K030468

SECOND SUPPLEMENTAL DECLARATION OF MERGER AND ANNEXATION OF PHASE II NORTH VILLAGE GREEN I CONDOMINIUM

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, U.S. HOME CORPORATION, a Delaware corporation (the "Declarant"), executed that certain Declaration of Condominium for North Village Green I, filed for record on July 19, 1979, in the office of the County Clerk for Harris County, Texas, under Clerk's File Number G164134, and in the Condominium Records for Harris County, Texas, in Volume 100, Page 110 (the "Declaration"); and

WHEREAS, the Declarant, the Owners of certain Units and the institutional holders of first Mortgages executed that certain First Amendment of Declaration of Condominium for North Village Green I, filed for record on November 14, 1979, in the office of the County Clerk for Harris County, Texas, under Clerk's File Number G321704, and in the Condominium Records for Harris County, Texas, in Volume 104, Page 20 (the "Amended Declaration"); and

WHEREAS, the Owners of more than seventy-five percent (75%) of the Units in North Village Green I Condominium executed that certain First Supplemental Declaration of Condominium for North Village Green I, joined by Declarant and the institutional holders of first Mortgages, which First Supplemental Declaration was filed for record on January 11, 1984, in the office of the County Clerk for Harris County, Texas, under Clerk's File Number J316652, and in the Condominium Records for Harris County, Texas, in Volume 143 at Page 23 (the "First Supplemental Declaration"); and

WHEREAS, Paragraph 1.a. of the First Supplemental Declaration provides that the Declarant may cause additional Units, Common Elements and/or Limited Common Elements to be added to the Regime by filing a supplement or supplements to the Declaration in the Condominium Records of Harris County, Texas, unilaterally, without the necessity of obtaining the consent of the Unit Owners or any other party with respect to such supplemental declaration; and

WHEREAS, Declarant is the Owner of certain property in the County of Harris, State of Texas, which is more particularly described in the attached Exhibit "A" and made a part hereof for all purposes; and

WHEREAS, the Declarant is desirous of annexing and merging the property described on Exhibit "A" on which exists thirty-eight (38) Units comprising Building M, all as provided in the Declaration, the Amended Declaration and the First Supplemental Declaration (unless otherwise indicated, all capitalized terms used herein shall have the same meanings as are attributed thereto in the Declaration);

NOW, THEREFORE, Declarant hereby declares that all of the property described by metes and bounds on Exhibit "A" as Phase II shall be held, sold and conveyed subject to the easements, restrictions, covenants and conditions set forth in the Declaration, the Amended Declaration and the First Supplemental Declaration for North Village Green I Condominium, all of which is for the purpose of enhancing and protecting the value, desirability and attractiveness of the real property described above. The said easements, restrictions, covenants and conditions shall run with the above-described property and shall be binding on all parties having or acquiring any right, title or interest in the said property or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each Owner and lessee thereof.

The property depicted on the attached plat of North Village Green I Condominium Phase II, which plat is attached hereto as Exhibit "B", shall become a part of the Regime, as defined in the Declaration, the Amended Declaration and the First Supplemental Declaration, and the thirty-eight (38) Units shown on the plan of Phase II, attached hereto as Exhibit "B-1", shall become Units, as defined in the Declaration, the Amended Declaration and the First Supplemental Declaration, and from and after the filing hereof, North Village Green I Condominium Phase II shall be a part of the Regime as if it had been originally described in the Declaration as amended and supplemented, and the percentage or fraction of ownership interest in the common area is hereby allocated and established among the total of one hundred seventy-six (176) Units as set out in Exhibit "C" of this Second Supplemental Declaration of Merger and Annexation.

By its execution hereof, Declarant further agrees that, notwithstanding the provisions of the Supplemental Declaration, Declarant shall not construct or cause to be constructed additional Units, Common Elements and/or Limited Common Elements on the Convertible Land to be included in the Regime by subsequent supplemental declarations, unless those additional Units, Common Elements and/or Limited Common Elements are consistent with the initial improvements in North Village Green I Condominium in terms of quality of construction. As additional Units are added to North Village Green I Condominium by additional supplemental declarations, the fraction of ownership interest allocated to each Unit of the Condominium shall be changed, so that after the filing of such additional supplemental declaration, each Unit will be allocated a fractional ownership

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interest in the Common Elements, the numerator of which fraction shall be the number of square feet in each such Unit, and the denominator of which shall be the total number of square feet in all Units.

