

**SECOND AMENDED DECLARATION  
OF GATEWAY VILLAS, A CONDOMINIUM**

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00980418 DR 8436 148

This Second Amended Declaration is made this 6<sup>th</sup> day of February, 2008  
by BRAZOS GATEWAY PLACE DEVELOPMENT, LTD., a Texas limited partnership (Declarant)  
pursuant to the Texas Uniform Condominium Act, Chapter 82, Property Code of the State of  
Texas (the Act).

**RECITALS**

1. Declarant is the owner in fee simple of certain real estate situated in the City of College Station, County of Brazos, and State of Texas, more particularly described on Exhibit "A" attached hereto and made a part hereof, together with all buildings and improvements now or hereafter constructed or located thereon, and all rights, privileges, easements, and appurtenances belonging to or in any way pertaining to said real estate; and
2. Declarant filed a Declaration of Gateway Villas, A Condominium dated January 9, 2004 in Volume 5818, Page 1 of the Official Records of Brazos County, Texas (the Declaration). The Declaration designated Lot One, Block One, Phase Two, of The Gateway as Phase I of Gateway Villas, a Condominium, as property submitted to the Act, but reserved other property described as Lot One, Block One, Phase IV, of The Gateway as Additional Real Estate, with the notation in the Declaration as "**Need Not Be Built**". Declarant then filed Amended Declaration of Gateway Villas, a Condominium, dated March 28, 2007, in Volume 7881, Page 241 of the Official Records of Brazos County, Texas (the Amended Declaration). The Amended Declaration designated a particularly described portion of Lot One (1), Block One (1), Phase IV of the Gateway as property submitted to the Act, but the balance of said Lot One (1), Block One (1), Phase IV as Additional Real Estate that "**Need Not Be Built**".
3. Declarant reserved the development rights under the Act, and desires to exercise the development rights under Section 82.06(o) of the Act for the purpose of submitting a portion of the Additional Real Estate to the Act.

Now, therefore, Declarant, as the owner of the Additional Real Estate, hereby declares as follows:

1. The Declaration is hereby adopted with respect to a portion of the Additional Real Estate. The remaining part of Lot One, Block One, Phase IV of The Gateway now "**Must Be Built**" and the plat attached as Exhibit "A" is hereby amended to that extent, showing the portions of the Additional Real Estate to be added, and the Units to be located therein (the Added Portion).

\\REIGATEWAYVILLAS\SECONDAMENDEDDEC.wpd (a1); File #030339

2. The Added Portion of the Additional Real Estate is hereby submitted to the Act, and the Added Portion of the Additional Real Estate is hereby included within Gateway Villas, A Condominium. The Added Portion of the Additional Real Estate shall be designated as Phase IVB. The rest of the Additional Real Estate (if any) still "**Need Not Be Built**". This Amended Declaration is made subject, however, to the rights of Declarant to use the driveway and other access ways located within the common areas of the Added Portion of the Additional Real Estate, and to transfer rights to use such driveways and other access ways to third parties.
3. Declarant, pursuant to the Act, hereby further establishes a plan of condominium ownership for the Condominium, and does hereby divide the property into three phases (Phase I, Phase IVA and Phase IVB), with such phases hereby divided into 202 units, and does hereby designate all such Units for separate ownership, subject to the provisions of Section 2.4 of the Declaration.
4. The Units are hereby designated by the numbers shown on the attached Exhibit "B", and allocations to each Unit of a percentage of undivided interest in the Common Elements and of a percentage of the Common Expenses are as stated on Exhibit "C". The allocation of undivided interest in the Common Elements and of the Common Expenses has been determined by a ratio formulated upon the relation that each Unit bears to the total number of Units. The votes are equally allocated to all Units with each Unit Owner having one vote for each Unit owned. A portion of Phase IVB shall become part of the Common Elements.
5. Except as provided herein, the Declaration is not amended. As provided herein, the Added Portion of the Additional Real Estate is now fully subject to all of the terms and provisions of the Declaration. The units and unit allocations of units created by the Declaration are amended as provided in Exhibit "C".

Signed to be effective on the date stated above.

BRAZOS GATEWAY PLACE  
DEVELOPMENT, LTD., a Texas limited  
partnership, acted for herein by BGPD  
Management, L.L.C., a Texas limited  
liability company

BY:

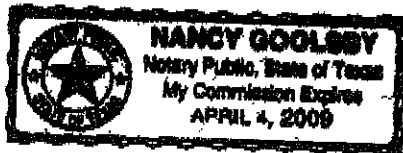
  
DAVID W. SCARMARDO, Manager

STATE OF TEXAS

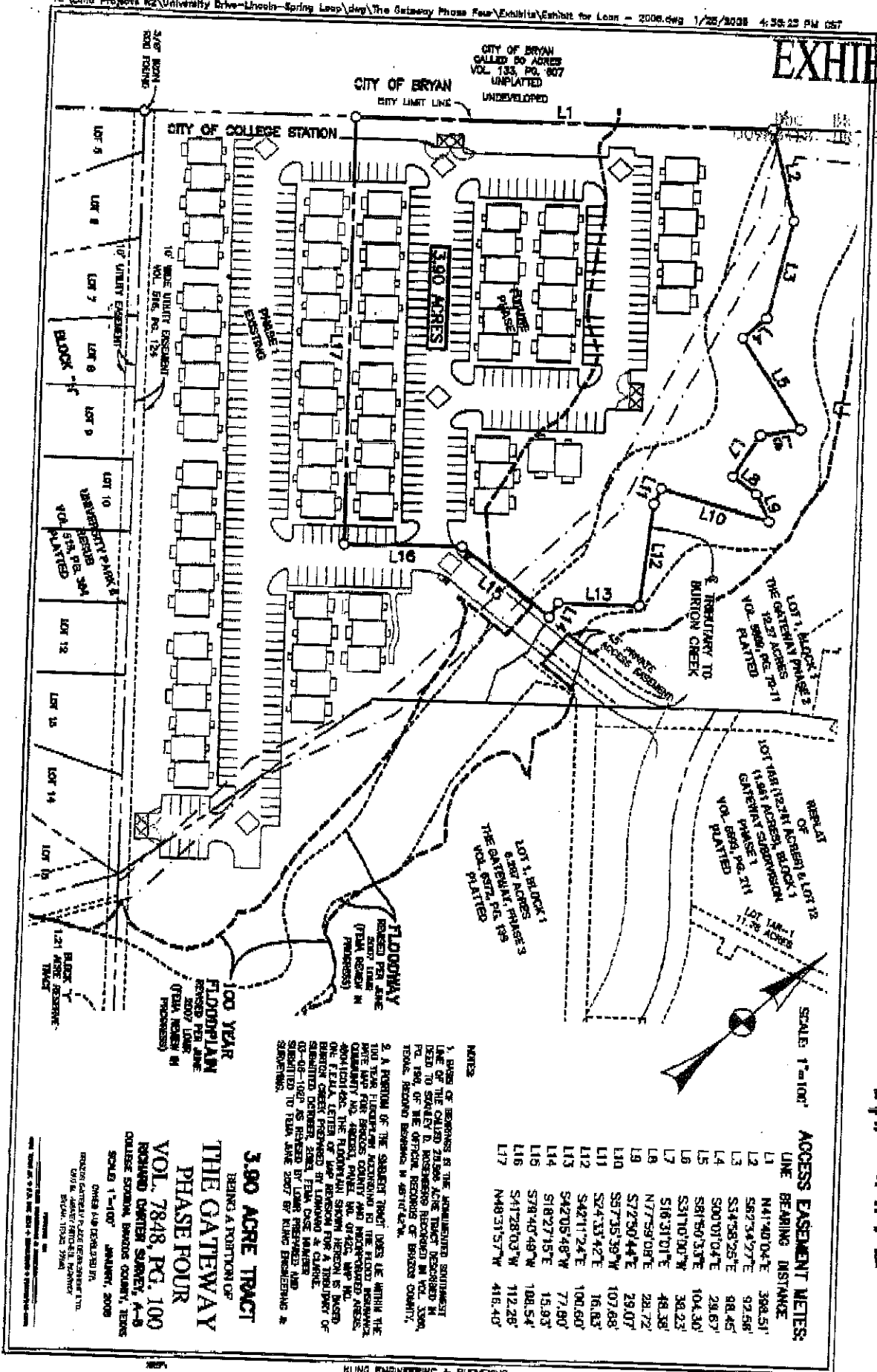
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00938418 DR 8436 150

COUNTY OF BRAZOS

This instrument was acknowledged before me on the 6<sup>th</sup> day of February, 2007 by DAVID W. SCARMARDO, Manager of BGPD Management, L.L.C., a Texas limited liability company, acting on behalf of BRAZOS GATEWAY PLACE DEVELOPMENT, LTD., A Texas limited partnership, in the capacity therein stated.



Nancy Goolbsy  
Notary Public, State of Texas



3.90 Acre Tract  
A Portion of The Gateway - Phase 4  
7.59 Acres  
Vol. 7848, Pg. 100  
Richard Carter Survey, A-8  
College Station, Brazos County, Texas

Field notes of a 3.90 acre tract or parcel of land, lying and being situated in the Richard Carter Survey, Abstract No. 8, College Station, Brazos County, Texas, and being a part of Lot 1, Block 1 - 7.59 acres - The Gateway - Phase 4, according to the plat recorded in Volume 7848, Page 100, of the Official Records of Brazos County, Texas, and said 3.90 acre tract being more particularly described as follows:

**COMMENCING** at a  $\frac{3}{4}$ " Iron rod found marking the common corner between the beforementioned Lot 1, Block 1, The Gateway - Phase 4 and Lot 5, Block "N" - University Park II - Re-subdivision according to the plat recorded in Volume 519, Page 284, of the Deed Records of Brazos County, Texas;

**THENCE** N 41° 40' 04" E along the common line between the beforementioned Lot 1, Block 1, and a 50 acre tract described in the deed to the City of Bryan, recorded in Volume 133, Page 607, of the Deed Records of Brazos County, Texas, for a distance of 201.86 feet to a 60d nail set at the **PLACE OF BEGINNING** of this description;

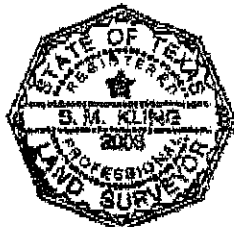
**THENCE** N 41° 40' 04" E continue along the common line between the beforementioned Lot 1, Block 1 and the 50 acre tract for a distance of 398.51 feet to the common corner between the said Lot 1, Block 1 (7.59 acres) and Lot 1, Block 1 (12.27 acres) - The Gateway Phase 2, according to the plat recorded in Volume 5809, Page 70, of the Official Records of Brazos County, Texas, same being in or near the centerline of a tributary to Burton Creek, as follows:

S 62° 34' 27" E	for a distance of 92.58 feet,
S 34° 58' 25" E	for a distance of 98.46 feet,
S 00° 01' 04" E	for a distance of 29.67 feet,
S 81° 50' 33" E	for a distance of 104.30 feet,
S 31° 10' 00" W	for a distance of 38.23 feet,
S 16° 31' 01" E	for a distance of 48.38 feet,
N 77° 59' 08" E	for a distance of 28.72 feet,
S 72° 50' 44" E	for a distance of 29.07 feet,
S 57° 35' 39" W	for a distance of 107.68 feet,
S 24° 33' 42" E	for a distance of 18.83 feet,
S 42° 11' 24" E	for a distance of 100.60 feet,
S 42° 05' 48" W	for a distance of 77.80 feet,
S 18° 27' 15" E	for a distance of 15.93 feet to the northwest corner of a 45' private access easement across Lot 1, Block 1 - The Gateway Phase 2;


**THENCE** S 78° 40' 49" W for a distance of 108.54 feet to a 60d nail set;

**THENCE** S 41° 28' 03" W for a distance of 112.26 feet to a 60d nail set;

**THENCE** N 48° 31' 57" W for a distance of 416.40 feet to the **PLACE OF BEGINNING**, containing 3.90 acres of land, more or less.



