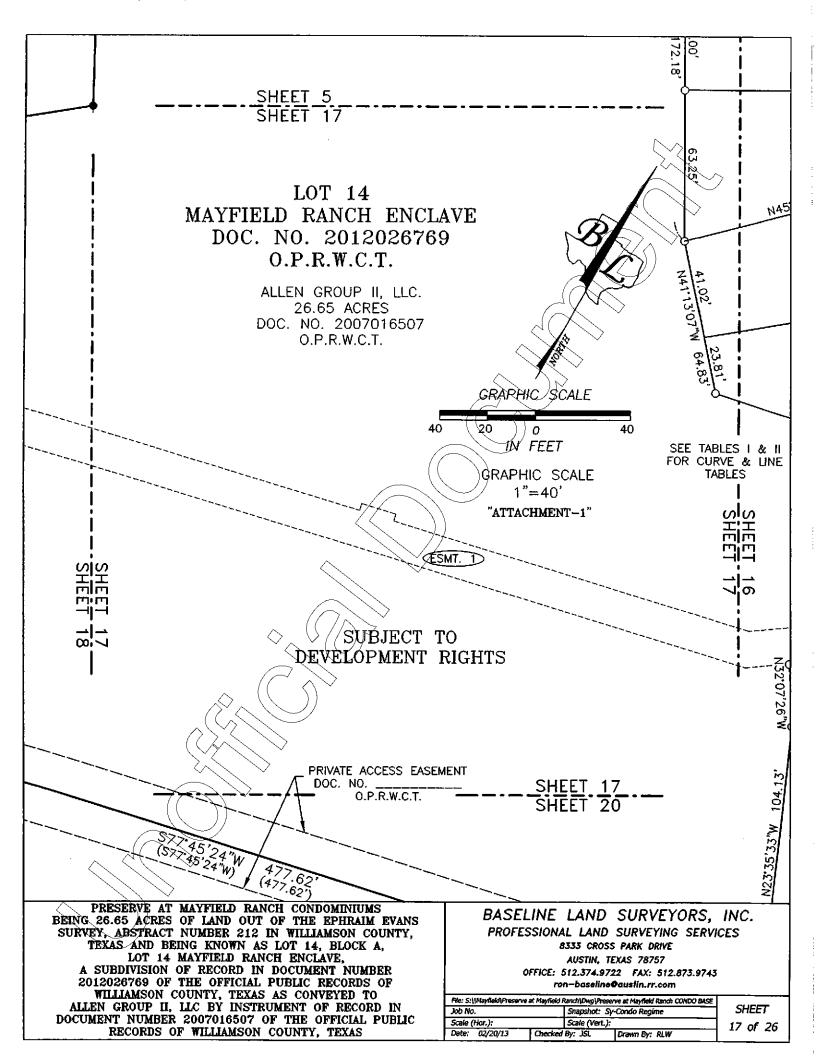
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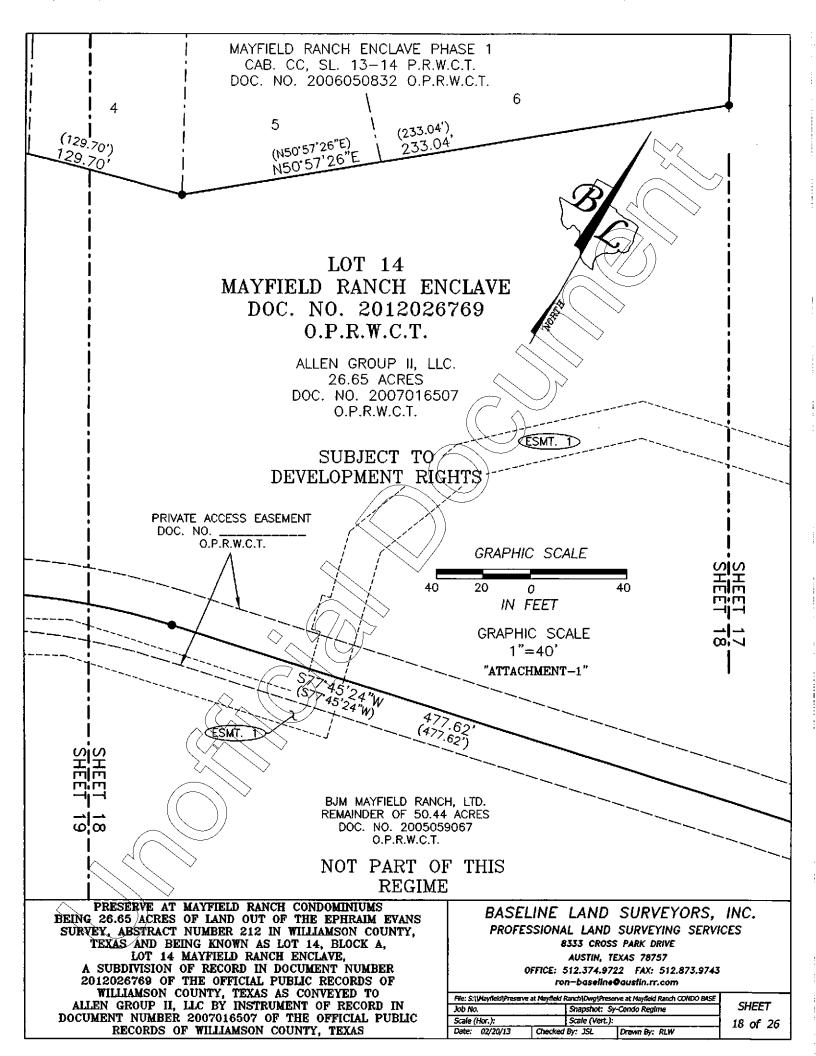