This Second Supplemental Declaration of Merger and Annexation of Phase II, North Village Green I Condominium, may be amended by Declarant without joinder of any Unit Owner or Mortgagee in order to correct errors and discrepancies in said document or to comply with the requirements of the Veterans' Administration, Federal Home Loan Mortgage Corporation, Federal National Mortgage Association or any other permanent lender approved by the Declarant; provided, however, that no vested property rights of any Unit Owner shall be materially affected.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereto set its hand and seal this 2nd day of April, 1985.

U.S. HOME CORPORATION

By: _____

ATTEST:

_____
Secretary

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on April 2, 1985, by Paul Sims, VP Controller of U.S. Home Corporation, a Delaware corporation, on behalf of said corporation.

_____
Notary Public, State of Texas
My commission expires: 3/4/86

EXHIBIT A TO SECOND SUPPLEMENTAL DECLARATION OF MERGER AND ANNEXATION OF PHASE II NORTH VILLAGE GREEN I CONDOMINIUM

Metes and Bounds Description of a 0.937-Acre Tract of Land
Out of the Simon Contreras Survey, Abstract 220, Harris County, Texas

All that certain tract or parcel of land containing 0.937 acres situated in the Simon Contreras Survey, Abstract 220, Harris County, Texas, being out of Unrestricted Reserve "A", North Green Business Park Subdivision as platted and recorded in Volume 235, Page 77 of the Harris County Map Records and being more particularly described by metes and bounds as follows:

COMMENCING at a point for the Southwest corner of North Village Green Subdivision, Section One, as platted and recorded in Volume 289, Page 109 of the Harris County Map Records, said point being on the North right-of-way line of existing Plaza Verde Drive (60-foot width);

THENCE North 00° 06' 10" West, 400.00 feet with the West line of North Village Green, Section One, to a point for corner, being the Southwest corner of North Village Green, Section Two, as platted and recorded in Volume 303, Page 141 of the Harris County Map Records;

THENCE North 75° 00' 01" East, 450.77 feet with the South line of North Village Green, Section Two, to the PLACE OF BEGINNING of the tract herein described;

THENCE North 14° 59' 59" West, 89.00 feet to a point for corner;

THENCE South 75° 00' 01" West, 20.00 feet to a point for corner;

THENCE North 14° 59' 59" West, 48.00 feet to a point for corner;

THENCE North 75° 00' 01" East, 92.43 feet to a point for corner;

THENCE North 14° 59' 59" West, 53.45 feet to a point for corner;

THENCE North 75° 00' 01" East, 112.00 feet to a point for corner;

THENCE South 14° 59' 59" East, 50.01 feet to a point for corner;

THENCE along the arc of a curve to the left, having a chord of South 54° 54' 32" East, 6.42 feet, a radius of 5.00 feet, a central angle of 79° 49' 06", a distance of 6.97 feet to a point for corner;

THENCE along the arc of a curve to the right, having a chord of South 68° 16' 53" East, 83.99 feet a radius of 94.00 feet, a central angle of 53° 04' 25", a distance of 87.07 feet to a point for corner;

THENCE South 41° 44' 40" East, 16.00 feet to a point for corner;

THENCE along the arc of a curve to the left, having a chord of South 89° 09' 48" East, 29.45 feet, a radius of 20.00 feet, a central angle of 94° 50' 16", a distance of 33.10 feet to a point for corner being on the South line of North Village Green, Section Two;

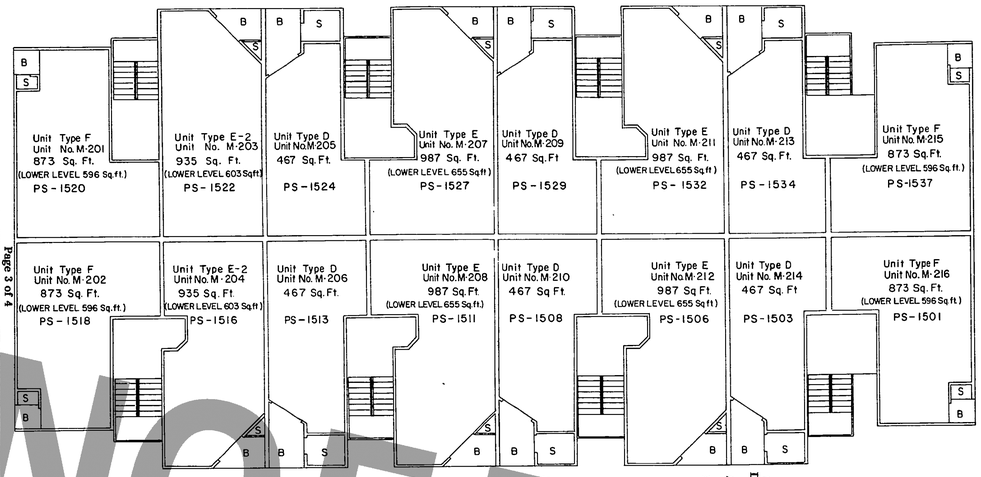
THENCE along the arc of a curve to the left, having a chord of South 37° 42' 23" West, 18.21 feet, a radius of 91.51 feet, a central angle of 11° 25' 03", a distance of 18.24 feet with said South line to a point for corner;