Surveyed January 2008

By   
S. M. Kling  
R.P.L.S. No. 2003

Prepared 01/28/08  
kes03-dvd/gateway ph 4 - 3.90 ac.wpd

KLING ENGINEERING AND SURVEYING  
BRYAN, TEXAS

Exhibit "A"  
Page 2 of 2 Pages

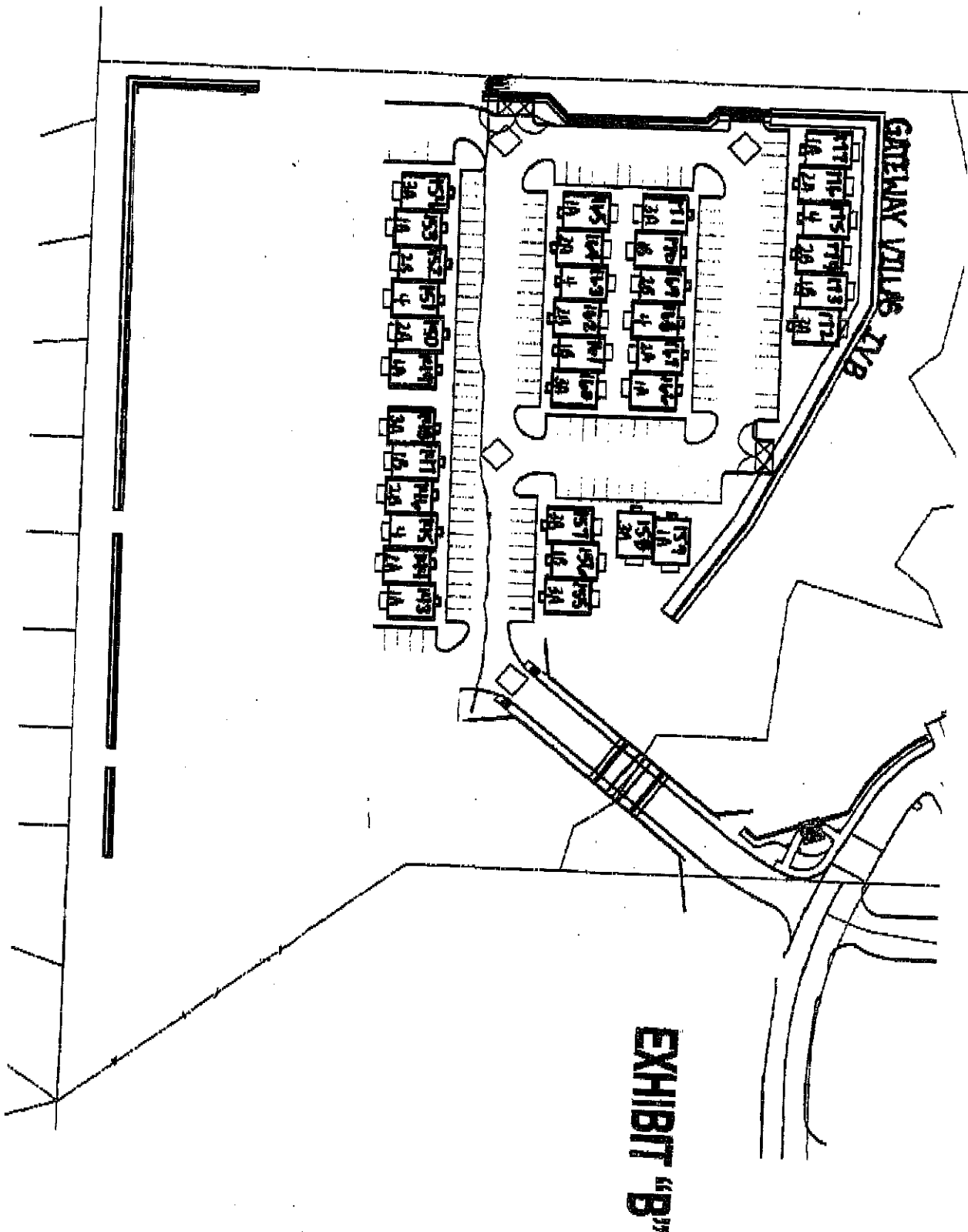
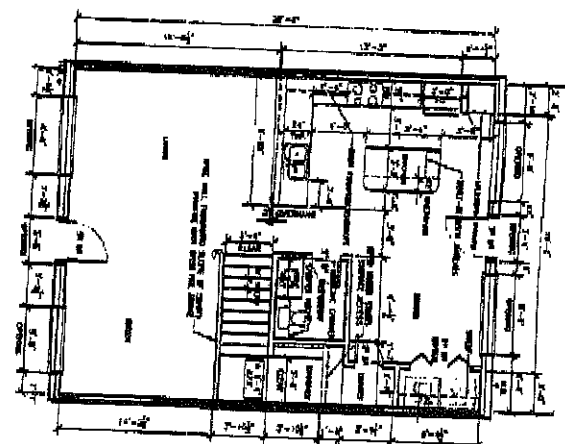
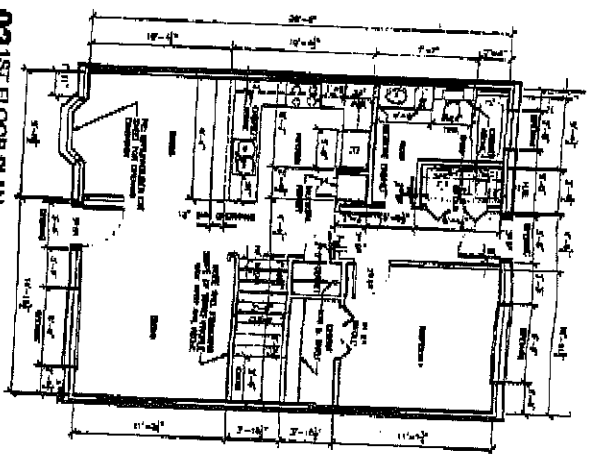


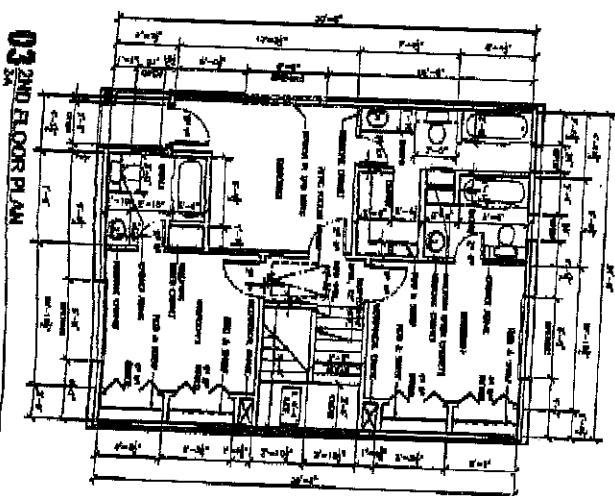
EXHIBIT "B"



