



AFTER RECORDING RETURN TO:

Robert D. Burton, Esq.
Armbrust & Brown, L.L.P.
100 Congress Ave., Suite 1300
Austin, Texas 78701

**PUEBLO CONDOMINIUMS
SECOND AMENDMENT TO
SECOND AMENDED DECLARATION
(A Residential Condominium in El Paso County, Texas)**

Cross reference to that certain Second Amended Declaration – Pueblo Condominiums recorded under Document No. 20070058515, Official Public Records of El Paso County, Texas as amended by that certain First Amendment to Second Amended Declaration – Pueblo Condominiums recorded under Document No. 20080064812, Official Public Records of El Paso County, Texas.

PUEBLO CONDOMINIUMS
SECOND AMENDMENT TO SECOND AMENDED DECLARATION

This Second Amendment to Second Amended Declaration for Pueblo Condominiums (the "**Amendment**") is made **EPT PUEBLO CONDOMINIUMS, L.P.**, a Texas limited partnership ("**Declarant**"), and is as follows:

RECITALS:

A. Pueblo Condominiums, a condominium regime (the "**Regime**") located in El Paso County, Texas, was established pursuant to that certain Second Amended Declaration – Pueblo Condominiums recorded under Document No. 20070058515, Official Public Records of El Paso County, Texas as amended by that certain First Amendment to Second Amended Declaration – Pueblo Condominiums recorded under Document No. 20080064812, Official Public Records of El Paso County, Texas (collectively, the "**Declaration**").

B. Pursuant to *Section 8.01(d)(2)* of the Declaration, Declarant reserved the right to unilaterally amend the Declaration unit seven (7) years after the date on which the Declaration has been recorded in the Official Public Records of El Paso County, Texas to create Units, General Common Elements and Limited Common Elements. The Declaration was recorded in the Official Public Records of El Paso County, Texas, on June 22, 2007.

C. Declarant desires to amend the Declaration for the purpose of creating twelve (12) additional Unit within the Regime. The total number of Units within the Regime after giving effect to this Amendment is equal to forty (40).

NOW THEREFORE, the Declaration is hereby amended as follows:

1. Creation of Units. In accordance with the rights reserved by the Declarant pursuant to *Section 8.01(d)(2)* of the Declaration, Declarant hereby creates twelve (12) Units, which are designated as Units B1, B2, B3, B4, B5, and B6, Building B and C1, C2, C3, C4, C5, and C6, Building C (collectively, the "**New Units**"). The New Units are hereby classified as Units which **MUST BE BUILT**.

2. Supplement to Attachment 1. Exhibit B-1, B-2, C-1, C-2, D-1 and D-2 to the Declaration are hereby supplemented by the Plats and Plans attached hereto as Attachment 1 (the "**Supplemental Plats and Plans**"). The Supplemental Plats and Plans: (i) assign an identifying number to the New Units; (ii) describe the portion of the limited common elements created or assigned to the New Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

3. **Common Elements.** The Percentage Interests allocated to all Units within the Regime, after the addition of the New Units, is set forth below and will supercede and replace *Section 2.04* of the Declaration:

<u>Type</u>	<u>Units</u>	<u>Percentage of Undivided Ownership in the Common Elements</u>
2-Bedroom	A1-A6, E1-E6	2.276%
3-Bedroom	A7-A9, B1-B6, C1-C6, D1- D6, E7-E13	2.596%

4. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

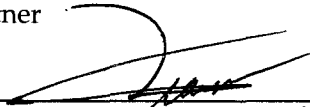
[SIGNATURE PAGE FOLLOWS]

EXECUTED to be effective on the date this Amendment has been recorded in the Official Public Records of El Paso County, Texas.

DECLARANT:

EPT PUEBLO CONDOMINIUMS, L.P., a Texas limited partnership

By: EPT Pueblo Management, LLC, a Texas limited liability company, its General Partner

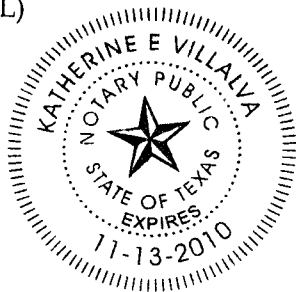
By: 
Printed Name: ~~FRANK X. SPENCER~~ FRANK X. SPENCER
Title: MANAGER

THE STATE OF TEXAS §

COUNTY OF EL PASO §

This instrument was acknowledged before me this 19TH day of MAY, 2010 by FRANK X. SPENCER, MANAGER of EPT Pueblo Management, LLC, a Texas limited liability company, General Partner of EPT Pueblo Condominiums, L.P., a Texas limited partnership, on behalf of said limited liability company and limited partnership..