THENCE South 32° 00' 01" West, 76.16 feet to a point for corner;

THENCE South 75° 00' 01" West, 221.23 feet to the PLACE OF BEGINNING, containing 0.937 acres (40,816 sq. ft.), more or less.

UNOFFICIAL COPY

UNOFFICIAL COPY



SECOND FLOOR

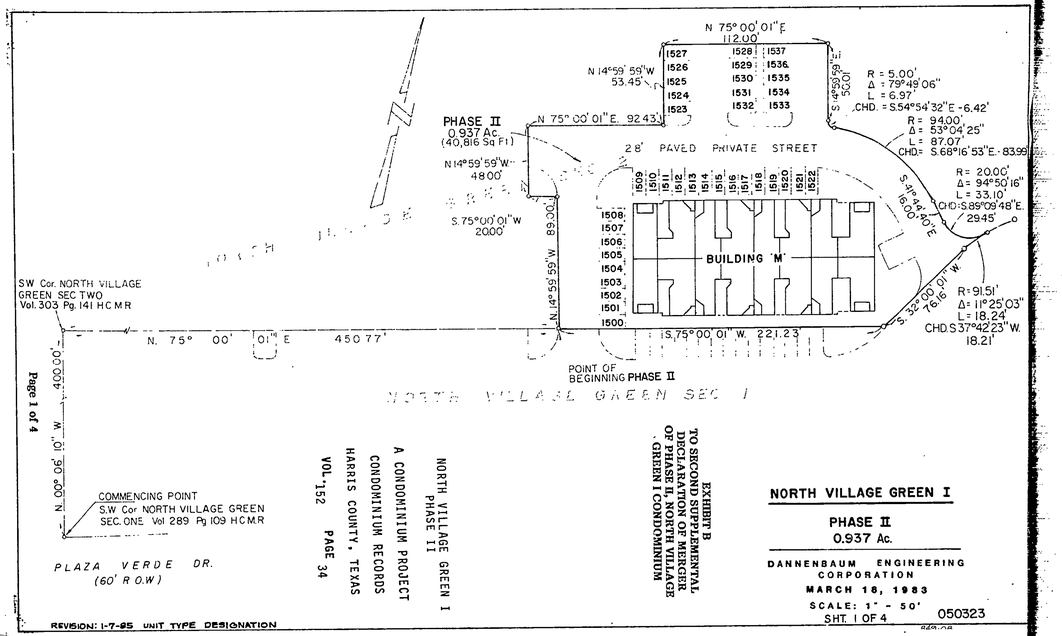
MARCH 18, 1983

REVISION: 1-7-85 UNIT TYPE DESIGNATION

EXHIBIT B TO SECOND SUPPLEMENTAL DECLARATION OF MERGER AND ANNEXATION OF PHASE II NORTH VILLAGE GREEN I CONDOMINIUM

SHT. 3 OF 4

050323



NORTH VILLAGE GREEN I PHASE II

A CONDOMINIUM PROJECT

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EXHIBIT B TO SECOND SUPPLEMENTAL DECLARATION OF MERGER AND ANNEXATION OF PHASE II NORTH VILLAGE GREEN I CONDOMINIUM

NORTH VILLAGE GREEN I

PHASE II

0.937 Ac.

DANNENBAUM ENGINEERING CORPORATION

MARCH 18, 1983

SCALE: 1" - 50'