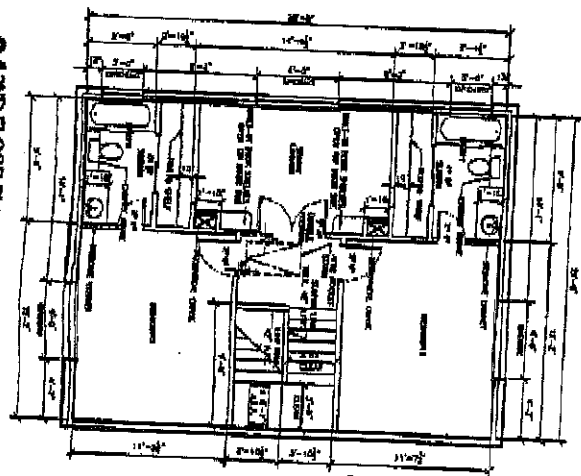
01 1ST FLOOR PLAN



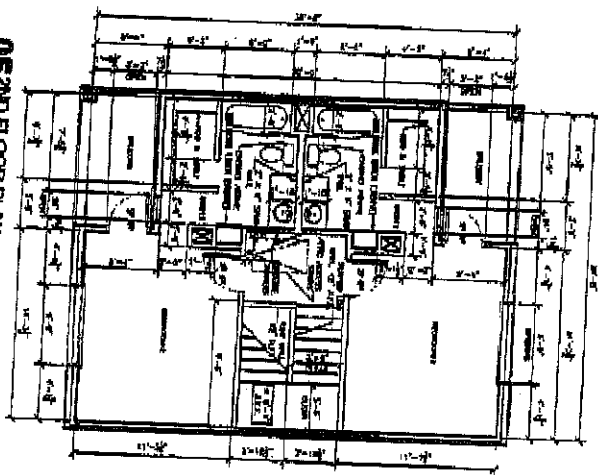
02 1ST FLOOR PLAN



03 2ND FLOOR PLAN



04 2ND FLOOR PLAN



05 2ND FLOOR PLAN

GENERAL NOTES

1. All dimensions are given in feet and inches. All dimensions are to the center of the wall unless otherwise noted.
2. All dimensions are given in feet and inches. All dimensions are to the center of the wall unless otherwise noted.
3. Notes: 1. All dimensions are given in feet and inches. All dimensions are to the center of the wall unless otherwise noted.
4. Notes: 1. All dimensions are given in feet and inches. All dimensions are to the center of the wall unless otherwise noted.
5. Notes: 1. All dimensions are given in feet and inches. All dimensions are to the center of the wall unless otherwise noted.
6. Notes: 1. All dimensions are given in feet and inches. All dimensions are to the center of the wall unless otherwise noted.
7. Notes: 1. All dimensions are given in feet and inches. All dimensions are to the center of the wall unless otherwise noted.
8. Notes: 1. All dimensions are given in feet and inches. All dimensions are to the center of the wall unless otherwise noted.
9. Notes: 1. All dimensions are given in feet and inches. All dimensions are to the center of the wall unless otherwise noted.
10. Notes: 1. All dimensions are given in feet and inches. All dimensions are to the center of the wall unless otherwise noted.

UNIT CONVERSIONS			
IN	FEET	METERS	FEET
1/2	0.5	0.1524	1/2
1	1	0.3048	1
1 1/2	1.5	0.4572	1 1/2
2	2	0.6096	2
2 1/2	2.5	0.7620	2 1/2
3	3	0.9144	3
3 1/2	3.5	1.0668	3 1/2
4	4	1.2192	4
4 1/2	4.5	1.3716	4 1/2
5	5	1.5240	5
5 1/2	5.5	1.6764	5 1/2
6	6	1.8288	6
6 1/2	6.5	1.9812	6 1/2
7	7	2.1336	7
7 1/2	7.5	2.2860	7 1/2
8	8	2.4384	8
8 1/2	8.5	2.5908	8 1/2
9	9	2.7432	9
9 1/2	9.5	2.8956	9 1/2
10	10	3.0480	10

EXHIBIT B

Gateway Villas  
College Station, Texas

FLOOR PLANS  
R. L. PAYNE & ASSOCIATES, INC.  
ARCHITECTURE, PLANNING, INTERIOR DESIGN & ENGINEERING  
1000 LAKESHORE BLVD., SUITE 100 COLLEGE STATION, TX 77840  
PHONE: (512) 624-2278 FAX: (512) 624-8114



PRELIMINARY  
NOT FOR  
CONSTRUCTION  
A1.0

UNIT		SOLUBLE FLOWLINE	
1	2	3	4
1	1	1	1
2	2	2	2
3	3	3	3
4	4	4	4
5	5	5	5
6	6	6	6
7	7	7	7
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NAME: [REDACTED]  
 ADDRESS: [REDACTED]  
 CITY: [REDACTED]  
 STATE: [REDACTED]  
 ZIP: [REDACTED]  
 PHONE: [REDACTED]  
 FAX: [REDACTED]  
 E-MAIL: [REDACTED]  
 COMMENTS: [REDACTED]