(SEAL)



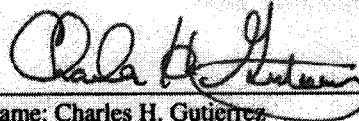
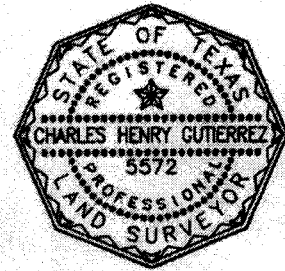

Notary Public Signature

ATTACHMENT 1

**PUEBLO CONDOMINIUMS
PHASE II**
(CONDOMINIUM PLATS AND PLANS)

(Certification)

The plats and plans, attached hereto contain the information required by Sections 82.052 and 82.059 of the Texas Uniform Condominium Act, as applicable.



Printed Name: Charles H. Gutierrez
Registered Professional Land Surveyor

Date: 5/18/10

**POOR QUALITY ORIGINAL
BEST AVAILABLE IMAGE**

SHEET 1 OF 7

**PUEBLO CONDOMINIUMS
PHASE II**

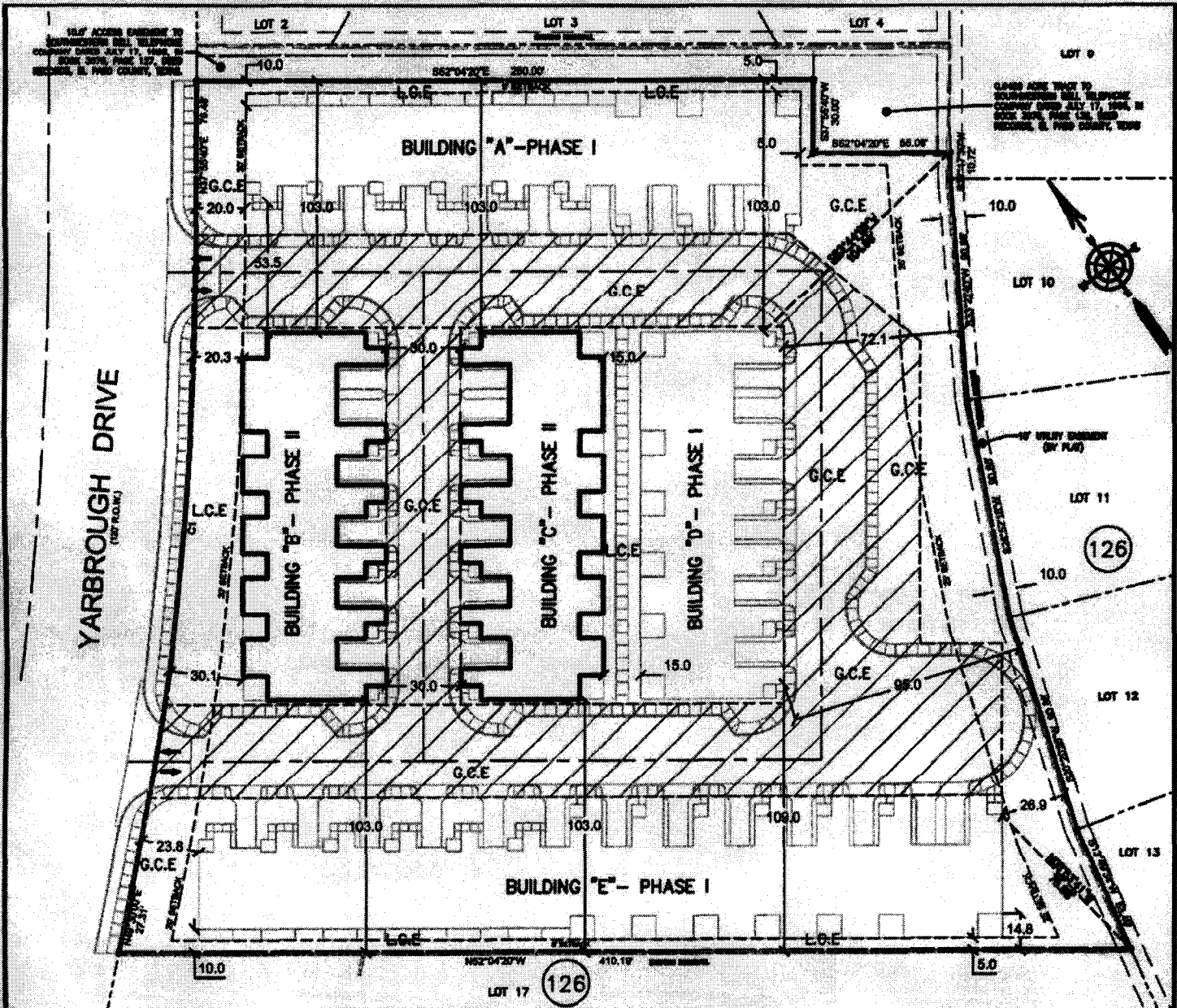
GENERAL NOTES

- 1.) All improvements and land reflected on the plat are designated as general common elements, save and except portions of the regime designated as limited common elements or units: (i) in the Declaration of Condominium Regime for Pueblo Condominiums (the "Declaration") or (ii) on the plats and plans of the regime.
- 2.) Ownership and use of condominium units is subject to the rights and restrictions contained in the Declaration.
- 3.) Each unit, building, limited common element and general common element is subject to certain development rights and special declarant rights reserved by the Declarant in accordance with the Texas Uniform Condominium Act.

