



AFTER RECORDING RETURN TO:

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

**THIRD AMENDMENT TO SUBORDINATE
DECLARATION OF CONDOMINIUM REGIME
FOR LAS PALMAS
PHASE A CONDOMINIUMS
(A Residential Condominium in El Paso County, Texas)**

ADDING:

UNIT 9, BLOCK 17
UNIT 10, BLOCK 17
UNIT 52, BLOCK 17
UNIT 53, BLOCK 17
UNIT 3, BLOCK 18
UNIT 4, BLOCK 18
UNIT 5, BLOCK 18
UNIT 6, BLOCK 18
UNIT 7, BLOCK 18
UNIT 8, BLOCK 18
UNIT 3, BLOCK 19
UNIT 4, BLOCK 19
UNIT 23, BLOCK 19
UNIT 24, BLOCK 19
UNIT 25, BLOCK 19

Cross reference to that certain Subordinate Declaration of Condominium Regime for Las Palmas Phase A Condominiums recorded under Document No. 20080023858, Official Public Records of El Paso County, Texas, as amended by that certain First Amendment to Subordinate Declaration of Condominium Regime for Las Palmas Phase A Condominiums recorded under Document No. 20080039658, Official Public Records of El Paso County, Texas and that certain Second Amendment to Subordinate Declaration of Condominium Regime for Las Palmas Phase A Condominiums recorded under Document No. 20080050295, Official Public Records of El Paso County, Texas.

**THIRD AMENDMENT TO SUBORDINATE DECLARATION OF CONDOMINIUM
REGIME FOR LAS PALMAS PHASE A CONDOMINIUMS**

This Third Amendment to Subordinate Declaration of Condominium Regime for Las Palmas Phase A Condominiums (the "Amendment") is made by AVENIDA DE PALMAS, LTD., a Texas limited partnership (the "Declarant"), and is as follows:

RECITALS:

A. The Las Palmas Phase A Condominiums, a residential condominium project (the "Regime"), located in El Paso County, Texas, was established pursuant to that certain Subordinate Declaration of Condominium Regime for Las Palmas Phase A Condominiums recorded under Document No. 20080023858, Official Public Records of El Paso County, Texas, as amended by that certain First Amendment to Subordinate Declaration of Condominium Regime for Las Palmas Phase A Condominiums recorded under Document No. 20080039658, Official Public Records of El Paso County, Texas and that certain Second Amendment to Subordinate Declaration of Condominium Regime for Las Palmas Phase A Condominiums recorded under Document No. 20080050295, Official Public Records of El Paso County, Texas (the "Declaration").

B. Pursuant to *Section 12.4(c)* and *12.4(d)* of the Declaration, Declarant may amend the Declaration to add real property to the Regime and to create Units, General Common Elements and Limited Common Elements.

C. Declarant desires to amend the Declaration for the purpose of adding to the Regime "Master Units" 17-9/10, 17-52/53, 18-3/4, 18-5/6, 18-7/8, 19-3/4 and 19-23/24/25 (the "Additional Master Units") created pursuant to that certain Declaration of Condominium Regime for Las Palmas Master Condominiums, recorded under Document No. 20080023857, Official Public Records of El Paso County, Texas (the "Master Declaration"), and subdividing the Additional Master Units into individual "Sub-Units" (as defined in the Master Declaration) as shown on the Supplemental Plats and Plans (as defined below) and as provided herein. By this Amendment, Declarant is creating six (6) additional Units within the Regime. The total number of Units within the Regime after giving effect to this Amendment is equal to forty-eight (48), and the total number of Units which Declarant has reserved the right to create by amendment is equal to fifty-two (52).

NOW THEREFORE, the Declaration is hereby amended as follows:

1. **Creation of New Units.** In accordance with the rights reserved by the Declarant pursuant to *Section 12.4 (d)* of the Declaration, Declarant hereby creates six (6) Units out of the Additional Master Units, which are designated as Unit 9, Block 17, Unit 10, Block 17, Unit 52, Block 17, Unit 53, Block 17, Unit 3, Block 18, Unit 4, Block 18, Unit 5, Block 18, Unit 6, Block 18,

Unit 7, Block 18, Unit 8, Block 18, Unit 3, Block 19, Unit 4, Block 19, Unit 23, Block 19, Unit 24, Block 19 and Unit 25, Block 19 (collectively, the "New Units").

2. **Supplement to Attachment 1.** Attachment 1 to the Declaration is hereby supplemented by the Plats and Plans attached hereto as Exhibit "A" (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. **Replacement of Attachment 2.** The percentage interests allocated to all Units within the Regime, after the addition of the New Units, is set forth on Exhibit "B", attached hereto and incorporated herein by reference. Exhibit "B", attached hereto, will supercede and replace Attachment 2 attached to the Declaration in its entirety.

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.

