

AMENDED  
PROTECTIVE COVENANTS  
COMMERCIAL  
MONTECILLO UNIT TWO  
TO THE CITY OF EL PASO, TEXAS

**PART A. PREAMBLE**

EPT Mesa Development, LP, Being the owner of the described property in El Paso County, Texas

Lot 1, Block 2, Montecillo Unit Two, City of El Paso, El Paso  
County, Texas

does hereby establish and amend the restrictive covenants with a filing date of  
January 30, 2009, Instrument #20090006770 of the Real Property Records of El Paso  
County, Texas on the said Property.

**PART B. RESTRICTIONS APPLICABLE TO ALL LOTS AND BLOCKS:**

Lot 1, Block 2- No Premises or building on the property shall be used for other than  
multi-family (176 units) and general Commercial purposes. The construction of single-  
family and two-family units on the Property is prohibited.

**PART C. ENFORCEMENT**

The City of El Paso shall have the right to enforce, by any proceeding at law or equity, Part B of these  
restrictions, covenants, conditions and reservations set out in this Declaration. Any amendment to  
Part B shall require approval of the City of El Paso Planning and Economic Development  
Department to determine if additional parkland fees or dedication is required and such residential  
development shall not be allowed until such fees are paid. Failure or delay to enforce any covenant  
herein shall in no event be deemed a waiver of the right to do so thereafter. Except as set forth above,  
these restrictions, covenants, conditions and reservations may be amended without approval of the  
City of El Paso.


EXECUTED THIS 28<sup>th</sup> DAY OF March, 2011

EPT Mesa Development,LP  
Its General Partner

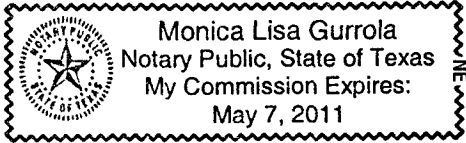
By: David Bogas  
David Bogas, Manager

The state of Texas }  
                                  }  
County of El Paso }


The instrument was acknowledged before me on the 28<sup>th</sup> day of March, 2011  
David Bogas, Manager of EPT Mesa Development, LP General Partner of company on  
behalf of said limited partnership.



NOTARY PUBLIC IN AND  
FOR THE STATE OF TEXAS

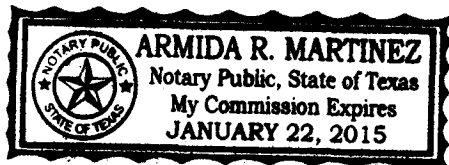


EXECUTED THIS 28 DAY OF March, 2011.

By   
Mathew McElroy  
Executive Secretary  
City Planning Commission

The state of Texas }  
                                  }  
County of El Paso }

The instrument was acknowledged before me on the 28 day of March, 2011  
Mathew McElroy, Executive Secretary, City Planning Commission, City of El Paso, Texas.



  
NOTARY PUBLIC IN AND  
FOR THE STATE OF TEXAS

Doc# 20110020846  
#Pages 2 #NFPages 1  
3/28/2011 11:20:55 AM  
Filed & Recorded in  
Official Records of  
El Paso County  
Debra Briones  
County Clerk  
Fees \$15.00

3  
AU

I hereby certify that this instrument was filed on the date and time stamped hereon 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

*Debra Briones*