SHT. 1 OF 4

050323

REVISION: 1-7-85 UNIT TYPE DESIGNATION



THIRD FLOOR

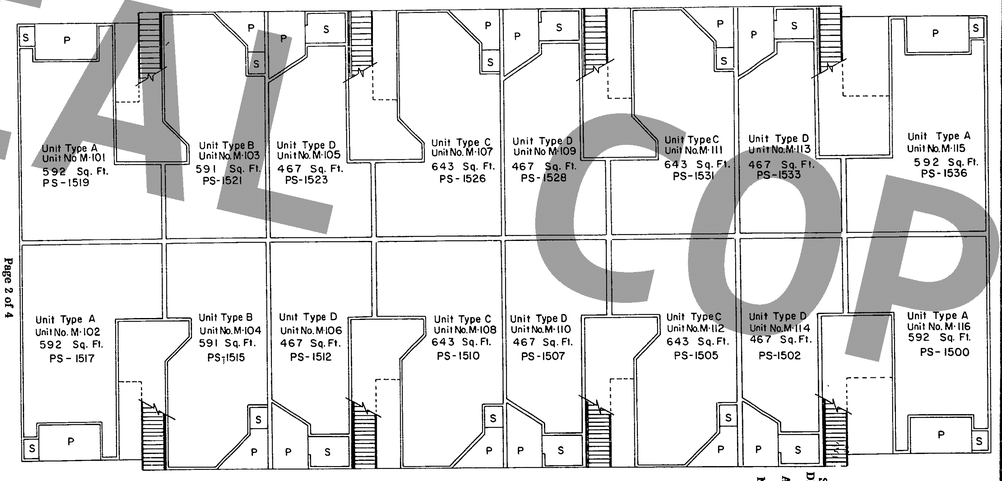
MARCH 18, 1983

REVISION : 1-7-85 UNIT TYPE DESIGNATION

EXHIBIT B TO SECOND SUPPLEMENTAL DECLARATION OF MERGER AND ANNEXATION OF PHASE II NORTH VILLAGE GREEN I CONDOMINIUM

SHT. 4 OF 4

050323



FIRST FLOOR

MARCH 18, 1983

REVISION : 1-7-85 UNIT TYPE DESIGNATION

EXHIBIT B TO SECOND SUPPLEMENTAL DECLARATION OF MERGER AND ANNEXATION OF PHASE II NORTH VILLAGE GREEN I CONDOMINIUM

SHT. 2 OF 4

050323

UNOFFICIAL COPY

EXHIBIT C TO
SECOND SUPPLEMENTAL DECLARATION
OF MERGER AND ANNEXATION OF PHASE II
NORTH VILLAGE GREEN I CONDOMINIUM

NORTH VILLAGE GREEN—PHASE I & II

PERCENTAGE OF OWNERSHIP IN THE COMMON ELEMENTS

UNIT NOS.	SQUARE FT.	PERCENTAGE OF OWNERSHIP IN THE COMMON ELEMENTS PHASE I ONLY	WITH PHASE II ADDED
BUILDING A (#1):			
A11	1,066	.007460	.006393
A12	1,066	.007460	.006393
A13	715	.005003	.004288
A14	715	.005003	.004288
A15	1,156	.008090	.006933
A16	1,156	.008090	.006933
A21	1,066	.007460	.006393
A22	1,066	.007460	.006393
A23	715	.005003	.004288
A24	715	.005003	.004288
A25	1,156	.008090	.006933
A26	1,156	.008090	.006933
A31	1,066	.007460	.006393
A32	1,066	.007460	.006393
A33	715	.005003	.004288
A34	715	.005003	.004288
A35	1,156	.008090	.006933
A36	1,156	.008090	.006933
		Bldg. Total .123318	.105687
BUILDING B (#2):			
B11	1,318	.009223	.007904
B12	1,318	.009223	.007904
B13	1,318	.009223	.007904
B14	1,318	.009223	.007904
B15	1,066	.007460	.006393
B16	1,066	.007460	.006393
B21	1,318	.009223	.007904
B22	1,318	.009223	.007904
B23	1,318	.009223	.007904
B24	1,318	.009223	.007904
B25	1,066	.007460	.006393
B26	1,066	.007460	.006393
B31	1,318	.009223	.007904
B32	1,318	.009223	.007904
B33	1,318	.009223	.007904
B34	1,318	.009223	.007904
B35	1,066	.007460	.006393
B36	1,066	.007460	.006393
		Bldg. Total .155436	.133215
BUILDING C (#3):			
C11	1,066	.007460	.006393
C12	715	.005003	.004288
C13	1,318	.009223	.007904
C14	878	.006144	.005265
C15	985	.006893	.005907
C16	1,156	.008090	.006933
C21	1,066	.007460	.006393
C22	1,233	.008624	.007394
C23	1,318	.009223	.007904
C24	878	.006144	.005265
C25	985	.006893	.005907
C26	1,156	.008090	.006933
C31	1,066	.007460	.006393
C32	1,233	.008624	.007394
C33	1,318	.009223	.007904
C34	878	.006144	.005265
C35	985	.006893	.005907
C36	1,156	.008090	.006933
		Bldg. Total .135582	.116290