SHEET 2 OF 7

Frank X. Spencer & Associates, Inc.
Consulting Civil Engineers & Surveyors
1130 Montana * El Paso, Texas 79902

**POOR QUALITY ORIGINAL
BEST AVAILABLE IMAGE**



**PUEBLO CONDOMINIUMS
PHASE II**

POOR QUALITY ORIGINAL
BEST AVAILABLE IMAGE

SITE PLAN

SCALE: 1"=60'
 PORTION OF LOT 17, BLOCK 126, PEBBLE
 HILLS SUBDIVISION UNIT 15
 CITY OF EL PASO, EL PASO COUNTY, TEXAS

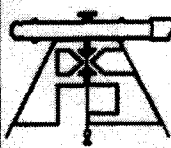
LEGEND

G.C.E.= GENERAL COMMON ELEMENT
 G.C.E.= LIMITED COMMON ELEMENT

 UTILITY EASEMENT DATED FEBRUARY 06, 2008, IN
 FILE CLERK'S No. 20080013924, DEED RECORDS,
 EL PASO COUNTY, TEXAS

CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD	CHORD BEARING	DELTA
C1	1280.00'	254.49'	284.05'	N43°42'00"E	11°24'20"

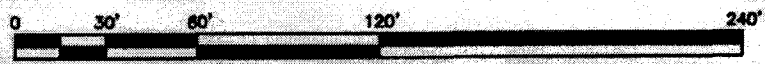
SHEET 03 OF 07



FRANK X. SPENCER & ASSOCIATES, INC.
 Consulting Civil Engineers & Land Surveyors

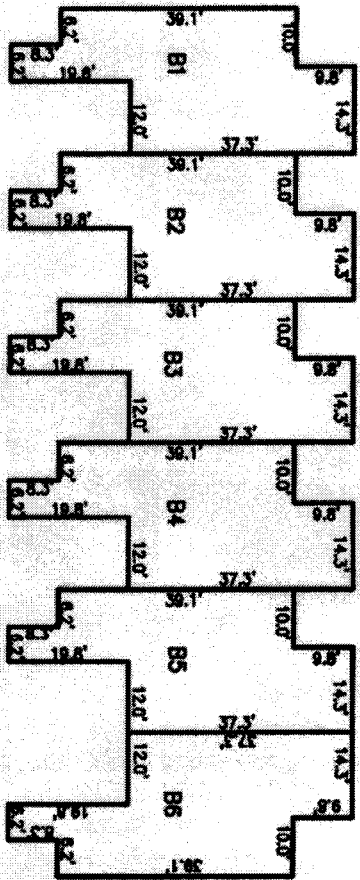
1130 MONTANA
 EL PASO, TX 79902
 Tel: 915-533-4800 drawn by: D.TORRES

SCALE: 1"=60'

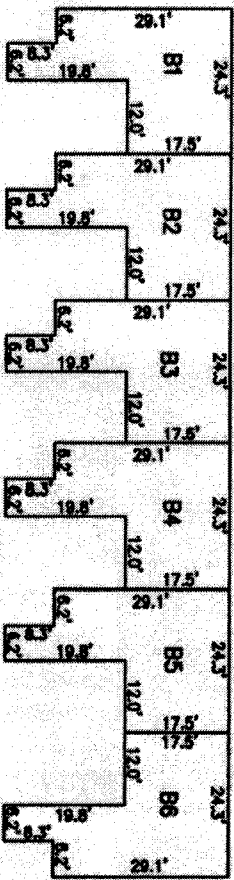


FLOOR PLAN (TYPICAL)

BUILDING "B"

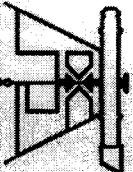


FIRST FLOOR



SECOND FLOOR

POOR QUALITY ORIGIN,
BEST AVAILABLE IMAGE



FRANK X. SPENCER & ASSOCIATES, INC.

