

**AFTER RECORDING RETURN TO:**

**Roswill Mejia, Esq.**

**CAGLE CARPENTER HAZLEWOOD**

**7500 Rialto Blvd., Building I, Suite 110**

**Austin, Texas 78735**

**THIRD AMENDMENT TO CONDOMINIUM DECLARATION  
FOR ARCADIA CONDOMINIUMS**

**Cross reference to that certain Condominium Declaration for Arcadia Condominiums,  
recorded in Volume 8574, Page 588 of the Official Public Records of Travis County, Texas.**

**AMENDMENT TO CONDOMINIUM DECLARATION FOR  
ARCADIA CONDOMINIUMS**

This Third Amendment to Condominium Declaration for Arcadia Condominiums, is made by Arcadia Homeowners Association, Inc. (the "Association"), a Texas nonprofit corporation, and is as follows:

**RECITALS:**

A. WHEREAS, the condominium regime for Arcadia Condominiums was established and is governed by that certain Condominium Declaration for Arcadia Condominiums, recorded in Volume 8574, Page 588 of the Official Public Records of Travis County, Texas. (the "Declaration").

B. WHEREAS, the Association desires to amend the Declaration to establish a reserve fund contribution fee.

C. WHEREAS, pursuant to Section 8.1 of the Declaration, the Declaration may be amended by the consent of Unit Owners to which at least 67% of the votes in the Association are allocated.

D. WHEREAS, the Secretary of the Association hereby certifies that the following amendment to the Declaration have been approved and consented to by Unit Owners to which at least 67% of the votes in the Association are allocated in accordance with Section 8.1 of the Declaration.

NOW THEREFORE, the Declaration is hereby amended as follows:

1. **Reserve Fund Contribution.** Section 5.12 shall hereby be added to Article V of the Declaration as follows:

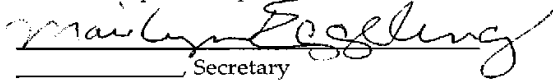
5.12. **RESERVE FUND CONTRIBUTION.** Upon the transfer of a Unit, a fee equal to \$300.00 shall be paid to the Association and placed in a separate reserve fund account established by the Association to cover the costs of repair or replacement of capital improvements and operational or maintenance emergencies or contingencies of the Association, including deductibles on insurance policies maintained by the Association. The Board of Directors will be permitted to modify any reserve fund contribution payable on the transfer of a Unit. Each reserve fund contribution will be collected from the transferee of a Unit upon the conveyance of the Unit from one Unit Owner to another (expressly including any re-conveyances of the Unit upon resale or transfer thereof). Notwithstanding the foregoing provision, the following transfers will not be subject to the reserve fund contribution: (i) foreclosure of a deed of trust lien, tax lien, or the Association's assessment lien; (ii) transfer to, from, or by the Association; or (iii) voluntary transfer by a Unit Owner to one or more co-owners, or to the Unit Owner's spouse, child, or parent. Contributions to the reserve fund account are not advance payments of assessments and are not refundable.

2. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this instrument, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.
3. **Effective Date.** This Amendment to Condominium Declaration for Arcadia Condominiums shall be effective upon its recording in the Official Public Records of Travis County, Texas.

**CERTIFICATION OF THE ASSOCIATION'S  
PRESIDENT AND SECRETARY**

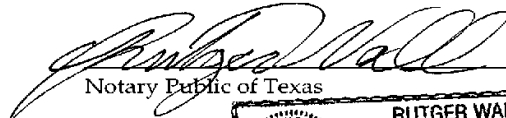
In accordance with the requirements of Section 8.1 of the Condominium Declaration for Arcadia Condominiums, recorded in Volume 8574, Page 588 of the Official Public Records of Travis County, Texas (the "Declaration"), the undersigned Secretary of the Arcadia Homeowners Association, Inc. (the "Association") hereby certifies that this Third Amendment to Condominium Declaration for Arcadia Condominiums (the "Amendment") was approved and consented to by Unit Owners to which at least 67% of the votes in the Association are allocated in accordance with Section 8.1 of the Declaration.

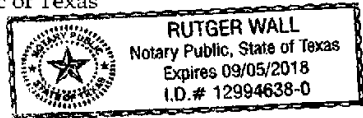
**ARCADIA HOMEOWNERS ASSOCIATION, INC.,**  
a Texas nonprofit corporation.

  
\_\_\_\_\_, Secretary


STATE OF TEXAS           §  
  §  
COUNTY OF TRAVIS     §

THIS INSTRUMENT was acknowledged before me this 21<sup>st</sup> day of November 2017 by Marilyn Eggeling, Secretary of Arcadia Homeowners Association, Inc.

  
\_\_\_\_\_  
Notary Public of Texas



**FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS**

  
DANA DEBEAUVOIR, COUNTY CLERK  
TRAVIS COUNTY, TEXAS  
December 11 2017 03:33 PM  
FEE: \$ 34.00   **2017195200**