

**AFTER RECORDING RETURN TO:  
THE EHRLICH LAW FIRM  
444 EXECUTIVE CENTER BLVD, STE. 240  
EL PASO, TEXAS 79902**

# **MONTECILLO**

## **NOTICE OF ANNEXATION**

**[LOT 3, BLOCK 9, UNIT THREE REPLAT "A"]**

**El Paso County, Texas**

**Declarant: EPT MESA DEVELOPMENT, LP, a Delaware limited partnership**

**Cross-reference to that certain Montecillo Amended and Restated Master Covenant, recorded as Document No 20160088513 in the Official Public Records of El Paso County, Texas, as may be amended.**

**MONTECILLO**  
**NOTICE OF ANNEXATION**  
**[LOT 3, BLOCK 9, UNIT THREE REPLAT "A"]**

This Notice of Annexation is made and executed by EPT MESA DEVELOPMENT, LP, a Delaware limited partnership ("Declarant"), and is as follows:

1. **Previously Submitted Property.** Declarant filed that certain Montecillo Amended and Restated Master Covenant; recorded as Document No. 20160088513 in the Official Public Records of El Paso County, Texas, as may be amended (the "Covenant"). Any capitalized terms used and not otherwise defined in this notice shall have the meanings set forth in the Covenant.

The Covenant subjected the Previously Submitted Property to the terms and provisions of the Covenant Pursuant to Section 12.05 of the Covenant, Declarant served notice that portions of the Property described on Exhibit "A" to the Covenant, upon the Recording of appropriate Notices of Annexation from time to time, may be subjected to the terms, covenants, conditions, restrictions, and obligations of the Covenant. On information and belief, the Covenant presently encumbers all the Previously Submitted Property and additional portions of the Property, if any, made subject to the Covenant by Recordation of a Notice of Annexation prior to the date hereof. For avoidance of doubt, and to confirm all Property has been made subject to the terms and provisions of the Covenant, this Notice of Annexation is being Recorded.

2. **Applicability of Master Covenant.** This Notice of Annexation is filed with respect to that certain real property located in El Paso County, Texas as more particularly described on Exhibit "A" attached hereto and incorporated herein (the "Development Area").

3. **Development Area.** The Development Area described and identified in Paragraph 2 hereinabove will constitute one of the Development Areas which is permitted, contemplated and defined under the Covenant.

4. **Property Incorporated Into Development.** The provisions of the Covenant shall apply to the Development Area. The Development Area is hereby included within and made a part of the Development, and is hereby subjected to terms, covenants, conditions, restrictions, and obligations of the Covenant.

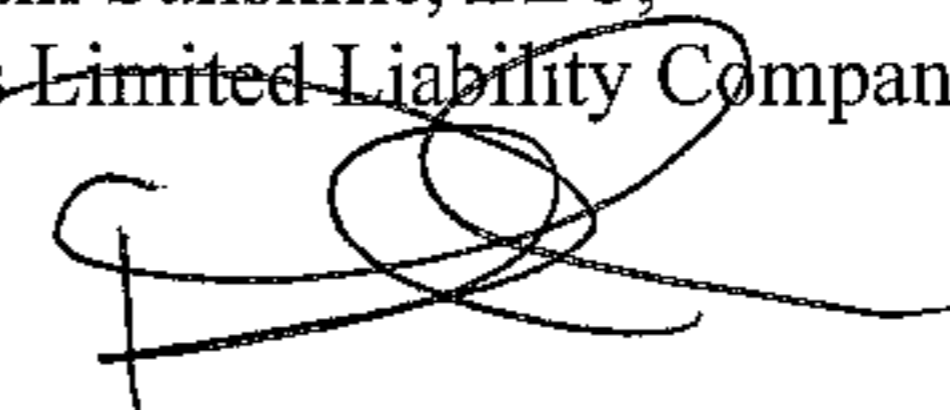
5. **Miscellaneous.** This notice constitutes a Notice of Annexation under Section 12.05 of the Covenant. This notice, to the extent required, shall be considered an amendment to the Covenant.

[SIGNATURE PAGE FOLLOWS]

EXECUTED to be effective as of the 27<sup>th</sup> day of April, 2022.

