

CORRECTED
SUPPLEMENTARY DECLARATION NO. 16 *OFF. PA*

LAS COLINAS AREA XVI
DALLAS COUNTY, TEXAS

This Supplementary Declaration, made this 8th day of Aug, 1978, by LAS COLINAS CORPORATION, hereinafter called Declarant,

WITNESSETH:

WHEREAS, Declarant executed a Declaration (the Declaration) on the 22nd day of August, 1973, applicable to certain real property described in Exhibit "A" thereto and located in or adjacent to the City of Irving, County of Dallas, State of Texas; and

WHEREAS, the Declaration was filed of record in Volume 73166, Page 1001 of the Deed Records of Dallas County, Texas, on August 22, 1973; and corrected by Correction to Declaration dated August 8, 1977, and recorded in Volume 77154, Page 1096 of the Deed Records of Dallas County, Texas; and

WHEREAS, additional real property has previously been added to the scheme of the Declaration by Supplementary Declarations duly recorded in the Deed Records of Dallas County, Texas; and

WHEREAS, Article V of the Declaration (entitled Protective Covenants), as originally written and as modified by said previous Supplementary Declarations, is applicable only to the real property described in said Exhibit "A" to the Declaration and in Exhibits to said previous Supplementary Declarations and not to additional real property which may be added to the scheme of the Declaration by subsequent supplementary declaration; and

WHEREAS, Article I, Section 3 of the Declaration permits the addition of additional property to the scheme thereof by filing a supplementary declaration of record, which supplementary declaration may modify Article V of the Declaration as it pertains to such additional property; and

WHEREAS, Declarant desires to so add additional property, located within the boundaries of the property described in Exhibit "B" to the Declaration, to the scheme of the Declaration and to so modify Article V of the Declaration as it pertains to said additional property;

NOW THEREFORE, Las Colinas Corporation, Declarant, hereby declares as follows:

1. That the real property described in Exhibit "A-16" attached hereto and incorporated herein by reference for all purposes (designated as Area XVI for purposes of this Supplementary Declaration) is and shall be subject to the scheme of the Declaration, and is and shall be held, transferred, sold, conveyed, used, and

occupied subject to covenants, restrictions, easements, charges, and liens set forth in the Declaration (the Declaration being incorporated herein by reference for all purposes) as modified herein.

2. That Article V of the Declaration is hereby modified by the addition thereto of the following Section 16, which shall be applicable only to Area XVI:

Section 16. Covenants Applicable to Area XVI. The following provisions shall be applicable to any and all construction, improvement, alteration, addition, or use of, in, or to Area XVI of The Properties:

a. Use Limitations. Sites in Area XVI may be used for office, warehousing, wholesaling, research and development, assembling, processing, and servicing and distribution purposes. Sites in Area XVI may be used for light manufacturing, multi-family residential, hotel, restaurant, gasoline service station, and other retail sale purposes only with the prior written approval of Declarant. The following uses of sites in Area XVI are not permitted:

- (1) Single family detached residential dwellings.
- (2) Any use which involves a noxious odor, excessive emission of smoke, steam, or vapor, or an excessive noise level.
- (3) Any use contrary to law or which violates any part of Section 14 of this Article V.
- (4) Overnight parking of campers, mobile homes, boats, trailers, or motor homes, except that such parking is permitted in covered or enclosed areas.
- (5) Any use which involves the raising, breeding, or keeping of any animals or poultry other than two household pets per unit.
- (6) Uses not expressly permitted hereinabove.

b. Minimum Setback Lines. No structure of any kind and no part thereof shall be placed within these setback lines:

- (1) 50 feet from Walnut Hill Lane right-of-way.
- (2) 50 feet from MacArthur Boulevard (formerly Story Road) right of way.
- (3) 30 feet from any other public street property line.

The following improvements are expressly excluded from this setback restriction:

- (a) Structures below and covered by the ground.
- (b) Steps, walks, driveways, and curbing.
- (c) Planters, walls, fences or hedges, not to exceed 4 feet in height.
- (d) Landscaping.

(c) Any other improvements approved in writing by Declarant. Roofed structures, other than the following, may in no event be so approved:

- i. guardhouses;
- ii. gate houses;
- iii. relatively minor encroachments of adequately screened parking structures.

c. Parking Areas. Parking areas shall:

- (1) Be curbed, guttered, and paved with 5" reinforced concrete or with 5" asphaltic concrete; both the reinforced concrete and the asphaltic concrete shall be placed on a 6" lime stabilized base.
- (2) Have a maximum grade slope of 7½% and a minimum grade slope of 1½%.
- (3) Not be provided in front of minimum setback lines.
- (4) Not be provided in front of any building line fronting any public thoroughfare unless expressly so approved in writing by the Architectural Control Committee which Committee may not approve such parking in front of minimum setback lines.
- (5) Be adequately screened by use of berm, trees, landscaping, or other means acceptable to the Architectural Control Committee.
- (6) Be sufficient to accommodate all parking needs for employees, company vehicles, residents, and visitors without the use of on-street parking. If parking needs increase, additional off-street parking shall be provided by the owner. In no event shall less than one parking space be provided for each of the following, as applicable:

- (a) 300 gross square feet of office space;
- (b) 250 gross square feet of banking or retail store space;
- (c) Each hotel or motel guest room;
- (d) Each 2½ restaurant or club seats;
- (e) Each 3½ theatre, auditorium, or assembly seats;
- (f) 1,000 gross square feet of warehouse area;
- (g) 500 gross square feet of manufacturing, assembling, processing, or servicing area.

Declarant may grant exceptions to and/or variations from any part of paragraph "c" of this Section 16 provided that any such variations and/or exceptions must be in writing.

d. Driveways. Driveways shall

- (1) Not intersect roads, streets, or thoroughfares within 30 feet of intersections.
- (2) Be constructed as specified in "c(1)" above except that reinforced concrete shall be used in construction between building lines and streets.
- (3) Have a minimum width of 12 feet.

e. Signs. All signs must be approved by the Architectural Control Committee in writing prior to installation. Normally, such approval will be limited to those signs which

- (1) Identify the name and business of the occupant, or which give directions, or which offer the premises for sale or for lease.
- (2) Are not of an unusual size or shape when compared to the building or buildings on the premises.
- (3) Do not project above the roof line of a building or in front of the setback line.
- (4) Do not block or detract from adjacent property.
- (5) Preserve the quality and atmosphere of the area.

Signs of a flashing or moving character and inappropriately colored signs will not be permitted. The Association shall have the right to enter on and to remove any sign erected without such written approval.

f. Landscaping. Landscaping shall

- (1) Be required on all sites contemporaneously with completion of other improvements, but in no event later than 180 days after first occupancy or completion of buildings, whichever shall first occur.
- (2) Conform to a landscaping plan approved by the Architectural Control Committee pursuant to Article IV of the Declaration. Normally, such approval will be limited to landscaping plans which:
 - (a) Provide automatic underground sprinkling systems for all landscaped areas;
 - (b) Do not obstruct sight lines at street or driveway intersections;
 - (c) Preserve existing trees to the extent practical;
 - (d) Include at least one tree for each 4,500 square feet of area between building lines and street property lines;
 - (e) Permit reasonable access to public and private utility lines and easements for installation and repair.

g. Screening.

- (1) Storage areas, incinerators, storage tanks, trucks based on the premises, roof objects (including fans, vents, cooling towers, skylights, and all roof mounted equipment which rises above the roof line), trash containers, and maintenance facilities shall either be housed in closed buildings or otherwise completely screened from public view in a manner and at a location approved in writing by the Architectural Control Committee. Such screening would normally include landscaping or permanent fences of solid materials and be located as far from property lines as reasonably possible. Such screening may not be required for roof fans, vents, and skylights which do not extend more than 18 inches above roof lines of warehousing, manufacturing, assembling, processing, or servicing facilities, if, in the sole judgment of the Architectural Control Committee (confirmed in writing), such fans, vents, or skylights are architecturally acceptable and do not detract from the quality of the area or from the external appearance of the structure.
- (2) No antenna or tower shall be erected on any property for any purpose without prior written approval from the Architectural Control Committee.

(3) Any and all lines and/or wires for communication or for transmission of sound or current, not within a building, shall be constructed or placed and maintained underground. Declarant may, at its sole discretion, install temporary above-ground electric and telephone service lines for the purpose of providing temporary service pending installation of permanent underground service.

h. Loading Docks and Areas.

(1) Loading docks and areas shall not be located on the street side of any building or structure, except that the Architectural Control Committee may approve such location in writing (subject to express screening requirements).

~~(2) Loading docks and areas shall not be located on the side of any building facing the south boundary of Area XIV.~~

(2) ~~(4)~~ Loading areas may not encroach setback areas, except that Declarant may approve such encroachment in connection with the approval of side street loading areas for corner buildings.

(3) ~~(4)~~ Loading docks and areas shall be screened in a manner approved in writing by Declarant, considering such things as location (street side, rear, etc.) and views from adjacent and nearby properties.

i. Exterior Illumination. Illumination will be required on all exterior walls facing public streets or proposed public streets and for all parking areas and walkways between buildings and parking areas unless otherwise waived or modified by Declarant in writing. All exterior illumination must conform to plans approved in writing by the Architectural Control Committee pursuant to Article IV of the Declaration.

j. Construction Standards.

(1) All building sides must be faced with face brick or stone, or with such other quality face materials as may be approved in writing by the Architectural Control Committee. Windows shall not be glazed or re-glazed with mirrored or reflective glass without prior written approval of the Architectural Control Committee.

