

Doc. Blk. No. Po
DR. 7891 241

AMENDED DECLARATION OF GATEWAY VILLAS, A CONDOMINIUM

This Amended Declaration is made this 28th day of March, 2007 by BRAZOS GATEWAY PLACE DEVELOPMENT, LTD., a Texas limited partnership (Declarant) pursuant to the Texas Uniform Condominium Act, Chapter 82, Property Code of the State of Texas (the Act).

RECITALS

1. Declarant is the owner in fee simple of certain real estate situated in the City of College Station, County of Brazos, and State of Texas, more particularly described on Exhibit "A" attached hereto and made a part hereof, together with all buildings and improvements now or hereafter constructed or located thereon, and all rights, privileges, easements, and appurtenances belonging to or in any way pertaining to said real estate, other than Phase I, out of which some of the Units have been sold; and
2. Declarant filed a Declaration of Gateway Villas, A Condominium dated January 9, 2004 in Volume 5818, Page 1 of the Official Records of Brazos County, Texas (the Declaration). The Declaration designated Lot One, Block One, Phase Two, of The Gateway as Phase I of Gateway Villas, a Condominium, as property submitted to the Act, but reserved other property described as Lot One, Block One, Phase IV, of The Gateway as Additional Real Estate, with the notation in the Declaration as "**Need Not Be Built**".
3. Declarant reserved the development rights under the Act, and desires to exercise the development rights under Section 82.06(o) of the Act for the purpose of submitting a portion of the Additional Real Estate to the Act.

Now, therefore, Declarant, as the owner of the Additional Real Estate, hereby declares as follows:

1. The Declaration is hereby adopted with respect to a portion of the Additional Real Estate. Part of Lot One, Block One, Phase IV of The Gateway now "**Must Be Built**" and the plat attached as Exhibit "A" is hereby amended to that extent, showing the portions of the Additional Real Estate to be added, and the Units to be located therein (the Added Portion).
2. The Added Portion of the Additional Real Estate is hereby submitted to the Act, and the Added Portion of the Additional Real Estate is hereby included within Gateway Villas, A Condominium. The Added Portion of the Additional Real Estate shall be designated as Phase IVA. The rest of the Additional Real Estate still "**Need Not Be Built**". This

Amended Declaration is made subject, however, to the rights of Declarant to use the driveway and other access ways located within the common areas of the Added Portion of the Additional Real Estate, and to transfer rights to use such driveways and other access ways to third parties.

3. Declarant, pursuant to the Act, hereby further establishes a plan of condominium ownership for the Condominium, and does hereby divide the property into two phases (Phase I and Phase IVA), with such phases hereby divided into 179 units, and does hereby designate all such Units for separate ownership, subject to the provisions of Section 2.4 of the Declaration.
4. The Units are hereby designated by the numbers shown on the attached Exhibit "B", and allocations to each Unit of a percentage of undivided interest in the Common Elements and of a percentage of the Common Expenses are as stated on Exhibit "C". The allocation of undivided interest in the Common Elements and of the Common Expenses has been determined by a ratio formulated upon the relation that each Unit bears to the total number of Units. The votes are equally allocated to all Units with each Unit Owner having one vote for each Unit owned. A portion of Phase IVA shall become part of the Common Elements.
5. Except as provided herein, the Declaration is not amended. As provided herein, the Added Portion of the Additional Real Estate is now fully subject to all of the terms and provisions of the Declaration. The units and unit allocations of units created by the Declaration are amended as provided in Exhibit "C".

Signed to be effective on the date stated above.

BRAZOS GATEWAY PLACE
DEVELOPMENT, LTD., a Texas limited
partnership, acted for herein by BGPD
Management, L.L.C., a Texas limited
liability company

BY:

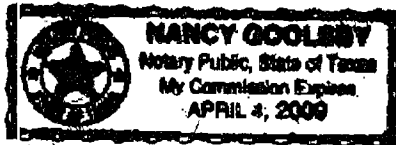


DAVID W. SCARMARDO, Manager

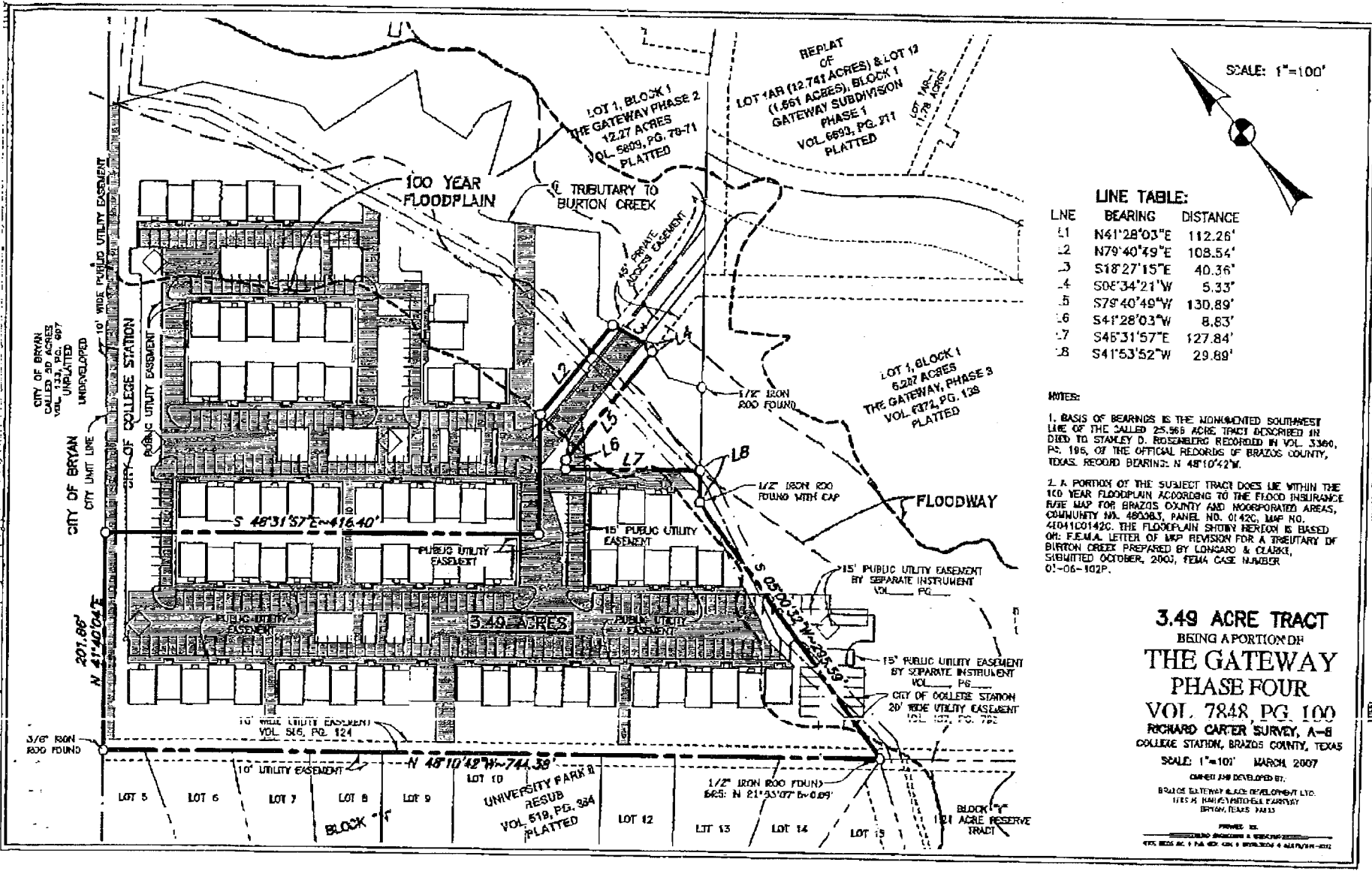
STATE OF TEXAS

COUNTY OF BRAZOS

This instrument was acknowledged before me on the 28th day of March, 2007 by DAVID W. SCARMARDO, Manager of BGPD Management, L.L.C., a Texas limited liability company, acting on behalf of BRAZOS GATEWAY PLACE DEVELOPMENT, LTD., A Texas limited partnership, in the capacity therein stated.



Nancy O'Leary
Notary Public, State of Texas



LINE TABLE:

LINE	BEARING	DISTANCE
1	N41°28'03"E	112.26'
2	N79°40'49"E	108.54'
3	S18°27'15"E	40.36'
4	S08°34'21"W	5.33'
5	S79°40'49"W	130.89'
6	S41°28'03"W	8.83'
7	S46°31'57"E	127.84'
8	S41°53'52"W	29.89'

NOTES:

1. BASIS OF BEARINGS IS THE NON-MONUMENT SOUTHWEST LINE OF THE CALLED 25.966 ACRE TRACT DESCRIBED IN DEED TO STANLEY D. ROSENBERG RECORDED IN VOL. 3360, PG. 196, OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS. RECORD BEARING: N 48°10'42"W.
2. A PORTION OF THE SUBJECT TRACT DOES LIE WITHIN THE 100 YEAR FLOODPLAIN ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR BRAZOS COUNTY AND INCORPORATED AREAS, COMMUNITY NO. 482003, PANEL NO. 01422, MAP NO. 4104100142C. THE FLOODPLAIN SHOWN HEREON IS BASED ON: F.E.M.A. LETTER OF MAP REVISION FOR A TRIBUTARY OF BURTON CREEK PREPARED BY LONGARO & CLARK, SUBMITTED OCTOBER, 2003, FEMA CASE NUMBER 01-06-102P.

3.49 ACRE TRACT
 BEING A PORTION OF
THE GATEWAY
PHASE FOUR
VOL. 7848, PG. 100
RICHARD CARTER SURVEY, A-B
 COLLEGE STATION, BRAZOS COUNTY, TEXAS
 SCALE: 1"=101' MARCH 2007

OWNED AND DEVELOPED BY:
 BRIDGE GATEWAY BLADE DEVELOPMENT, LTD.
 1125 N. HANFORD/ELLA PARKWAY
 BRYAN, TEXAS 77803
 PREPARED BY:
 KLING ENGINEERING & SURVEYING
 4700 BESS BL. 1 P.O. BOX 2011 BRYAN, TEXAS 77803

KLING ENGINEERING & SURVEYING
BRYAN, TEXAS

SCALE: 1"=100'

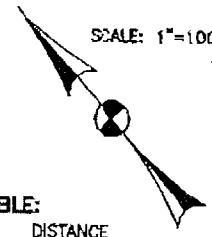


EXHIBIT "A"

3.49 Acre Tract
A Portion of The Gateway - Phase 4
7.59 Acres
Vol. 7848, Pg. 100
Richard Carter Survey, A-8
College Station, Brazos County, Texas

Field notes of a 3.49 acre tract or parcel of land, lying and being situated in the Richard Carter Survey, Abstract No. 8, College Station, Brazos County, Texas, and being a part of Lot 1, Block 1 - 7.59 acres - The Gateway - Phase 4, according to the plat recorded in Volume 7848, Page 100, of the Official Records of Brazos County, Texas, and said 3.49 acre tract being more particularly described as follows:

BEGINNING at a 1/2" Iron rod found marking the common corner between the beforementioned Lot 1, Block 1, The Gateway - Phase 4 and Lot 5, Block "N" - University Park II - Re-subdivision according to the plat recorded in Volume 519, Page 284, of the Deed Records of Brazos County, Texas;

THENCE N 41° 40' 04" E along the common line between the beforementioned Lot 1, Block 1, and a 50 acre tract described in the deed to the City of Bryan, recorded in Volume 133, Page 607, of the Deed Records of Brazos County, Texas, for a distance of 201.86 feet to a 60d nail set;

THENCE S 48° 31' 57" E for a distance of 416.40 feet to a 60d nail set;

THENCE N 41° 28' 03" E for a distance of 112.26 feet to a 60d nail set;

THENCE N 79° 40' 49" E for a distance of 108.54 feet to the northwest corner of a 45' private access easement across Lot 1, Block 1 - The Gateway - Phase 2, according to the plat recorded in Volume 5809, Page 70, of the Official Records of Brazos County, Texas;

THENCE along the west line of the beforementioned Lot 1, Block 1 - The Gateway - Phase 2 as follows.

S 18° 27' 15" E for a distance of 40.36 feet,
S 08° 34' 21" W for a distance of 5.33 feet to the southwest corner of the said 45' private access easement;

THENCE S 79° 40' 40" W for a distance of 130.89 feet;

THENCE S 41° 28' 03" W for a distance of 8.83 feet;

THENCE S 48° 31' 57" E for a distance of 127.84 feet to a 60d nail set in the common line between the beforementioned Lot 1, Block 1 and Lot 1, Block 1 - 6.207 acres - The Gateway - Phase 3, according to the plat recorded in Volume 6372, Page 139, of the Official Records of Brazos County, Texas;

THENCE along the common line between the beforementioned Lot 1, Block 1, The Gateway - Phase 4 and Lot 1, Block 1 - The Gateway - Phase 3 as follows:

S 41° 53' 52" W for a distance of 29.89 feet to a 1/2" Iron rod found,
S 05° 00' 32" W for a distance of 295.59 feet and corner at the common corner between the said Lot 1, Block 1 - The Gateway - Phase 4 and Lot 15, Block "N" - University Park II - Re-subdivision;

THENCE N 48° 10' 42" W along the common line between the beforementioned Lot 1, Block 1 - The Gateway - Phase 4 and Block "N" - University Park II - Re-subdivision for a distance of 744.38 feet to the **PLACE OF BEGINNING**, containing 3.49 acres of land, more or less.



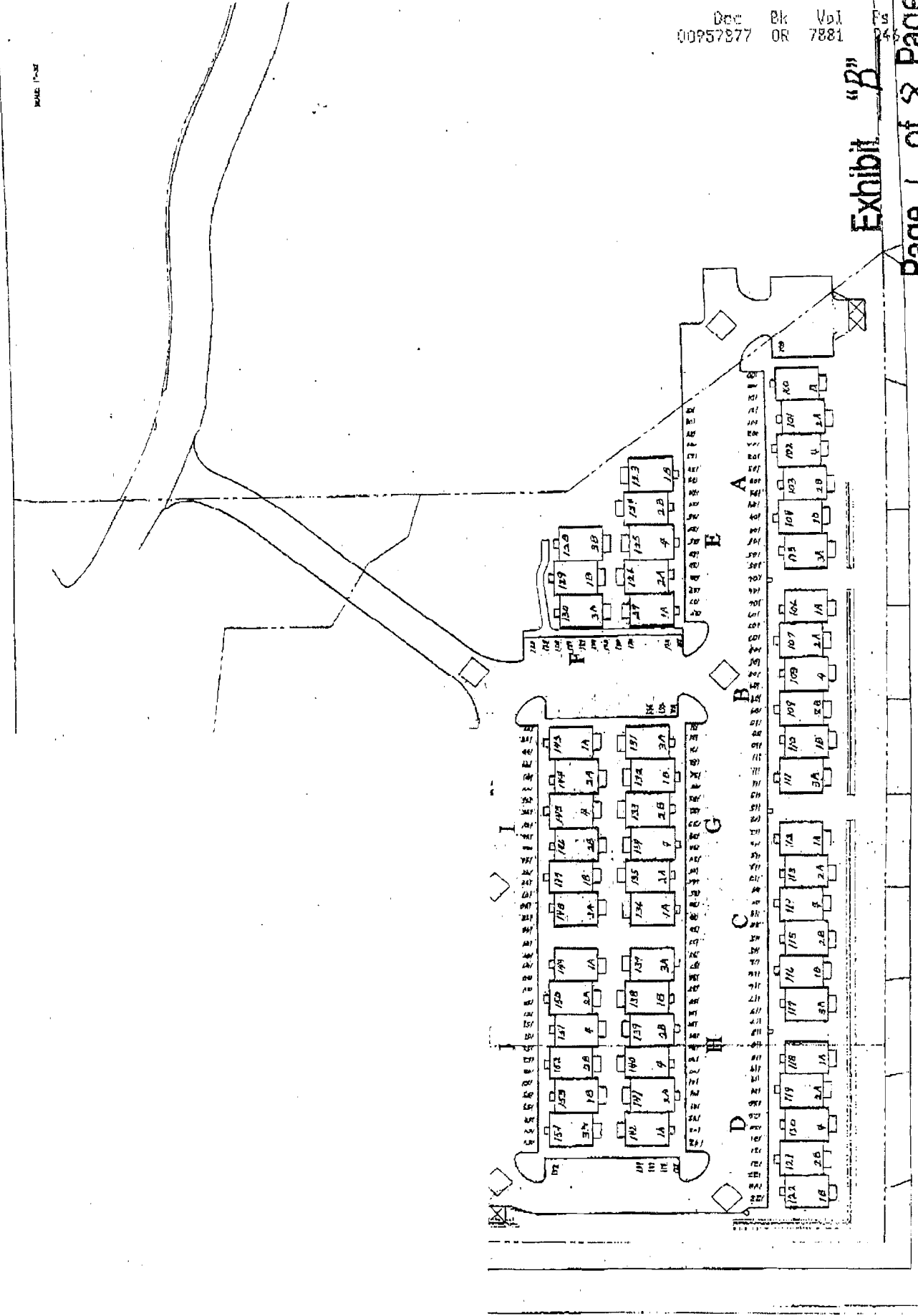
Surveyed March 2007

By:

S. M. Kling
R.P.L.S. No. 2003

Prepared 03/11/07
res07-ovr-gateway ph 4 - 3.49 ac. loan description.wpd

EXHIBIT "B"



PROJECT NO.
DATE
CHECKED BY
DATE
DRAWN BY
DATE

Gateway Villas
College Station, Texas

FLOOR PLANS
R. L. PAYNE & ASSOCIATES, INC.
1505 CENTRAL PARKWAY, SUITE 100
COLLEGE STATION, TEXAS 77840
PHONE: (979) 890-2773 FAX: (979) 890-8111

PREPARED FOR
CONSTRUCTION

A1.0

- GENERAL NOTES**
1. ALL DIMENSIONS ARE FROM FACE OF WALL UNLESS OTHERWISE NOTED.
 2. ALL ROOMS UNLESS SHOWN ARE FINISHED GRADE.
 3. FINISH TO WORK IS 7/8" x 11/16".
 4. FINISH TO WORK IS INDICATED BY DIMENSIONAL WALL & FLOOR FINISHES WITH FINISH MARK.
 5. ALL TYPED DIMENSIONS ARE TO CENTER UNLESS NOTED.
 6. ALL WALL THICKNESSES ARE 12" UNLESS NOTED.
 7. ALL DOOR THICKNESSES ARE 1 3/4" UNLESS NOTED.
 8. ALL WINDOW THICKNESSES ARE 4" UNLESS NOTED.
 9. ALL OTHER DIMENSIONS ARE TO CENTER UNLESS NOTED.

UNIT CONFIGURATIONS

UNIT #	TYPE	SQ. FT.	PERCENTAGE
1	1 BR	1,100	10.0%
2	2 BR	1,300	12.0%
3	3 BR	1,500	14.0%
4	4 BR	1,700	16.0%
5	5 BR	1,900	18.0%
6	6 BR	2,100	20.0%
7	7 BR	2,300	22.0%
8	8 BR	2,500	24.0%

EXHIBIT "B"

