

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVERS LICENSE NUMBER.**

**CERTIFICATE OF RECORDING POA DOCUMENTS  
PURSUANT TO §202.006 TEXAS PROPERTY CODE**

**INSTRUMENTS ATTACHED FOR RECORDING OR PREVIOUSLY RECORDED:**

1. Articles of Incorporation of Park Hills Unit Six Property Owners' Association, filed in the Office of the Secretary of State of Texas on March 2, 2005 (3 pages)
2. Declaration of Covenants, Conditions and Restrictions for Park Hills Unit Six Amending Subdivision, under Clerk's File No. 20050034247, Real Property Records of El Paso County, Texas (28 pages)
3. Bylaws of Park Hills Unit Six Property Owners' Association, filed under Clerk's File No. 20050045089, Real Property Records of El Paso County, Texas (15 pages)

**PROPERTY DESCRIPTION:** (include platted subdivision name & plat recording data)

Park Hills Unit Six Amending Subdivision, as described on Exhibit "A" attached hereto.

**POPULAR NAME OF DEVELOPMENT:** (if different from platted subdivision name)

Park Hills Unit Six Amending Subdivision

**DECLARATION TO WHICH SUBDIVISION IS SUBJECT:** (initial recording data)

Declaration of Covenants, Conditions and Restrictions for Park Hills Unit Six Amending Subdivision, recorded on April 20, 2005, under Clerk's File No. 20050034247, Real Property Records, El Paso County, Texas.

**NAME OF PROPERTY OWNERS ASSOCIATION:** (include legal and popular names, if more than one.)

Park Hills Unit Six Amending Subdivision, also known as Park Hills Unit Six Property Owners' Association

**CERTIFICATION & EXECUTION**

I hereby certify that I have been instructed by the Board of Directors of Park Hills Unit Six Property Owners' Association, a Texas property owners association, to execute this Certificate to effect the recording of the instruments attached hereto on behalf of the property owners association, for the purpose of complying with the requirements of Property Code Section 202.006.

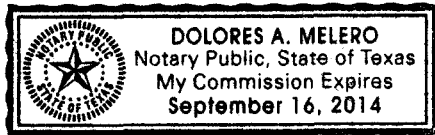
PARK HILLS UNIT SIX PROPERTY OWNERS' ASSOCIATION, a Texas property owners association

By: DANA Properties, Inc., a Delaware Corporation, its managing agent

By:   
Sheldon Wheeler, Association Manager

STATE OF TEXAS       §  
                                  §  
COUNTY OF EL PASO   §

This instrument was acknowledged before me on this 4<sup>th</sup> day of April, 2012 by Sheldon Wheeler, Association Manager of DANA Properties, Inc., a Delaware Corporation, on behalf of the sole proprietorship in the capacity as managing agent of Park Hills Unit Six Property Owners' Association, a Texas property owners association, on behalf of the association.



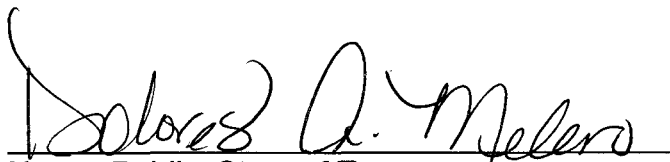
  
Notary Public, State of Texas

EXHIBIT "A"  
TO CERTIFICATE OF RECORDING POA DOCUMENTS  
PURSUANT TO §202.006 TEXAS PROPERTY CODE

DESCRIPTION OF SUBDIVISION

Being all of the real property that is subject to the Declaration of Covenants, Conditions, and Restrictions of Park Hills Unit Six Amending Subdivision, recorded under Clerk's File No. 20050034247, Real Property Records, El Paso County, Texas, including the property platted as follows:

The plat of the Subdivision is recorded in under Clerk's File No. 20060085060, Real Property Records, El Paso County, Texas.

MAR 02 2005

**ARTICLES OF INCORPORATION**

**Corporations Section**

**OF**

**PARK HILLS UNIT SIX PROPERTY OWNERS' ASSOCIATION**

I, the undersigned natural person of the age of eighteen years or more, acting as the incorporator of a corporation under the Texas Non-Profit Corporation Act, do hereby adopt the following Articles of Incorporation for such corporation:

**ARTICLE ONE**

The name of the corporation is Park Hills Unit Six Property Owners' Association (hereinafter sometimes referred to as the "Association").

**ARTICLE TWO**

The corporation is a non-profit corporation.

**ARTICLE THREE**

The period of its duration is perpetual.

