

## **FIRST AMENDMENT TO DECLARATION OF GWV ON HILLSIDE CONDOMINIUM**

This is an amendment of Declaration of GWV on Hillside Condominium which was executed on April 26, 2018 and filed of record at Clerks File No. 2018006943 of the Official Public Records of Randall County, Texas, and subsequently re-recorded on November 2, 2018 at Clerks File No. 2018019455 of the Official Public Records of Randall County, Texas (hereinafter collectively referred to as the ("Declaration")).

### **Recitals**

WHEREAS, GWV on Hillside, LLC has been at all times both the Declarant and Developer as set forth in the Declaration; and

WHEREAS, the Declaration reserved Development Rights to the Declarant which include but are not limited to the right to withdraw property from the Condominium; and

WHEREAS, the Declaration reserves Special Declarant Rights to the Developer including, but not limited to, the right to designate and assign portions of the General Common Elements for the exclusive use of parking of Owners of a unit; and

WHEREAS, both the Development Rights and the Special Declarant Rights are still in full force and effect because Declarant is currently an owner of Units; and

WHEREAS, the Declarant desires to withdraw certain property from the Declaration and designate parking.

### **Amendment**

NOW, THEREFORE, know all by these presents that:

1. The Recitals are hereby incorporated herein by this reference.
2. Any capitalized term not otherwise defined herein shall have the meaning given in the Declaration.
3. The Developer hereby withdraws the following property from the Declaration, which property will henceforth be deemed for all purposes free and clear of all covenants, conditions and restrictions contained in the Declaration:

All of Lot 63A, Block 1 of the Greenways at Hillside Unit 37, an addition to the City of Amarillo being a replat of Lot 63, Block 1 of the Greenway at Hillside Unit 36, Randall County, Texas, said replat being filed of record at Instrument No.2019019960 of the Official Public Records of Randall County, Texas.

There are seven (7) Condominium Units located on said land being units 7669 Suite 100, 7669 Suite 200, 7669 Suite 300, 7669 Suite 400, 7669 Suite 500, 7669 Suite 600, and 7669 Suite 700, all owned by Declarant or its affiliate. There are seven (7) Condominium Units in unit 7669 regardless of the Potter-Randall Appraisal District records, or other regulatory entities.

(the "Withdrawn Property").

4. The Withdrawn Property is removed from all obligations of the Declaration, is no longer part of the Condominiums or its related regime, and is not subject to the payment of any fees, dues or reimbursements other than separate agreements outside of the Declaration relating to easements and utilities.

5. The Allocation of Common Interest, Liability and Vote is hereby amended and revised as set forth on the attached "Revised Exhibit D".

6. Declarant hereby designates parking (the "Designated Spaces") for each of the remaining Units as set forth on the "Parking Designation" attached hereto. The Association will remain responsible for the maintenance, upkeep, and repair for Designated Spaces as General Common Elements. Provided however, the Designated Spaces will be for the exclusive use of the Unit as designated.

7. Other than the above-stated amendments, the Declaration remains in full force and effect.

8. The terms of this First Amendment have been approved by the affirmative consent of greater than 75% of the owners of the Condominium Units set forth in the Declaration, as evidenced by the Approval & Consent signed by said owners as set forth below.

Dated the 13<sup>th</sup> day of December, 2019.

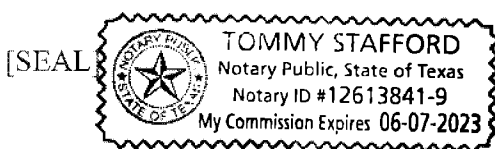
**DECLARANT AND DEVELOPER:**

GWV on Hillside, LLC,  
a Texas limited liability company

By: [Signature]  
Josh Langham, Managing Member

THE STATE OF TEXAS                   §  
§  
COUNTY OF RANDALL                   §


This instrument was acknowledged before me on the 13 day of December, 2019, by Josh Langham, Managing Member of GWV on Hillside, LLC, a Texas limited liability company, on behalf of said company.