(2) Construction must conform to plans and specifications approved in writing by the Architectural Control Committee pursuant to Article IV of the Declaration. Normally, such approval will be limited to those plans which:

- (a) Do not include wooden frames;
- (b) Provide adequate fire protection systems;
- (c) Provide for all underground utilities (public and private);
- (d) Preserve the quality and atmosphere of the area and do not detract from adjacent property;
- (e) Do not include exterior fire escapes;
- (f) Do not make extensive use of reflective or mirrored glass;

(3) Each dwelling unit shall contain a trash compactor and a water flushing garbage grinder disposal.

(4) Each commercial building, complex of buildings, or separate commercial business enterprise shall have a trash compactor on the premises adequate to handle the trash and waste items generated, manufactured, or acquired thereon by such commercial activities. The sorting, removing, and disposing of all such waste materials must be housed or screened in a manner approved in writing by the Architectural Control Committee. All facilities and plans for the disposal of wastes other than by public sewerage methods (such as shredding, compaction, incineration, reclamation, or chemical dissolution) must be approved in writing by the Architectural Control Committee.

(5) Each kitchen facility within a commercial building or complex of buildings shall contain a water flushing garbage grinder disposal.

(6) All structures will be equipped with gutters, downspouts, and/or other drainage conveyances.

(7) No excavation shall be made except in conjunction with construction of an improvement. When such improvement is completed, all exposed openings shall be back filled and graded.

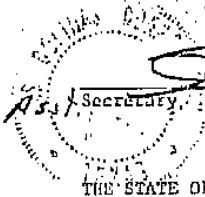
(8) Once commenced, construction shall be diligently pursued to the end that it may not be left in a partly finished condition any longer than reasonably necessary.

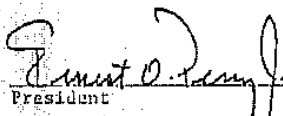
3. The Declaration, except as expressly modified herein, remains in full force and effect and is hereby ratified and confirmed.

EXECUTED as of the day and year first written above.

ATTEST:

LAS COLINAS CORPORATION


Secretary

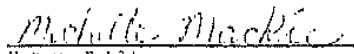

President

THE STATE OF TEXAS)

COUNTY OF DALLAS)

BEFORE ME, the undersigned authority, in and for said county and state, on this day personally appeared Ernest O. Langford, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said LAS COLINAS CORPORATION, a Texas corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 5th day of August, 1978.


Notary Public

MICHELLE MACKIE, Notary Public
Dallas County, Texas
My commission expires 6/2/80

EXHIBIT A - 16
LAS COLINAS AREA XVI

SECTOR XII

BEING a 329.3 acre tract located in Dallas County, Texas, more particularly described as follows:

TRACT 1

All that certain tract of land located in the E. J. Goodwin Survey, Abstract No. 538 and the L. Kelly Survey, Abstract No. 1628, Dallas County, Texas, and all that tract of land conveyed to Las Colinas Corporation by Good Financial Corporation (8% undivided interest) by deed recorded in Volume 73130, Page 1333, Dallas County Deed Records; by Frank E. Rigney (58% undivided interest) by deed recorded in Volume 73190, Page 790, Dallas County Deed Records; by Grover Hope (8% undivided interest) by deed recorded in Volume 76225, Page 342, Dallas County Deed Records; by Grace F. Carothers (8% undivided interest) by deed recorded in Volume 77065, Page 2828, Dallas County Deed Records; and by Katherine F. Moore (8% undivided interest) by deed recorded in Volume 77065, Page 2838, Dallas County Deed Records, Dallas County, Texas; said tract being more particularly described as follows:

SUB-TRACT I

BEGINNING at an iron rod at the common northwest corner of said Kelly Survey and Anderson tract, from which an iron rod in fence corner bears South $89^{\circ} 51'$ East 15 feet;

THENCE South $89^{\circ} 51'$ East 1307.71 feet along said Kelly and Anderson tract to an iron rod on the northwest line of Valley View Lane, 60 feet from the center, as conveyed to the County of Dallas on December 9, 1961, and recorded in Volume 5725, Page 610, Deed Records;

THENCE South $52^{\circ} 59' 20''$ West 548.4 feet along the northwest line of Valley View Lane to an iron rod at the beginning of a curve;

THENCE Southwesterly 945.4 feet around said curve, whose central angle is $29^{\circ} 16' 55''$, radius is 1849.86 feet and tangent is 486.23 feet, to an iron rod on the west line of said Kelly Survey and Anderson tract;

THENCE North $00^{\circ} 01' 20''$ East 691.65 feet along said Kelly and Anderson line to the Place of Beginning and containing 12.631 acres of land.

