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AMENDMENT # 1 TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR WESTOVER VILLA TOWNHOUSE COUNCIL, INC.

4.12 INSURANCE REQUIREMENTS.

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a. [Each Owner shall be required to furnish annually to the Association, and to the complete satisfaction of the Board of Directors, proof of insurance coverage on his Townhouse] THE TOWNHOUSE ASSOCIATION, THROUGH ITS BOARD OF DIRECTORS, SHALL BE REQUIRED TO PROVIDE AN UMBRELLA INSURANCE POLICY WHICH INCLUDES COVERAGE OF 44 TOWNHOUSE UNITS by a reputable insurance company acceptable to the Association and licensed to do business in the State of Texas in an amount equal to the replacement costs of the Townhouse, affording protection against loss or damage from fire or other hazards covered by the standard extended coverage endorsement. In the event of damage or destruction of a Townhouse, THE OWNER THEREOF SHALL, IN THE MANNER PROVIDED BY THE CONTRACT OF INSURANCE, TIMELY NOTIFY THE INSURANCE CARRIER RESPONSIBLE FOR INSURING THE TOWNHOUSE UNIT OF SUCH DAMAGE OR DESTRUCTION AND SHALL NOTIFY THE ASSOCIATION'S BOARD OF DIRECTORS IN WRITING OF SUCH DAMAGE OR DESTRUCTION. The Owner thereof shall repair or rebuild such Townhouse to its former condition. In the event said Owner fails or refuses to do so, the Association is hereby authorized to undertake to rebuild or repair the Townhouse and assess said Owner for the cost of such repair or replacement. Such assessment shall become the personal obligation of said Owner and shall be enforceable as if it were a maintenance assessment as herein provided. Should an Owner fail to [provide adequate proof of] PAY HIS PRORATA PORTION OF THE insurance, the Association shall have the authority to [purchase such coverage] PAY FOR THE PREMIUM, as herein described, and premiums for [any] the insurance [obtained] PAID by the Association on individual Townhouses shall

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not be a part of the Common Expense but shall be a debt owed by the Owner of said Townhouse and shall become part of the assessments payable by said Owner and collectible as such as herein provided.

b. The Association through the Board of Directors, or its duly authorized agent, shall obtain the following types of insurance policies covering 44 TOWNHOUSE UNITS AND the Common Area and covering all damage or injury caused by the negligence of the Association or any of its agents:

(1) PROPERTY INSURANCE IN AN AMOUNT EQUAL TO THE FULL REPLACEMENT VALUE OF EACH OF THE 44 TOWNHOUSES, AFFORDING PROTECTION AGAINST LOSS OR DAMAGE FROM FIRE OR OTHER HAZARDS COVERED BY THE STANDARD EXTENDED COVERAGE ENDORSEMENT.

(2) *property insurance in an amount equal to the full replacement value of the common facilities owned by the Owners Association (including all building service equipment and the like) with an "Agreed Amount Endorsement" or its equivalent, a "Demolition Endorsement" or its equivalent, and, if necessary, an "Increased Cost of Construction Endorsement" or "Contingent Liability from Operation of Building Laws Endorsement" or the equivalent, affording protection against loss or damage by fire and other hazards covered by the standard extended coverage endorsement, and by sprinkler leakage, debris removal, cost of demolition, vandalism, malicious mischief, windstorm and water damage and any such other risks as shall customarily be covered with respect to projects similar in construction, location and use;*

(3) a comprehensive policy of public liability insurance covering all of the Common Area located in the Project insuring the Association, with such limits as it may consider acceptable (and not less than One Million Dollars [\$1,000,000] covering all claims for personal injury and/or property damage arising

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out of a single occurrence), such coverage to include protection against water damage liability, liability for non-owned and hired automobiles, liability for property of others and any other coverage the Association deems prudent and which is customarily carried with respect to projects similar in construction, location and use; and

(4) a policy of fidelity coverage to protect against dishonest acts on the part of officers, Directors, trustees and employees of the Association and all others who handle or who are responsible for handling funds of the Association. Such fidelity bonds shall be of a kind and in an amount the Association deems necessary for the protection of the Owners.

c. Premiums for all such insurance authorized by Subparagraph 4.12b shall be a Common Expense payable from property assessments, EXCEPT THAT PREMIUMS FOR 44 UNITS HAZARD INSURANCE SHALL BE PRORATED AND COLLECTED BY THE ASSOCIATION FROM EACH HOMEOWNER BASED UPON THE COST PER SQUARE FOOT PER UNIT. Liability and personal property insurance for Lots and the contents of Townhouses shall be the responsibility of and the expense of each individual Owner. In the event of damage or destruction by fire or other casualty to any property in the Common Area covered by insurance written in the name of the Association, the Board of Directors shall, upon receipt of the insurance proceeds, contract to rebuild or repair such damaged or destroyed portions of the Property to their former condition. All such insurance proceeds shall be deposited in a bank or other financial institution in which the accounts are insured by a Federal government agency, with the provision agreed to by said bank or institution that such funds may be withdrawn only by signature of at least one-third (1/3) of the members of the Board of Directors, or by an agent duly authorized by the Board of Directors.

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DAHA DE BEAUVOIR
COUNTY CLERK
TRAVIS COUNTY, TEXAS

STATE OF TEXAS

COUNTY OF TRAVIS

I hereby certify that this instrument was FILED on
the date and at the time stamped hereon by me; and
was duly RECORDED, in the Volume and Page of the
named RECORDS of Travis County, Texas, on

JUL 24 1989



Lorna Bradford
COUNTY CLERK
TRAVIS COUNTY, TEXAS

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Ret Lorna Bradford
to 8813 Honeysuckle Tr.
Austin, TX 78759

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