

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS



Dyana Limon-Mercado

Dyana Limon-Mercado, County Clerk
Travis County, Texas

Dec 12, 2023 04:28 PM Fee: \$78.00

2023138406

Electronically Recorded

AFTER RECORDING RETURN TO:

ROBERT D. BURTON, ESQ.
WINSTEAD PC
401 CONGRESS AVE., SUITE 2100
AUSTIN, TEXAS 78701



**FIRST AMENDMENT TO AMENDED AND
RESTATED DECLARATION OF
CONDOMINIUM REGIME FOR VILLAS AT
SCENIC PASS CONDOMINIUMS**

(A Condominium Community in Travis County, Texas)



Declarant: KB HOME LONE STAR INC., a Texas corporation

Cross reference to Amended and Restated Declaration of Condominium Regime for Villas at Scenic Pass Condominiums, recorded as Document No. 2022178048 in the Official Public Records of Travis County, Texas.

FIRST AMENDMENT TO
AMENDED AND RESTATED DECLARATION
OF CONDOMINIUM REGIME FOR
VILLAS AT SCENIC PASS CONDOMINIUMS

**FIRST AMENDMENT TO AMENDED AND RESTATED DECLARATION OF
CONDOMINIUM REGIME FOR VILLAS AT SCENIC PASS CONDOMINIUMS**

This First Amendment to Amended and Restated Declaration of Condominium Regime for Villas at Scenic Pass Condominiums (this "**Amendment**") is made by **KB HOME LONE STAR INC.**, a Texas corporation ("**Declarant**"), and is as follows:

RECITALS:

A. Declarant previously executed and recorded that certain Amended and Restated Declaration of Condominium Regime for Villas at Scenic Pass Condominiums, recorded as Document No. 2022178048 in the Official Public Records of Travis County, Texas (the "**Declaration**").

B. Pursuant to *Section A.3.8(vi)* of Appendix "A" to the Declaration, Declarant reserved the right, during the Development Period, to amend the Declaration in order to resolve conflicts, clarify ambiguities, and correct misstatements, errors or omission in the Documents.

C. The Development Period is the five (5) year period beginning on the date the Declaration is Recorded, and is currently in effect.

D. Declarant now desires to amend the Declaration in order to revise the Plat and Plans, attached as Attachment 1 to the Declaration, to depict the building setbacks for Units 5B and 6B, which setbacks were unintentionally omitted.

NOW THEREFORE, the Declaration is hereby amended as follows:

1. Replacement of Attachment 1 – Condominium Plat and Plans. The Plat and Plans attached to the Declaration as Attachment 1 are hereby deleted in their entirety and the Plat and Plans attached hereto as Attachment 1 are substituted in their place (the "**New Plat and Plans**"). The New Plat and Plans assign an identifying number to all Units and include the information required by Section 82.059 of the Act.

2. Effect of Amendment. 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.

[SIGNATURE PAGE TO FOLLOW]

FIRST AMENDMENT TO
AMENDED AND RESTATED DECLARATION
OF CONDOMINIUM REGIME FOR
VILLAS AT SCENIC PASS CONDOMINIUMS

Executed to be effective on December 12, 2023

DECLARANT:

KB HOME LONE STAR INC.,
a Texas corporation

By: Shawn A Kirkpatrick

Printed Name: Shawn A Kirkpatrick

Title: Sr. Director Public Affairs

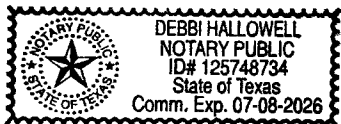
THE STATE OF TEXAS §

COUNTY OF Williamson §

This instrument was acknowledged before me this 12th day of December, 2023, by Shawn A Kirkpatrick Sr. Director, of KB Home Lone Star Inc., a Texas corporation, on behalf of said corporation. Public Affairs

(SEAL)

[Signature]
Notary Public Signature



FIRST AMENDMENT TO
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ATTACHMENT 1

[CONDOMINIUM PLAT AND PLANS]

The Plat and Plans, attached hereto as Attachment 1, contains the information required by the Texas Uniform Condominium Act.