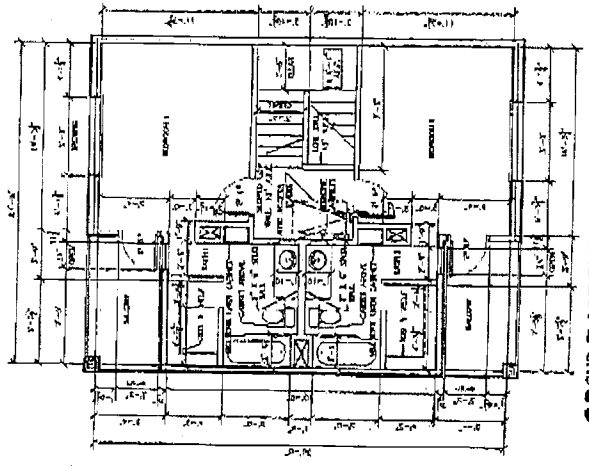
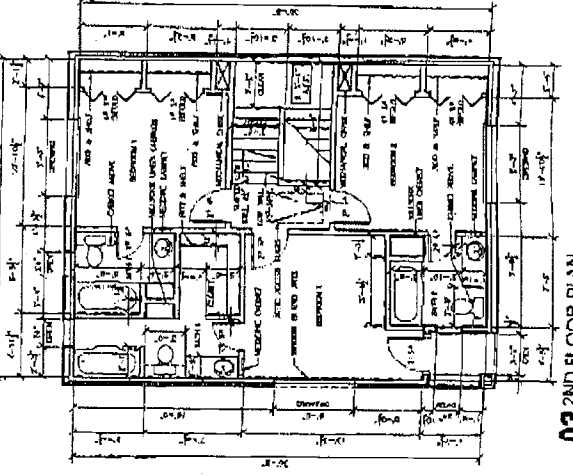
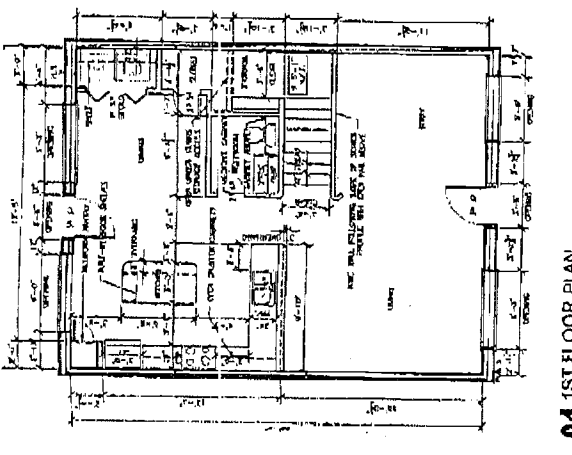
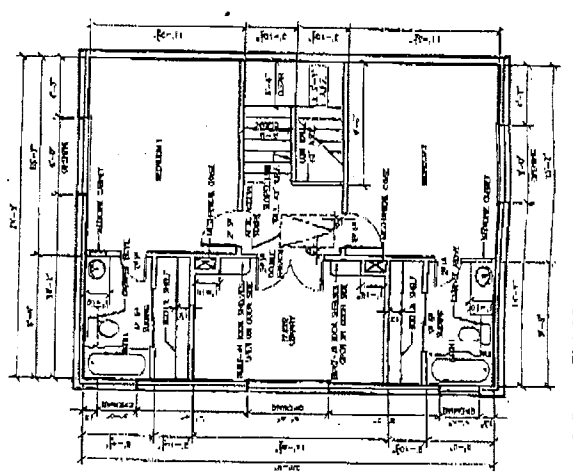
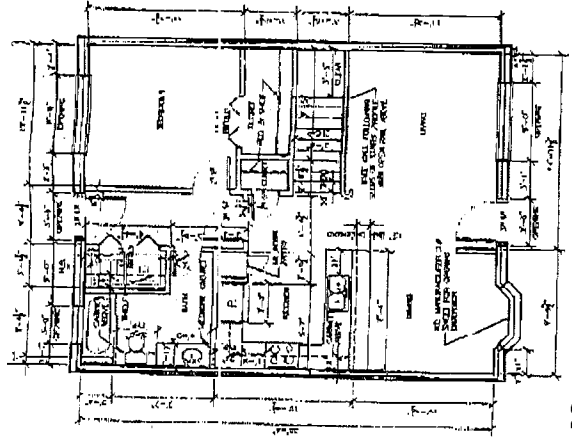
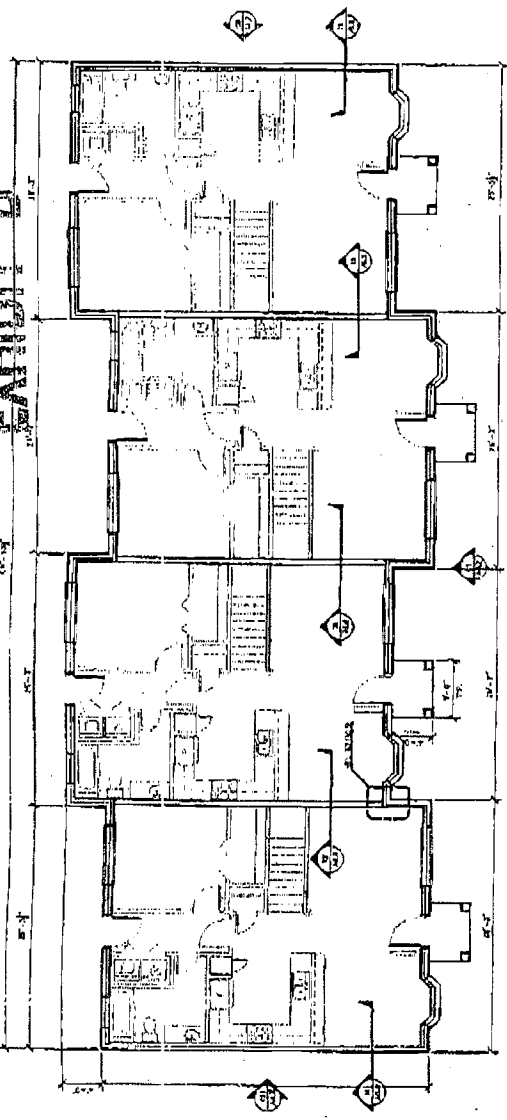


EXHIBIT 'B'

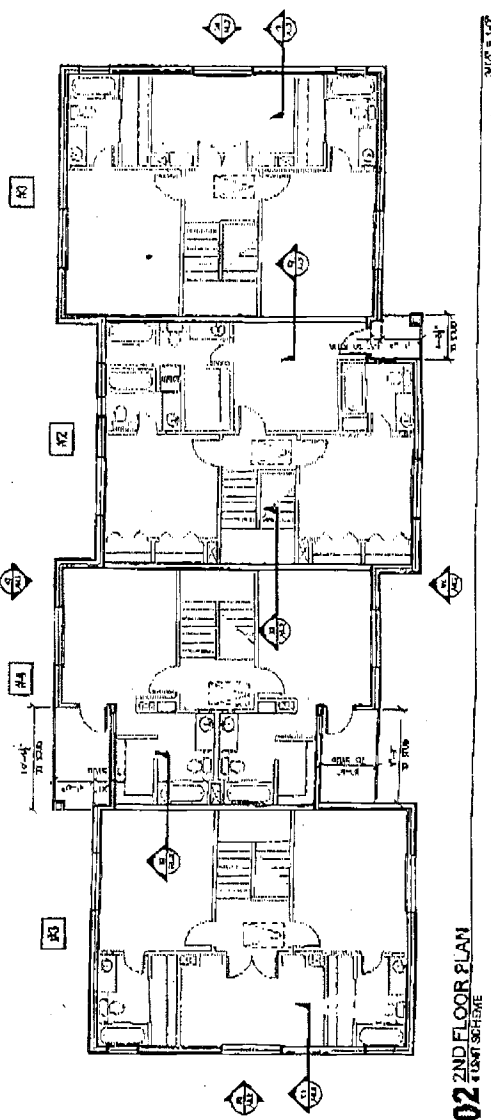
GENERAL NOTES

1. SEE ALL FOR VERTICAL AND ZONE SCHEDULES
2. DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED
3. SEE SCHEDULE FOR SPECIAL, EXCEPTED ROOM SIZES

UNIT CONFIGURATIONS		BRKRM	POSTAGE
1	1 1/2	1 1/2	1 1/2
2	1 1/2	1 1/2	1 1/2
3	1 1/2	1 1/2	1 1/2
4	1 1/2	1 1/2	1 1/2
5	1 1/2	1 1/2	1 1/2
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01 1ST FLOOR PLAN
4 UNIT SCHEME