SUB-TRACT II

BEGINNING at a nail in the center of Trigg Road (50 feet wide) and Story Road (60 feet wide) also being the southeast corner of the said Anderson tract and a common corner of the Goodwin Survey and the Anton Kuhn Survey, Abstract No. 729, from which an iron rod at the northwest corner of Trigg Road and Story Road bears North $50^{\circ} 01'$ West 40 feet, another iron rod at the northeast corner bears North $42^{\circ} 39'$ East 44.78 feet;

THENCE North $89^{\circ} 53' 40''$ West 2048.91 feet along the center of Trigg Road to a nail at the intersection of Trigg Road and Story Road (60 feet wide), on the south line of the said Goodwin Survey and a common corner of the Bennett Survey and the Wheeler Survey, from which an iron rod on the north line of Trigg Road bears North $00^{\circ} 06'$ West 25.10 feet, another iron rod at the southeast corner of Trigg Road and Story Road bears South $50^{\circ} 06'$ East 39.06 feet;

THENCE South $89^{\circ} 34' 40''$ West 1942.59 feet to a nail in the center of Trigg Road and on the south line of said Kelly Survey, also a common corner of the B.B.B. & C.R.R. Survey and the Bennett Survey, from which an iron rod on the north line of Trigg Road bears North $10^{\circ} 27'$ West 25.48 feet, and an iron pipe on the south line of Trigg Road and on the said common line of the B.B.B. & C.R.R. Survey and Bennett Survey bears South $00^{\circ} 24' 20''$ West 23.04 feet;

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THENCE North $89^{\circ} 49' 20''$ West 1528.93 feet to a nail in Trigg Road and on said south line of the Kelly Survey and being on the northeast line of the Dallas-Ft. Worth Regional Airport, from which an iron rod on the north line of Trigg Road bears North $44^{\circ} 48' 40''$ West 35.34 feet, also a brass cap set in concrete for an airport marker bears North $44^{\circ} 48' 40''$ West 40.33 feet, and an iron rod at the common corner of the Kelly Survey and Anderson tract bears North $89^{\circ} 49' 20''$ West 984.88 feet;

THENCE North $44^{\circ} 48' 40''$ West 1386.38 feet along the northeast line of said airport tract to a nail in Trigg Road (50 feet wide), and on the common west line of the Kelly Survey and Anderson tract, from which an iron rod on the east line of Trigg Road bears South $44^{\circ} 48' 40''$ West 35.19 feet, another iron rod on the west line of Trigg Road bears North $44^{\circ} 48' 40''$ West 35.19 feet and an iron rod at the southwest corner of said Kelly Survey bears South $00^{\circ} 27' 20''$ West 980.52 feet;

THENCE North $00^{\circ} 27' 20''$ East 343.19 feet to an iron rod in Trigg Road, and on said Kelly Survey line, and on the south line of Valley View Lane as conveyed to the County of Dallas on December 9, 1961, and recorded in Volume 5725, Page 610, Deed Records;

THENCE South $89^{\circ} 32' 40''$ East 30 feet to an iron rod in fence line;

THENCE North $42^{\circ} 06'$ East 47 feet to an iron rod in fence line and on the south line of Valley View Lane, 60 feet from the center line and on a curve;

THENCE Northeasterly 962.3 feet around a curve whose central angle is $27^{\circ} 59' 23''$, radius is 1969.86 feet and tangent is 490.95 feet to an iron rod;

THENCE North $52^{\circ} 59' 20''$ East 707.4 feet with the southeast line of Valley View Lane to an iron rod in fence corner on the common north line of said Kelly Survey and Anderson tract;

THENCE South $89^{\circ} 42'$ East 4898.26 feet along the north line of said Anderson tract to an iron rod in fence line on the southwest line of State Highway 114, the right of way to Dallas County being recorded in Volume 1372, Page 607, Deed Records, from which an iron rod at the common northwest corner of said Goodwin Survey and Anderson tract bears South $89^{\circ} 42'$ East 103.34 feet;

THENCE South $57^{\circ} 30' 40''$ East 122.15 feet along the Highway 114 to a nail on the common east line of said Goodwin Survey and Anderson tract and in Story Road, from which an iron rod on the west line of Story Road (60 feet wide) and the southwest line of State Highway 114 bears North $57^{\circ} 30' 40''$ East 35.46 feet, and a concrete right of way marker on the east line of Story Road bears South $20^{\circ} 54'$ East 83.07 feet;

THENCE South $00^{\circ} 16' 20''$ West 2062.69 feet along the common east line of said Goodwin Survey line and Anderson tract, also the east line of a 30 foot wide strip of land for right of way conveyed to the County of Dallas on July 29, 1936, recorded in Volume 1972, Page 569, to the Place of Beginning and containing 292.235 acres of land of which 4.787 acres are within roadway right of way.