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BUILDING G (#7):			
G11	1,066	.007460	.006393
G12	1,066	.007460	.006393
G13	715	.005003	.004288
G14	715	.005003	.004288
G15	1,156	.008090	.006933
G16	1,156	.008090	.006933
G21	1,066	.007460	.006393
G22	1,066	.007460	.006393
G23	715	.005003	.004288
G24	715	.005003	.004288
G25	1,156	.008090	.006933
G26	1,156	.008090	.006933
G31	1,066	.007460	.006393
G32	1,066	.007460	.006393
G33	715	.005003	.004288
G34	715	.005003	.004288
G35	1,156	.008090	.006933
G36	1,156	.008090	.006933
		Bldg. Total .123318	.105687
		TOTAL PHASE I 1.000000	
BUILDING M (#13):			
M101	592		.003550
M102	592		.003550
M103	591		.003544
M104	591		.003544
M105	467		.002800
M106	467		.002800
M107	643		.003856
M108	643		.003856
M109	467		.002800
M110	467		.002800
M111	643		.003856
M112	643		.003856
M113	467		.002800
M114	467		.002800
M115	592		.003550
M116	592		.003550
M201	873		.005235
M202	873		.005235
M203	935		.005607
M204	935		.005607
M205	467		.002800
M206	467		.002800
M207	987		.005919
M208	987		.005919
M209	467		.002800
M210	467		.002800
M211	987		.005919
M212	987		.005919
M213	467		.002800
M214	467		.002800
M215	873		.005235
M216	873		.005235
M305	467		.002800
M306	467		.002800
M309	467		.002800
M310	467		.002800
M313	467		.002800
M314	467		.002800
		Bldg. Total	.142966
		TOTAL PHASE I & II	1.000000

MJW-40-3(C) C-3

STATE OF TEXAS }
COUNTY OF HARRIS }

I Hereby Certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED, in the Official Public Records of Real Property of Harris County, Texas on

MAY 21 1985

County Clerk, Harris County, Texas

BUILDING D (#4):			
D11	1,156	.008090	.006933
D12	1,156	.008090	.006933
D13	1,066	.007460	.006393
D14	1,066	.007460	.006393
D15	1,066	.007460	.006393
D16	1,066	.007460	.006393
D21	1,156	.008090	.006933
D22	1,156	.008090	.006933
D23	1,066	.007460	.006393
D24	1,066	.007460	.006393
D25	1,066	.007460	.006393
D26	1,066	.007460	.006393
D31	1,156	.008090	.006933
D32	1,156	.008090	.006933
D33	1,066	.007460	.006393
D34	1,066	.007460	.006393
D35	1,066	.007460	.006393
D36	1,066	.007460	.006393
		Bldg. Total .138060	.118317
BUILDING E (#5):			
E11	985	.006893	.005907
E12	985	.006893	.005907
E13	878	.006144	.005265
E14	878	.006144	.005265
E15	1,066	.007460	.006393
E16	1,066	.007460	.006393
E17	1,066	.007460	.006393
E18	1,066	.007460	.006393
E21	985	.006893	.005907
E22	985	.006893	.005907
E23	878	.006144	.005265
E24	878	.006144	.005265
E25	1,066	.007460	.006393
E26	1,066	.007460	.006393
E27	1,066	.007460	.006393
E28	1,066	.007460	.006393
E31	985	.006893	.005907
E32	985	.006893	.005907
E33	878	.006144	.005265
E34	878	.006144	.005265
E35	1,066	.007460	.006393
E36	1,066	.007460	.006393
E37	1,066	.007460	.006393
E38	1,066	.007460	.006393
		Bldg. Total .167742	.143758
BUILDING F (#6):			
F11	985	.006893	.005907
F12	985	.006893	.005907
F13	985	.006893	.005907
F14	985	.006893	.005907
F15	878	.006144	.005265
F16	878	.006144	.005265
F17	878	.006144	.005265
F18	878	.006144	.005265
F21	985	.006893	.005907
F22	985	.006893	.005907
F23	985	.006893	.005907
F24	985	.006893	.005907
F25	878	.006144	.005265
F26	878	.006144	.005265
F27	878	.006144	.005265
F28	878	.006144	.005265
F31	985	.006893	.005907
F32	985	.006893	.005907
F33	985	.006893	.005907
F34	985	.006893	.005907
F35	878	.006144	.005265
F36	878	.006144	.005265
F37	878	.006144	.005265
F38	878	.006144	.005265
		Bldg. Total .156444	.134078