41-1

PRELIMINARY  
NOT FOR  
CONSTRUCTION



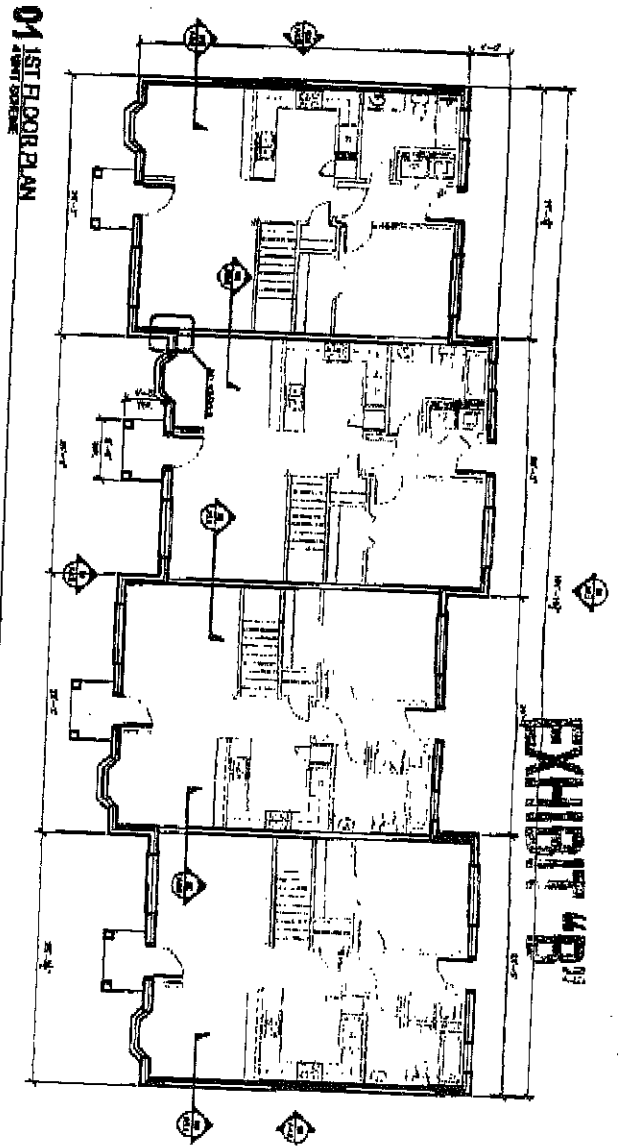
# EXHIBIT "B"

## GENERAL NOTES

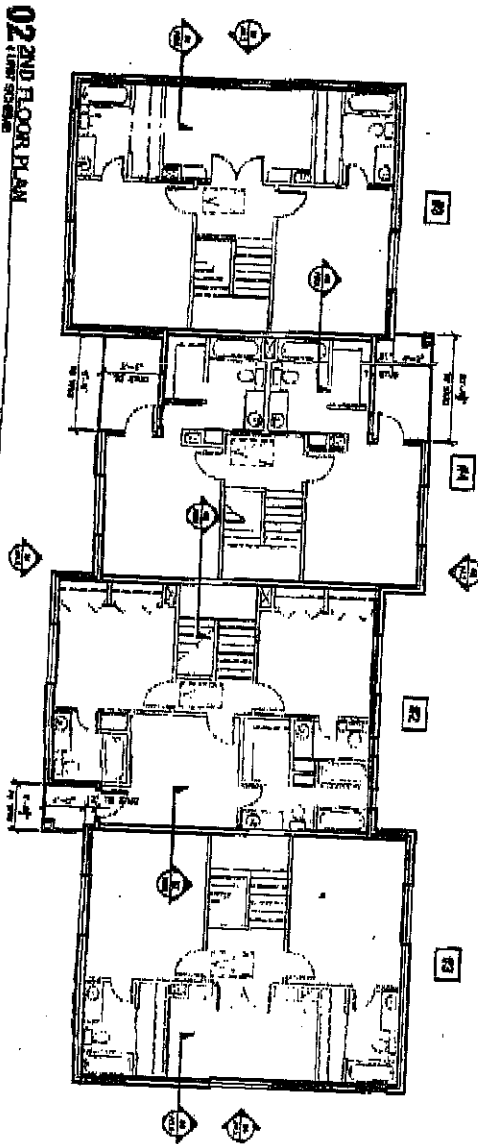
1. NO. 12.500 SQUARE FOOT COVERED WALKWAY.
2. WALKWAY NOT TO BE USED FOR STORING OR PLACING OBJECTS.
3. NO. 12.500 SQUARE FOOT COVERED WALKWAY.

UNIT CONFIGURATIONS			
UNIT	NO.	NO.	NO.
1	1	2	3
2	4	5	6
3	7	8	9
4	10	11	12
5	13	14	15
6	16	17	18
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99	295	296	297
100	298	299	300

## 01 1ST FLOOR PLAN



## 02 2ND FLOOR PLAN



Gateway Villas  
College Station, Texas

FLOOR PLANS - 4 UNIT  
R. L. PAYNE & ASSOCIATES, INC.  
1111 S. 11TH STREET, SUITE 100  
COLLEGE STATION, TX 77840  
(817) 680-1111 FAX (817) 680-1114



PRELIMINARY  
NOT FOR  
CONSTRUCTION

A1.2

Exhibit "B"