Consulting Civil Engineers & Land Surveyors

1130 MADISON

EL PASO, TX 79902

TEL 915-533-4400

Drawn by: D. TORRES

PUEBLO CONDOMINIUMS

SHEET 04 OF 07

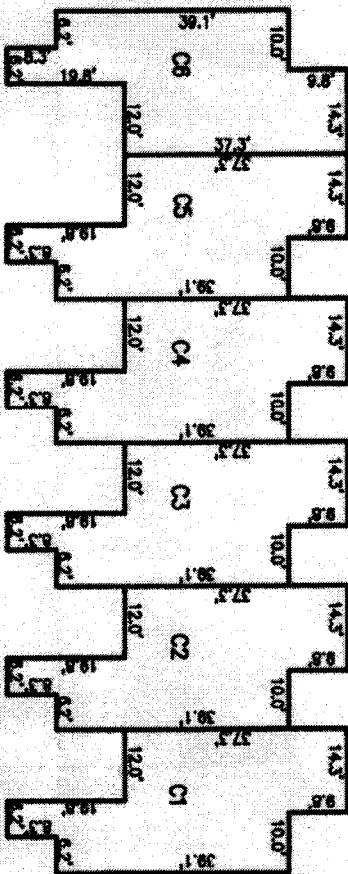
PHASE I

SCALE: 1"=30'

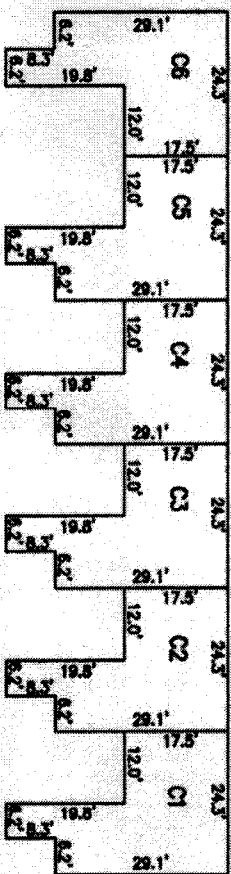


FLOOR PLAN (TYPICAL)

BUILDING "C"



FIRST FLOOR



SECOND FLOOR

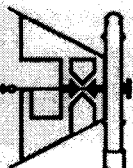
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PUEBLO CONDOMINIUMS

PHASE I

SHEET 05 OF 07

SCALE: 1" = 30'



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Consulting Civil Engineers & Land Surveyors