SEE FOLLOWING PAGES FOR ORIGINAL CERTIFICATION

FIRST AMENDMENT TO
AMENDED AND RESTATED DECLARATION
OF CONDOMINIUM REGIME FOR
VILLAS AT SCENIC PASS CONDOMNIUMS

VILLAS AT SCENIC PASS CONDOMINIUMS CONDO PLAT AND PLANS
 LOT 7, BLOCK A, AND LOT 10, BLOCK B, FINAL PLAT OF SIMON-CASKEY SUBDIVISION,
 DOCUMENT NUMBER 202000222, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

VILLAS AT SCENIC PASS CONDO PLATS AND PLANS
(CERTIFICATION)

THE PLAT AND PLANS, ATTACHED HERETO, CONTAIN THE INFORMATION
 REQUIRED BY SECTIONS 82.052 AND 82.059 OF THE TEXAS UNIFORM
 CONDOMINIUM ACT, AS APPLICABLE.

LEGEND

B.L. BUILDING SETBACK LINE
 G.C.E. GENERAL COMMON ELEMENT
 D.E. DRAINAGE EASEMENT
 P.U.E. PUBLIC UTILITY EASEMENT
 L.S.E. LANDSCAPE EASEMENT

Ⓐ BLOCK
 1 UNIT NUMBER
 ○ CAPPED IRON ROD SET
 ● CAPPED IRON ROD FOUND
 ▲ MAG NAIL SET
 — UNIT LINE

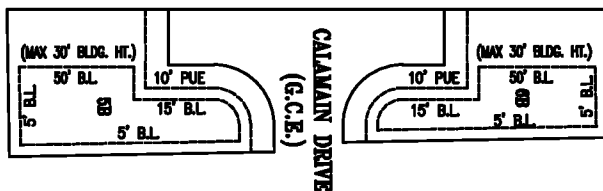


Aaron V. Thomason
 AARON V. THOMASON

12/4/2023

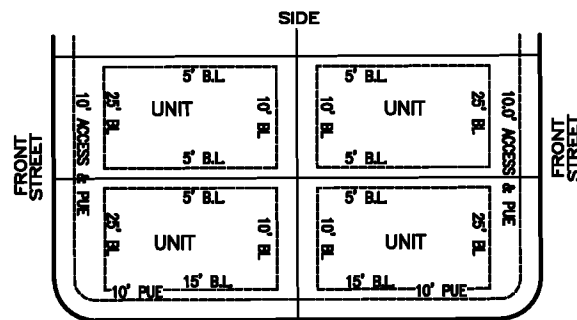
DATE

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6214



BUILDING SETBACKS

UNITS 5B AND 6B
 (NOT TO SCALE)



BUILDING SETBACKS
 (NOT TO SCALE)



Carlson, Brigrance & Doering, Inc.

FIRM ID #F3791 ♦ REG. # 10024900

Civil Engineering ♦ Surveying
 5501 West William Cannon ♦ Austin, Texas 78749
 Phone No. (512) 280-5160 ♦ Fax No. (512) 280-5165

VILLAS AT SCENIC PASS CONDOMINIUMS

CONDO PLAT
 AND PLANS

DESIGNED BY:

DRAWN BY:
 TKM

CHECKED BY:
 AT

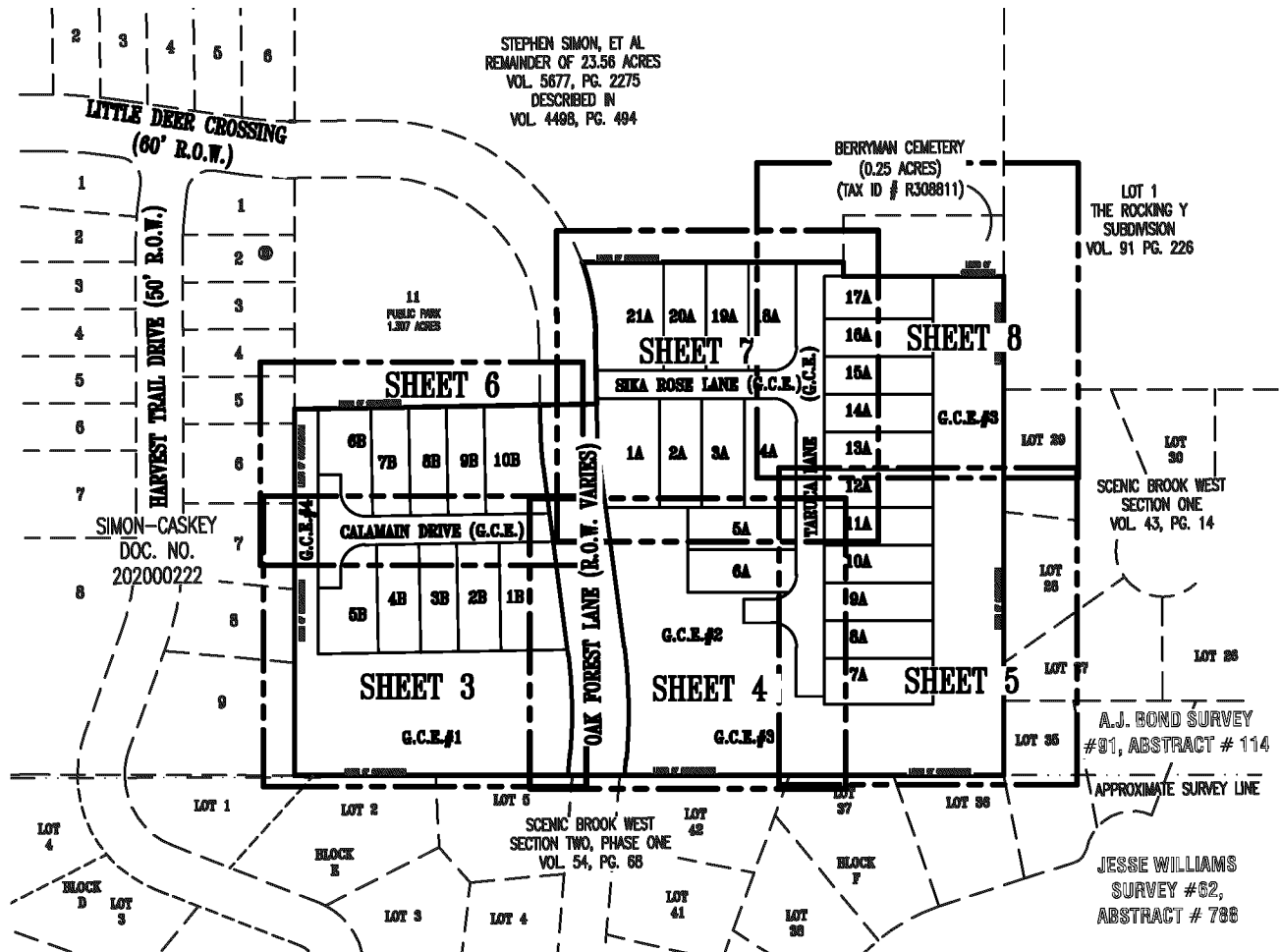
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 4 DEC. 23

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SHEET
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 OF
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0 100 200
 (1"=200')



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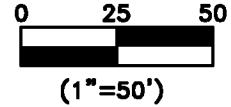
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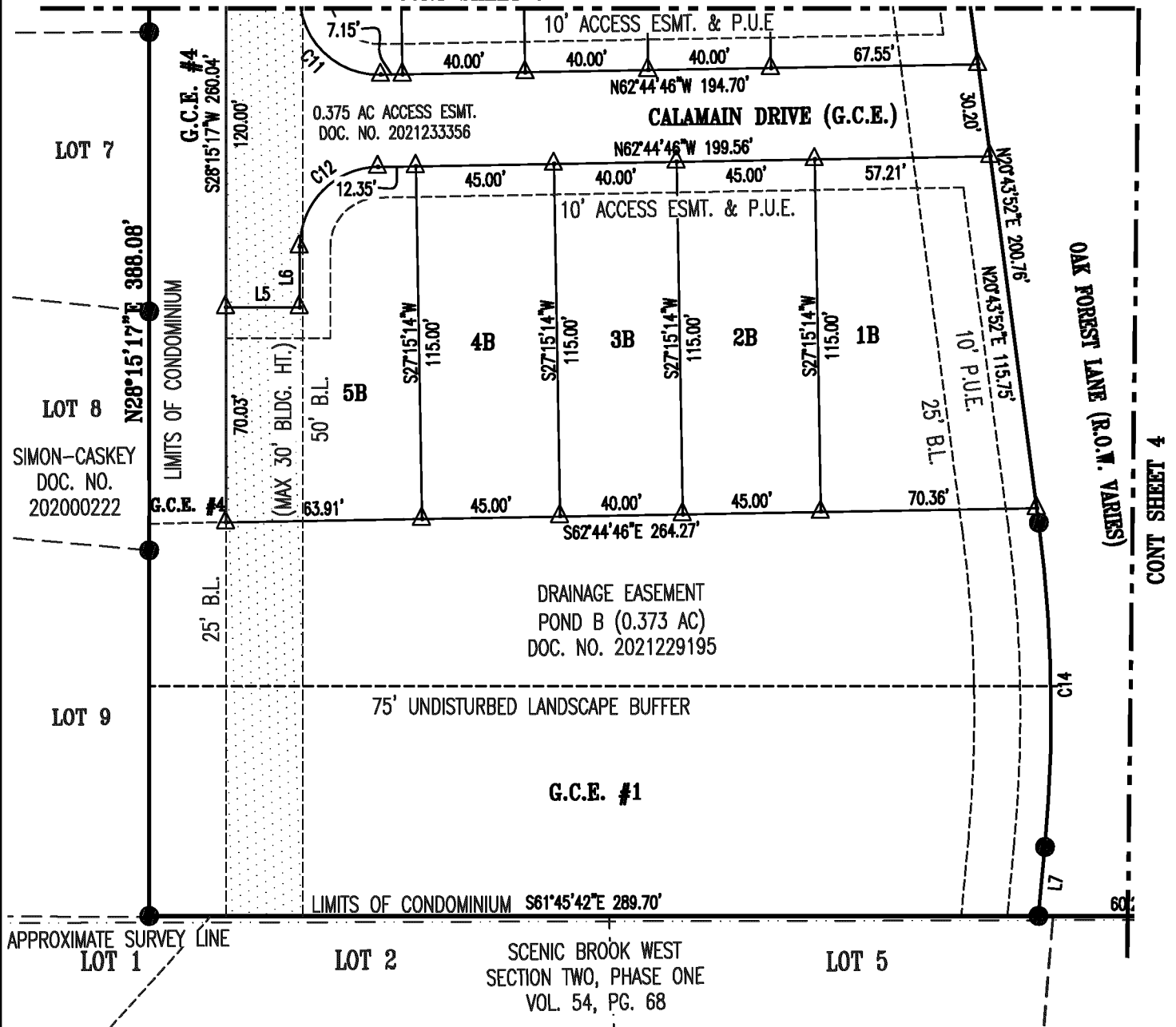
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CONT SHEET 6