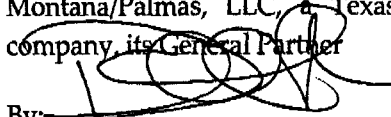
[SIGNATURE PAGE FOLLOWS]

EXECUTED on this _____ day of _____, 2008.

DECLARANT:

AVENIDA DE PALMAS, LTD., a Texas limited partnership

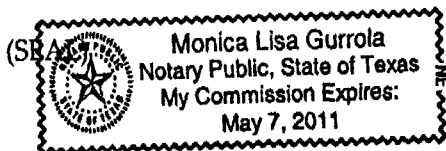
By: Montana/Palmas, LLC, a Texas limited liability company, its General Partner

By: 
Printed Name: RICHARD AGUILAR
Title: MANAGER

THE STATE OF TEXAS §

COUNTY OF EL PASO §

This instrument was acknowledged before me this 12th day of Aug., 2008 by Richard Aguilar, Manager of Montana/Palmas, LLC, a Texas limited liability company, General Partner of Avenida de Palmas, Ltd., a Texas limited partnership, on behalf of such limited liability company and limited partnership.



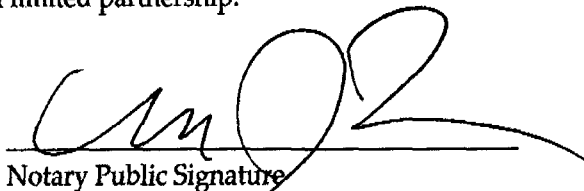

Notary Public Signature

EXHIBIT "A"

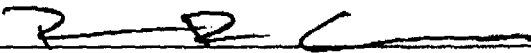
**SUPPLEMENT TO PLATS AND PLANS
ATTACHED AS ATTACHMENT 1 TO THE DECLARATION**

GENERAL NOTES

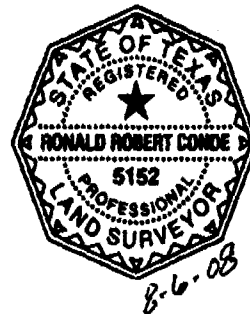
- 1) All improvements and land reflected on the Plat are designated as general common elements, save and except portions of the regime designated as limited common elements or units: (i) in the Subordinate Declaration of Condominium Regime of Las Palmas Phase A Condominiums (the "Subordinate Condominium Declaration"); or (ii) on the plat included herewith.
- 2) Ownership and use of units is subject to the rights and restrictions contained in the Subordinate Condominium Declaration.
- 3) Each master unit, building, limited common element and general common element is subject to special rights reserved by the Declarant as provided in the Subordinate condominium Declaration. Pursuant to such provisions, among other things, Declarant has reserved the right to: (i) to add real property to the regime; (ii) to create units, general common elements, and limited common elements; (iii) to subdivide units and convert master units into common elements; (iv) to withdraw any portion of the real property marked on the Plat as "Development Rights Reserved" or "Subject to Development Rights" provided that no unit in the portion to be withdrawn property has been conveyed to an owner other than declarant; (v) to make the property part of a larger condominium or planned community; (vi) to use units or common elements for operation, sales and marketing purposes; and (vii) appoint or remove any Declarant-appointed officer or director of the association during the "Declarant Control Period" (as defined in the Subordinate Condominium Declaration) consistent with the Act. See the Subordinate Condominium Declaration for a complete description of the rights retained by the declarant.
- 4) Locations of buildings, improvements and underground utilities are not shown herein.