[Signature]  
Notary Public

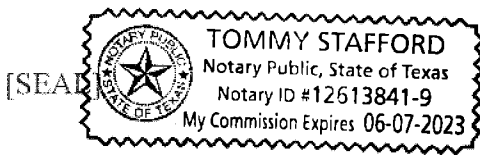
GWV on Hillside, LLC as owner of 39% of the units hereby consents to the terms above including the withdrawal of the Withdrawn Property as set forth herein.

GWV on Hillside, LLC,  
a Texas limited liability company

By:   
Josh Langham, Managing Member

THE STATE OF TEXAS                   §  
§  
COUNTY OF RANDALL           §


This instrument was acknowledged before me on the 13 day of December, 2019, by Josh Langham, Managing Member of GWV on Hillside, LLC, a Texas limited liability company, on behalf of said company.



  
Notary Public

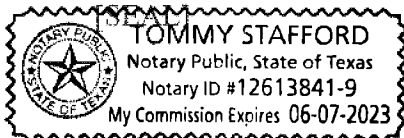
Llano Construction Company, LLC as an owner of GWV on Hillside, LLC and as owner of 20% of the units hereby consents to the terms above including the withdrawal of the Withdrawn Property as set forth herein.

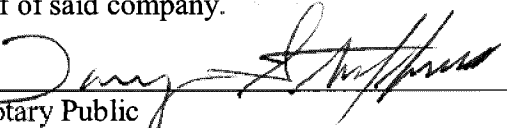
Llano Construction Company, LLC,  
a Texas limited liability company

By:   
Josh Langham, Managing Member

THE STATE OF TEXAS                   §  
§  
COUNTY OF RANDALL           §

This instrument was acknowledged before me on the 13 day of December, 2019, by Josh Langham, Managing Member of Llano Construction Company, LLC, a Texas limited liability company, on behalf of said company.



  
Notary Public

West Amarillo, LTD as an owner of GWV on Hillside, LLC hereby consents to the terms above including the withdrawal of the Withdrawn Property as set forth herein.

West Amarillo, LTD.,  
a Texas limited Partnership

ERS Group, L.L.C, its general partner

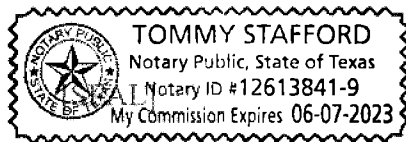
By: Edward R. Scott, Jr.  
Edward R. Scott, Jr., Manager

Cholla Land & Cattle, Inc., its general partner

By: F.G. Collard, III  
F.G. Collard, III, President

THE STATE OF TEXAS §  
COUNTY OF RANDALL §

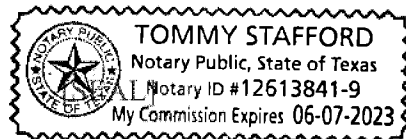
This instrument was acknowledged before me on the 13 day of December, 2019, by Edward R. Scott, Jr., Manager of ERS Group, L.L.C, general partner for West Amarillo, LTD, a Texas limited partnership, on behalf of said limited partnership.



Tommy Stafford  
Notary Public

THE STATE OF TEXAS §  
COUNTY OF RANDALL §

This instrument was acknowledged before me on the 13 day of December, 2019, by F.G. Collard, III, President of Cholla Land & Cattle, Inc., general partner for West Amarillo, LTD, a Texas limited partnership, on behalf of said limited partnership.



Tommy Stafford  
Notary Public

E. Scott Family Limited Partnership as owner of 11% of the units hereby consents to the terms above including the withdrawal of the Withdrawn Property as set forth herein.

