

638316

SUPPLEMENTAL DECLARATION
OF MERGER AND ANNEXATION
FOR
CAPISTRANO CONDOMINIUMS
PHASE II

STATE OF TEXAS I
COUNTY OF BEXAR I

KNOW ALL MEN BY THESE PRESENTS:

THIS DECLARATION is made on the date set forth below by CIUDAD DE CALIFORNIA, INC., a Texas corporation, hereinafter called "Declarant",

WITNESSETH:

WHEREAS, Declarant is the Owner of certain property in the County of Bexar, State of Texas, which is more particularly described on the attached Exhibit "A", and

WHEREAS, by a Condominium Declaration, hereinafter called "Declaration", executed on July 13, 1982, and recorded on July 15, 1982, in Volume 8, Page 633, of the Condominium Records of Bexar County, Texas, the Declarant therein restricted CAPISTRANO CONDOMINIUMS, PHASE I, consisting of forty-six (46) Units, to Condominium ownership; and

WHEREAS, by a First Amendment to Condominium Declaration for CAPISTRANO CONDOMINIUMS, filed August 3, 1982, in Volume 8, Page 853, of the Condominium Records of Bexar County, Texas, said Declaration was amended; and

WHEREAS, the above referenced Declaration provides in Paragraph 2.11 that the Declarant may annex additional property to CAPISTRANO CONDOMINIUMS, PHASE I, as defined therein; and

WHEREAS, the Declarant is desirous of annexing and merging the adjoining tract described as PHASE II in the Declaration on which exist eighteen (18) Units;

NOW THEREFORE, Declarant hereby declares that all of the Property described above as PHASE II in the Declaration shall be held, sold and conveyed subject to the easements, restrictions, covenants and conditions set forth in the Declaration for CAPISTRANO CONDOMINIUMS, PHASE I all of which are for the purpose of enhancing and protecting the value, desirability and attractiveness of the real property described above. The said easements, restrictions, covenants and conditions shall run with the above described Property and shall be binding

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on all parties having or acquiring any right, title or interest in the said Property or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each Owner and lessee thereof.

The Property described in the Plat of CAPISTRANO CONDOMINIUMS, as PHASE II, which Plat is attached hereto as Exhibit "B", shall become a part of the regime, as defined in the Declaration, and the eighteen (18) Units shown on the Plat of PHASE II, shall become Units, as defined in the Declaration, and from and after the filing hereof, CAPISTRANO CONDOMINIUMS, PHASE II shall be a part of the regime as if it had been originally described in the Declaration and the percentage or fraction of ownership interest in the Common Areas is hereby reallocated and established among the total of sixty-four (64) Units as set out in Exhibit "C", attached hereto.

This supplemental Declaration of Merger and Annexation may be amended by Declarant without joinder of any Unit Owner or Mortgagee in order to correct errors and discrepancies in said document or to comply with the requirements of the Veterans Administration, Federal Home Loan Mortgage Corporation, Federal National Mortgage Association or any other permanent lender approved by the Declarant; provided, however, that no vested property rights of any Unit Owner shall be materially affected.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereto set his hand and seal this 9th day of September, A.D., 1983.

CIUDAD DE CALIFORNIA, INC.

By: William T. Harris
William T. Harris - President

ATTEST:

Lester Thastin
Asst. Secretary

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EXHIBIT A

METES AND BOUNDS DESCRIPTION
FOR A 1.111 ACRE TRACT
PHASE II-C

A 1.111 acre tract out of a 5.757 acre tract out of the E.B. Smith Survey #367 3/4, Abstract #371, also being part of lots 1 and 2, Ship-Wig-War Estates as recorded in Deed and Plat records, Volume 960, Page 153, Bexar County, Texas, and being more fully described by metes and bounds as follows:

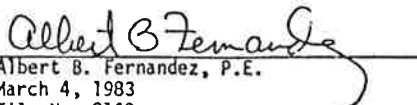
Beginning at a point on the southeast line of said 5.757 acre tract, said point bears N 47°36'22" W, 259.31 feet from the most southerly corner of said 5.757 acre tract for the most southerly corner of herein described tract.

Thence N 47°36'22" W, 409.32 feet along said southeast line of 5.757 acre tract to a point, said point being the most easterly corner of 5.757 acre tract for the most easterly corner of herein described tract.