CERTIFICATION OF CONDOMINIUM PLAT

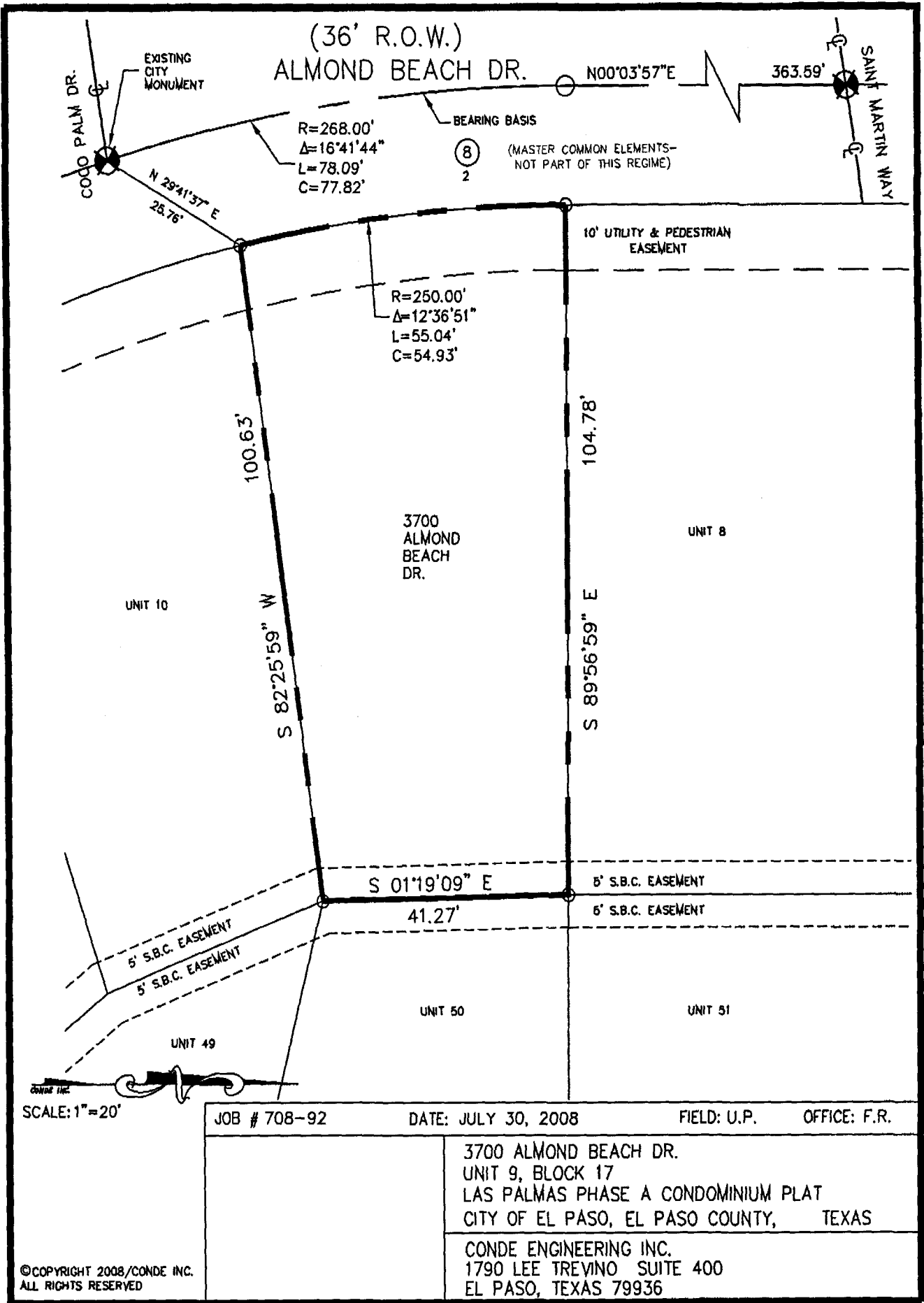
THE CONDOMINIUM PLAT ATTACHED HERETO CONTAINS THE INFORMATION REQUIRED BY SECTION 82.059 OF THE TEXAS UNIFORM CONDOMINIUM ACT, AS APPLICABLE



 RON R. CONDE R.P.L.S. NO. 5152



JOB # 708-92	DATE: AUGUST 5, 2008	FIELD: U.P.	OFFICE: F.R.
CONDE ENGINEERING INC. 1790 LEE TREVINO SUITE 400 (915) 592-0283 FAX (915) 592-0286 EL PASO, TEXAS 79936			



SCALE: 1"=20'

