



*Dyana Limon-Mercado*

Dyana Limon-Mercado, County Clerk  
Travis County, Texas

Dec 27, 2024 03:05 PM Fee: \$35.00

**2024142591**

\*Electronically Recorded\*

STATE OF TEXAS       §  
                                  §  
COUNTY OF TRAVIS   §

**SECOND AMENDMENT  
TO DECLARATION  
OF  
CASCADA HOMEOWNERS ASSOCIATION**  
*(Related to delegation of trash maintenance to the Association)*

**Document reference.** Reference is hereby made to the Declaration of Cascada Condominium, filed as Document No. 2006014424 of the Official Public Records of Travis County, Texas, and as further amended by the Amendment of Declaration of Cascada Homeowners Association, filed as Document No. 2016092439 of the Official Public Records of Travis County, Texas (together with any other amendments and supplemental documents thereto, the “**Declaration**”).

WHEREAS, the Declaration provides that persons owning units subject to the Declaration are mandatory members of the Cascada Homeowners Association (the “**Association**”) and the Association may act on behalf of said members and for the community’s benefit; and,

WHEREAS, the Association desires to unify the trash collection process for the community and to make such collection a part of the Association and Common Responsibility as outlined in Appendix E of the Declaration; and,

WHEREAS, the Declaration must be amended to effectuate this proposed change; and,

WHEREAS, Section 8.3.1 of the Declaration provides that it may be amended by either a majority of all units or by a two-thirds (2/3) vote of the units represented at a meeting of the Association called for the purpose of changing the Area of Common Responsibility; and,

WHEREAS, Section 82.067(a) of the Texas Property Code provides that a declaration may be amended only by a vote of sixty-seven percent (67%) of the total votes allocated to the unit owners entitled to vote on the amendment of the declaration, unless the declaration contains a *larger percentage*, in which event the percentage in the declaration controls; and,

WHEREAS, the Declaration provides for a lower percentage as set forth in Section 82.067(a) of the Texas Property Code; therefore, Section 82.067(a) controls with respect to the percentage of votes necessary to effect an amendment to the Declaration; and,

WHEREAS, at least a two-thirds (2/3) vote of all of the units in the community voted to approve this Amendment.

NOW THEREFORE, the Board of Directors of CASCADA HOMEOWNERS ASSOCIATION, as representatives of the members of the Association, do hereby attest that, in compliance with Section 8.3.1 of the Declaration, the below Second Amendment to the Declaration is made as follows:

**Appendix E**, the **Maintenance Responsibility Chart**, to the Declaration, as amended by the First Amendment to the Declaration, is hereby further **amended** as follows—

**Appendix E  
Maintenance Responsibility Chart**

<i>Component of Property</i>	<i>Association &amp; Common Responsibility</i>	<i>Owner Responsibility (subject to Association's architectural controls)</i>
8 Trash & Recycling Receptacles	Contracting with waste services for the collection of trash in wheeled cans & bins	Disposal of unit trash in wheeled cans & bins

Except as amended herein, the Declaration (along with all other responsibilities in the Maintenance Responsibility Chart, as amended and replaced by the First Amendment to the Declaration filed as Document Number 2016092439 of the Official Public Records of Travis County, Texas) shall remain in full force and effect.

This Amendment will be effective upon recording in the Official Public Records of Real Property of Travis County, Texas.

[SECTION INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the President and Secretary of Cascada Homeowners Association hereby execute this instrument to certify that unit owners representing at least sixty-seven percent (67%) of the votes entitled to be cast under the Declaration have approved this amendment set forth in this instrument in accordance with Section 82.067(a) of the Texas Property Code.

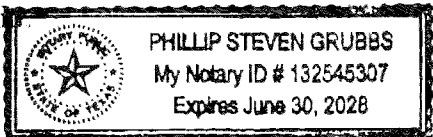
**CASCADA HOMEOWNERS ASSOCIATION**

By: [Signature]  
President of the Association

By: [Signature]  
Secretary of the Association

STATE OF TEXAS           §  
  §  
COUNTY OF TRAVIS       §

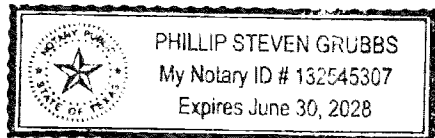
BEFORE ME, the undersigned notary public, on this the 20<sup>th</sup> day of December, 2024, personally appeared Thomas Myers as President of Cascada Homeowners Association, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purpose and in the capacity expressed there.



[Signature]  
Notary Public, State of Texas

STATE OF TEXAS           §  
  §  
COUNTY OF TRAVIS       §

BEFORE ME, the undersigned notary public, on this the 20<sup>th</sup> day of December, 2024, personally appeared Ashley McIntyre as Secretary of Cascada Homeowners Association, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purpose and in the capacity expressed therein.



[Signature]  
Notary Public, State of Texas