



Dana DeBeauvoir

Dana DeBeauvoir, County Clerk
Travis County, Texas

Mar 02, 2020 08:47 AM Fee: \$58.00

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Electronically Recorded

NOTICE OF DEDICATORY INSTRUMENTS
for
LAS VENTANAS OWNERS ASSOCIATION, INC.

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

The undersigned, being the authorized representative of Las Ventanas Owners Association, Inc. ("Association"), a property owners' association as defined in Section 202.001 of the Texas Property Code hereby certifies as follows:

1. **Property:** The Property to which the Notice applies is described as follows:
 - a. Lots 1-5, North Cat Mountain IV-Las Ventanas Planned Unit Development, a subdivision in Travis County, Texas according to the map or plat recorded in Volume 82, Pages 154-157 of the Plat Records of Travis County, Texas and all amendments to or replats of said maps or plats, if any.
 - b. Lots 6-32, Amended Plat of North Cat Mountain IV-A, Las Ventanas Two Planned Unit Development, a subdivision in Travis County, Texas according to the map or plat recorded in Volume 86, Pages 186B-D of the Plat Records of Travis County, Texas and all amendments to or replats of said maps or plats, if any.

2. **Restrictive Covenants:** The description of the documents imposing restrictive covenants on the Property, the amendments to such documents, and the recording information for such documents are as follows:
 - a. Documents:
 - (1) Declaration of Covenants, Conditions and Restrictions of Las Ventanas.
 - (2) First Amendment to Declaration of Covenants, Conditions and Restrictions of Las Ventanas.
 - (3) Second Amendment to Declaration of Covenants, Conditions and Restrictions of Las Ventanas.
 - (4) Third Amendment to Declaration of Covenants, Conditions and Restrictions of Las Ventanas.
 - (5) Amendment to Declaration of Covenants, Conditions, and Restrictions for Las Ventanas.
 - (6) Amendment to Declaration of Covenants, Conditions, and Restrictions for Las Ventanas.

b. Recording Information:

- (1) Volume 9642, Page 0369, *et seq.* of the Official Public Records of Real Property of Travis County, Texas.
- (2) Volume 9728, Page 0135, *et seq.* of the Official Public Records of Real Property of Travis County, Texas.
- (3) Volume 10692, Page 0502, *et seq.* and re-filed in Volume 10740, Page 0967, *et seq.*, of the Official Public Records of Real Property of Travis County, Texas.
- (4) Volume 10823, Page 0016, *et seq.* of the Official Public Records of Real Property of Travis County, Texas.
- (5) Volume 11512, Page 0394, *et seq.* of the Official Public Records of Real Property of Travis County, Texas.
- (6) Volume 11440, Page 0113, *et seq.* of the Official Public Records of Real Property of Travis County, Texas.

3. Other Dedicatory Instruments: In addition to the Restrictive Covenants identified in Paragraph 2 above, the following document is a Dedicatory Instrument governing the Association which was previously recorded in the Official Public Records of Real Property of Travis County, Texas:

a. Document:

- (1) By-Laws for Las Ventanas.
- (2) Amendment to Bylaws of Las Ventanas Owners Association, Inc.
- (3) Amendment to Bylaws of Las Ventanas Owners Association, Inc.
- (4) Architectural Control Standards for Las Ventanas.
- (5) Common Area Rules Las Ventanas.
- (6) Community Rules and Regulations, Las Ventanas.
- (7) Community Rules and Regulations, Las Ventanas.

b. Recording Information:

- (1) Volume 11760, Page 0638, *et seq.* of the Official Public Records of Real Property of Travis County, Texas.
- (2) Volume 11948, Page 0210, *et seq.* of the Official Public Records of Real Property of Travis County, Texas.
- (3) Volume 11939, Page 0095, *et seq.* of the Official Public Records of Real Property of Travis County, Texas.
- (4) Volume 11760, Page 0627, *et seq.* of the Official Public Records of Real Property of Travis County, Texas.
- (5) Travis County Clerk's File No. 1999161469.
- (6) Travis County Clerk's File No. 2003246764.
- (7) Travis County Clerk's File No. 2004066415.

- 4. Dedictory Instruments: In addition to the Dedictory Instruments identified above, the following documents are Dedictory Instruments governing the Association:
 - a. Articles of Incorporation of Las Ventanas Owners Association, Inc.

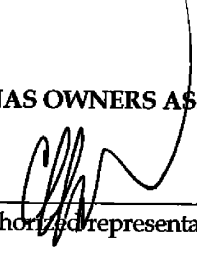
A true and correct copy of such Dedictory Instrument is attached to this Notice.