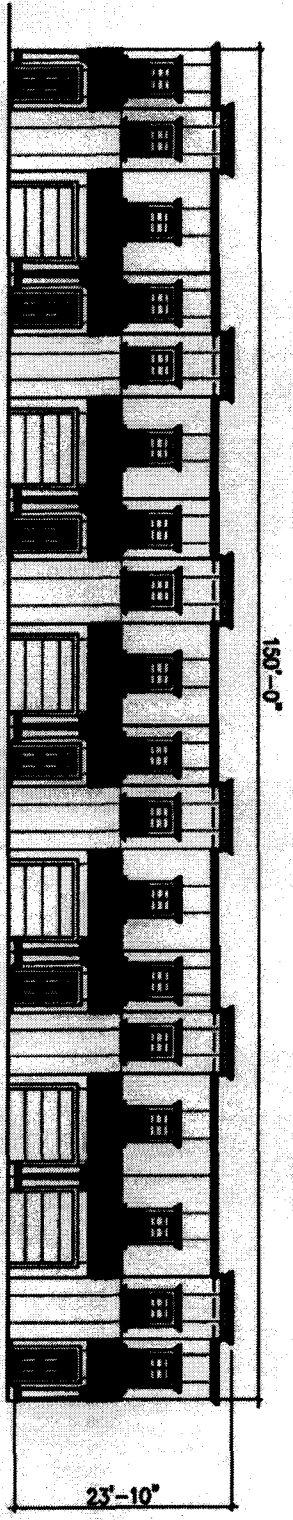
11301 MONTEANA

EL PASO, TX 79902

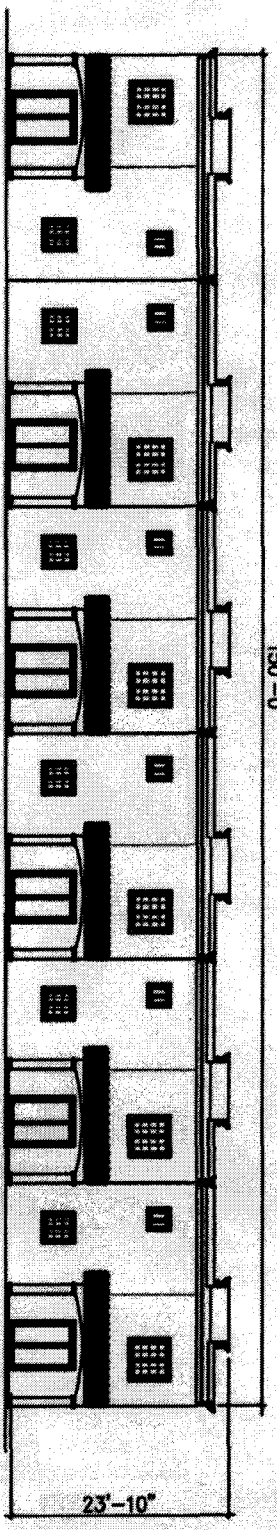
TEL: 915-533-4600

Drawn by: R108833

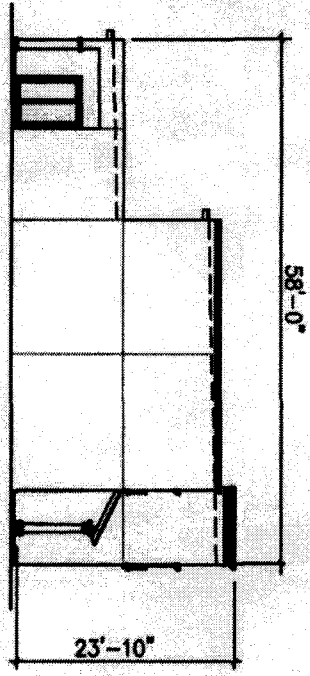
BUILDING "B" ELEVATION



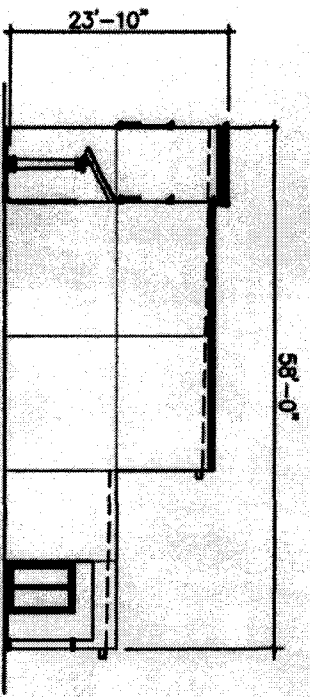
FRONT ELEVATION



REAR ELEVATION

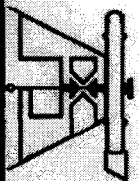


LEFT ELEVATION



RIGHT ELEVATION

POOR QUALITY ORIGIN/
BEST AVAILABLE IMAGE



FRANK X. SPENCER & ASSOCIATES, INC.
Consulting Civil Engineers & Land Surveyors

1130 MONROVA
EL PASO, TX 79902
Tel. 915-433-4000

DRWG. NO. DT10923

PUEBLO CONDOMINIUMS

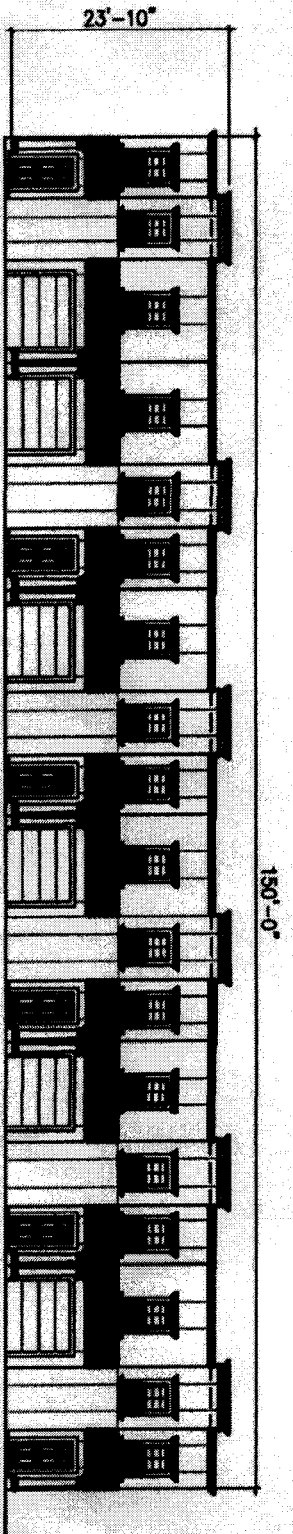
PHASE I

SHEET 06 OF 07

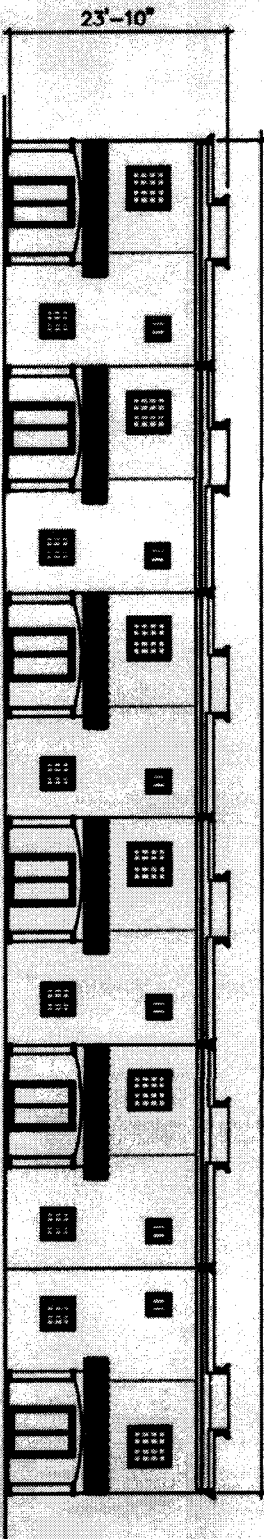
