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Doc# 20020029834

**THIRD AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

This Amendment is made on the date last entered by SKY ISLAND PARTNERSHIP, LTD., a Texas Limited Partnership ("Declarant"), and amends the Declaration of Covenants, Conditions and Restrictions (the "Declaration") as follows:

WITNESSETH:

WHEREAS, the Declaration appears of record in Volume 3347, Page 0609, County Clerks records of El Paso County, Texas and encumbers certain real property described as follows:

Sky Island, being a portion of Tract 1A4 and 1B8, A.F. Miller, Survey No. 216, City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 73, Page 20, Plat Records of El Paso County, Texas ("Property");

WHEREAS, Declarant has the right to withdraw property from the Declaration pursuant to Article X, Section 3 of the Declaration;

WHEREAS, Declarant desire to withdraw the below described property from the Declaration because it was included in error and because its withdrawal will not be unequivocally contrary to the development of Sky Island;

NOW THEREFORE, Declarant hereby amends the Declaration as follows:

1. Declarant hereby withdraws the following described real property from the Declaration:

A portion of Tract 1A, A.F. Miller Survey No. 216, El Paso, El Paso County, Texas containing .222 acres, more or less, and being more particularly described by metes and bounds on Exhibit A attached hereto

which property is also described as Lot 1, Block 3, Sky Island, El Paso, El Paso county, Texas according to the plat of record in Book 73, Page 20, Plat Records of El Paso County, Texas (the "Withdrawn Property").

2. Declarant states that the Withdrawn Property was included within the Declaration in error, was not intended by Declarant to be part of Sky Island and that its withdrawal will not be unequivocally contrary to the development of Sky Island..

Signed this 8 day of April, 2002

Sky Island Partnership, Ltd.

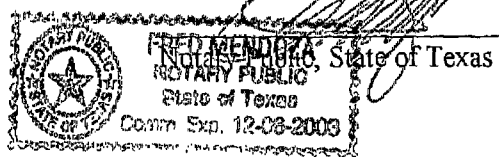
By: Corycon, L.L.C.
General Partner

By: Vernon W. Schoemaker
Vernon W. Schoemaker
Authorized Member

STATE OF TEXAS)
COUNTY OF Dallas)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Vernon W. Schoemaker known to me to be the person and Authorized Member whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of Corycon, L.L.C., a Texas Limited Liability Company, and that Corycon, L.L.C. executed the same as the General Partner of Sky Island Partnership, Ltd. for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN under my hand and seal of office, this the 8 day of April, 2002.



Being a portion of Tract A.F. Miller Survey No. 216,
City of El Paso, El Paso County, Texas
Prepared for: Willis Construction
Aug 1, 1997

METES AND BOUNDS DESCRIPTION

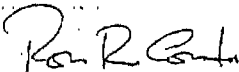
Description of a parcel of land being a portion of Tract 1A, A.F. Miller Survey No. 216, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing for reference at an existing city monument on the centerline intersection of Festival drive (70' R.O.W.) and Stanton street (70' R.O.W.) and being North $64^{\circ}02'25''$ East a distance of 3127.70 from a E.P.G.S. concrete monument marked "El Paso 13" Thence continuing along said centerline of Stanton street 212.28 feet along the arc of a curve to the right whose interior angle is $17^{\circ}07'50''$, whose radius is 710.00 feet, whose chord bears South $08^{\circ}33'42''$ East a distance of 211.49 feet to a point; Thence South $00^{\circ}00'13''$ West a distance of 160.00 feet to a point; Thence South $89^{\circ}59'47''$ East a distance of 35.00 feet to a point; Thence South $00^{\circ}00'13''$ West a distance of 15.00 feet to the "TRUE POINT OF BEGINNING";

Thence South $89^{\circ}59'47''$ East a distance of 61.49 feet to a point;

Thence South $00^{\circ}13'14''$ East a distance of 232.68 feet to a point for a curve;

Thence 243.68 feet along the arc of a curve to the right whose interior angle is $30^{\circ}01'33''$, whose radius is 465.00 feet, whose chord bears North $15^{\circ}00'33''$ West a distance of 240.90 feet to the "TRUE POINT OF BEGINNING" and containing 9,711.93 square feet or 0.222 acres of land more or less.



Ron R. Conde
R.P.L.S. No. 5152

Job#297-04-1
M.M.
W.L.C.L. 970297-04-1

CONDE, INC.
ENGINEERING/PLANNING/LAND SURVEYING
1790 LEE TREVINO SUITE 400/EL PASO, TEXAS 79936/(915) 592-0283

EXHIBIT "A"

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Doc# 20020029834
Pages 3
04/15/2002 03:26:48 PM
Filed & Recorded in
Official Records of
EL PASO COUNTY
HECTOR ENRIQUEZ, JR
COUNTY CLERK
Fees \$13.00

ANY PROVISIONS HEREIN WHICH RESTRICTS THE SALE, RENTAL
OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR
OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW
STATE OF TEXAS
COUNTY OF EL PASO

I hereby certify that this instrument was filed on the date and time stamped
hereon by me and was duly recorded in the volume and page of the Official
Public Record of Real Property El Paso County.



EL PASO COUNTY, TEXAS

APR 15 2002

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Return To:
Kenneth Smith
Left Willow Allen
El Paso TX 79922

RECORD OF
INSTRUMENT