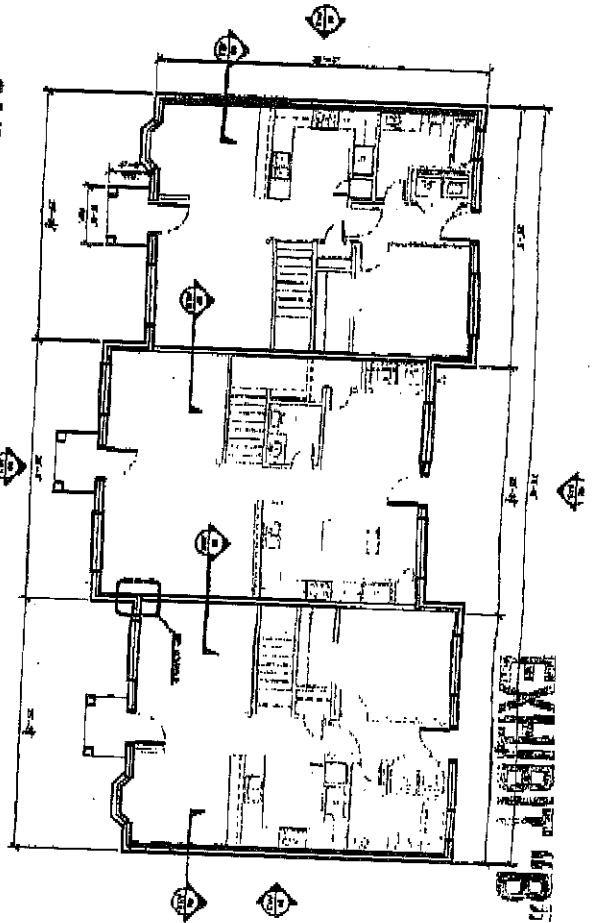
Page 4 of 8 Pages

# EXHIBIT "B"

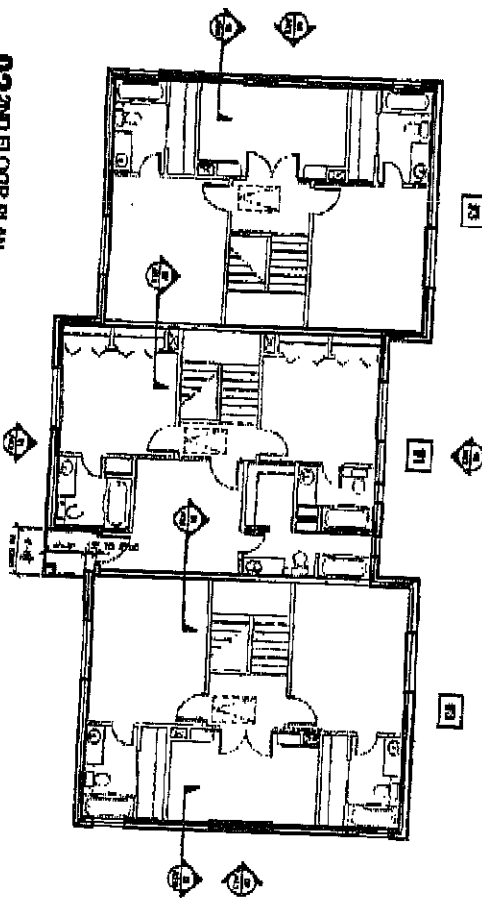
**GENERAL NOTES**  
 1. SEE ALL DIMENSIONS AND FINISHES.  
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
 3. SEE ALL NOTES AND TYPICAL DETAILS FOR FINISHES.

UNIT CONFIGURATIONS			
UNIT	SQ. FT.	SQ. FT.	SQ. FT.
1	1,000	1,000	1,000
2	1,000	1,000	1,000
3	1,000	1,000	1,000
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89	1,000	1,000	1,000
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01 1ST FLOOR PLAN



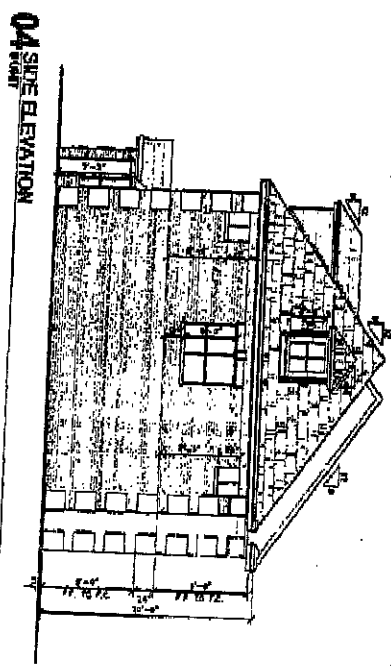
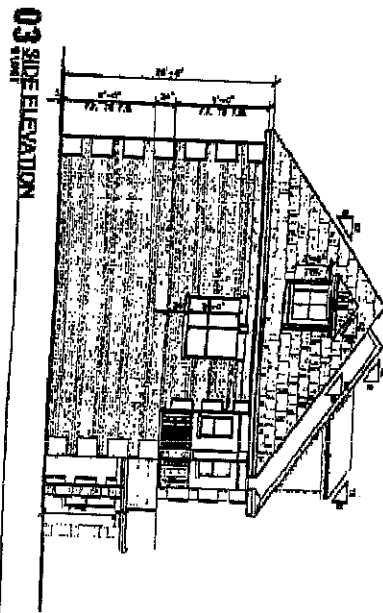
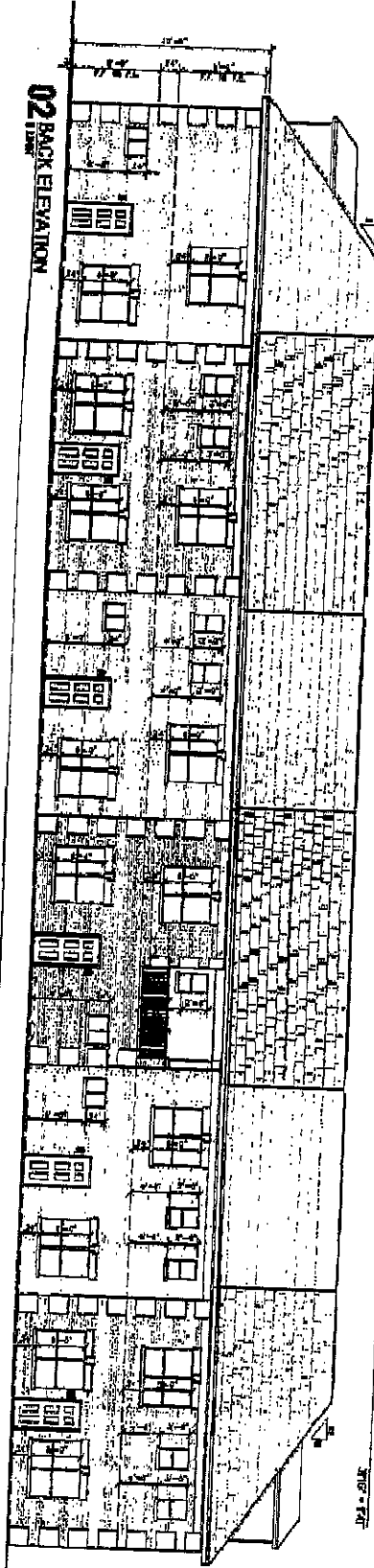
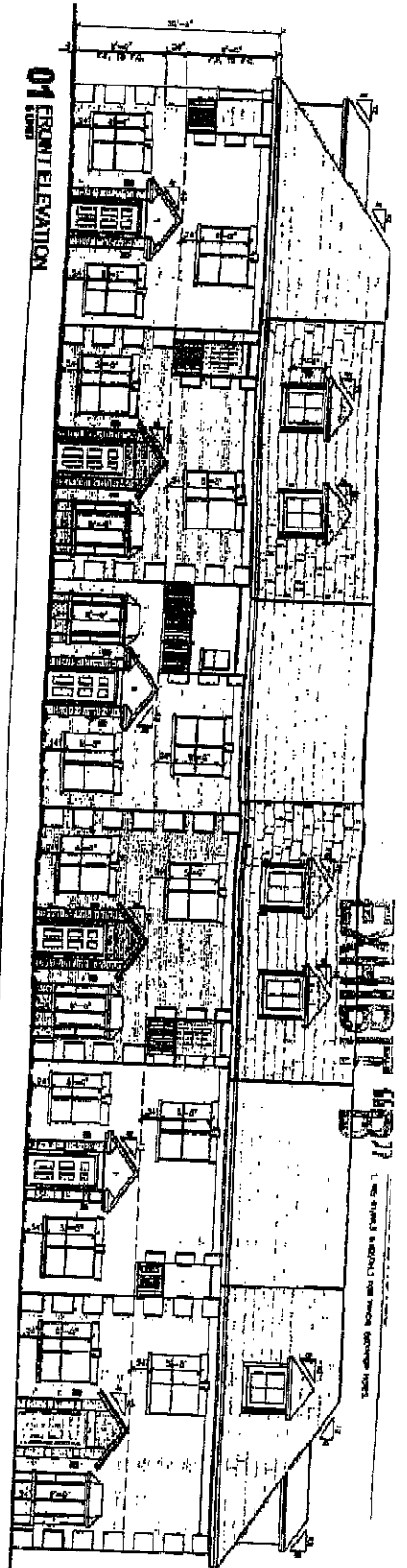
02 2ND FLOOR PLAN