TRACT II

All that certain tract of land located in the B.B.B. and C.R.R. Survey, Abstract No. 214, Dallas County, Texas, and all that tract of land conveyed to Las Colinas Corporation by Mary Mavis Harrington Minor, by Deed Recorded in Volume 76259, Page 2474, Dallas County Deed Records, said tract being more particularly described as follows:

BEGINNING at an iron rod for corner in the East line of the above mentioned B.B.B. and C.R.R. Survey, Abstract No. 214, same being the Southeast corner of a tract of land conveyed to the Western Heights Missionary Baptist Church by deed filed April 29, 1970, in the Deed Records of Dallas County, Texas;

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THENCE South $00^{\circ} 11' 50''$ West along said B.B.B. and C.R.R. Survey for a distance of 1245.63 feet to an iron rod for corner;

THENCE North $45^{\circ} 00' 00''$ West across said Minor Tract for a distance of 2123.00 feet to an iron rod for corner in the South line of Trigg Road (a variable width road);

THENCE East along said South line of Trigg Road for a distance of 1250.80 feet to an iron rod for corner, same being the Northwest corner of said Church Tract;

THENCE South $00^{\circ} 09' 00''$ West along the West line of said Church Tract for a distance of 255.50 feet to an iron rod for corner, same being the Southwest corner of said Church Tract;

THENCE East along the South line of said Church Tract for a distance of 255.35 feet to the POINT OF BEGINNING, and CONTAINING 24.458 acres of land.

TRACT III

BEING a 1.729 acre tract of land out of the William Bennett Survey, Abstract No. 147, Dallas County, Texas, same being out of a 400 acre tract of land conveyed to Las Colinas Corporation by the Crockett Company by deed recorded in Volume 69040, Page 1582, Dallas County Deed Records, Dallas County, Texas; said tract being more particularly located and described as follows:

BEGINNING at a point on the West right-of-way line of Walnut Hill Lane (a 110 foot R.O.W.) in Irving, Texas, said point being in a curve to the left of said West right-of-way line with a central angle of $134^{\circ} 23'$ and a radius of 1091.62 feet; the radius point of said curve bearing South $26^{\circ} 38' 56''$ East from said point; said point also being on the old South right-of-way line of Trigg Road (a 50 foot R.O.W.), said 50 foot right-of-way having been abandoned by Quit-Claim deed recorded in Volume 77026, Page 1145, Dallas County Deed Records;

THENCE along said West right-of-way line of Walnut Hill Lane as follows:

Southwesterly with a portion of said curve to the left through a central angle of $13^{\circ} 32' 11''$ a distance of 257.90 feet to a point on said curve for a corner;

South $53^{\circ} 23' 57''$ West 92.00 feet to the point of curvature of a curve to the right with a central angle of $65^{\circ} 58'$ and a radius of 90.50 feet;

Westerly with said curve to the right a distance of 104.20 feet to the point of tangency of said curve for a corner;

North $60^{\circ} 38' 03''$ West 35.01 feet to a point in the north right-of-way line of Trigg Road (a 60 foot R.O.W.);

THENCE along said north right-of-way line of Trigg Road as follows:

North $50^{\circ} 23' 03''$ West 59.41 feet to the point of curvature of a curve to the left with a central angle of $40^{\circ} 07' 27''$ and a radius of 851.47 feet;

Northwesterly with a portion of said curve to the left through a central angle of $19^{\circ} 16' 55''$ a distance of 285.55 feet to a point on said curve for a corner; said point being on the aforementioned old south right-of-way line of Trigg Road (a 50 foot R.O.W.);

THENCE along said old south right-of-way line of Trigg Road North $89^{\circ} 34' 40''$ East 710.31 feet to the POINT OF BEGINNING;

Containing 1.729 acres of land, more or less.

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RETURN TO:

ERNEST O. PERRY, JR.
LAS COLINAS CORPORATION
4950 N. O'Connor
Irving, Texas 75062

STATE OF TEXAS COUNTY OF DALLAS
I hereby certify that this is a true and correct copy of the original as filed on the date and time stamped hereon by me and was duly recorded in the public records of Dallas County, Texas as stamped hereon by me.

SEP 7 1978



L. E. Mardock
COUNTY CLERK, Dallas County, Texas

STATE OF TEXAS COUNTY OF DALLAS
I hereby certify that this is a true and correct copy of the original as filed on the date and time stamped hereon by me and was duly recorded in the public records of Dallas County, Texas as stamped hereon by me.

AUG 10 1978



L. E. Mardock
COUNTY CLERK, Dallas County, Texas

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**FIRST AMENDMENT
TO THE
CORRECTED
SUPPLEMENTARY DECLARATION NO. 16
LAS COLINAS AREA XVI
DALLAS COUNTY, TEXAS**

**STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS;
COUNTY OF DALLAS §**

This First Amendment to the Corrected Supplementary Declaration No. 16, Las Colinas Area XVI, is made this 2nd day of November, 2017, by The Las Colinas Association, a Texas non-profit corporation, hereinafter called the "Association."