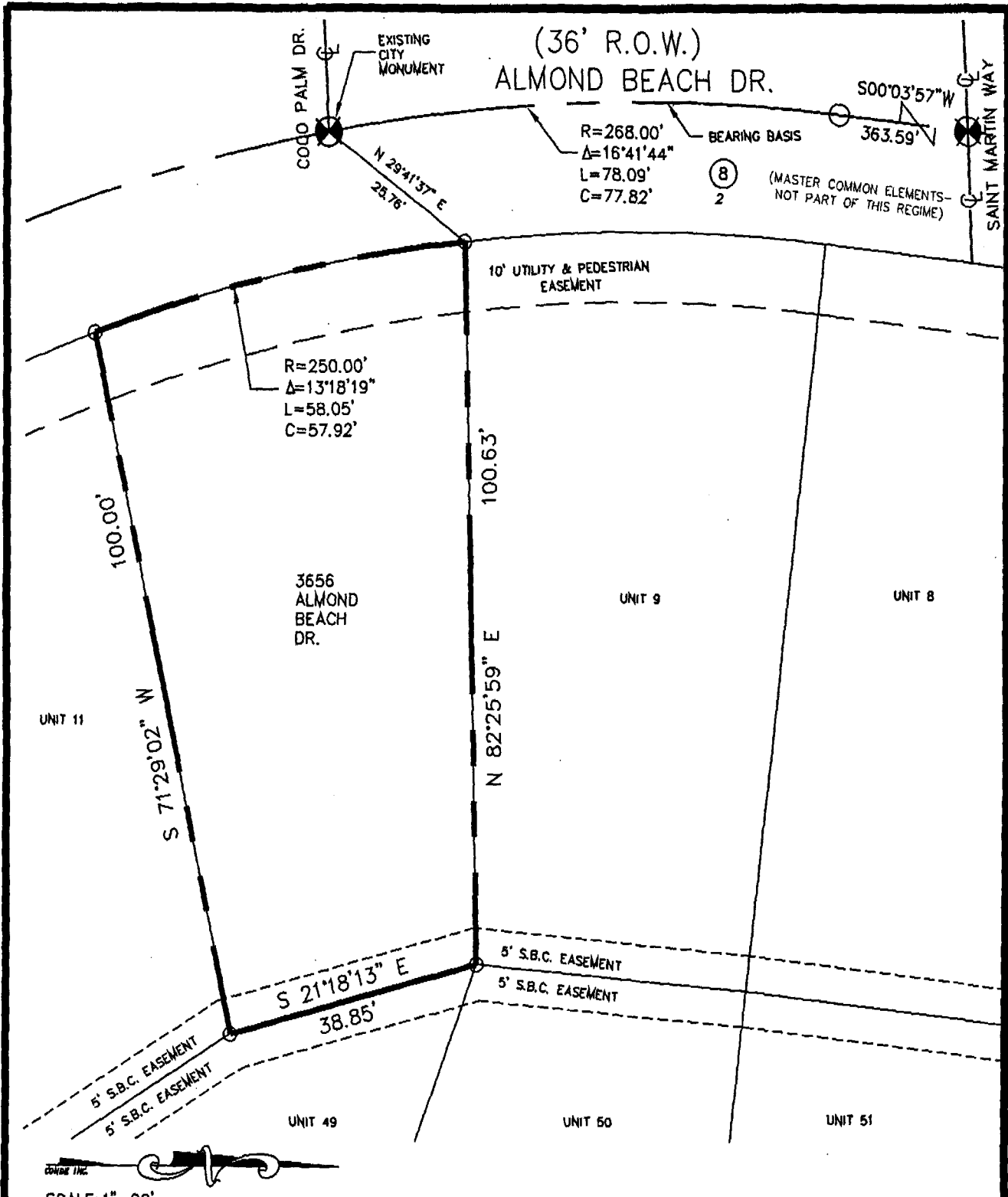
JOB # 708-92 DATE: JULY 30, 2008 FIELD: U.P. OFFICE: F.R.

3700 ALMOND BEACH DR.
 UNIT 9, BLOCK 17
 LAS PALMAS PHASE A CONDOMINIUM PLAT
 CITY OF EL PASO, EL PASO COUNTY, TEXAS

CONDE ENGINEERING INC.
 1790 LEE TREVINO SUITE 400
 EL PASO, TEXAS 79936

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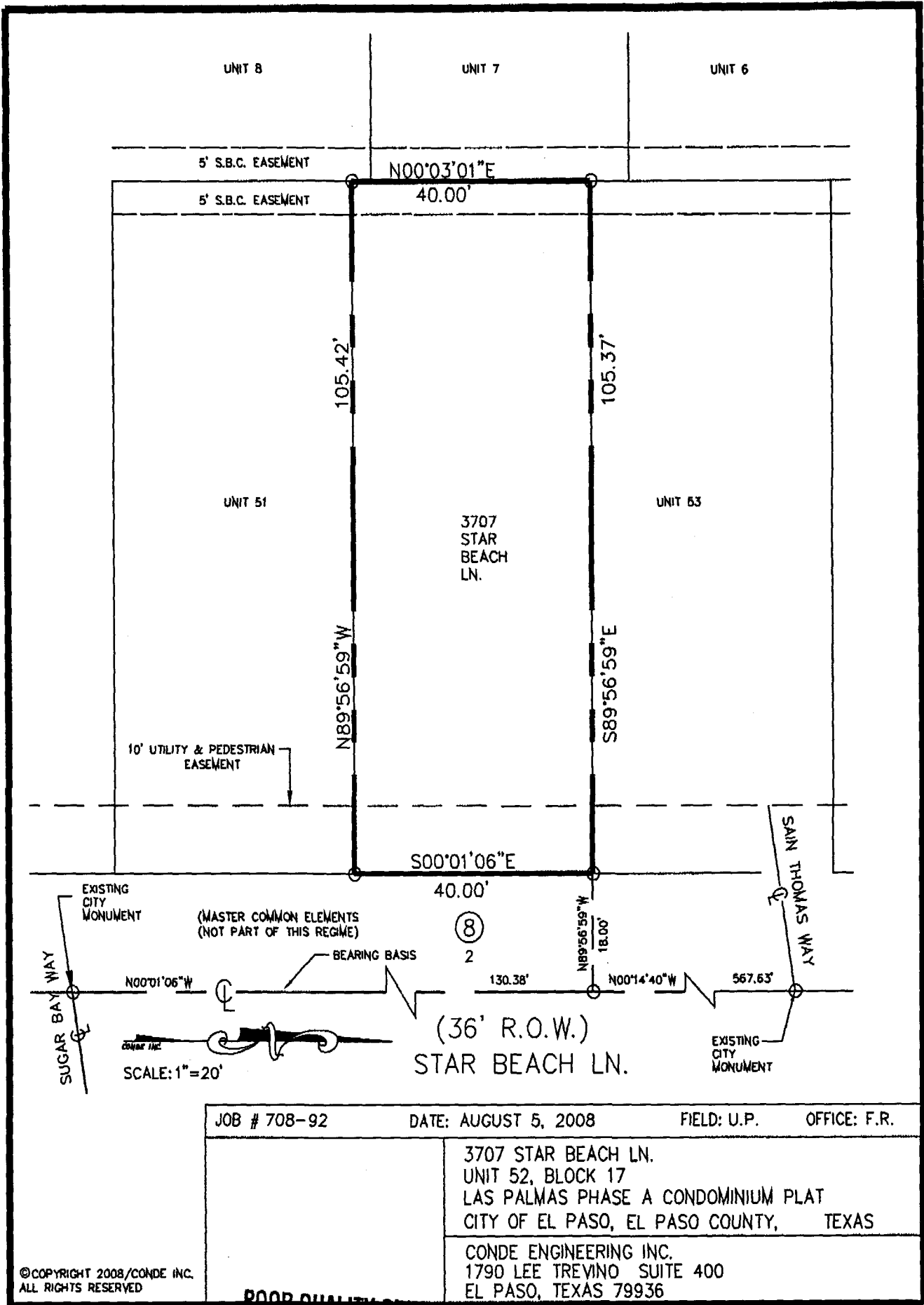


