

**EXHIBIT "C"**  
**TO**  
**DECLARATION OF GATEWAY VILLAS, A CONDOMINIUM**  
  
**ENCUMBRANCES UPON TITLE**

The Condominium is subject to:

- (a) Terms, conditions and restrictions of the Declaration, the Bylaws, the Plans and the Rules and Regulations, if any, as each may be amended from time to time.
- (b) General utility easements to the City of College Station and any other public utilities.
- (c) Unrecorded easements, discrepancies or conflicts in boundary lines, shortages in area encroachments which an accurate and complete survey would disclose, including any easements and encroachments as shown on the Plat and Plans.
- (d) Easements and restrictions described in Articles IV and V of the Declaration including:
  - (i) Easements in favor of the appropriate utility companies to serve the Condominium Property and all appurtenances thereto;
  - (ii) Easements in favor of the Association and to such persons as authorized by the Association for utility installations within the walls of the Units;
  - (iii) An easement in favor of the Association, a Unit Owner, the Executive Board or any other person as permitted under the Condominium Documents to inspect, maintain, repair and replace the Common Elements;
  - (iv) Easements in favor of the Declarant, the Association, appropriate utility and service companies and governmental agencies and authorities for such utility and service lines and equipment as may be necessary or

desirable over the Units and the Common Elements to serve any portion of the Condominium Property;

- (v) Easements reserved by the Declarant through the Common Elements as reasonably necessary for discharging its obligations under the Condominium Documents and completion of construction of the Condominium;
  - (vi) Easements reserved by the Declarant to maintain sales offices or models in the Condominium on the condominium property;
  - (vii) Easements reserved by the Declarant and Declarant's mortgagee to provide access and utilities to the Additional Property; and
  - (viii) Easements reserved by the Declarant, its successors, transfers and assigns, and their respective mortgage lenders, for the use of those portions of the Common Elements that may be constructed as recreational amenities in the Condominium, by the owners of all, or any portion of, the Additional Real Estate identified in Exhibit "A-1" of this Declaration, whether or not such property is added to the Condominium.
- (e) Easements, or claims of easements, which are not recorded in the public records.
  - (f) Easements reserved in Correction Deed from Frank J. Matous, et al to First Madison Real Estate LTD, et al dated February 27, 1997 as recorded in Volume 2934, Page 266, Official Records, Brazos County, Texas.
  - (g) Easement from Delmar Baronhead I, Ltd to The Public dated July 1, 1998, as recorded in Volume 3252, Page 212, Official Records of Brazos County, Texas and as ratified in Volume 5239, Page 165, Official Records, Brazos County, Texas.
  - (h) Easement from Jacob Luza, Jr. to the City of College Station dated September 25, 1978, as recorded in Volume 407, Page 792, Deed Records of Brazos County, Texas.

- (i) Easement from Jacob Luza, Jr. to the City of College Station dated April 7, 1998, as recorded in Volume 516, Page 124, Deed Records of Brazos County, Texas.
- (j) Easement from Frank Matous, Jr., et al to Columbia Gas Development Company dated March 11, 1994, as recorded in Volume 2067, Page 244, Official Records of Brazos County, Texas.
- (k) Easement reserved in deed from Delmar Baronhead I, Ltd to Stanley D. Rosenberg dated November 17, 1998, as recorded in Volume 3360, Page 196, Official Records of Brazos County, Texas.
- (l) Easement from DWS Development, Inc. to Delmar Baronhead, I, Ltd. dated November 19, 2002, as recorded in Volume 4974, Page 290, Official Records of Brazos County, Texas.
- (m) Easement from Jacob Lugu, Jr. to the City of College Station dated April 7, 1982, as recorded in Volume 516, Page 124, Deed Records of Brazos County, Texas.
- (n) Easement from Frank Matous, Jr., et al to Columbia Gas Development Corporation dated March 11, 1994, as recorded in Volume 2067, Page 244, Official Records of Brazos County, Texas.
- (o) Easement as reserved in Correction Deed from Frank J. Matous, et al to First Madison Real Estate, Ltd., et al dated February 27, 1997, as recorded in Volume 2934, Page 266, Official Records of Brazos County, Texas.
- (p) Mineral Reservation in Correction Deed from Frank J. Matous, et al to First Madison Real Estate, Ltd., et al dated February 27, 1997, as recorded in Volume 2934, Page 266, Official Records of Brazos County, Texas.
- (q) Oil and Gas Lease, and all terms, conditions, and stipulations therein from Frankline Ann Matous Swetish, et al to Inco Oil Corporation dated November 12, 1991, as recorded in Volume 1411, Pages 113, 144, 148, and 152 Official Records of Brazos County, Texas and as amended in Volume 1648, Pages 208, 210, and 212, Official Records, Braos County, Texas.