R E C I T A L S:

A. The Las Colinas Corporation ("LCC"), a Texas corporation, executed a Declaration [for] Las Colinas Area I (as corrected and supplemented, the "Declaration"), on the 22nd of August, 1973, applicable to certain real property described in Exhibit "A" thereto and located in or adjacent to the City of Irving, County of Dallas, State of Texas; and

B. The Declaration was filed of record in Volume 73166, page 1001 *et seq.* of the Deed Records of Dallas County, Texas; a Correction to Declaration was filed of record in Volume 77154, page 1096 *et seq.* of the Deed Records of Dallas County, Texas; a Second Correction to Declaration was filed of record in Volume 79122, Page 0749 *et seq.* of the Deed Records of Dallas County, Texas; a Third Correction to Declaration was recorded in Volume 82071, Page 3244 *et seq.* of the Deed Records of Dallas County, Texas; and a First Amendment to the Corrected Las Colinas Declaration was recorded as Document No. 201400111545 of the Deed Records of Dallas County, Texas (such Declaration as so corrected and amended being referred to as the "Declaration").

C. LAS COLINAS AREA XVI ("Area XVI"), that certain 329.3 acre tract, was added to Las Colinas pursuant to Supplementary Declaration No. 16, Las Colinas Area XVI, recorded in Volume 78154, Page 0534 *et seq.*, of the Deed Records of Dallas County, Texas, which was subsequently replaced by the Corrected Supplementary Declaration No. 16, Las Colinas Area XVI, recorded Volume 78173, Page 0040 *et seq.* of the Deed Records of Dallas County, Texas, and are described more particularly in Exhibit "A-16" of Supplementary Declaration No. 16 (the "Original Supplement").

D. James Mark Anderson is the owner of property within Area XVI and has requested an amendment to Supplementary Declaration No. 16 to permit the development of medical office, medical clinic, and surgery as a component of another permitted use as provided herein.

E. Section 215.008(d) of the Texas Property Code provides that the declaration and any supplementary declaration, including amendments, modifications, or corrections, may be amended by a simple majority of the eligible votes being cast in favor of the amendment.

F. More than a majority of the eligible votes of the membership were cast to approve the following amendment of Article V, Section 16 of the Declaration, after due and proper notice, at a Special Meeting of the Association held on November 2, 2017.

NOW THEREFORE, the Declaration, as supplemented by the Original Supplement and as amended by this First Amendment to the Corrected Supplementary Declaration No. 16, Las Colinas Area XVI is hereby amended as follows:

1. That Article V, Section 16, Subsection (a) of the Declaration is replaced with the following:

a. Use Limitations. Sites in Area XVI may be used for office, warehousing, wholesaling, research and development, assembling, processing, and service and distribution purposes. In addition to the foregoing uses, sites in Area XVI may be used for medical office, medical clinic, and day surgery. Sites in Area XVI may be used for light manufacturing, multi-family residential, hotel, restaurant, gasoline service station, and other retail sale purposes only with the prior written approval of Declarant. The following uses of sites in Area XVI are not permitted:

- (1) Single family detached residential dwellings.
- (2) Any use which involves a noxious odor, excessive emission of smoke, steam, or vapor, or an excessive noise level.
- (3) Any use contrary to law or which violates any part of Section 16 of this Article V.
- (4) Overnight parking of campers, mobile homes, boats, trailers, or motor homes, except that such parking is permitted in covered or enclosed areas.
- (5) Any use which involves the raising, breeding, or keeping of any animals or poultry other than two household pets per unit.
- (6) Uses not expressly permitted hereinabove.

2. That Article V, Section 16, Subsection (c) of the Declaration is hereby replaced with the following:

c. Parking Areas. Parking areas shall:

- (1) (Surface Parking) Be curbed and guttered with concrete and paved with 5" reinforced concrete placed on a 6" lime stabilized base or an equivalent pavement section engineered by a registered professional engineer as approved by the Architectural Control Committee.
- (2) (Surface Parking) Have a maximum grade slope of 7% and a minimum grade slope of 1%.
- (3) Be sufficient to accommodate all parking needs for employees, company vehicles, and visitors. If parking needs increase, additional parking on-site shall be provided by the Owner. Parking shall meet or exceed the parking requirements of the City of Irving, Development Codes, Zoning and Subdivision Ordinances as amended from time to time or as otherwise approved by the City of Irving and as approved by the Architectural Control Committee. Declarant may grant exceptions to or variances from any part of this subsection c, provided that any variances or exceptions must be in writing.

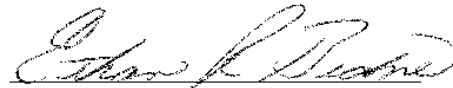
3. The recitals set forth above are hereby adopted by reference and declared to be true and correct.