02 2ND FLOOR PLAN
4 UNIT SCHEME

Gateway Villas
College Station, Texas

FLOOR PLANS - 4 UNIT
R. L. PAYNE & ASSOCIATES, INC.
ARCHITECTURAL PLANNING, INTERIOR DESIGN & CONSTRUCTION
1500 BIRDALE PARK, STE. 101
COLLEGE STATION, TX 77845
PHONE: (979) 685-7277 FAX: (979) 690-0114



PRELIMINARY
NOT FOR CONSTRUCTION

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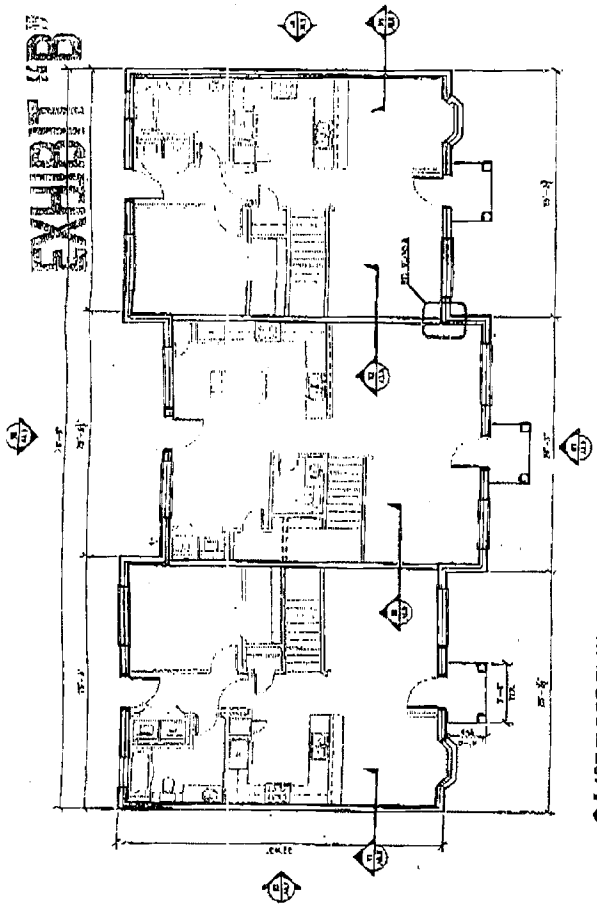
Exhibit "B"
Page 4 of 8 Pages

EXHIBIT "B"

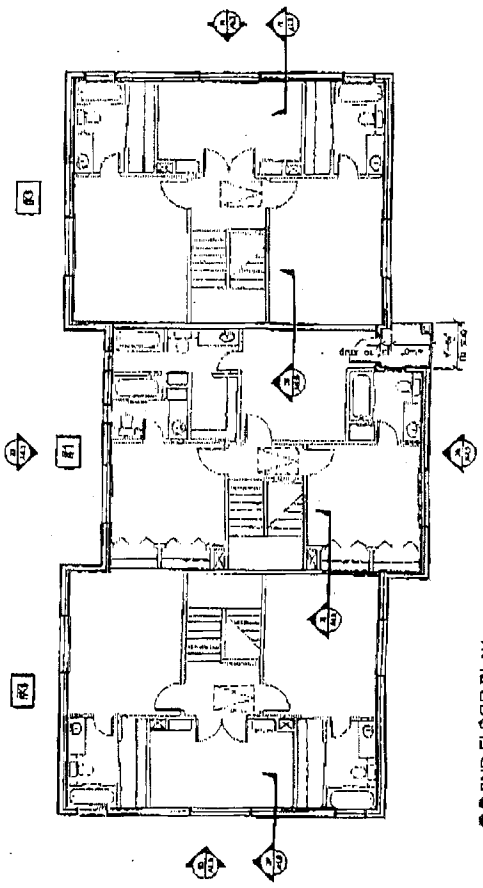
GENERAL NOTES

1. ALL DIMENSIONS ARE SHOWN ON THIS PLAN.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
3. SEE EXHIBIT "A" FOR OTHER EXHIBIT NOTES.

UNIT CONFIGURATIONS		BRAND	FOOTAGE
1	2	3	4
5	6	7	8
9	10	11	12
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97	98	99	100



01 1ST FLOOR PLAN
SUNT/SCHIBIE



02 2ND FLOOR PLAN
3 UNIT SCHEME

PROJECT NO.
DATE
DRAWN BY
CHECKED BY
SCALE

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Gateway Villas
College Station, Texas

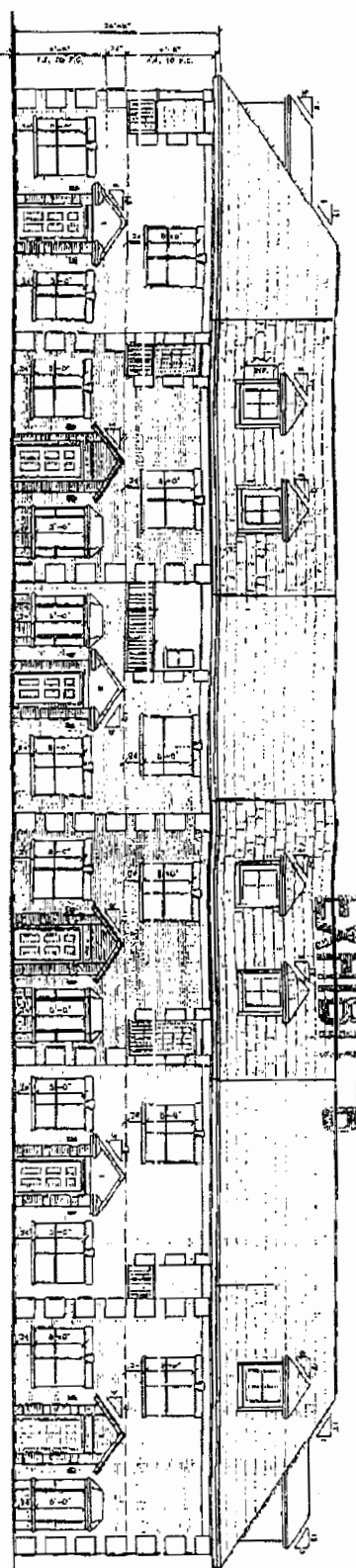
FLOOR PLANS - 3 UNIT
R. L. PAYNE & ASSOCIATES, INC.
ARCHITECTURE PLANNING INTERIOR DESIGN & GRAPHICS
1300 UNIVERSITY PARKWAY, SUITE 100
COLLEGE STATION, TX 77845
WWW.RLPAYNE.COM
PHONE: (702) 858-2777 FAX: (702) 858-8114