CONDE INC.
 SCALE: 1"=20'

JOB # 708-92	DATE: JULY 31, 2008	FIELD: U.P.	OFFICE: F.R.
3656 ALMOND BEACH DR. UNIT 10, BLOCK 17 LAS PALMAS PHASE A CONDOMINIUM PLAT CITY OF EL PASO, EL PASO COUNTY, TEXAS			
CONDE ENGINEERING INC. 1790 LEE TREVINO SUITE 400 EL PASO, TEXAS 79936			

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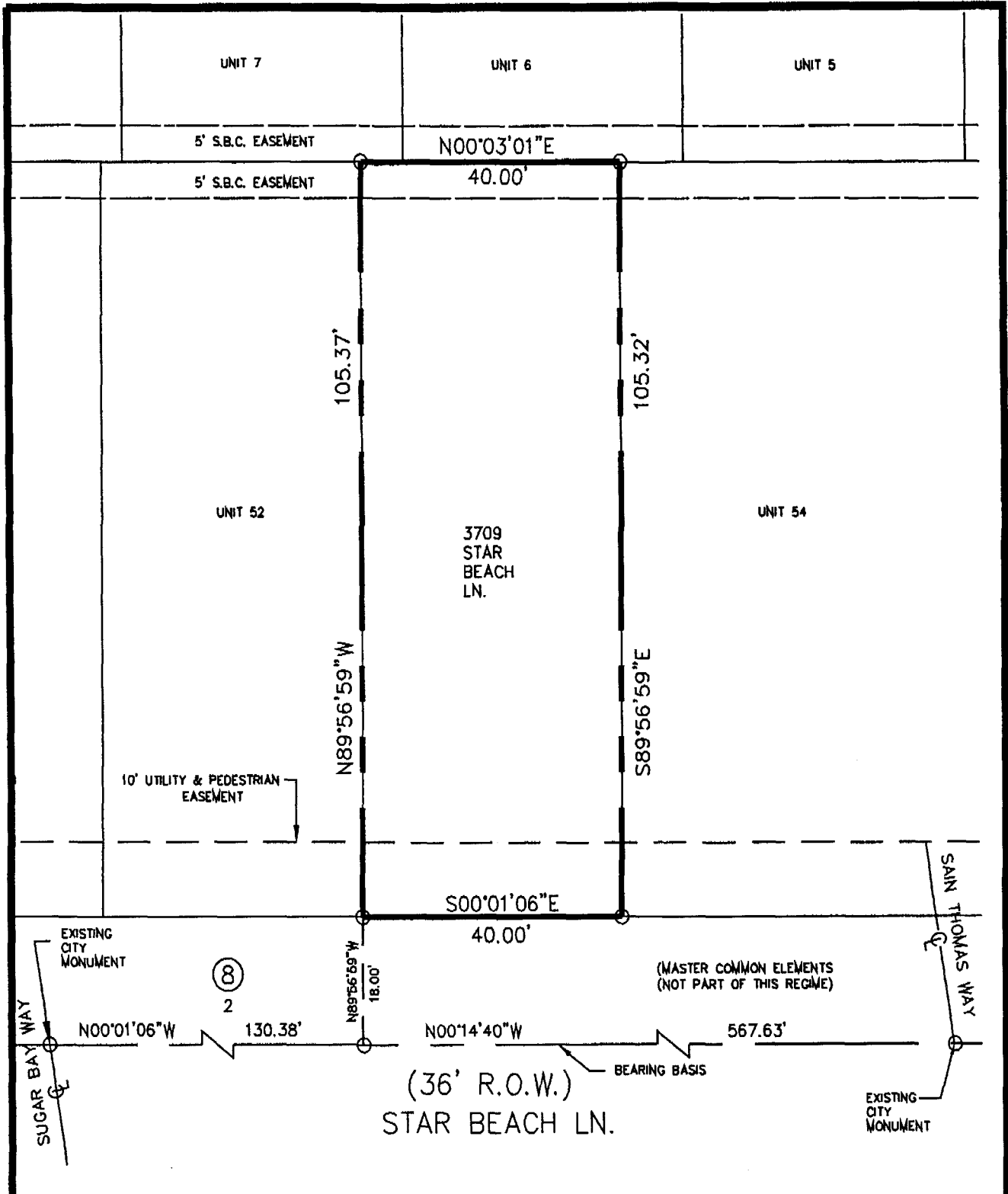
JOB # 708-92 DATE: AUGUST 5, 2008 FIELD: U.P. OFFICE: F.R.