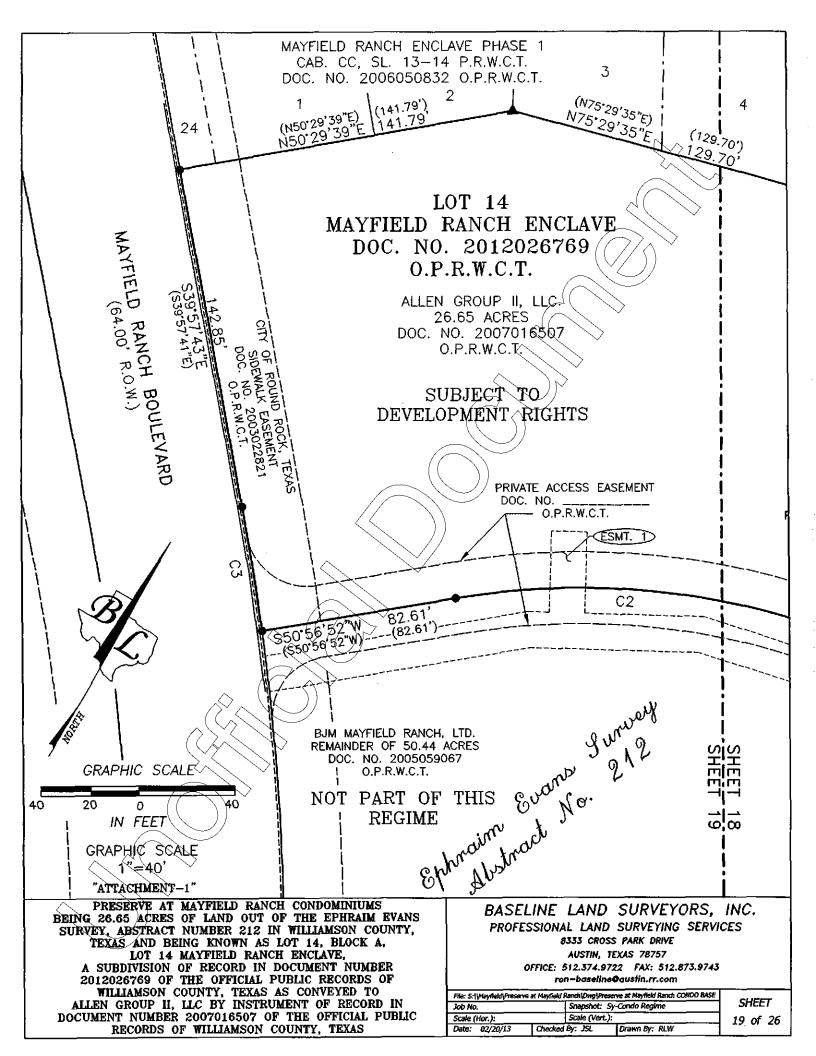


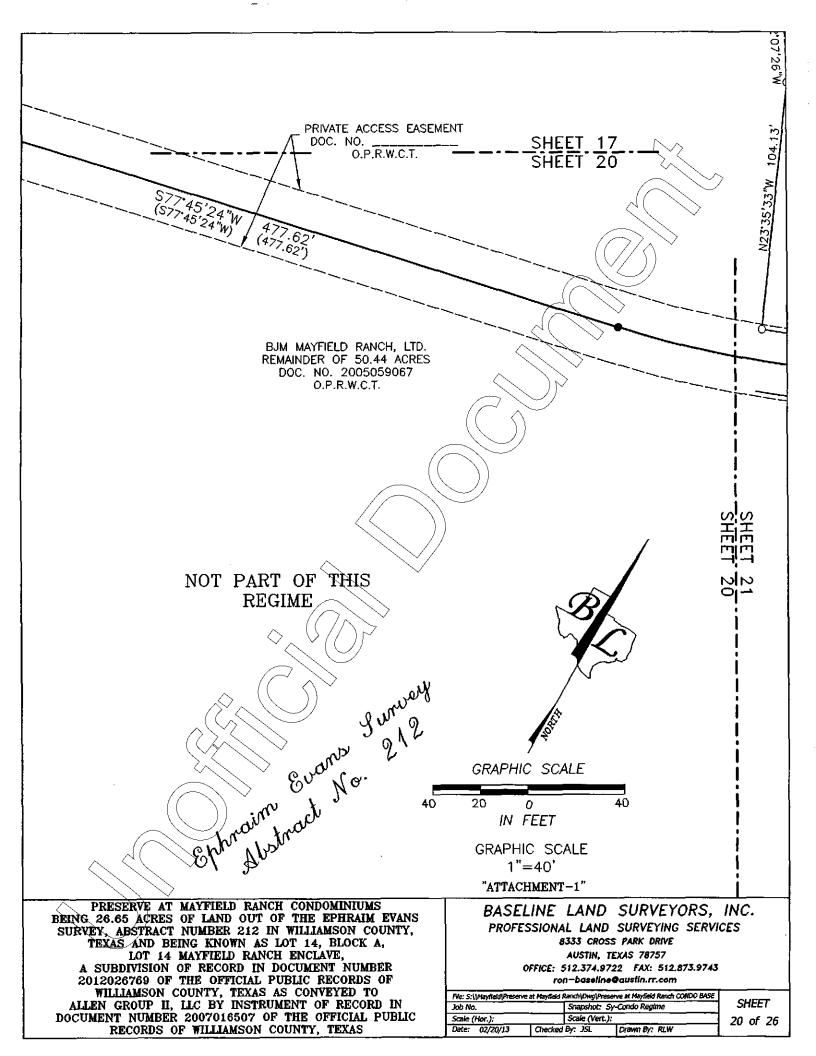


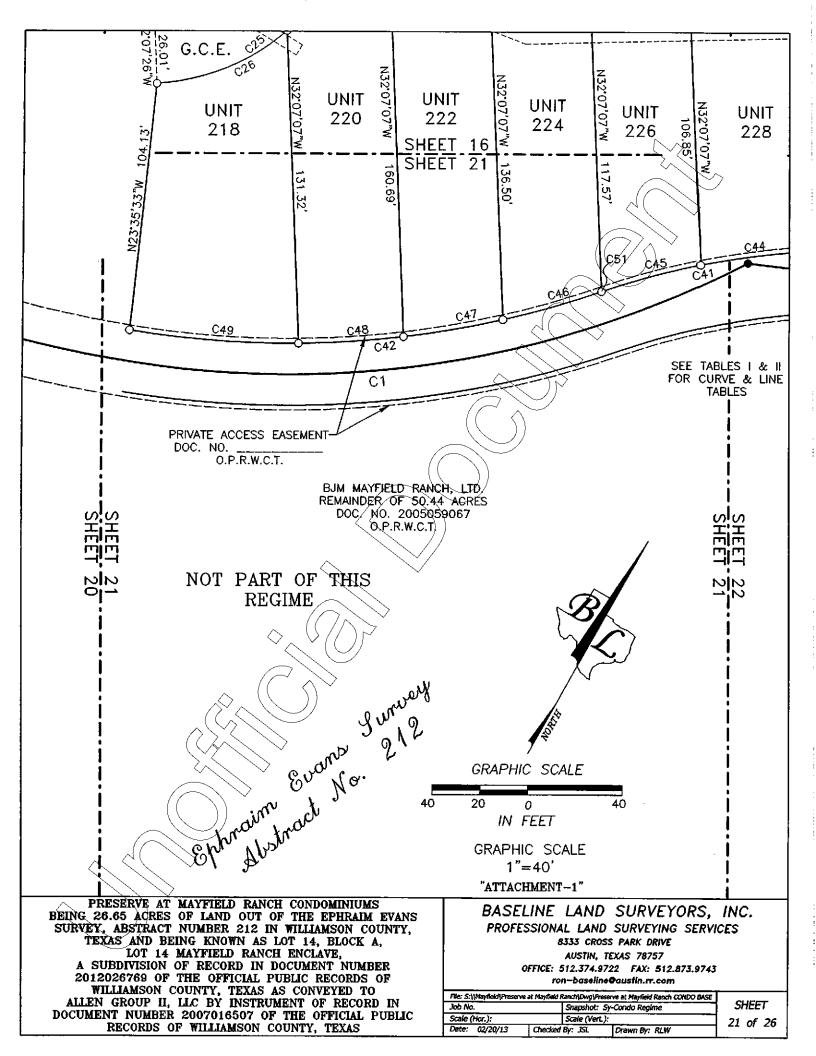


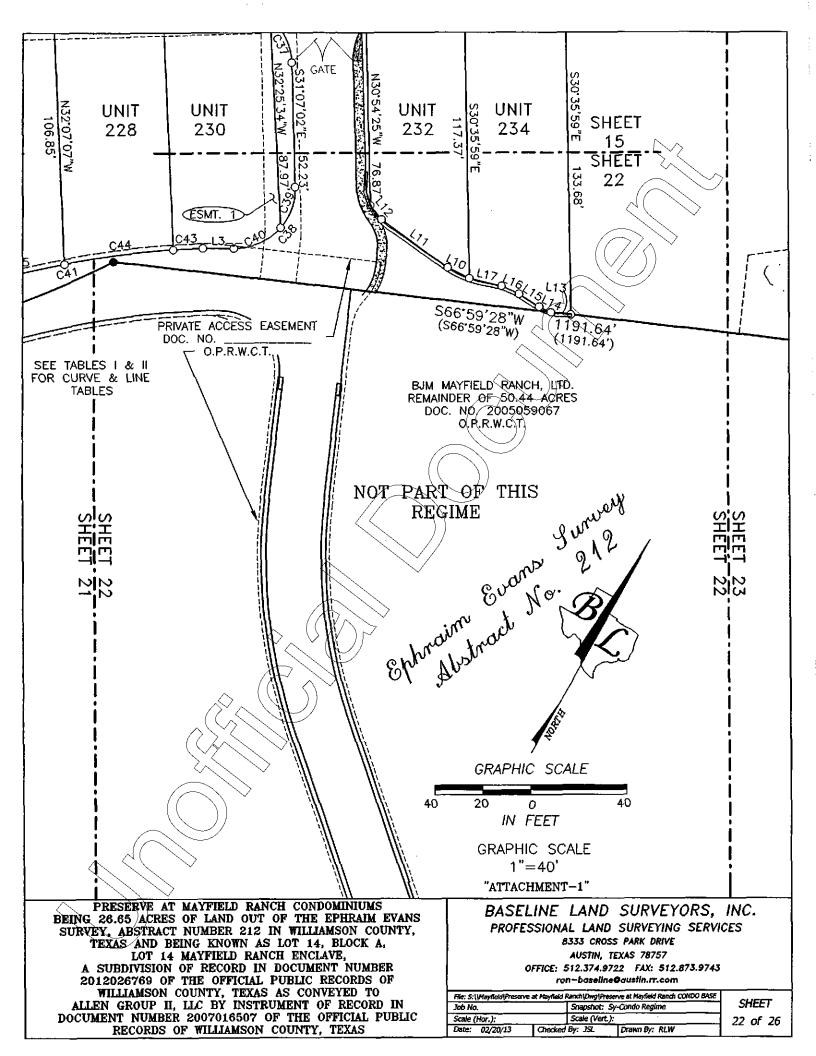


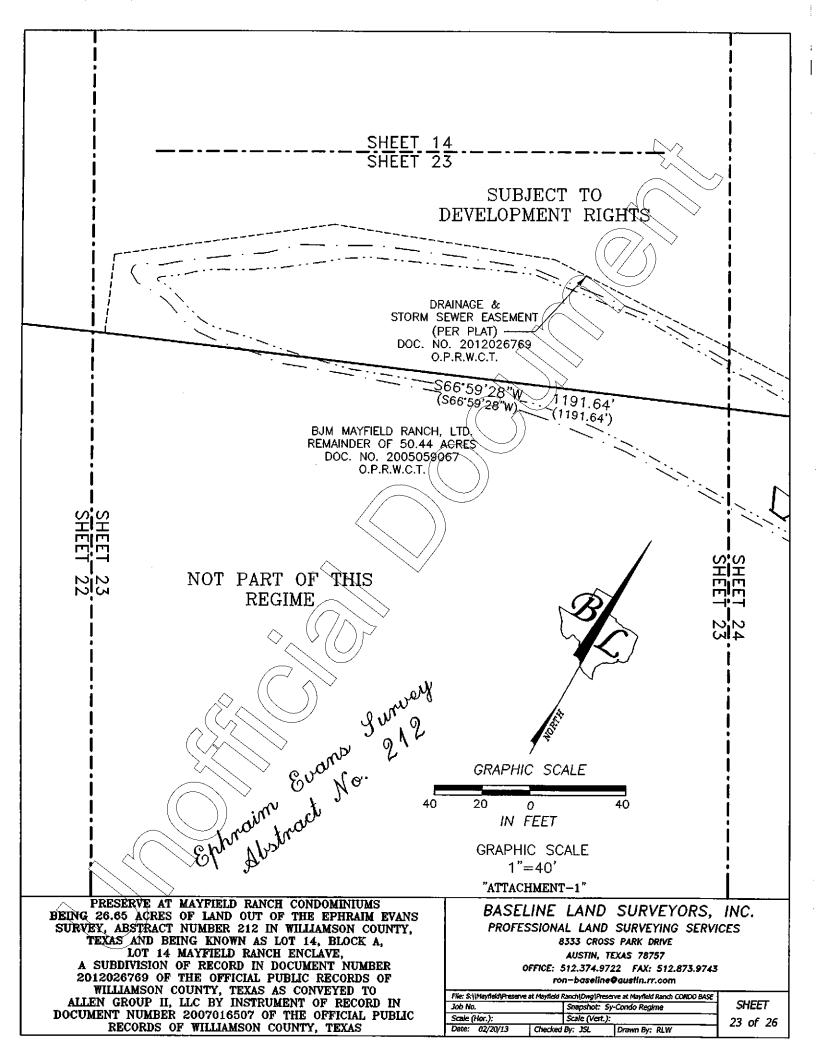


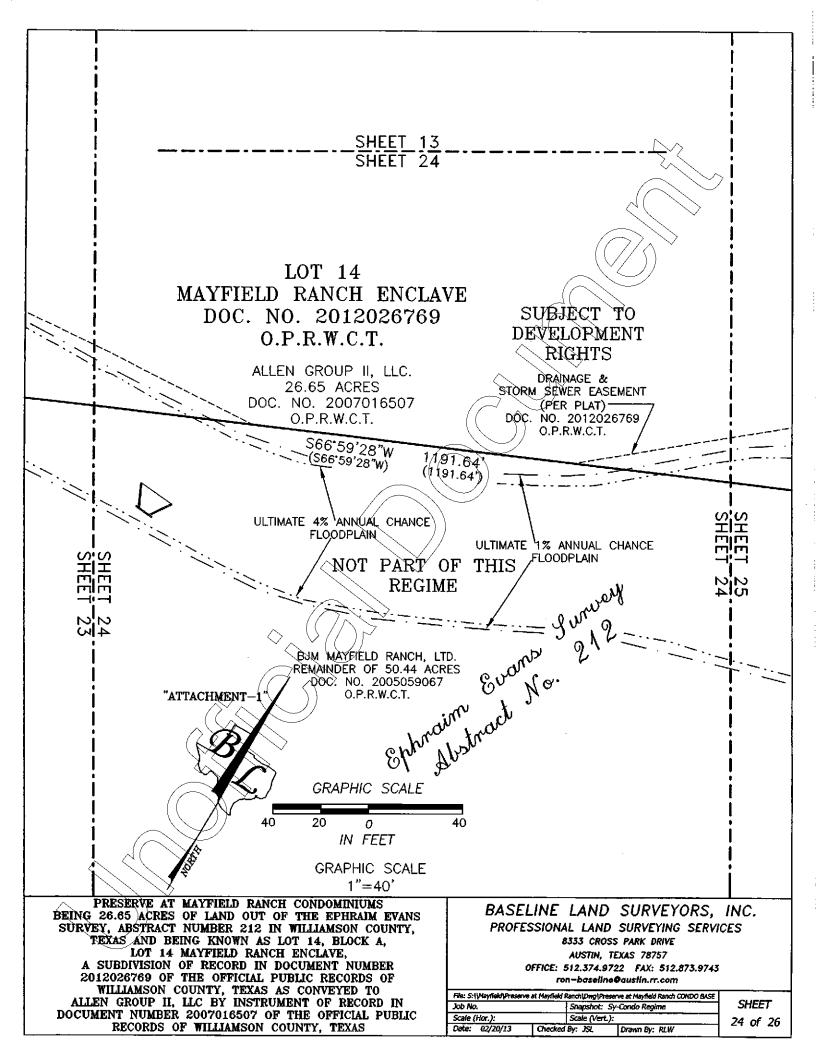


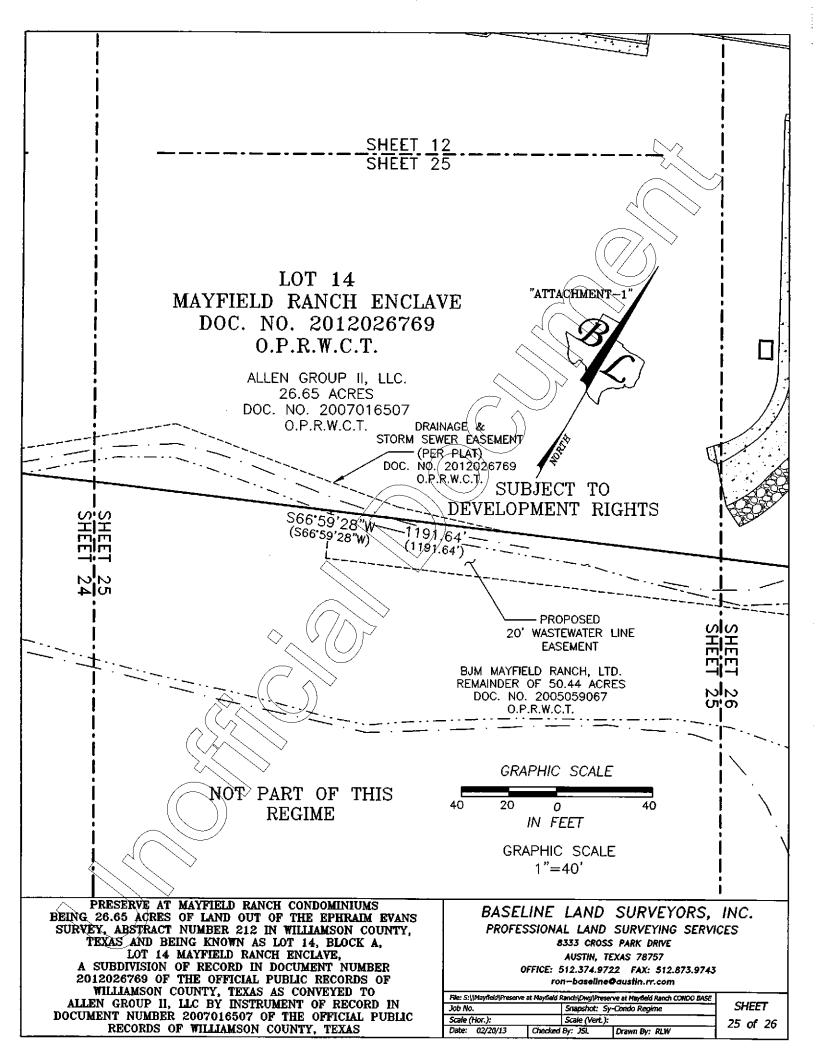


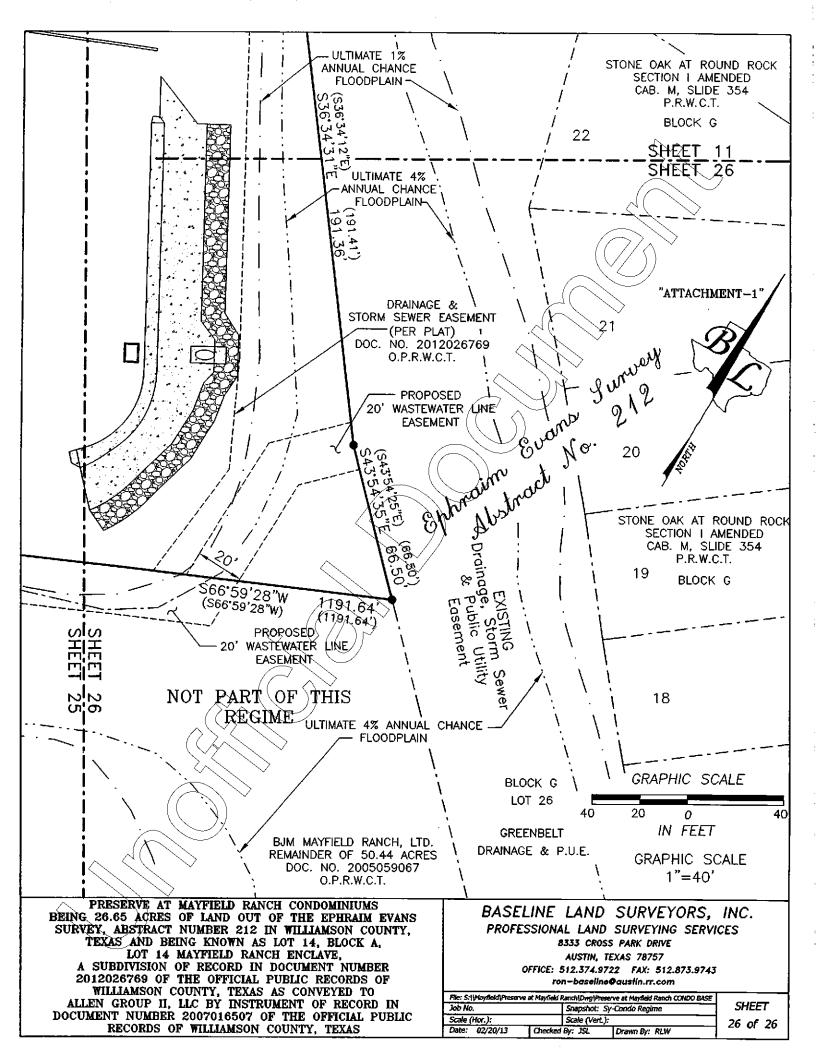












# TABLE I-CURVES

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	25.00'	38.98'	89"19'36"	N75'05'27"W	35.15'