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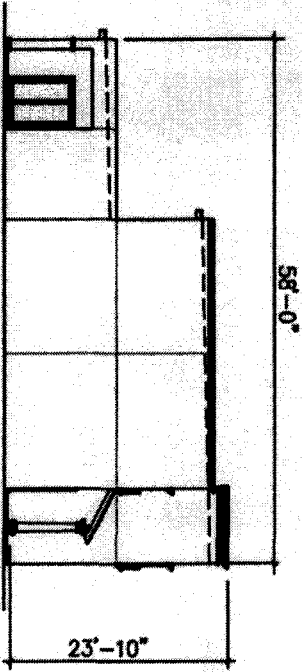
BUILDING "C" ELEVATION



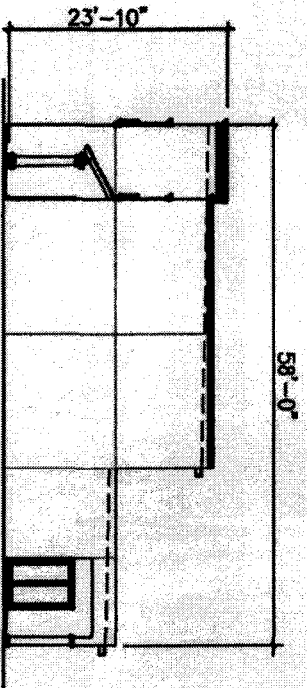
FRONT ELEVATION



REAR ELEVATION



LEFT ELEVATION



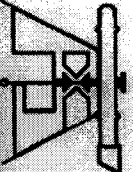
RIGHT ELEVATION

SHEET 07 OF 07

PUEBLO CONDOMINIUMS

PHASE II

SCALE: 1" = 20'



FRANK X. SPENCER & ASSOCIATES, INC.

Consulting Civil Engineers & Land Surveyors

1120 MORNING

EL PASO, TX 79902

TEL: 915-333-4800

DESIGN BY: D. TORRES

POOR QUALITY ORIGINAL
BEST AVAILABLE IMAGE

Doc# 20100034415
#Pages 12 #NFPages 1
5/24/2010 1:57:47 PM
Filed & Recorded in
Official Records of
El Paso County
Delia Briones
County Clerk
Fees \$60.00

13

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.



Delia Briones

EL PASO COUNTY, TEXAS