**ARTICLE FOUR**

The purpose or purposes for which the corporation is organized are:

(a) To administer the Declaration of Protective Covenants, Conditions and Restrictions filed or to be filed for record in the Real Property Records of El Paso County, Texas, as the same may be amended from time to time (the "Declaration") governing the subdivision known as Park Hills Unit Six, El Paso, Texas (the "Subdivision");

(b) To provide for architectural control within the Subdivision, to provide for the acquisition, maintenance, and care of any common facilities and, in general, to perform the duties and powers set forth in the Declaration, including without limitation:

(i) Collecting the annual maintenance assessments and any special assessments, to provide for the maintenance, repair, preservation, upkeep and protection of any common facilities, and, in general, to exercise all of the powers and privileges, and to perform all of the duties and obligations of the Association as set forth in the Declaration and any Supplemental Declaration, which the Association is not precluded by law to exercise and perform;

(ii) Causing to be enforced the restrictions and covenants imposed upon the Subdivision by the Declaration;

(iii) Acquiring (by gift, deed, lease or otherwise), owning, holding, improving, operating, maintaining, selling, leasing, conveying, dedicating for public use, otherwise disposing of and/or alienating real and personal property necessary

**HORIZONTAL/VERTICAL  
LINE THROUGH  
DOCUMENT**

to the conduct of the affairs of the Association and/or as provided in the Declaration;

(iv) Borrowing money, and mortgaging, pledging or otherwise encumbering, alienating or hypothecating any or all of its real or personal property as security for money borrowed or debt incurred to conduct the lawful affairs of the Association; and

(v) Adopting reasonable rules and regulations regarding the use and maintenance of any common facilities;

(c) Having and exercising any and all other powers, rights, and privileges which a corporation organized and existing under the Texas Non-Profit Corporation Act may by law now or hereafter have and exercise.

PROVIDED, HOWEVER, any of the foregoing provisions of this Article Four to the contrary notwithstanding, the Association is organized and shall be operated exclusively for civic and community service and other non-profit purposes and no part of any net earnings or other assets of this Association shall inure to the benefit of any member of the Association or any owner in the Subdivision.

#### ARTICLE FIVE

The street address of the initial registered office of the corporation is 1790 Lee Trevino, Suite 601, El Paso, Texas 79936, and the name of its initial registered agent at such address is Timothy C. Foster.

#### ARTICLE SIX

The number of Trustees constituting the initial Board of Trustees of the corporation is three, and the names and addresses of the persons who are to serve as the initial Trustees are:

<u>Name</u>	<u>Address</u>
Timothy C. Foster	1790 Lee Trevino, Suite 601 El Paso, Texas 79936
Douglas A. Schwartz	1790 Lee Trevino, Suite 601 El Paso, Texas 79936
John S. Cullers	10728 Adufo Court El Paso, Texas 79935

The number of Trustees may be changed in accordance with the Bylaws of the Corporation, so long as there are at least the number required by law.

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LINE THROUGH  
DOCUMENT**

**ARTICLE SEVEN**

The name and street address of the incorporator is:

<u>Name</u>	<u>Address</u>
Timothy V. Coffey	P.O. Box 472 El Paso, Texas 79943

**ARTICLE EIGHT**

Every "Owner" (as that term is defined in the Declaration) shall be a member of the Association. Every member shall have the voting rights set forth in the Declaration and Bylaws of the Association, subject to the provisions hereof. Any member of the Association who fails to qualify as a member in good standing as defined in the Bylaws shall not be entitled to vote.

**ARTICLE NINE**

The conditions and regulations of membership and the designation, rights and privileges of the members shall be determined and fixed by these Articles of Incorporation, by the Bylaws and by the Declaration; provided, however, that no part of the net earnings of the Association shall ever be distributed or shall otherwise inure to the benefit of any member or any class of members of the Association, and further provided, that in the event of the liquidation, dissolution or winding up of the Association, whether voluntary or involuntary, the Trustees of the Association shall dispose of all property and assets of the Association, including without limitation, all undistributed income earned thereon, after the payment, satisfaction and discharge of all liabilities and obligations of the Association or the making of adequate provision therefore in such manner as they, in the exercise of their absolute discretion, and by majority vote shall determine; however, such disposition shall be exclusively in the furtherance of the purposes for which the Association is formed, and the property and the assets of the Association shall not accrue to the benefit of any officer, director, member, or class of members of the Association, or any individual having a personal or private interest in the Association or any organization which engages in any activity in which the Association is precluded from engaging.

**ARTICLE TEN**

Officers and Directors of the Association shall be indemnified by the Association to the fullest extent permitted by the Texas Non-Profit Corporation Act.

**ARTICLE ELEVEN**

No seal shall be necessary to attest to any act of the corporation.

IN WITNESS WHEREOF, I have hereunto set my hand this 2<sup>nd</sup> day of March, 2005.

  
\_\_\_\_\_  
TIMOTHY V. COFFEY, Incorporator

7RC

Doc# 20120025082  
#Pages 6 #NFPages 1  
4/5/2012 9:04:53 AM  
Filed & Recorded in  
Official Records of  
El Paso County  
Delia Briones  
County Clerk  
Fees \$36.00

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

*Delia Briones*

RECEIVED  
APR 5 2012  
COUNTY CLERK  
EL PASO COUNTY, TEXAS