C2	25.00'	22.55'	51'41'07"	S86'05'18"W	21.80'
C3	25.00'	16.42	37'38'29"	N49'14'54"W	16.13
C4	25.00'	39.56'	90°40'19"	S14'54'36"W	35.56'
C5	2.50'	3.93'	90'00'00"	S15'14'45"W	3.54'
C6	300.00'	65.64	12'32'07"	S36'41'37"E	65.50
C7	300.00*	25.04'	4*46'56"	S32'49'01"E	25.03
C8	300.00'	40.60'	7*45'12"	S39'05'05"E	40.57
C9	326.00'	71.31'	12"32'02"	S36'41'40"E	71.17'
C10	326.00'	24.80'	4*21'30"	S32'36'24"E	24.79
C11	326.00'	33.59'	5*54'14"	S37*44'16"E	33.58
C12	326,00'	12.92	2'16'17"	S41*49'32"E	12.92
C13	140.00'	80.05	32'45'33"	N26'34'54"W	78.96
C14	166.00	85.15'	29'23'24"	N28'15'59"W	84.22'
C15	166.00'	36.79	12'41'49"	N19'55'12"W	36.71
C16	166.00'	42.12'	14'32'21"	N33'32'17"W	42.01'
C17	166.00'	6.24	2.09,13,	N41:53'04"W	6.24'
C18	140.00	120.43'	49'17'19"	N18'19'01"W	116.76'
C19	155.00'	81.42	30'05'52"	/N73/55'53"E	80.49'
C20	155.00'	46.15'	17'03'30"	N67'24'42"E	45.98'
C21	155.00'	_35.28'	13'02'22"	N82'27/38"E	35.20'