4. The Corrected Supplementary Declaration No. 16, Las Colinas Arca XVI, except as expressly amended by this First Amendment to the Corrected Supplementary Declaration No. 16, Las Colinas Arca XVI hereby remains in full force and effect and is hereby ratified and confirmed.

EXECUTED as of the day and year first above written

THE LAS COLINAS ASSOCIATION,
a Texas non-profit corporation

By:

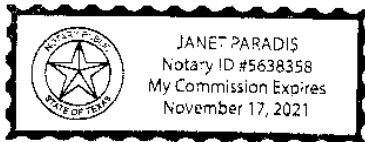

Ethan R. Bidne, President

THE STATE OF TEXAS

COUNTY OF DALLAS

This instrument was acknowledged before me on the 2nd day of November, 2017, by Ethan R. Bidne, President of The Las Colinas Association, a Texas non-profit corporation, on behalf of such corporation.


Notary Public in and for the State of Texas



Filed and Recorded
Official Public Records
John F. Warren, County Clerk
Dallas County, TEXAS
11/27/2017 11:27:37 AM
\$42.00





201700314513

**SECOND AMENDMENT
TO THE
CORRECTED
SUPPLEMENTARY DECLARATION NO. 16
LAS COLINAS AREA XVI
DALLAS COUNTY, TEXAS**

**STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS;
COUNTY OF DALLAS §**

This Second Amendment to the Corrected Supplementary Declaration No. 16, Las Colinas Area XVI, is made this 16th day of June, 2020, by The Las Colinas Association, a Texas non-profit corporation, hereinafter called the "Association."

R E C I T A L S:

A. The Las Colinas Corporation ("LCC"), a Texas corporation, executed a Declaration [for] Las Colinas Area I (as corrected and supplemented, the "Declaration"), on the 22nd of August, 1973, applicable to certain real property described in Exhibit "A" thereto and located in or adjacent to the City of Irving, County of Dallas, State of Texas; and

B. The Declaration was filed of record in Volume 73166, page 1001 *et seq.* of the Deed Records of Dallas County, Texas; a Correction to Declaration was filed of record in Volume 77154, page 1096 *et seq.* of the Deed Records of Dallas County, Texas; a Second Correction to Declaration was filed of record in Volume 79122, Page 0749 *et seq.* of the Deed Records of Dallas County, Texas; a Third Correction to Declaration was recorded in Volume 82071, Page 3244 *et seq.* of the Deed Records of Dallas County, Texas; and a First Amendment to the Corrected Las Colinas Declaration was recorded as Document No. 201400111545 of the Deed Records of Dallas County, Texas (such Declaration as so corrected and amended being referred to as the "Declaration").

C. LAS COLINAS AREA XVI ("Area XVI"), that certain 329.3 acre tract, was added to Las Colinas pursuant to Supplementary Declaration No. 16, Las Colinas Area XVI, recorded in Volume 78154, Page 0534 *et seq.*, of the Deed Records of Dallas County, Texas, which was subsequently replaced by the Corrected Supplementary Declaration No. 16, Las Colinas Area XVI, recorded Volume 78173, Page 0040 *et seq.* of the Deed Records of Dallas County, Texas, and are described more particularly in Exhibit "A-16" of Supplementary Declaration No. 16 (the "Original Supplement").

D. The Corrected Supplementary Declaration No. 16 was amended by the First Amendment To The Corrected Supplementary Declaration No. 16, Las Colinas Area XVI, recorded in the Deed Records of Dallas County, Texas in Volume 201700314513 of the Real Property Records of Dallas County, Texas (the "Amendment").

E. AMBE Land Development LLC is the owner of property within Area XVI as described in Exhibit "B - 16" and has requested an amendment to Supplementary Declaration No. 16 to permit the development of an event center as a component of another permitted use as provided herein.

F. Section 215.008(d) of the Texas Property Code provides that the declaration and any supplementary declaration, including amendments, modifications, or corrections, may be amended by a simple majority of the eligible votes being cast in favor of the amendment.

G. More than the requisite number of the eligible votes of the membership were cast to approve the following amendment of Article V, Section 16 of the Declaration, after due and proper notice, at the Annual Meeting of the Association held on June 16th, 2020.

NOW THEREFORE, the Declaration, as supplemented by the Original Supplement and as amended by this Second Amendment to the Corrected Supplementary Declaration No. 16, Las Colinas Area XVI is hereby amended as follows:

1. That Article V, Section 16, Subsection (a) of the Declaration is replaced with the following:

a. Use Limitations. Sites in Area XVI may be used for office, warehousing, wholesaling, research and development, assembling, processing, service and distribution purposes, medical office, medical clinic, and day surgery. In addition to the foregoing uses, sites in Area XVI may be used for event centers. Sites in Area XVI may be used for light manufacturing, multi-family residential, hotel, restaurant, gasoline service station, and other retail sale purposes only with the prior written approval of Declarant. The following uses of sites in Area XVI are not permitted:

- (1) Single family detached residential dwellings.
- (2) Any use which involves a noxious odor, excessive emission of smoke, steam, or vapor, or an excessive noise level.
- (3) Any use contrary to law or which violates any part of Section 16 of this Article V.
- (4) Overnight parking of campers, mobile homes, boats, trailers, or motor homes, except that such parking is permitted in covered or enclosed areas.
- (5) Any use which involves the raising, breeding, or keeping of any animals or poultry other than two household pets per unit.