**DECLARANT:**

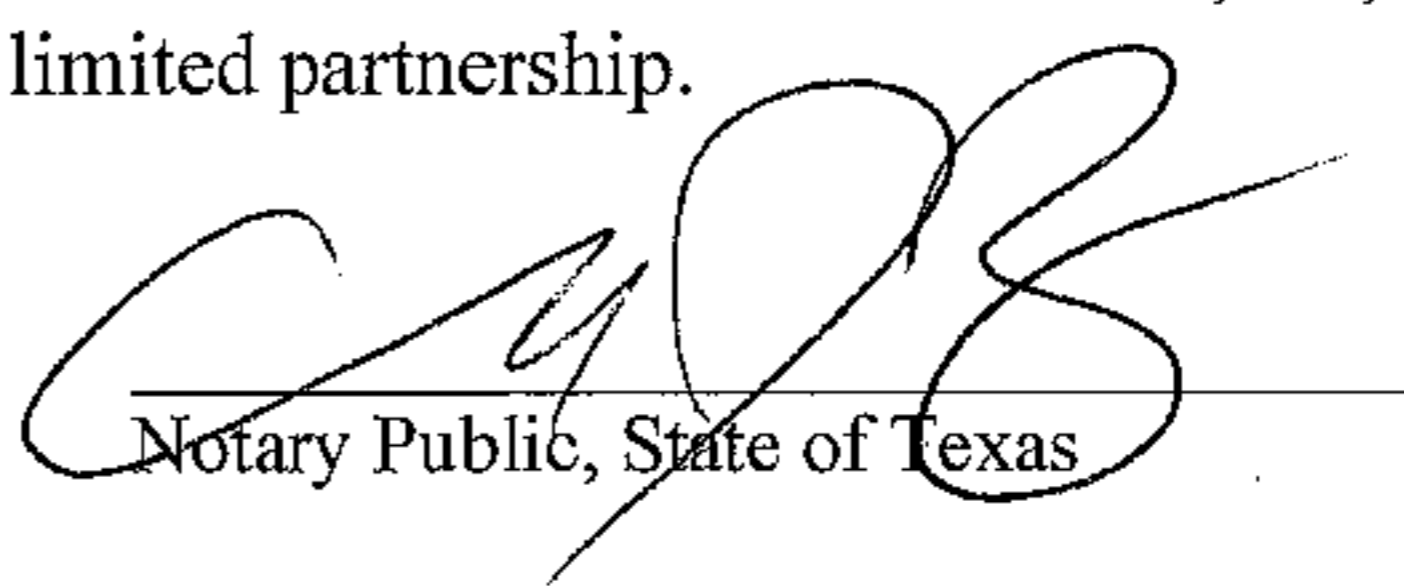
EPT MESA DEVELOPMENT, LP,  
a Delaware Limited Partnership  
by its General Partner  
EPT Mesa Development Management, LLC,  
a Delaware Limited Liability Company  
by its Managing Member  
EPT Land Management, LLC,  
a Texas Limited Liability Company  
by its Manager  
Mountain Sunshine, LLC,  
a Texas Limited Liability Company

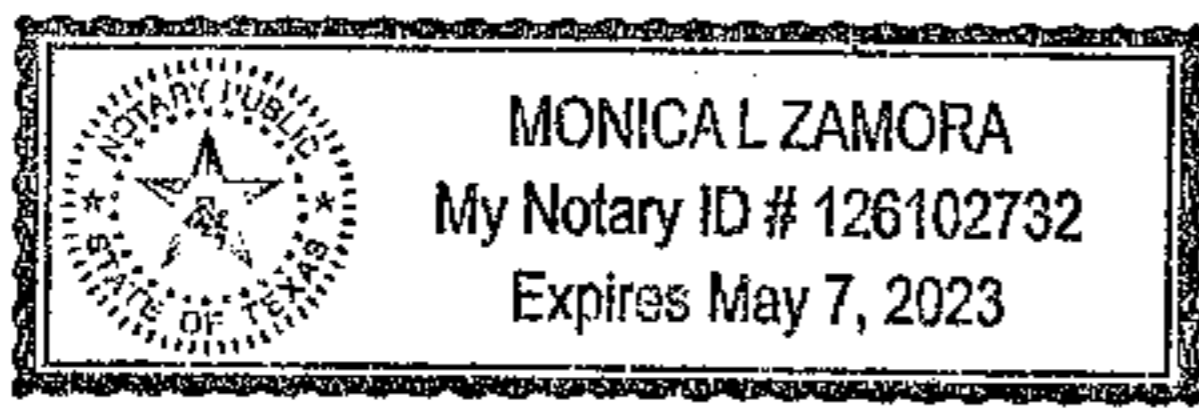
By:   
Richard Aguilar, its Manager

THE STATE OF TEXAS   §  
                                  §  
COUNTY OF EL PASO   §

This instrument was acknowledged before me on this the 13<sup>th</sup> day of April, 2022 by Richard Aguilar, Manager of MOUNTAIN SUNSHINE, LLC, a Texas Limited Liability Company, Manager of EPT LAND MANAGEMENT, LLC, a Texas Limited Liability, Managing Member of EPT MESA DEVELOPMENT MANAGEMENT, LLC, a Delaware Limited Liability Company, general partner of EPT MESA DEVELOPMENT, LP, a Delaware Limited Partnership, for and on behalf of said limited partnership.

(seal)

  
Notary Public, State of Texas



**EXHIBIT "A"**

**DEVELOPMENT AREA**

Lot 3, Block 9, of MONTECILLO UNIT THREE REPLAT "A", an Addition to the City of El Paso, El Paso County, Texas, according to the Plat or Map thereof filed for record on December 20, 2011, in the Office of the County Clerk of El Paso County, Texas, under Clerk's File No. 20110085971.

Doc # 20220040649  
#Pages 4 #NFPages 1  
04/28/2022 09:25 AM  
Filed & Recorded in  
Official Records of  
El Paso County  
Delia Briones  
County Clerk  
Fees \$38.00

eRecorded

I hereby certify that this instrument was filed on the date and time stamped  
heron by me and was duly recorded by document number in the Official  
Public Records of real Property in El Paso County.



EL PASO COUNTY, TEXAS

*Delia Briones*