This Notice is being recorded in the Official Public Records of Real Property of Travis County, Texas for the purpose of complying with Section 202.006 of the Texas Property Code. I hereby certify that the information set forth in this Notice is true and correct and that the copy of the Dedictory Instrument attached to this Notice is a true and correct copy of the original.

Executed on this 28th day of February, 2020.

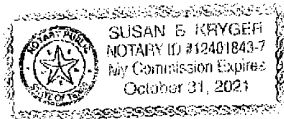
LAS VENTANAS OWNERS ASSOCIATION, INC.


By:


Cliff Davis, authorized representative

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned notary public, on this 28th day of February, 2020 personally appeared Cliff Davis, authorized representative of Las Ventanas Owners Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed.




Notary Public in and for the State of Texas

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ARTICLES OF INCORPORATION

OF

LAS VENTANAS OWNERS ASSOCIATION, INC.

(A Texas Non-Profit Corporation)

FILED
In the Office of the
Secretary of State of Texas

OCT 18 1984

Clerk D
Corporations Section

We the undersigned natural persons of the age of eighteen (18) years or more, at least two (2) of whom are citizens of the State of Texas, acting as incorporators of a corporation under the Texas Non-Profit Corporation Act, do hereby adopt the following Articles of Incorporation for such Corporation.

ARTICLE I

The name of the Corporation is LAS VENTANAS OWNERS ASSOCIATION, INC.

ARTICLE II

The Corporation is a non-profit corporation.

ARTICLE III

The period of its duration is perpetual.

ARTICLE IV

The purpose or purposes for which said Corporation is organized are to act as agent for the civic and social benefit and betterment of the residents and property Owners of LAS VENTANAS Planned Unit Development in Travis County, City of Austin, Texas, according to the Map or Plat thereof recorded in Volume _____, Page _____, of the Map Records of Travis County, Texas, and for any and all other property which is accepted by this Corporation for similar purposes, those purposes being as follows:

a. To exercise all of the powers and privileges and perform all of the duties and obligations of the Corporation as set forth in the Declaration of Covenants, Conditions and Restrictions ("Restrictions") for LAS VENTANAS Planned Unit Development;

b. To affix, levy, collect and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the restrictions referred to hereinabove; and, as agent, pay all expenses in connection therewith and all office and other expenses incident to the conduct of the business of this Corporation,

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including all licenses, taxes or governmental charges levied or imposed against the property of this Corporation and to make disbursements, expenditures and payments on behalf of the said property Owners as required by the Restrictions and the By-Laws of the Corporation; and to hold as agent for said property Owners reserves for periodic repairs and capital improvements to be made as directed by the property Owners acting through the Board of Directors of the Corporation;

c. To acquire by gift, purchase or otherwise, to own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use or to otherwise dispose of real or personal property in connection with the affairs of this Corporation subject to the limitations set forth in the Restrictions;

d. To borrow money, to mortgage, pledge, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred subject to the limitations set forth in the Restrictions;

e. To provide for services such as garbage and rubbish collection and disposal and for property maintenance;

f. To promote and provide recreational and other facilities for the residents and Owners of said property;

g. To provide safety or police patrols;

h. To maintain streets, street lights, sidewalks and traffic controls;

i. To provide general sanitation and cleanliness of common areas;

j. To provide control of insects, rodents and animals;

k. To provide maintenance of drainage facilities;

l. To provide upkeep and maintenance of common areas and facilities and of Townhouse exteriors as provided in the Restrictions;

m. To provide any activity authorized by the Restrictions for the mutual benefit of the residents and Owners; and to have and to exercise any and all powers, rights and privileges a corporation organized under the Non-Profit Corporation Law of the State of Texas, may now or hereafter exercise.

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ARTICLE V

The number of Directors constituting the initial Board is three (3). The Directors need not be Members of the Corporation. The names, addresses and terms of the persons who are to serve as the initial Directors are as follows:

| <u>NAME</u> | <u>ADDRESS</u> |
|------------------|---|
| Cherie Copus | 6200 La Calma Austin, Texas 78752 Term: Three (3) years from the date hereof or until his successor shall have been elected. |
| John J. Gavurnik | 6200 La Calma Austin, Texas 78752 Term: Two (2) years from the date hereof or until his successor shall have been elected. |
| Mark B. Sprague | 6200 La Calma Austin, Texas 78752 Term: One (1) year from the date hereof or until his successor shall have been elected. |

At the first annual meeting of the Members, which shall be one (1) year from the date hereof, one (1) Director shall be elected for a term of three (3) years, and at each annual meeting thereafter one (1) Director shall be elected for a term of three (3) years, unless the Board of Directors elects to increase the number of Directors according to the terms of the By-Laws of the Corporation, in which case Directors shall be elected at the annual meeting for a term of three (3) years as the terms of one (1) or more Directors expire.