PRELIMINARY
NOT FOR CONSTRUCTION

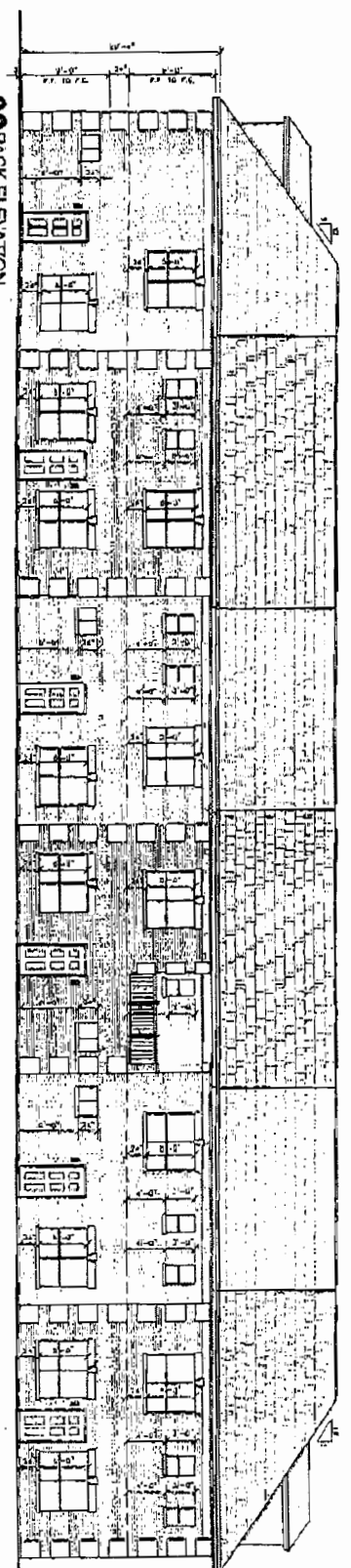
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EXHIBIT B

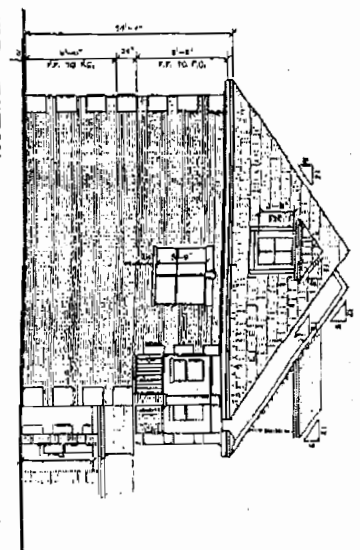
EXHIBIT B
1 TO 8 OF 8 PAGES



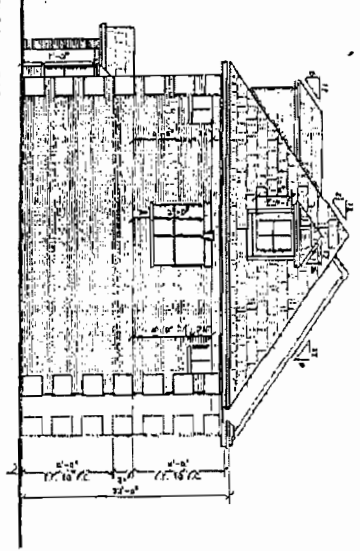
01 FRONT ELEVATION
3/16" = 1'-0"



02 BACK ELEVATION
3/16" = 1'-0"



03 SIDE ELEVATION
3/16" = 1'-0"



04 SIDE ELEVATION
3/16" = 1'-0"

DATE	
PROJECT NO.	
REVISION	
DESIGNED BY	
CHECKED BY	
IN CHARGE	

Gateway Villas
College Station, Texas

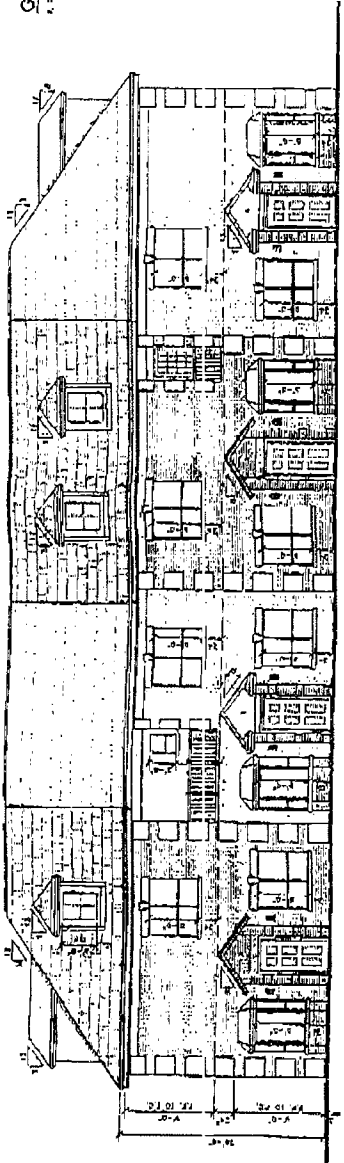
EXTERIOR ELEVATIONS - 6 UNIT
R. I. PAYNE & ASSOCIATES, INC.
ARCHITECTURE, PLANNING, INTERIOR DESIGN & WRITING
1504 UNIVERSITY DRIVE, SUITE 104 COLLEGE STATION, TX 77845
PHONE: (870) 606-7272 FAX: (870) 606-6114