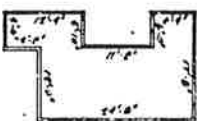
Thence N 87°35'28" E, 203.69 feet with the northeast line of said 5.757 acre tract to a point for the most northerly corner of herein described tract.

Thence S 47°36'22" E, 264.79 feet along a line to a point for the most westerly corner of herein described tract.

Thence S 42°23'38" W, 143.53 feet along a line to the point of beginning and containing 1.111 acres (48378.90 S.F.) of land more or less.


Albert B. Fernandez, P.E.
March 4, 1983
File No. 2160

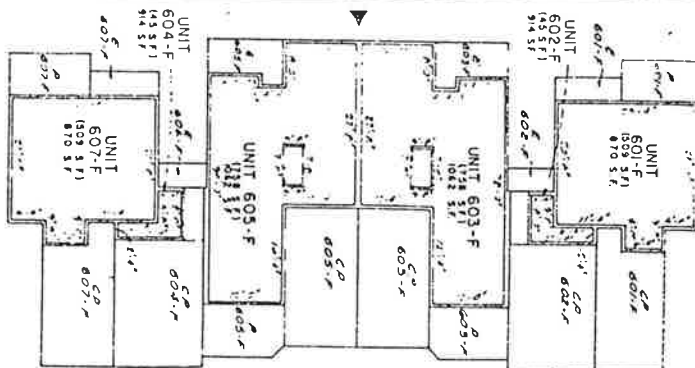
THIRD FLOOR



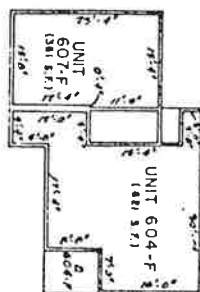
CAPISTRANO CONDOMINIUMS

Sheet 3

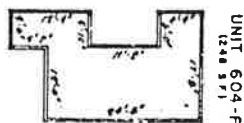
FIRST FLOOR



SECOND FLOOR



THIRD FLOOR



1. How many units are in all units from night arrests at Fort Worth?
2. How many units are in all units from day arrests at Fort Worth?
3. How many units are in all units from night arrests at Fort Worth?
4. How many units are in all units from day arrests at Fort Worth?
5. How many units are in all units from night arrests at Fort Worth?
6. How many units are in all units from day arrests at Fort Worth?
7. How many units are in all units from night arrests at Fort Worth?
8. How many units are in all units from day arrests at Fort Worth?
9. How many units are in all units from night arrests at Fort Worth?
10. How many units are in all units from day arrests at Fort Worth?

PART OF LOTS 1, 2, 3, & 22, C.B. 6167
SHIP WID WAR ESTATES. VOL. 980, PG. 153

San Antonio, Texas

demander engineers, inc.
 4115 Cassville Drive, Suite 100
 San Antonio, Texas 78229



12" SCALE

BUILDING "F"
UNIT NO.
60, 602 603, 604
605 AND 607

EXHIBIT "B"
TO
CONDOMINIUM DECLARATION
FOR
CARSTRANO CONDOMINIUMS

Sheet 1 of 2

PHASE I, PHASE IIa, PHASE IIb, PHASE IIc
EXHIBIT "C"

TO
CONDOMINIUM DECLARATION
FOR
CAPISTRANO CONDOMINIUMS

Building Number	Unit Number	Area S.F.	Garage Number	Patio Number	Balcony Number	% Ownership in Common Elements (also deter- minative of voting and prorata share of common expenses)
A	101-A	870	CP-101-A	P-101-A		0.95967
A	102-A	914	CP-102-A		D-102-A	1.00820
A	103-A	1062	CP-103-A	P-103-A		1.17146
A	104-A	914	CP-104-A		D-104-A	1.00820
A	105-A	1062	CP-105-A	P-105-A		1.17146
A	107-A	870	CP-107-A	P-107-A		0.95967
B	201-B	870	CP-201-B	P-201-B		0.95967
B	202-B	914	CP-202-B		D-202-B	1.00820
B	203-B	1062	CP-203-B	P-203-B		1.17146
B	204-B	914	CP-204-B		D-204-B	1.00820
B	205-B	1062	CP-205-B	P-205-B		1.17146
B	207-B	870	CP-207-B	P-207-B		0.95967
C	301-C	1148	CP-301-C	P-301-C		1.26633
C	302-C	1148	CP-302-C	P-302-C		1.26633
C	303-C	1148	CP-303-C	P-303-C		1.26633
C	304-C	1148	CP-304-C	P-304-C		1.26633