ARTICLE VI

The name and address of each incorporator is:

| <u>NAME</u> | <u>ADDRESS</u> |
|------------------|--------------------------------------|
| Cherie Copus | 6200 La Calma Austin, Texas 78752 |
| John J. Gavurnik | 6200 La Calma Austin, Texas 78752 |
| Mark B. Sprague | 6200 La Calma Austin, Texas 78752 |

ARTICLE VII

Every person or entity who is a record Owner of a fee or undivided fee interest in any Lot which is subject, by covenants of record, to assessment by the Corporation, including contract sellers, shall be a Member of the

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Corporation. The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation. Membership shall be appurtenant to and may not be separated from any ownership of any Lot which is subject to assessment by the Corporation. Ownership of such Lot shall be the sole qualification for membership. Any Mortgagee or Lienholder who acquires title to any Lot which is a part of the Property, through judicial or non-judicial foreclosure, shall be a Member of the Corporation.

The Corporation shall have two (2) classes of voting membership.

CLASS A: Class A Members shall be all Owners, with the exception of NASH PHILLIPS/COPUS, INC., a Texas corporation, the Declarant, and its successors and assigns, and shall be entitled to one (1) vote for each Lot owned. When more than one (1) person holds such interest in any Lot, all such persons shall be Members. The vote for such Lot shall be exercised as they among themselves determine, but in no event shall more than one (1) vote be cast with respect to any Lot.

CLASS B: The Class B Member(s) shall be NASH PHILLIPS/COPUS, INC., a Texas corporation, the Declarant, and its successors and assigns, and shall be entitled to three (3) votes for each Lot owned, provided that the Class B membership shall cease and be converted to Class A membership on the happening of either of the following events, whichever occurs earlier:

(a) when the total votes outstanding in the Class A membership equal the total votes outstanding in the Class B membership, or;

(b) three (3) years from the filing of the Declaration of Covenants, Conditions and Restrictions in the Deed Records of Travis County, Texas.

ARTICLE VIII

The Corporation is a non-profit corporation, without capital stock, organized solely for the purposes specified in Article IV; and no part of its property, whether income or principal, shall ever inure to the benefit of any Director, officer, or employee of the Corporation, or of any individual having a personal or private interest in the activities of the Corporation, nor shall

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any such Director, officer, employee or individual receive or be lawfully entitled to receive any profit from the operations of the Corporation except a reasonable allowance for salaries or other compensation for personal services actually rendered in carrying out one (1) or more of its stated purposes. The Corporation shall not engage in, and none of its funds or property shall be devoted to, carrying on propaganda or otherwise attempting to influence legislation.

ARTICLE IX

The street address of the initial registered office of the Corporation is 6200 La Calma, Austin, Texas, 78752, and the name of its initial registered agent at such address is Cherie Copus.

ARTICLE X

The Association may be dissolved with the assent given in writing and signed by not less than two-thirds (2/3) of each class of Members and all First Mortgagees. Upon dissolution of the Corporation, other than incident to a merger or consolidation, the assets of the Corporation shall be held and owned by the Members proportionately as tenants in common according to the number of Lots owned. In the event the Owners representing Ownership of at least sixty-seven percent (67%) of the assets agree, the assets of the Corporation shall be sold.

ARTICLE XI

Amendment of these Articles shall require the assent of seventy-five percent (75%) of the entire membership.

IN WITNESS WHEREOF, we hereunto set our hands this the 20 day of September, A.D., 1984.

Cherie Copus
Cherie Copus

John J. Gayurnik
John J. Gayurnik

Mark B. Sprague
Mark B. Sprague

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THE STATE OF TEXAS §

COUNTY OF TRAVIS §

I, the undersigned Notary Public, do hereby certify that on this 20th day of September, A.D., 1984, personally appeared before me, Cherie Copus, John J. Gavurnik and Mark B. Sprague, who each being by me first duly sworn, severally declared that they are the persons who signed the foregoing document as incorporators and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the date and year above written.

Barbara C. Freeland
Notary Public in and for the State of Texas
My Commission Expires: 4-30-87
Barbara C. Freeland