C22	25.00'	33.79	77'26'54"	\$52'17'44"E	31.28
C23	140.00'	40.39'	16'31'46"	N01°56'15"W	40.25'
C24	65.00'	56.66'	49'56'48"	N31'18'02"E	54.89'
C25	91.00'	80.05	50.24.16.	N31'31'46"E	77.50'
Ç26	91.00	59.73' /	37'36'20"	N37'55'45"E	58.66'
C27	91.00'	20.33	12'47'56"	N12'43'36"E	20.29'
C28	25.00'	35.86'	82'10'497	S47'25'03"W	32.86
C29	25.00'	27.41	62'48'34"	S37'43'55"W	26.05
C30	25.00'	8.45'	19'22'15"	S78'49'20"W	8.41
C31	181.00'	93.59	29"37"30"	N73'41'42"E	92.55'
C32	181.00'	37.64	11'54'55"	N82*33'00"E	37.57
C33	181.00'	432Q2'	13'37'09"	N69*46'58"E	42.92
C34	18/1:00'	12/92	4'05'26"	N60'55'40"E	12.92'
C35	25.00	39.27	90,00,00	N76*07'02"W	35.36
C36	25.00	17.90	41°00'47"	S79°23'21"W	17.52
C37	25:00	21.37'	48'59'13"	N55'36'39"W	20.73
C38	25.09'	40.32'	92'04'32"	N15'08'10"E	36.12'
Ç39	24.74'	18.52	42*52'53"	N09'46'14"W	18.09
Ç4Q/>	24.62	21.84	50'50'09"	N36'16'02"E	21.13'
/ C41 <	326.00'	101.07	17'45'50"	S50'13'34"W	100.67
C#2	408.14'	201.30'	28'15'34"	N55'28'26"E	199.27
C43	326.00'	12.50	2*11'50"	S58'00'34"W	12.50'
C44	326.00'	45.63	8'01'10"	S52'54'04"W	45.59'
C45	326.00'	42.94'	7*32'50"	S45'07'04"W	42.91
C46	408.14	43.21'	6'03'57"	N44'23'57"E	43.19'
C47	408.14	42.38	_ 5'56'57"_	N50 24'24"E	42.36'
C48	408.14	44.42	6'14'11"	N56'29'59"E	44.40'
C49	408.14	71.13'	9'59'09"	N64'36'39"E	71.04
C50	25.00'	21.63'	49'35'01"	S34'05'27"W	20.97