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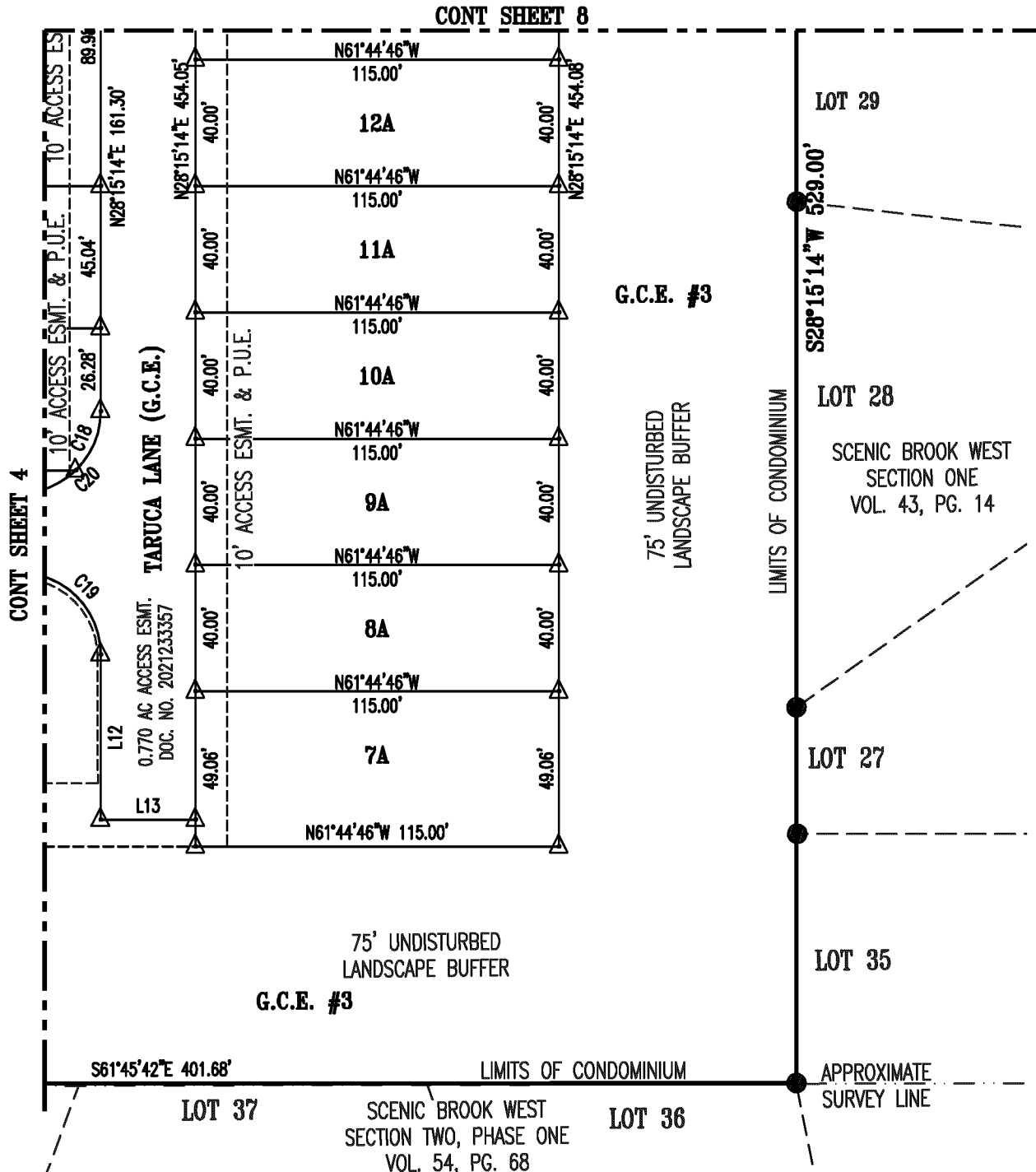
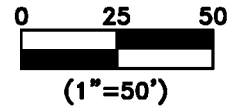
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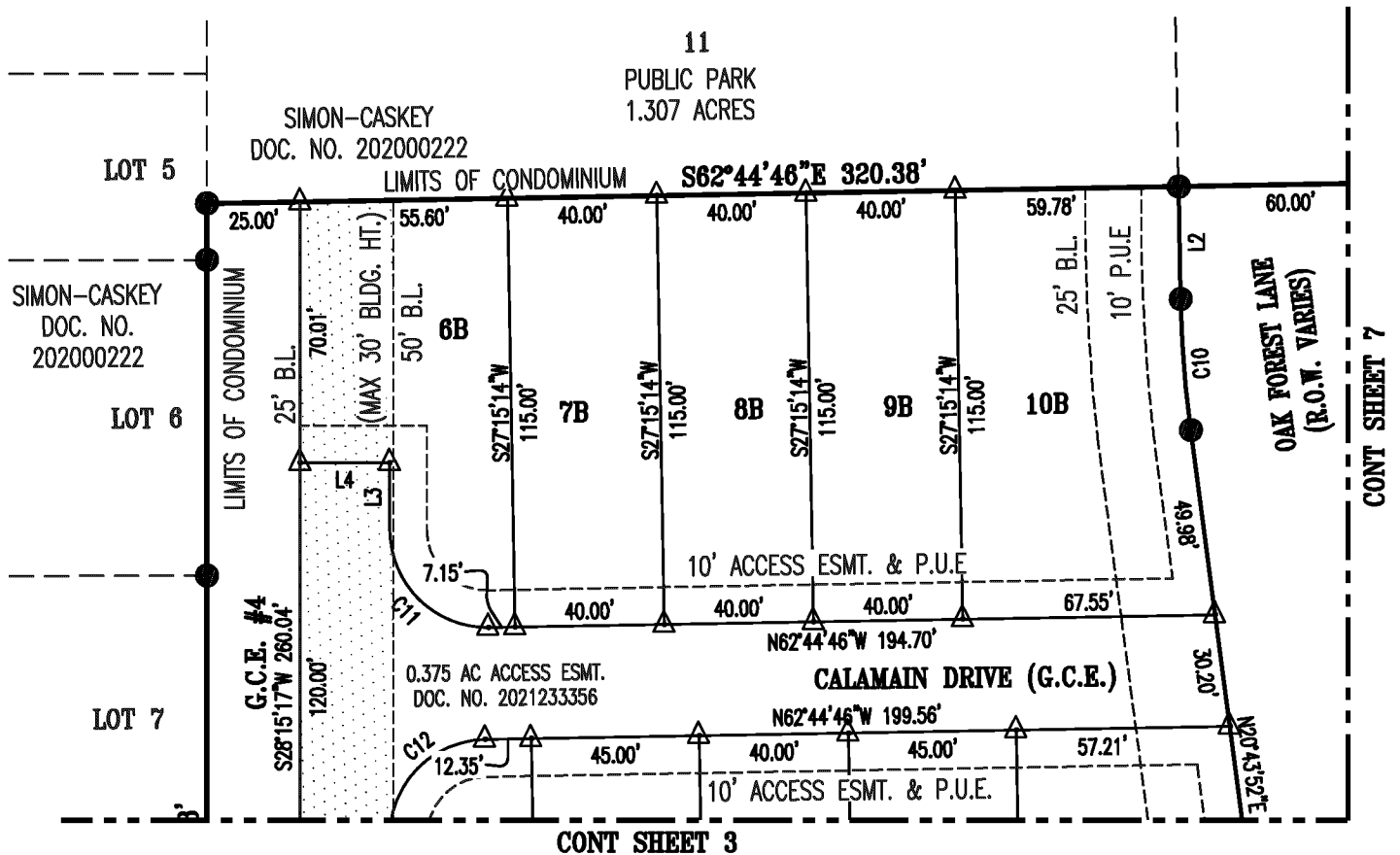
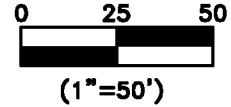
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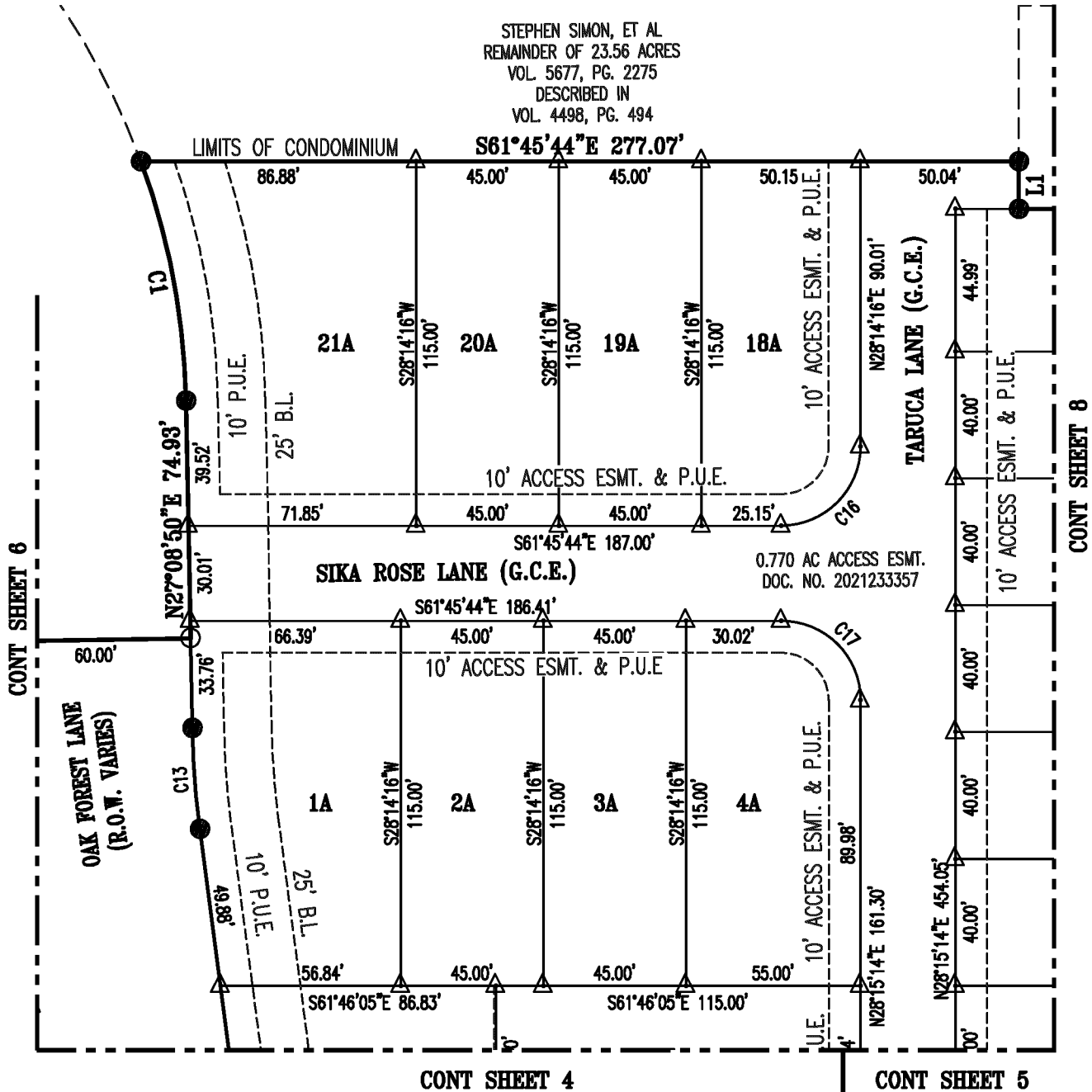