PHASE I, PHASE IIA, PHASE IIB, PHASE IIC

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EXHIBIT "C"

TO
CONDOMINIUM DECLARATION
FOR
CAPISTRANO CONDOMINIUMS

Building Number	Unit Number	Area S.F.	Garage Number	Patio Number	Balcony Number	% Ownership in Common Elements (also deter- minative of voting and prorata share of common expenses)
D	401-D	870	CP-401-D	P-401-D		0.95967
D	402-D	914	CP-402-D		D-402-D	1.00820
D	403-D	1062	CP-403-D	P-403-D		1.17146
D	404-D	914	CP-404-D		D-404-D	1.00820
D	405-D	1062	CP-405-D	P-405-D		1.17146
D	407-D	870	CP-407-D	P-407-D		0.95967
E	501-E	870	CP-501-E	P-501-E		0.95967
E	502-E	914	CP-502-E		D-502-E	1.00820
E	503-E	1062	CP-503-E	P-503-E		1.17146
E	504-E	914	CP-504-E		D-504-E	1.00820
E	505-E	1062	CP-505-E	P-505-E		1.17146
E	507-E	870	CP-507-E	P-507-E		0.95967
F	601-F	870	CP-601-F	P-601-F		0.95967
F	602-F	914	CP-602-F		D-602-F	1.00820
F	603-F	1062	CP-603-F	P-603-F		1.17146
F	604-F	914	CP-604-F		D-604-F	1.00820
F	605-F	1062	CP-605-F	P-605-F		1.17146
F	607-F	870	CP-607-F	P-607-F		0.95967

PHASE I, PHASE IIA, PHASE IIB, PHASE IIC

EXHIBIT "C"

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TO
CONDOMINIUM DECLARATION
FOR
CAPISTRANO CONDOMINIUMS

Building Number	Unit Number	Area S.F.	Garage Number	Patio Number	Balcony Number	Ownership in Common Elements (also deter- minative of voting and prorata share of common expenses)
G	701-G	826	CP-701-G	P-701-G	D-702-G (2)	0.91114
G	702-G	1013	CP-702-G			1.11741
G	703-G	975	CP-703-G	P-703-G		1.07549
G	704-G	1013	CP-704-G		D-704-G (2)	1.11741
G	705-G	975	CP-705-G	P-705-G		1.07549
G	707-G	826	CP-707-G	P-707-G		0.91114
H	801-H	847	CP-801-H	P-801-H	D-802-H (2)	0.93430
H	802-H	1017	CP-802-H			1.12182
H	803-H	1109	CP-803-H	P-803-H		1.22330
H	804-H	1017	CP-804-H		D-804-H (2)	1.12182
H	805-H	1109	CP-805-H	P-805-H		1.22330
H	807-H	847	CP-807-H	P-807-H		0.93430
I	901-I	915	CP-901-I	P-901-I	D-902-I (2)	1.00931
I	902-I	1100	CP-902-I			1.21338
I	903-I	1076	CP-903-I	P-903-I		1.18691
I	904-I	1100	CP-904-I		D-904-I (2)	1.21338
I	905-I	1076	CP-905-I	P-905-I		1.18691
I	907-I	915	CP-907-I			1.00931

PHASE I, PHASE IIa, PHASE IIb, PHASE IIc
EXHIBIT "C"