"ATTACHMENT 1"

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Date: 02/20/13	Checked By: JSL	Drawn By: RLW		

SHEET TABLE I

# TABLE I-CURVES

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C51	408.14	0.16'	0.01,19,	N41°21'19"E	0.16'



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Job No.		Snapshot: Sy	-Condo Regime	]
Scale (Hor.):		Scale (Vert.):		] 7
Date: 02/20/13	Checked	By: JSL	Drawn By: RLW	1

SHEET TABLE I

# TABLE II-LINES

LINE TABLE					
LINE	BEARING	LENGTH			
L1	N29'45'15"W	12.07			
L2	N29'45'15"W	6.93			
L3	S60'14'56"W	12.98'			
L4	N06'19'38"E	9.05'			
L5	N06'19'38"E	19.19			
L6	N60'14'45"E	4.61'			
L7	N29'45'15"W	5.00'			
L8	N60'14'45"E	4.20'			
L9	N29'45'15"W	19.00'			
L10	S86'22'52"W	10.17'			
L11	N83'23'49"W	34.08'			
L12	N68'08'07"W	7.71			
L13	S66'59'28"W	8.28			
L14	S86'06'28"W	5.49			
L15	N86'53'30"W	9.80'			
L16	S84'38'36"W	8.02			
L17	S73'58'31"W	13.92			



PRESERVE AT MAYFIELD RANCH CONDOMINIUMS
BEING 26.65 ACRES OF LAND OUT OF THE EPHRAIM EVANS
SURVEY, ABSTRACT NUMBER 212 IN WILLIAMSON COUNTY,
TEXAS AND BEING KNOWN AS LOT 14, BLOCK A,
LOT 14 MAYFIELD RANCH ENCLAVE,
A SUBDIVISION OF RECORD IN DOCUMENT NUMBER
2012026769 OF THE OFFICIAL PUBLIC RECORDS OF
WILLIAMSON COUNTY, TEXAS AS CONVEYED TO
ALLEN GROUP II, LLC BY INSTRUMENT OF RECORD IN
DOCUMENT NUMBER 2007016507 OF THE OFFICIAL PUBLIC
RECORDS OF WILLIAMSON COUNTY, TEXAS

BASELINE LAND SURVEYORS, INC. PROFESSIONAL LAND SURVEYING SERVICES
8333 CROSS PARK DRIVE

"ATTACHMENT 1"

File: S:\\Southpark Cond	forminiums\Dwg\South;	oark Condomium Regime Base	
Job No.	Snapshot:	SHEET	
Scale (Hor.):	Scale (Ven	t.):	TABLE II
Date: 02/20/13	Checked By: JSL	Drawn By: RLW	

#### **AFTER RECORDING RETURN TO:**

Robert D. Burton, Esq.
Winstead, PC
401 Congress Ave., Suite 2100
Austin, Texas 78701
Email: rburton@winstead.com



(A Residential Condominium in Williamson County, Texas)

Declarant: ALLEN GROUP IL/LLC, a Mississippi limited liability company D/B/A THE PRESERVE AT MAYFIELD RANCH, LLC

Cross Reference to <u>Declaration of Condominium Regime for The Preserve at Mayfield Ranch Condominiums</u>, recorded as Document No. 2013005392, in the Official Public Records of Williamson County, Texas.