3707 STAR BEACH LN.
 UNIT 52, BLOCK 17
 LAS PALMAS PHASE A CONDOMINIUM PLAT
 CITY OF EL PASO, EL PASO COUNTY, TEXAS

CONDE ENGINEERING INC.
 1790 LEE TREVINO SUITE 400
 EL PASO, TEXAS 79936

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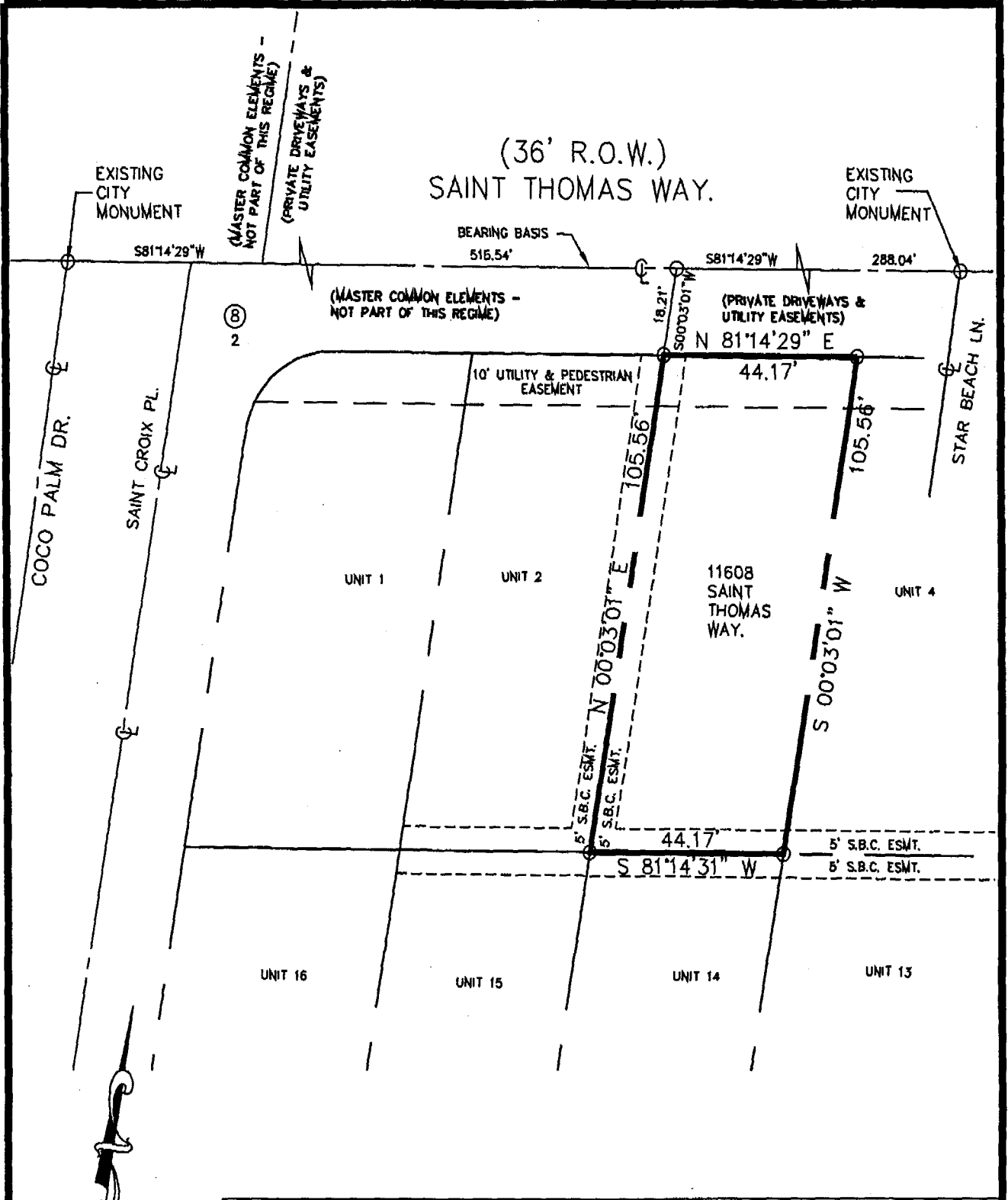
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 BEST AVAILABLE FILM**



