

1300

BALCONES TOWERS CONDOMINIUM INC. BOARD OF ADMINISTRATION

RESOLUTION

2-13-88

OCT 17-79²⁵ 6883 * 13.00

WHEREAS ballots were canvassed on October 24, 1978 regarding the attached proposed amendments to Paragraphs 1.L., 11, and 16 and Articles III, S4; and VI, S1 of the Declaration and By-Laws, respectively, of Balcones Towers Condominium Regime; and

WHEREAS these proposals received the written consent of the mandatory sixty-five percent (65%) of the ownership unit owners; and

WHEREAS the attached proposals are a true and correct copy of the authorized changes;

THEREFORE BE IT RESOLVED that such changes be filed in the Condominium Records of Travis County, Texas pursuant to Article VIII of the By-Laws of this Condominium Regime and that payment issue therefor.

Peter M. Uhlig
President -- Peter Uhlig

(NO SEAL)

Frederick Bradstreet
Vice President -- Frederick Bradstreet

CONDOMINIUM RECORDS
TRAVIS COUNTY TEXAS

8

287

2-13-83

THE FOLLOWING CHANGES TO THE DECLARATION OF BALCONES TOWERS CONDOMINIUMS ARE OFFERED:

Note: Wording eliminated by the change is enclosed in brackets [] and lined through.

New wording added to the paragraph is underlined.

Change Paragraph 1 by adding a new paragraph (L) which will follow 1.K.

1.L. Construction of Declaration: tense, gender and number.

Unless otherwise expressly provided, the past, present or future tense shall each include the other; the masculine, feminine, or neuter gender shall each include the other; and the singular and plural number shall include the other.

Change Paragraph 11 to read as follows:

11. Representation of Voting -- The aggregate number of votes for all members of the Council shall be [~~forty-six (46)~~] forty-five (45), with one vote allocated each Unit and to be exercised by the owner of that Unit. In the event an Ownership Unit is jointly owned by two or more persons, one person shall exercise the voting right for both, by agreement between the two persons. [~~The Developer or its representative may exercise all the votes allocated in the unsold property while owned by Developer.~~]

Change Paragraph 16 to read as follows:

16. Common Expenses, Assessments -- Each Ownership Unit Owner shall be bound and obligated and agrees to pay, as assessments therefor are made during his tenure of ownership, his prorata part and share of the utilities and expenses of administration, maintenance, repair, upkeep, protection, replacement, and operation of the Common Elements, and the Manager's Unit, assessments made by Balcones Towers Condominium, Inc. and of

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CHANGES TO THE DECLARATION OF BALCONES TOWERS CONDOMINIUMS (CONTINUED):

2-13-8836

any other expenses lawfully agreed to by the Council of Co-Owners or the Board of Administration as authorized by the Act, this Declaration or by the By-Laws appended hereto, all of which expenses herein mentioned are in this Declaration referred to as the "common expenses". The pro-rata part and share of the common expenses which shall be assessed against each Ownership Unit Owner, and which each Ownership Unit Owner agrees to pay, shall be in the same ratio and in proportion to his percentage ownership interest in the common elements as set out in Paragraph 7 above. Assessments for common expenses and payments thereof shall be made as determined and provided for in the By-Laws appended hereto, and as from time to time amended. No owner of any Unit or interest therein shall be exempt from paying or contributing his prorata part and share of the common expenses by waiver of the use or enjoyment of the common elements or any part thereof or by abandonment of the Unit or his interest therein. The amount of common expenses assessed against each Unit shall be the debt and obligation of the Ownership Unit Owner at the time the assessment is made; the subsequent transfer of his Ownership shall not terminate the outstanding obligation. Assessments for common expenses shall be on a monthly basis and shall become due and payable monthly. All sums collected for common expenses shall constitute and be known as the "Maintenance Fund" of this condominium regime.

THE FOLLOWING AMENDMENTS TO THE BY-LAWS ARE OFFERED:

Note: Wording eliminated by the change is enclosed in brackets [] and lined through.

New wording added to the paragraph is underlined.

Change Article III, S 4 to read as follows:

- 4. Votes. The aggregate number of votes for all unit owners at

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CHANGES TO THE BY-LAWS OF BALCONES TOWERS CONDOMINIUMS (CONTINUED):

2-13-83

all meetings of the Council shall be ~~[forty-six (46)]~~ forty-five (45), which vote shall be divided among the unit owners on the basis of one vote for each unit owned. Votes at any meeting may be cast in person or by proxy. ~~[The Developer, through any officer, agent or representative in person or by proxy, may cast the votes allocated to units owned by it.]~~

Change Article VI, S 1 to read as follows:

1. Budget. The Board shall prepare or cause to be prepared an estimated annual budget for each fiscal year of the Council. Such budget shall take into account the estimated common expenses and assessments and cash requirements for the year, including, but not being limited to, salaries, wages, ad valorem taxes on the entire project, payroll taxes, supplies, materials, parts, services, maintenance, repairs, replacements, landscaping, insurance, including insurance on common elements, management fees and other common expenses. The annual budget shall also take into account and provide for a reserve for contingencies for the year and a reserve for replacements of the common elements, in reasonable amounts as fixed by the Board. Any surplus or deficit in regard to previous budgets shall also be considered:

Copies of the annual budget shall be furnished to each unit owner not later than fifteen (15) days prior to the ~~[beginning-of-each-fiscal-year]~~ annual meeting. The annual budget as estimated by the Board shall serve as the basis for the regular monthly assessments against the unit owners, unless such budget is changed, altered, or modified by the Council at any regular meeting or special meeting called for the purpose, in which case such budget as so changed, altered or modified by the Council shall be the basis for the regular monthly assessments.

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BALCONES TOWERS CONDOMINIUM INC.

2-13-88

3431 North Hills Drive, No. 119

Austin, Texas 78731

AMENDMENTS

THE STATE OF TEXAS ¶
COUNTY OF TRAVIS ¶

BEFORE ME, the undersigned authority, on this day personally appeared FREDERICK BRADSTREET, Vice President of Balcones Towers Condominium, Inc., Board of Administration, known to me to be the person and officer whose name is subscribed below and who acknowledged that the attached Resolution and Amendments are true and correct copies of records of this Condominium Regime, that they were executed as the act of the corporation, for the purposes therein expressed and in the capacity therein stated.

(NO SEAL)

Frederick Bradstreet
FREDERICK BRADSTREET
Vice President

GIVEN under my hand and seal of office this the 17th
day of October, 1979.

NOTARY SEAL

Diana Bryant

DIANA BRYANT
NOTARY PUBLIC IN AND FOR
TRAVIS COUNTY, TEXAS

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NOTATION MADE

FILED

2-19-8839

OCT 17 11 08 AM '79

Doris Bragdon

Betty Phillips

3461 North 11th St.

4119

Acct. 7873

STATE OF TEXAS COUNTY OF TARRANT
I hereby certify that this instrument was FILED on the
date and at the time stamped herein by me; and was duly
RECORDED, in the Volume and Page of the named RECORDS
of Tarrant County, Texas, as Stamped herein by me, on

OCT 17 1979



Doris Bragdon
CLERK
TARRANT COUNTY, TEXAS

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