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Condo. Record*

ENABLING DECLARATION
FOR ESTABLISHMENT OF A CONDOMINIUM FOR
A CONDOMINIUM APARTMENT PROJECT

THE STATE OF TEXAS)
)
COUNTY OF HOOD)

KNOW ALL MEN BY THESE PRESENTS:

THIS DECLARATION, made this the 24th day of August, 1970, by PONTE VERDE APARTMENTS, a Partnership, acting by and through the undersigned duly authorized Partner, OBIE P. LEONARD, JR. pursuant to and in accordance with the provisions of the Condominium Act of the State of Texas (hereinafter referred to as the "Act"), for the purpose of establishing a condominium regime in respect to the hereinafter described real property and improvements thereon;

W I T N E S S E T H:

WHEREAS, Developer is the sole owner in fee simple of the tract of land hereinafter described and also depicted on Exhibit "A" attached hereto as Phase I, hereinafter referred to as "the project tract of land", and has improved and developed said land by constructing on said tract a condominium project consisting of two (2) two-story apartment buildings, each containing ten (10) studio type apartments, together with certain other improvements, structures and facilities as part thereof and appurtenances thereto, which condominium project is designated and shall be known as THE PONTE VERDE CONDOMINIUM APARTMENTS, and which project tract of land is legally described as follows:

lot 674, DE CORDOVA BEND ESTATES, a Subdivision
in Hood County, Texas;

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cond. fee

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THE STATE OF TEXAS X
 X
COUNTY OF HOOD X

KNOW ALL MEN BY THESE PRESENTS:

THAT, WHEREAS, PONTE VERDE APARTMENTS, a Partnership is the Owner and Declarant of THE PONTE VERDE CONDOMINIUM APARTMENTS which have been built on the following described property in Hood County, Texas, to-wit:

Lot 674, DE CORDOVA BEND ESTATES, a Subdivision
in Hood County, Texas; and

WHEREAS, said property is a portion of De Cordova Bend Estates, a Subdivision in several Increments in which the Dedicator is Texlan, Inc.; and

WHEREAS, in De Cordova Bend Estates each lot owner must become a member of the DE CORDOVA BEND ESTATES OWNERS' ASSOCIATION and must affirmatively agree to be bound by all of the restrictions, covenants and agreements of record and pertaining thereto which have been filed in Hood County, Texas, along with the dedication of each increment of De Cordova Bend Estates; and

WHEREAS, it is to the best interest of the owners of the various Condominium Apartments for each apartment to be subject to the same restrictions, covenants and agreements insofar as they shall apply to the Condominium Apartments;

NOW, THEREFORE, the following covenants, restrictions, and agreements of De Cordova Bend Estates Owners Association are set out as they shall apply to the Ponte Verde Condominium Apartments and each conveyance of such apartment shall incorporate by reference hereto the following said covenants, restrictions, and agreements, to-wit:

1. No sale, transfer, lease or other disposition of any Condominium Apartment subject hereto shall be consummated unless and until the Purchaser or Transferee has applied for and has been accepted as a member of The Association, its successors or assigns, and hereinafter referred to in Paragraph 2. This restriction shall not apply, however, to lending institutions who may bid said property in at any foreclosure sale brought by them without regard to such membership restriction, nor shall it apply with respect to a transfer of such property pursuant to a duly probated Will or by virtue of intestacy, pursuant to the Statutes of the State of Texas. In the event of an attempted transfer to other than a member of The Association in violation of these covenants and restrictions or a transfer of title by virtue of foreclosure, probate of Will or intestate succession, De Cordova Bend Estates, its successors or assigns, shall have an absolute right and option to purchase said Condominium Apartment from the violating owner or

THE STATE OF TEXAS |
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COUNTY OF HOOD |

KNOW ALL MEN BY THESE PRESENTS:

That **TEXLAN, INC., d/b/a DeCORDOVA BEND ESTATES** (hereinafter referred to as **Dedicator**), is the owner of several tracts of real property in Hood County, Texas, including the lands specifically described in Exhibit "A" attached hereto and made a part hereof for all purposes, a map and plat of which is also attached hereto, and which plat is adopted by Dedicator as its plan for subdividing said tract described into the lots as shown thereon as a part of **DeCORDOVA BEND ESTATES, UNITS X and XI**, and being:

Lots 554-612, inclusive, DeCordova Bend Estates, Unit X, and Lots 613-669, inclusive, DeCordova Bend Estates, Unit XI, J. H. Casper Survey, Abstract 137; Isaac N. Manly Survey, Abstract 404; J. Danaby Survey, Abstract 150; and J. W. Haynes Survey, Abstract 848, Hood County, Texas;

WHEREAS, Dedicator desires to subdivide and plat said real property and other lands, in installments, from time to time, so as to orderly develop the same with areas for single family residences, areas for condominiums, areas for apartments, areas for commercial development, areas for marinas, and areas for recreational uses, with their allied facilities, and has caused the portion specifically described in Exhibit "A" to be subdivided and platted as Lots 554-612, inclusive, DeCordova Bend Estates, Unit X, and Lots 613-669, inclusive, DeCordova Bend Estates, Unit XI, as shown by the plat attached hereto; and

WHEREAS, Dedicator desires to create and carry out an orderly plan for development, improvement and use of all the lots in **DeCORDOVA BEND ESTATES, UNITS X and XI**, so as to provide for the preservation of the values and amenities in said development and the maintenance of the facilities thereof for the benefit of the present and future owners of said lots:

NOW, THEREFORE, **TEXLAN, INC., d/b/a DeCORDOVA BEND ESTATES**, declares that the property specifically described as Exhibit "A" designated as Lots 554-612, inclusive, DeCordova Bend Estates, Unit X, and Lots 613-669, inclusive, DeCordova Bend Estates, Unit XI, J. H. Casper Survey, Abstract