JOB # 708-92	DATE: AUGUST 5, 2008	OFFICE: F.R.
3709 STAR BEACH LN. UNIT 53, BLOCK 17 LAS PALMAS PHASE A CONDOMINIUM PLAT CITY OF EL PASO, EL PASO COUNTY, TEXAS		
CONDE ENGINEERING INC. 1790 LEE TREVINO SUITE 400 EL PASO, TEXAS 79936		

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JOB # 708-92 DATE: AUGUST 5, 2008 OFFICE: F.R.

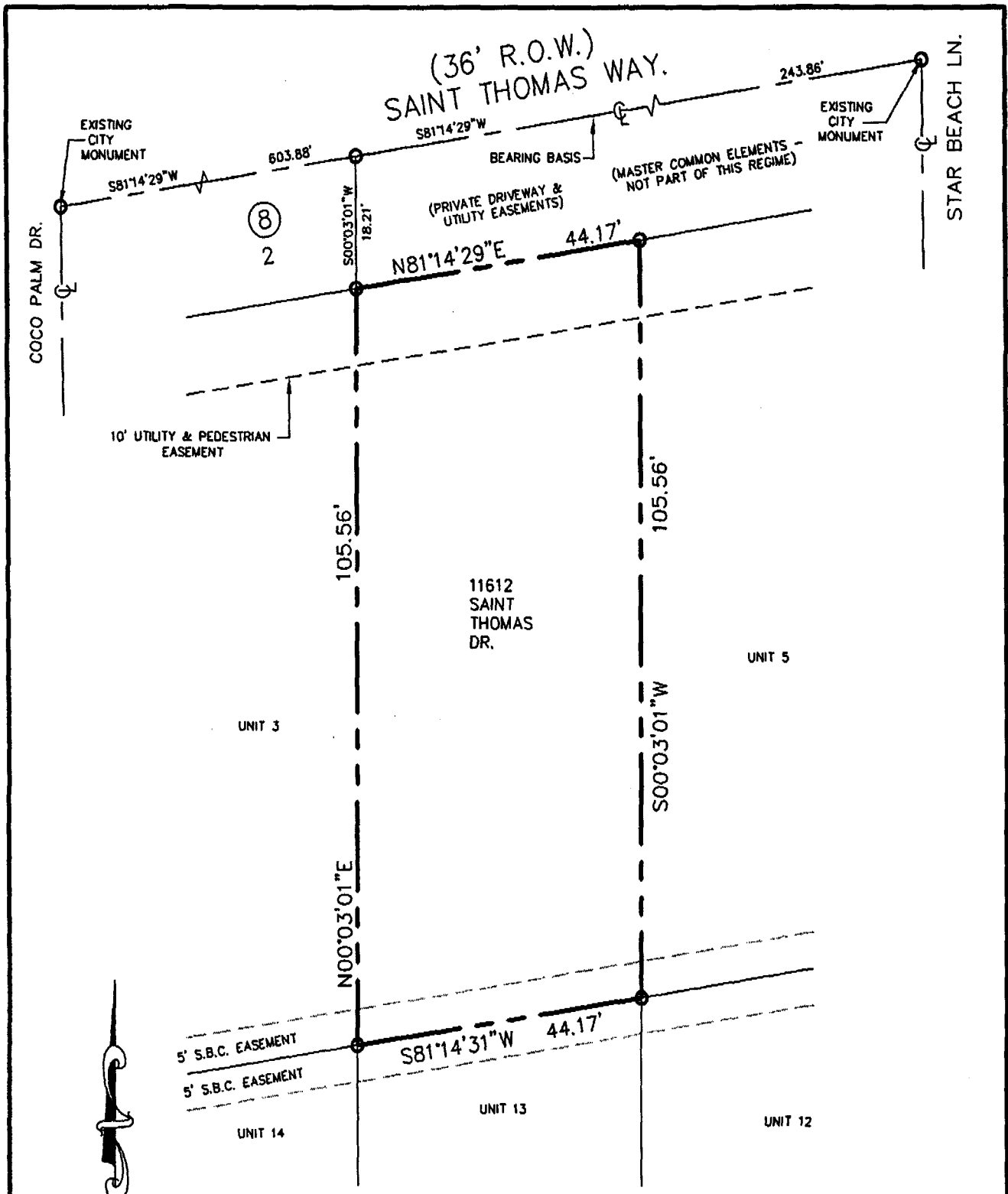
11608 SAINT THOMAS WAY.
 UNIT 3, BLOCK 18
 LAS PALMAS PHASE A CONDOMINIUM PLAT
 CITY OF EL PASO, EL PASO COUNTY, TEXAS