FLOOR PLANS - 3 UNIT  
 R. L. PAYNE & ASSOCIATES, INC.  
 1000 LEBLANC DRIVE, SUITE 100  
 COLLEGE STATION, TX 77845  
 PHONE: (281) 338-7272 FAX: (281) 338-8114

Gateway Villas  
 College Station, Texas

NOT FOR CONSTRUCTION  
 A1.3



**EXHIBIT B**

1. SEE EXHIBIT A FOR THE PROJECT LOCATION MAP.

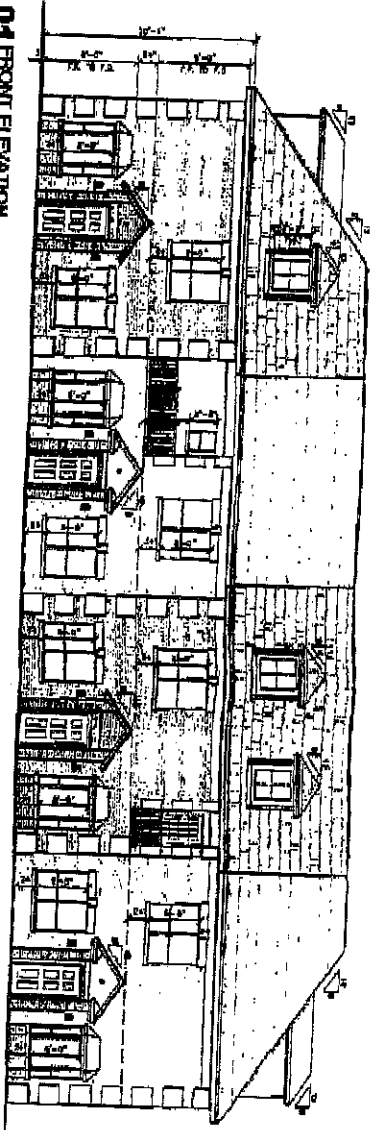
Gateway Villas  
College Station, Texas

EXTERIOR ELEVATIONS - 6 UNIT  
R. L. PAYNE & ASSOCIATES, INC.  
ARCHITECTURAL PLANNING INTERIOR DESIGN & GRAPHICS  
1000 DOWNSIDE DRIVE, SUITE 100, NEW WATKINS, TX 75840  
PHONE: (979) 286-7222 FAX: (979) 286-8114

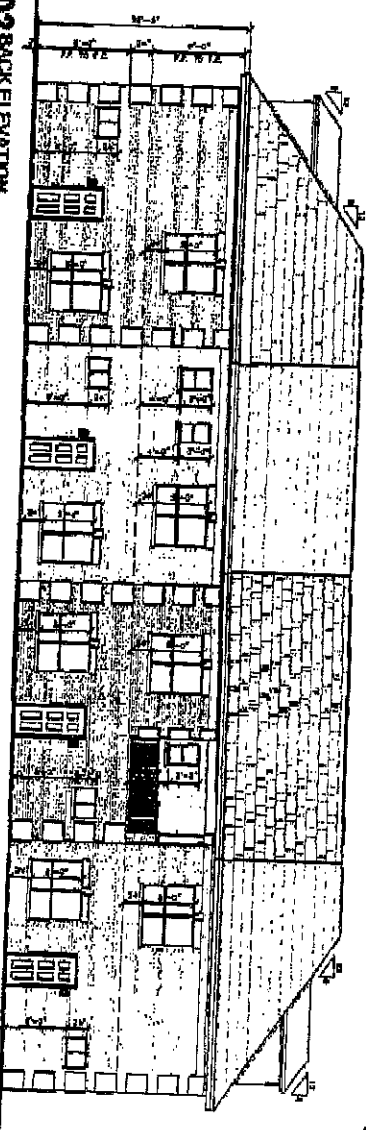
PRELIMINARY  
NOT FOR  
CONSTRUCTION

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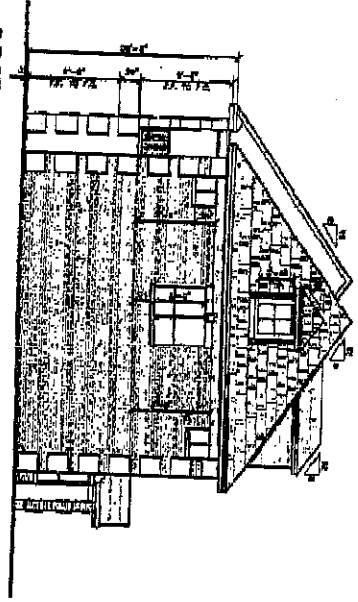
01 FRONT ELEVATION