PRELIMINARY
NOT FOR
CONSTRUCTION

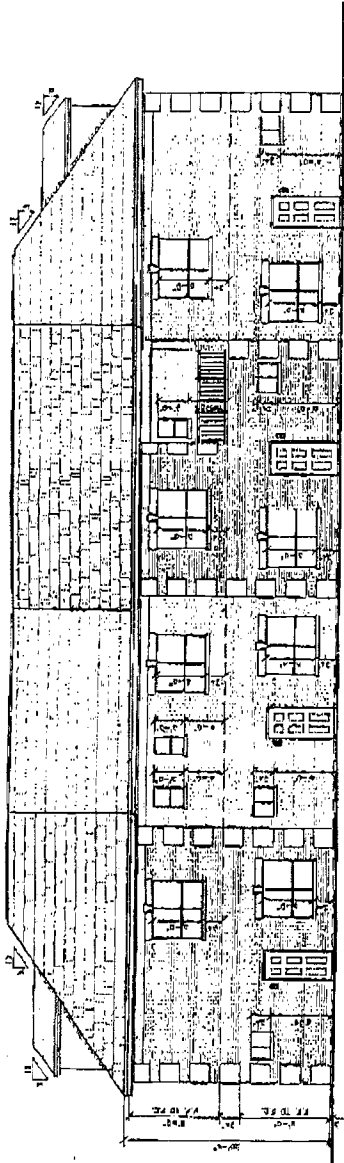
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GENERAL NOTES
 1. SEE PLANS & SECTIONS FOR DIMENSIONS & FINISHES.

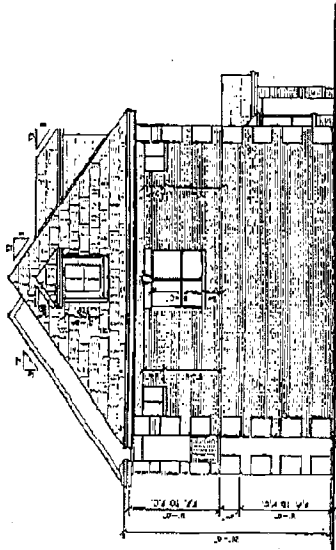
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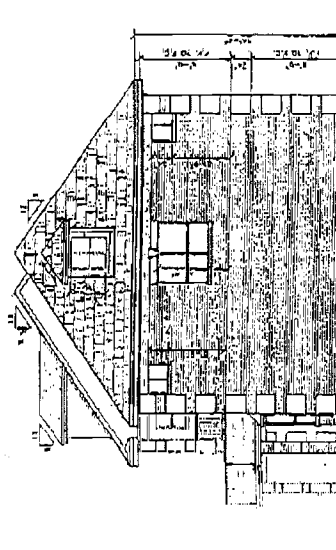
01 FRONT ELEVATION
 3/16" = 1'-0"



02 BACK ELEVATION
 3/16" = 1'-0"



03 SIDE ELEVATION
 3/16" = 1'-0"



04 SIDE ELEVATION
 3/16" = 1'-0"

Gateway Villas
 College Station, Texas

EXTERIOR ELEVATIONS - 4 UNIT
 R. I. PAYNE & ASSOCIATES, INC.
 ARCHITECTURAL PLANNING INTERIOR DESIGN & CONSTRUCTION
 1309 SUTHERLAND DRIVE, SUITE 100 WARRIOR, ALABAMA 36762
 PHONE: (205) 666-2272 FAX: (205) 666-2113



PRELIMINARY
 NOT FOR
 CONSTRUCTION

DATE: 4.2

EXHIBIT "C"
TO
AMENDED DECLARATION OF GATEWAY VILLAS, A CONDOMINIUM

PERCENT INTEREST CHART

<u>Unit No. On Plans</u>	<u>Percent Interest</u>
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Unit No. On Plans

Percent Interest

Doc. No. 00957877
Bk. OR
Vol. 7881
Pg. 255

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Unit No. On Plans

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Doc. 00957877 Bk DR Vol 7881 Pg 256

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Unit No. On Plans

Percent Interest

Doc. No. Vol. Pg.
00957877 DR 7881 257

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Exhibit "c"

Page 4 of 5 Pages

Unit No. On Plans

Percent Interest

Doc Blk Vol Pg
00957877 DR 7881 258

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Filed for Record in:
BRAZOS COUNTY

On: Mar 28, 2007 at 04:11P

As a
Recording

Document Number: 00957877

Amount: 79.00

Receipt Number - 312351

By:
Seth Gallion

STATE OF TEXAS COUNTY OF BRAZOS
I hereby certify that this instrument was
filed on the date and time stamped hereon by me
and was duly recorded in the volume and page
of the Official Public records of:

BRAZOS COUNTY

as stamped hereon by me.

Mar 28, 2007

HONORABLE KAREN MCQUEEN, COUNTY CLERK
BRAZOS COUNTY

Exhibit "c"

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