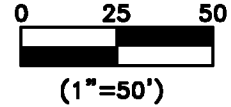
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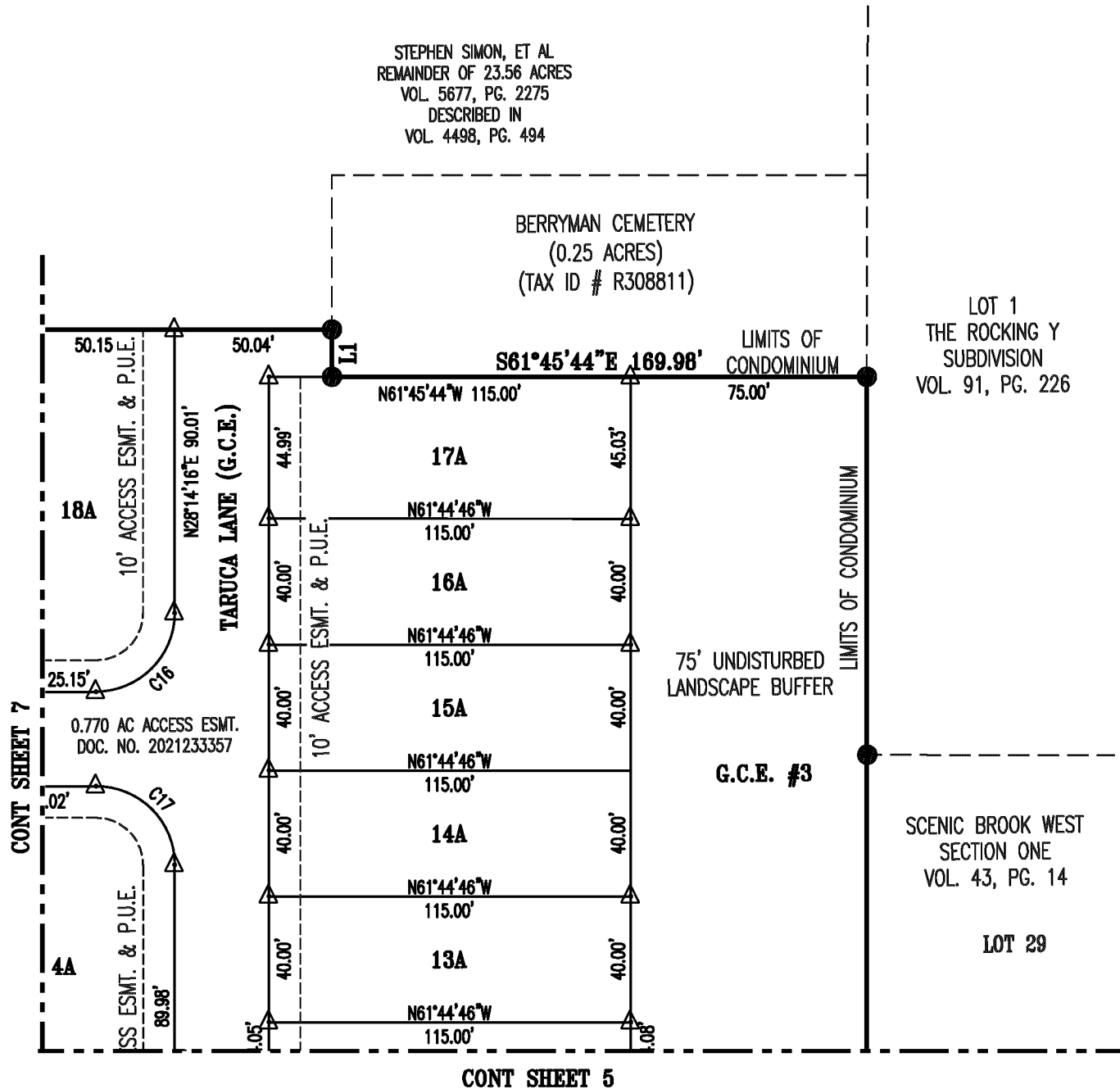
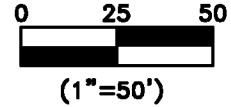
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Curve Table						
Curve #	Length	Radius	Chord Direction	Chord Length	Tangent	DELTA
C1	77.19	230.01	N17°31'59"E	76.83	38.96	19°13'41"
C10	35.27	315.00	N23°56'21"E	35.26	17.66	6°24'58"
C11	41.29	26.00	S17°14'44"E	37.09	26.46	91°00'03"
C12	40.39	26.00	S72°45'16"W	36.45	25.55	88°59'57"
C13	31.92	285.00	S23°56'21"W	31.90	15.97	6°24'58"
C14	105.95	470.00	N27°11'21"E	105.73	53.20	12°54'58"
C15	119.48	530.00	N27°11'21"E	119.23	59.99	12°54'58"
C16	39.26	25.00	N73°14'45"E	35.35	24.99	89°59'01"
C17	39.28	25.00	N16°45'15"W	35.36	25.01	90°00'59"
C18	20.90	26.00	N51°16'41"E	20.34	11.05	46°02'54"
C19	40.91	26.00	N16°49'39"W	36.82	26.07	90°09'00"
C20	40.77	26.00	N73°10'21"E	36.72	25.93	89°50'14"