02 BACK ELEVATION



03 SIDE ELEVATION



04 SIDE ELEVATION

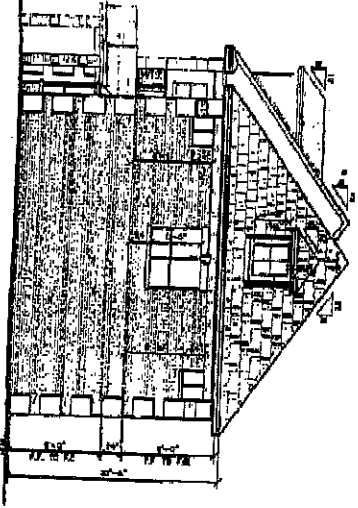


EXHIBIT "B"

GENERAL NOTES

1. SEE SPECIFICATIONS AND NOTES FOR MATERIALS AND METHODS.

Gateway Villas

College Station, Texas

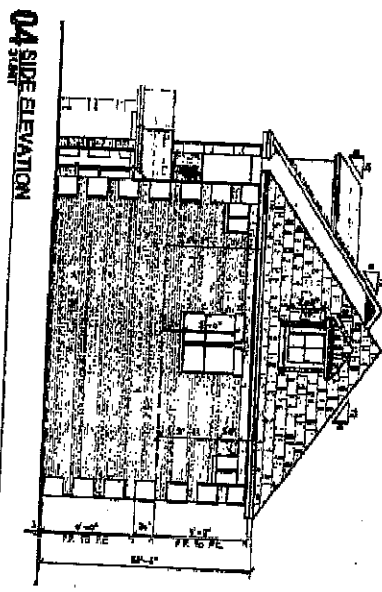
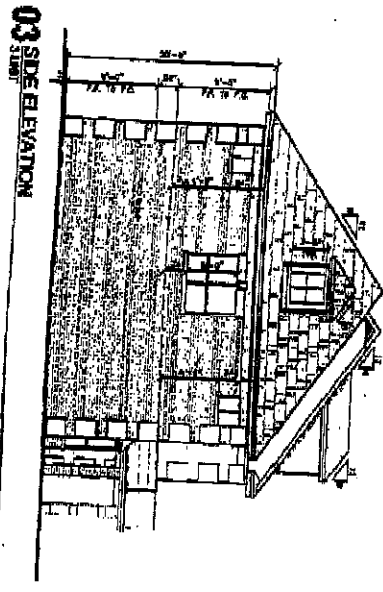
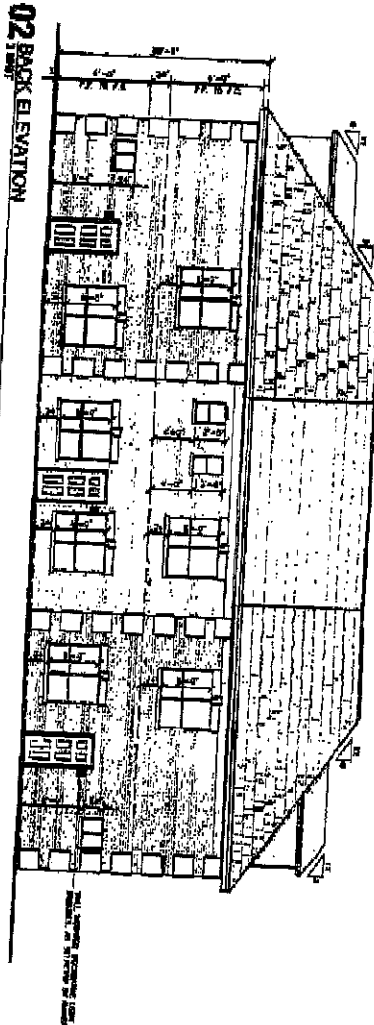
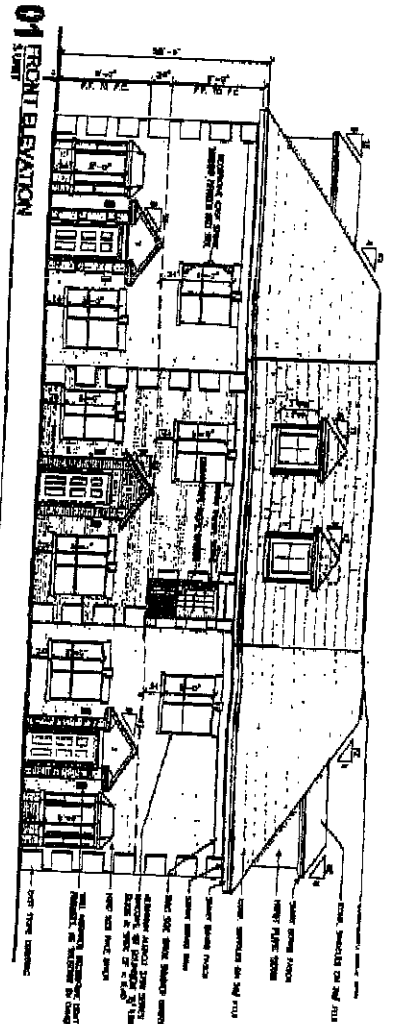
EXTERIOR ELEVATIONS - 4 UNIT

R. L. PAYNE & ASSOCIATES, INC.

1605 BAYVIEW BLVD., SUITE 104  
COLLEGE STATION, TX 77840  
PHONE: (979) 495-7272 FAX: (979) 495-8114

P  
PRELIMINARY  
NOT FOR  
CONSTRUCTION

42



GENERAL NOTES  
1/7 No notes to be shown on these drawings.

**EXHIBIT B**

Gateway Villas  
College Station, Texas

EXTERIOR ELEVATIONS - 3 UNIT  
R. L. PAYNE & ASSOCIATES, INC.  
ARCHITECTURE, PLANNING, INTERIOR DESIGN & GRAPHICS  
1000 W. WALD ROAD, STE. 104  
COLLEGE STATION, TX 77840  
PHONE: (832) 568-7272 FAX: (832) 568-8114

PRELIMINARY  
NOT FOR  
CONSTRUCTION

4.3

Unit No. On PlansPercent Interest

Row: 00938418 Bk: 0R Vol: 3434 Pg: 162

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Exhibit "C"Page 2 of 5 Pages