(6) Uses not expressly permitted hereinabove.

2. The recitals set forth above are hereby adopted by reference and declared to be true and correct.

3. The Corrected Supplementary Declaration No. 16, Las Colinas Area XVI and First Amendment to the Corrected Supplementary Declaration No. 16, Las Colinas Area XVI, except as expressly amended by this Second Amendment to the Corrected Supplementary Declaration No. 16, Las Colinas Area XVI hereby remains in full force and effect and is hereby ratified and confirmed.

EXECUTED as of the day and year first above written

THE LAS COLINAS ASSOCIATION,
a Texas non-profit corporation

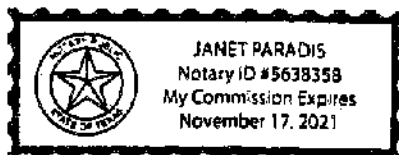
By:


J. Hammond Perot, President & CEO

THE STATE OF TEXAS

COUNTY OF DALLAS

This instrument was acknowledged before me on the 23rd day of July, 2020, by J. Hammond Perot, President & CEO of The Las Colinas Association, a Texas non-profit corporation, on behalf of such corporation.



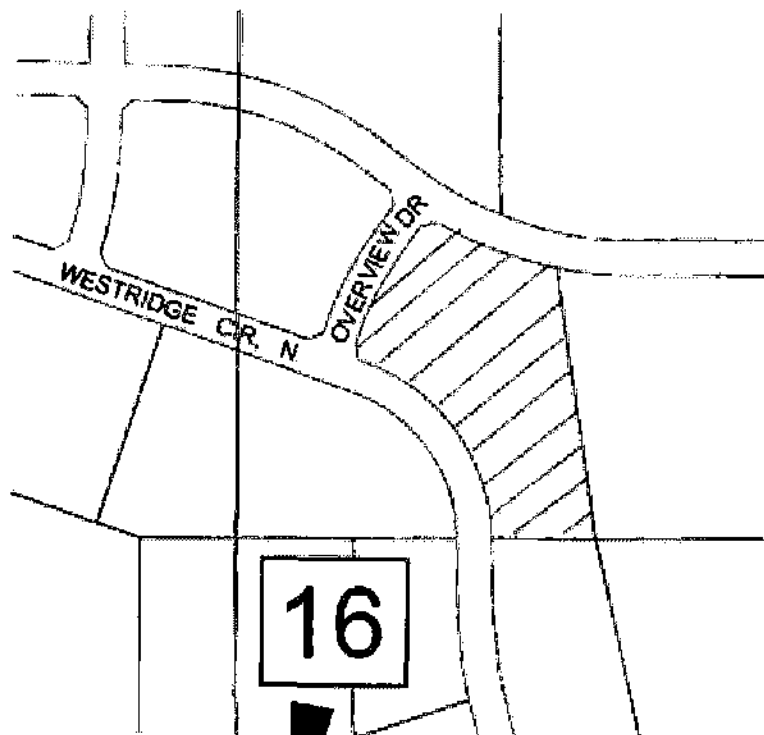

Notary Public in and for the State of Texas

Janet Paradis
Printed Name

My commission Expires:
11-17-21

EXHIBIT "B - 16"

Being Lot 2, Block C of WALNUT HILL BUSINESS PARK, THIRTY-FIRST INSTALLMENT, an Addition to the City of Irving, Dallas County, Texas, according to the plat thereof recorded in Volume 85214, Page 2556, Map Records, Dallas County, Texas,



**Dallas County
John F. Warren
Dallas County Clerk**

Instrument Number: 202000193685

eRecording - Real Property

Recorded On: July 30, 2020 09:16 AM

Number of Pages: 6

" Examined and Charged as Follows: "

Total Recording: \$42.00

******* THIS PAGE IS PART OF THE INSTRUMENT *******

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 202000193685
Receipt Number: 20200728000832
Recorded Date/Time: July 30, 2020 09:16 AM
User: Kevin T
Station: CC15

Record and Return To:

Simplifile



**STATE OF TEXAS
COUNTY OF DALLAS**

**I hereby certify that this Instrument was FILED In the File Number sequence on the date/time
printed hereon, and was duly RECORDED in the Official Records of Dallas County, Texas.**

John F. Warren
Dallas County Clerk
Dallas County, TX