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TO
CONDOMINIUM DECLARATION
FOR
CAPISTRANO CONDOMINIUMS

Building Number	Unit Number	Area S.F.	Garage Number	Patio Number	Balcony Number	% Ownership in Common Elements (also deter- minative of voting and prorate share of common expenses)
J	1001-J	831	CP-1001-J	P-1001-J	D-1002-J	0.91666
J	1002-J	672	CP-1002-J			0.74127
J	1003-J	912	CP-1003-J	P-1003-J		1.00630
J	1004-J	672	CP-1004-J		D-1004-J	0.74127
J	1005-J	912	CP-1005-J	P-1005-J		1.00630
J	1007-J	831	CP-1007-J	P-1007-J		0.91666
K	1101-K	833	CP-1101-K	P-1101-K	D-1102-K (2)	0.91886
K	1102-K	1006	CP-1102-K			1.10969
K	1103-K	975	CP-1103-K	P-1103-K		1.07550
K	1104-K	1006	CP-1104-K		D-1104-K (2)	1.10969
K	1105-K	975	CP-1105-K	P-1105-K		1.07550
K	1107-K	833	CP-1107-K	P-1107-K		0.91886
L	1201-L	833	CP-1201-L	P-1201-L	D-1202-L (2)	0.91886
L	1202-L	1006	CP-1202-L			1.10969
L	1203-L	975	CP-1203-L	P-1203-L		1.07550
L	1204-L	1006	CP-1204-L		D-1204-L (2)	1.10969
L	1205-L	975	CP-1205-L	P-1205-L		1.07550
L	1207-L	833	CP-1207-L	P-1207-L		0.91886
M	1301-M	707	CP-1301-M	P-1301-M	D-1302-M	0.77987
M	1302-M	702	CP-1302-M			0.77435
M	1303-M	902	CP-1303-M	P-1303-M		0.99497
M	1304-M	702	CP-1304-M		D-1304-M	0.77435
M	1305-M	902	CP-1305-M	P-1305-M		0.99497
M	1307-M	707	CP-1307-M	P-1307-M		0.77987

PHASE I, PHASE IIa, PHASE IIb, PHASE IIc

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EXHIBIT "C"

TO

CONDOMINIUM DECLARATION

FOR

CAPISTRANO CONDOMINIUMS

Building Number	Unit Number	Area S.F.	Garage Number	Patio Number	Balcony Number	% Ownership in Common Elements (also declarative of voting and prorata share of common expenses)
N	1401-N	831	CP-1401-N	P-1401-N		0.91665
N	1402-N	672	CP-1402-N		D-1402-N	0.74127
N	1403-N	912	CP-1403-N	P-1403-N		1.00600
N	1404-N	672	CP-1404-N		D-1404-N	0.74127
N	1405-N	912	CP-1405-N	P-1405-N		1.00600
N	1407-N	831	CP-1407-N	P-1407-N		0.91666
O	1501-O	707	CP-1501-O	P-1501-O		0.77987
O	1502-O	702	CP-1502-O		D-1502-O	0.77435
O	1503-O	902	CP-1503-O	P-1503-O		0.99497
O	1504-O	702	CP-1504-O		D-1504-O	0.77435
O	1505-O	902	CP-1505-O	P-1505-O		0.99497
O	1507-O	707	CP-1507-O	P-1507-O		0.77987
P	1601-P	1015	CP-1601-P	P-1601-P		1.11962
P	1602-P	1015	CP-1602-P	P-1602-P		1.11962
P	1603-P	1015	CP-1603-P	P-1603-P		1.11962
P	1604-P	1016	CP-1604-P	P-1604-P		1.11962
Q	1701-Q	833	CP-1701-Q	P-1701-Q		0.91886
Q	1702-Q	1006	CP-1702-Q		D-1702-Q (2)	1.10969
Q	1703-Q	975	CP-1703-Q	P-1703-Q		1.07550
Q	1704-Q	1006	CP-1704-Q		D-1704-Q (2)	1.10969
Q	1705-Q	975	CP-1705-Q	P-1705-Q		1.07550
Q	1707-Q	833	CP-1707-Q	P-1707-Q		0.91886

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STATE OF TEXAS
COUNTY OF BEXAR
I hereby certify that this instrument was FILED in the Public
Records on the date and at the place stated herein by me, and
was duly RECORDED in the Official Public Records of said County of
Bexar County, Texas on



SEP 12 1983

Robert D. Green

COUNTY CLERK BEXAR COUNTY, TEXAS

ROBERT D. GREEN, County Clerk Bexar Co.

SEP 9 1983 3:49 PM

FILED IN MY OFFICE

My Commission Expires August 31, 1983

JO DORNAK

Notary Public in and for the State of Texas.

Jo Dornak

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 9th day of September, 1983.



BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared WILLIAM T. HARRIS, President of Ciudad de California, Inc., 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 such corporation for the purposes and consideration therein expressed, and in the capacity thereof stated.

THE STATE OF TEXAS X
COUNTY OF BEXAR X