

**FIRST AMENDMENT
TO
SUPPLEMENTARY DECLARATION NO. 8
LAS COLINAS AREA VIII
DALLAS COUNTY, TEXAS**

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

This First Amendment to Supplementary Declaration No. 8, Las Colinas Area VIII, is made this 15th day of November, 2023, by The Las Colinas Association, a Texas non-profit corporation, hereinafter called the "Association."

RECITALS:

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 Country, 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; and a Third Correction to Declaration was recorded in Volume 82071, Page 3244 *et seq.* of the Deed Records of Dallas County, Texas (such Declaration as so corrected being referred to as the "Declaration").

C. LAS COLINAS AREA VIII ("Area VIII"), those certain 59.68 acre tracts, were added to Las Colinas pursuant to Supplementary Declaration No. 8, Las Colinas Area VIII, recorded in Volume 76229, Page 2437 *et seq.*, of the Deed Records of Dallas County, Texas, and

are described more particularly in Exhibit "A-8" of Supplementary Declaration No. 8 (the "Original Supplement").

D. West Walnut Hill, LLC is the owner of property within Area VIII as described in Exhibit "B - 8" hereto and has requested an amendment to Supplementary Declaration No. 8 to permit the development of indoor event and fitness centers 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 fifty percent (50%) of the eligible votes of the membership were cast to approve the following amendment of Article V, Section 8 of the Declaration, after due and proper notice, at a Special Meeting of the Association held on November 7, 2023.

NOW THEREFORE, the Declaration, as supplemented by the Original Supplement and as amended by this First Amendment to Supplementary Declaration No. 8, Las Colinas Area VIII is hereby amended as follows:

1. That Article V, Section 8, Subsection (a) of the Declaration is hereby amended to supplant the current language:

- a. Use Limitations. Sites in Area VIII may be used for office, warehousing, assembling, processing, wholesaling, research and development, servicing and distribution purposes. Sites in Area VIII 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 VIII 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 8 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.

with the following:

- a. Use Limitations. Sites in Area VIII 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 VIII may be used for indoor event and fitness centers. Sites in Area VIII 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 VIII 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 8 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) Entertainment which involves an agreement to win or lose something of value solely or partially by chance, including but not limited to gambling and other games of chance.

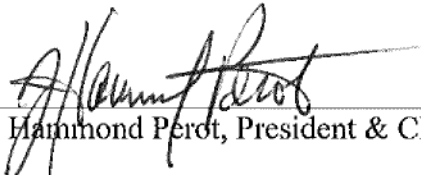
(7) Uses not expressly permitted hereinabove.

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

3. The Supplementary Declaration No. 8, Las Colinas Area VIII, except as expressly amended by this First Amendment to the Supplementary Declaration No. 8, Las Colinas Area VIII hereby remains in full force and effect and is hereby ratified and confirmed.

EXECUTED as of the day and year first above written

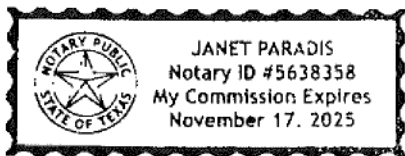
THE LAS COLINAS ASSOCIATION,
a Texas non-profit corporation

By: 
J. Hammond Perot, President & CEO

THE STATE OF TEXAS

COUNTY OF DALLAS

This instrument was acknowledged before me on the 15th day of November, 2023, by J. Hammond Perot, President & CEO of The Las Colinas Association, a Texas non-profit corporation, on behalf of such corporation.



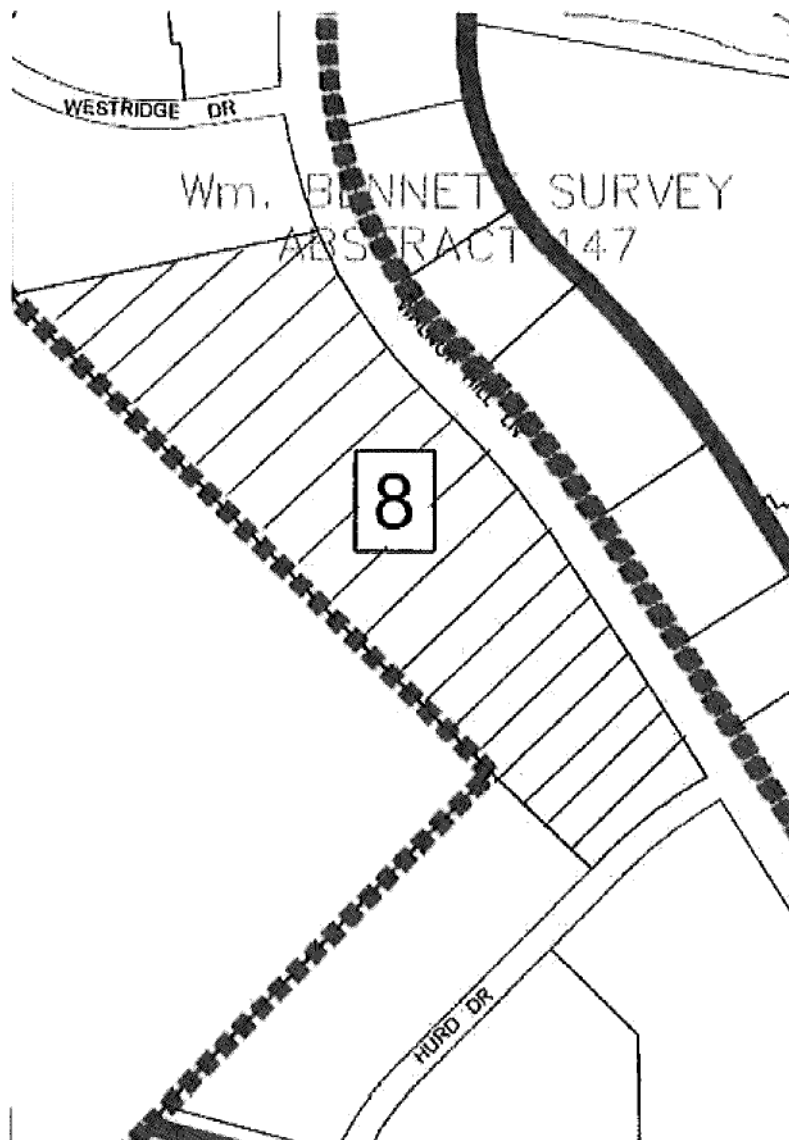
Janet Paradis
Notary Public in and for the State of Texas

My Commission Expires:

11-17-2025

EXHIBIT "B - 8"

Being Lot 2R, Block 1 of Las Colinas Walnut Hill Distribution Center, an addition to the City of Irving, Texas, according to the plat thereof as filed in Volume 75216, Page 2076, of the Deed Records of Dallas County, Texas, DCAD 3256500102R00



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

Instrument Number: 202300235886

eRecording - Real Property

Recorded On: November 20, 2023 02:00 PM

Number of Pages: 7

" Examined and Charged as Follows: "

Total Recording: \$46.00

******* 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: 202300235886
Receipt Number: 20231120000544
Recorded Date/Time: November 20, 2023 02:00 PM
User: Kevin T
Station: CC123.dal.ccdc

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

A handwritten signature in black ink, appearing to be "JFW", is written over a horizontal line.