

DOC. NO.

91092413

FILM CODE

00004758477

THE STATE OF TEXAS *
COUNTY OF TRAVIS *

APPOINTMENT OF TRUSTEE

12:54 PM 6651

5.00 INDX
1 1 10/21/91
2.00 RECM
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910924.13-DOC#
39.85-CHK#

12:54 PM 6651

WHEREAS, J-L-P Development Corporation, a Texas corporation,
as Declarant, executed that one certain Declaration of Covenants,
Conditions and Restrictions Summerwood II Homeowners' Association
of Austin, hereinafter called the "Association", which was filed of
record on September 15, 1977 under Clerk's File No. 1374 and Film
Code No. 1-60-3496, at Volume 5916, Page 359, et. seq. of the Deed
Records of Travis County, Texas, hereinafter called the
"Declaration"; and

WHEREAS, the Declaration was amended by the First Amendment to
the Declaration of Covenants, Conditions and Restrictions for
Summerwood II Homeowners Association of Austin, which were filed of
record on September 11, 1991 under Film Code No. 00004746264, at
Volume 11519, Page 0843, et. seq. of the Real Property Records of
Travis County, Texas, hereinafter called the "First Amendment"; and

WHEREAS, in accordance with Articles IV and V of the
Declaration and First Amendment, the Association is authorized to
make assessments for the cost of the general expenses and
maintenance of common areas and any construction, reconstruction,
repair or replacement of a capital improvement; all assessments are
the personal obligation of each homeowner; all sums either by
regular or special assessment, assessments for exterior
maintenance, or other amount owed to the Association as established
by the Declaration and By-Laws, late charges, fines or penalties,
interest and attorney's fees shall bear interest at the highest
rate allowed by law from the due date if not paid within thirty
(30) days, and constitute a lien on the delinquent owner's property
in the Association superior to all other liens and encumbrances
except as set out in the Declaration; the Association or its
trustee are empowered and authorized to foreclose its lien as a
deed of trust or contractual lien through a vested power of sale,
including nonjudicial foreclosure pursuant to Section 51.002 of the
Texas Property Code;

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

11547 0448

Now therefore, the Summerwood II Homeowners Association of Austin hereby appoints Bruce Ian Schimmel, Stephen P. Dillon, and Betsy Mathis Crowe as its Trustees, any one of which is authorized to file, post and send any notices necessary and to exercise the power of sale set out above, including, but not limited to, the power to execute a Trustee's Deed and affidavit and hereby agrees to indemnify and hold each of them harmless from any and all losses, including attorney's fees and expenses of litigation, arising from their actions herewith.

SIGNED this the 6th day of October, 1991.

SUMMERWOOD II HOMEOWNERS ASSOCIATION OF AUSTIN

By: Henry F. Marschel
President

Printed Name:

HENRY F. MARSCHEL

THE STATE OF TEXAS *
COUNTY OF TRAVIS *

This instrument was acknowledged before me on the 6th day of October, 1991, by Henry F. Marschel, President of the Summerwood II Homeowners Association of Austin, a Texas corporation, on behalf of said corporation.

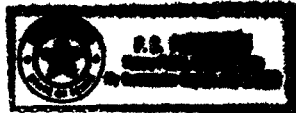
F.S. Patterson

Notary Public in and for the State of Texas

F.S. PATTERSON

My Commission Expires:

7/3/93



Prepared in the Office of and Return to:

Schimmel & Associates, P. C.
7322 Southwest Freeway, #825
Houston, Texas 77074

FILED

91 OCT 21 AM 10:20

DANA DE BEAUVOIR
COUNTY CLERK
TRAVIS COUNTY, TEXAS

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RECORDER'S MEMORANDUM - At the time of recordation this instrument was found to be inadequate for the best photographic reproduction, because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

11547 0449

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

OCT 21 1991



Dana De Beauvoir
COUNTY CLERK
TRAVIS COUNTY, TEXAS