Line Table		
Line #	Length	Direction
L1	15.00	S28°14'22"W
L2	30.14	N27°08'50"E
L3	18.13	N28°15'17"E
L4	24.00	N61°44'43"W
L5	24.00	S61°44'43"E
L6	19.86	N28°15'17"E
L7	22.62	N33°38'50"E
L8	16.94	N33°38'50"E
L9	29.25	N61°54'32"W
L10	25.00	S28°05'28"W
L11	29.03	S61°54'32"E
L12	52.29	S28°15'14"W
L13	30.00	S61°44'47"E



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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 UNITS IN THE DECLARATION OF CONDOMINIUM REGIME FOR VILLAS AT SCENIC PASS CONDOMINIUMS, (THE "DECLARATION") OR ON THE PLAT 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 IN THE DECLARATION. PURSUANT TO SUCH PROVISIONS, AMONG OTHER THINGS, DECLARANT HAS RESERVED THE RIGHT TO:
 COMPLETE OR MAKE IMPROVEMENTS INDICATED ON THE PLAT AND PLANS
 EXERCISE ANY DEVELOPMENT RIGHT PERMITTED BY THE TEXAS UNIFORM CONDOMINIUM ACT (THE "ACT") AND THE DECLARATION, INCLUDING THE RIGHT(S)
 TO ADD REAL PROPERTY TO THE CONDOMINIUM
 TO CREATE UNITS, GENERAL COMMON ELEMENTS, AND LIMITED COMMON ELEMENTS
 TO SUBDIVIDE UNITS OR CONVERT INTO COMMON ELEMENTS
 TO WITHDRAW PROPERTY FROM THE CONDOMINIUM
 MAKE THE PROPERTY PART OF A LARGER CONDOMINIUM OR PLANNED COMMUNITY
 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 USE EASEMENTS THROUGH THE COMMON ELEMENTS FOR THE PURPOSE OF MAKING IMPROVEMENTS THROUGH THE REGIME.
 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. FOR PURPOSES OF PROMOTING, IDENTIFYING, AND MARKETING THE PROPERTY, DECLARANT HAS RESERVED 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 HAS ALSO RESERVED AN EASEMENT AND RIGHT TO TIME. DECLARANT HAS RESERVED 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 ACT AND THE DECLARATION.
4. BOUNDARIES ARE AS DESCRIBED IN THE DECLARATION.
5. THE FOREGOING PROPERTY IS LOCATED WITHIN ZONE X ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP 48453C 0560J DATED JANUARY 22, 2020. ZONE X IS NOT WITHIN A 100 YEAR FLOOD ZONE.
6. NO DEVELOPMENT OR DISTURBANCE IS PERMITTED IN THE 75' LANDSCAPE BUFFER.
7. SPECIFIC GENERAL COMMON ELEMENTS (G.C.E.) NUMBERED AS FOLLOWS:
 1. 75' LANDSCAPE BUFFER & DRAINAGE EASMENT, WEST OF OAK FOREST LANE.
 2. DRAINAGE EASEMENT EAST OF OAK FOREST LANE
 3. 75' LANDSCAPE BUFFER EAST OF OAK FOREST LANE
 4. 25' BUILDING SETBACK AREA BETWEEN WEST LINE OF UNITS 5 & 6, CALAMAIN DRIVE, AND WESTERN LIMITS OF CONDOMINIUM.



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