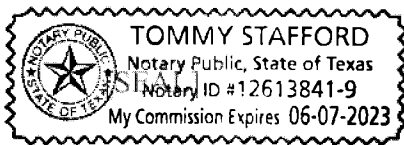
E. Scott Family Limited Partnership,  
a Texas limited partnership

By: ERS Development, Inc.,  
a Texas Corporation, General Partner

By: Edward R. Scott, Jr.  
Edward R. Scott, Jr., Authorized Officer

THE STATE OF TEXAS §  
§  
COUNTY OF RANDALL §

This instrument was acknowledged before me on the 13 day of December 2019, by Edward R. Scott, Authorized Officer of ERS Development, Inc., General Partner of the E. Scott Family Limited Partnership, a Texas limited partnership, on behalf of said limited partnership.



Tommy Stafford  
Notary Public

Dental Group Land Holdings, LLC, and the holder of lien thereon, as owner of 10% hereby consents to the terms above including the withdrawal of the Withdrawn Property as set forth herein.

Dental Group Land Holdings, LLC,  
a Texas limited liability company

By: Member, Manager

THE STATE OF TEXAS §  
§  
COUNTY OF Randall §

This instrument was acknowledged before me on the 16 day of December 2019, by Tracy Moore, Manager of Dental Group Land Holdings, LLC, a Texas limited liability company on behalf of said company.



Rene McKinney  
Notary Public

Amarillo National Bank

By:

William Ware, President

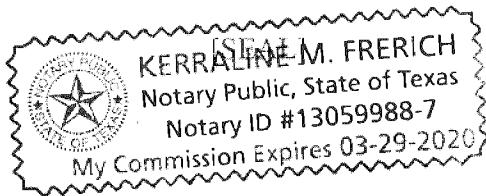
THE STATE OF TEXAS

COUNTY OF

Potter

§  
§  
§

This instrument was acknowledged before me on the 16<sup>th</sup> day of December  
2019, by William Ware, Amarillo National Bank, on behalf of said company.



Kerraline M. Frerich  
Notary Public

Hillside Road  
 (120' R.O.W.)

5.0' SPS Overhang Easement  
 (RCCFN: 2017000127)  
 (RCCFN: 2017019330)

5.0' SPS Overhang Easement  
 (RCCFN: 2017017938)

Lot 62, Block 1  
 The Greenways  
 at Hillside Unit 35  
 (RCCFN: 2017017938)

Greenways Dr.

L=269.54, R=1500.00  
 $\Delta=010^{\circ} 17' 45''$   
 LCB=N 05° 35' 52" E  
 LC=269.18

4.5' P.U.E  
 (Per Plot)

S C  
 72.4

10.0' P.  
 (Per Pl)

S 1  
 79.

4.5' P.U.  
 (Per by

S 1  
 79.

4.5' P.U.  
 (Per by

S 1  
 79.

4.5' P.U.  
 (Per by

S 1  
 79.

4.5' P.U.  
 (Per by

S 1  
 79.

4.5' P.U.  
 (Per by

The Greenways at Hillside Unit No. 78  
 (RCCFN: 04-13447)

Gor

## REVISED EXHIBIT D

### ALLOCATION OF COMMON INTEREST, LIABILITY AND VOTE

Unit	Undivided Interest in Common Elements, Percentage Liability for Common Expenses, and Association Voting Percentage*
GVO: 7619,E STE 100	6.209%
GVO: 7619,E STE 200	5.649%
GVO: 7619,E STE 300	6.209%
GVO: 7629,D STE 100	9.034%
GVO: 7629,D STE 200	9.034%
GVO: 7639,C STE 100	5.092%
GVO: 7639,C STE 200 A	3.403%
GVO: 7639, C STE 200 B	3.363%
GVO: 7639,C STE 300	6.209%
GVO: 7649,B STE 100	13.673%
GVO: 7649,B STE 200	8.407%
GVO: 7659,A STE 100	6.209%
GVO: 7659,A STE 200	5.649%
GVO: 7659,A STE 300	5.649%
GVO: 7659,A STE 400	6.209%

\*These percentages will decrease on a proportional basis if the Declarant adds Units to the Condominium.



## FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



*Susan B. Allen*

2019022287

12/18/2019 04:16:21 PM

Fee: \$44.00

Susan B. Allen, County Clerk

Randall County, Texas

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