CONDE ENGINEERING INC.
 1790 LEE TREVINO SUITE 400
 EL PASO, TEXAS 79936

SCALE: 1" = 30'

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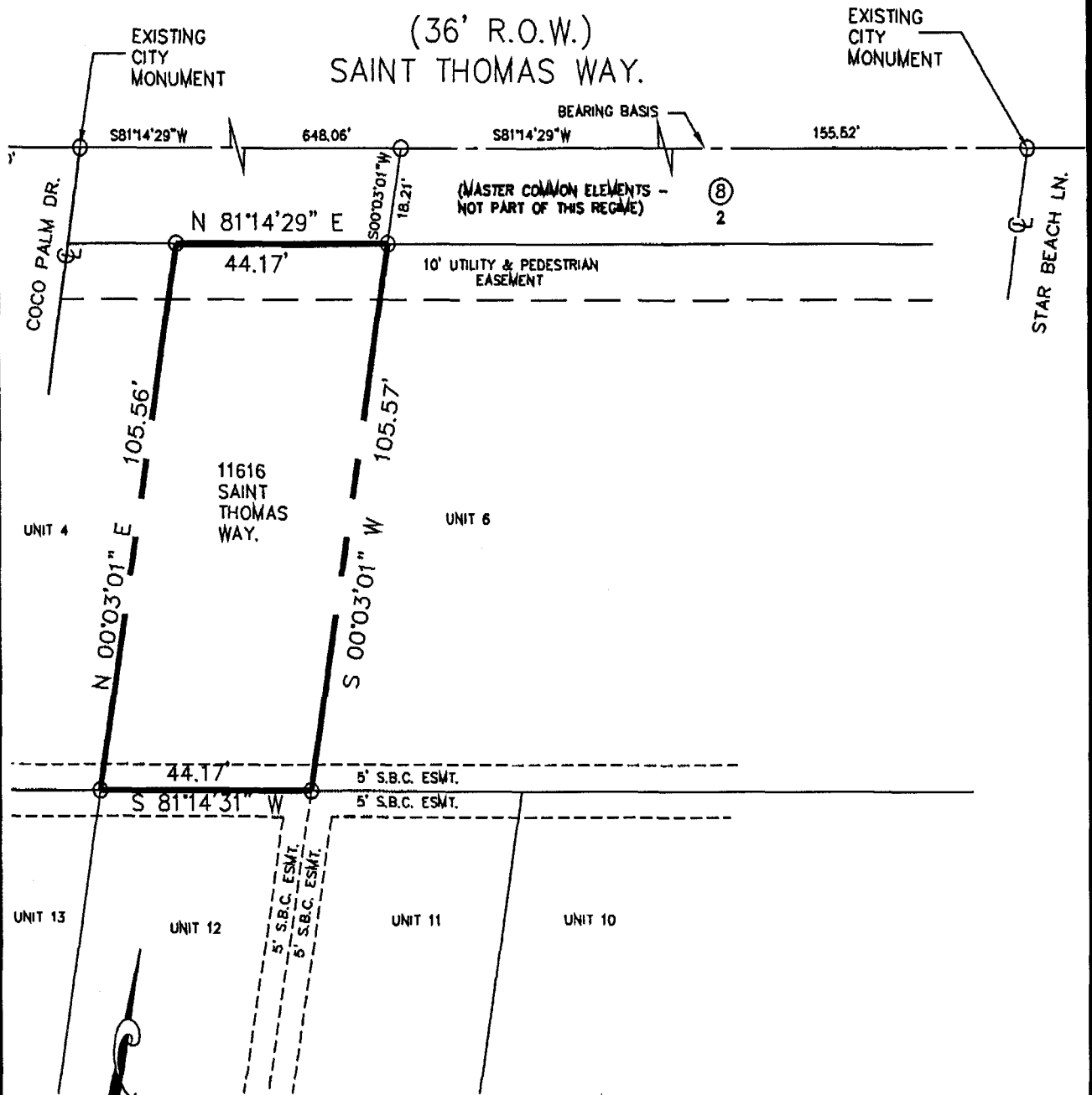
SCALE: 1" = 20'

JOB # 708-92	DATE: AUGUST 4, 2008	OFFICE: F.R.
11612 SAINT THOMAS DR. UNIT 4, BLOCK 18 LAS PALMAS PHASE A CONDOMINIUM PLAT CITY OF EL PASO, EL PASO COUNTY, TEXAS		
CONDE ENGINEERING INC. (915) 592-0283 1790 LEE TREVINO SUITE 400 EL PASO, TEXAS 79936		

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(36' R.O.W.)
SAINT THOMAS WAY.



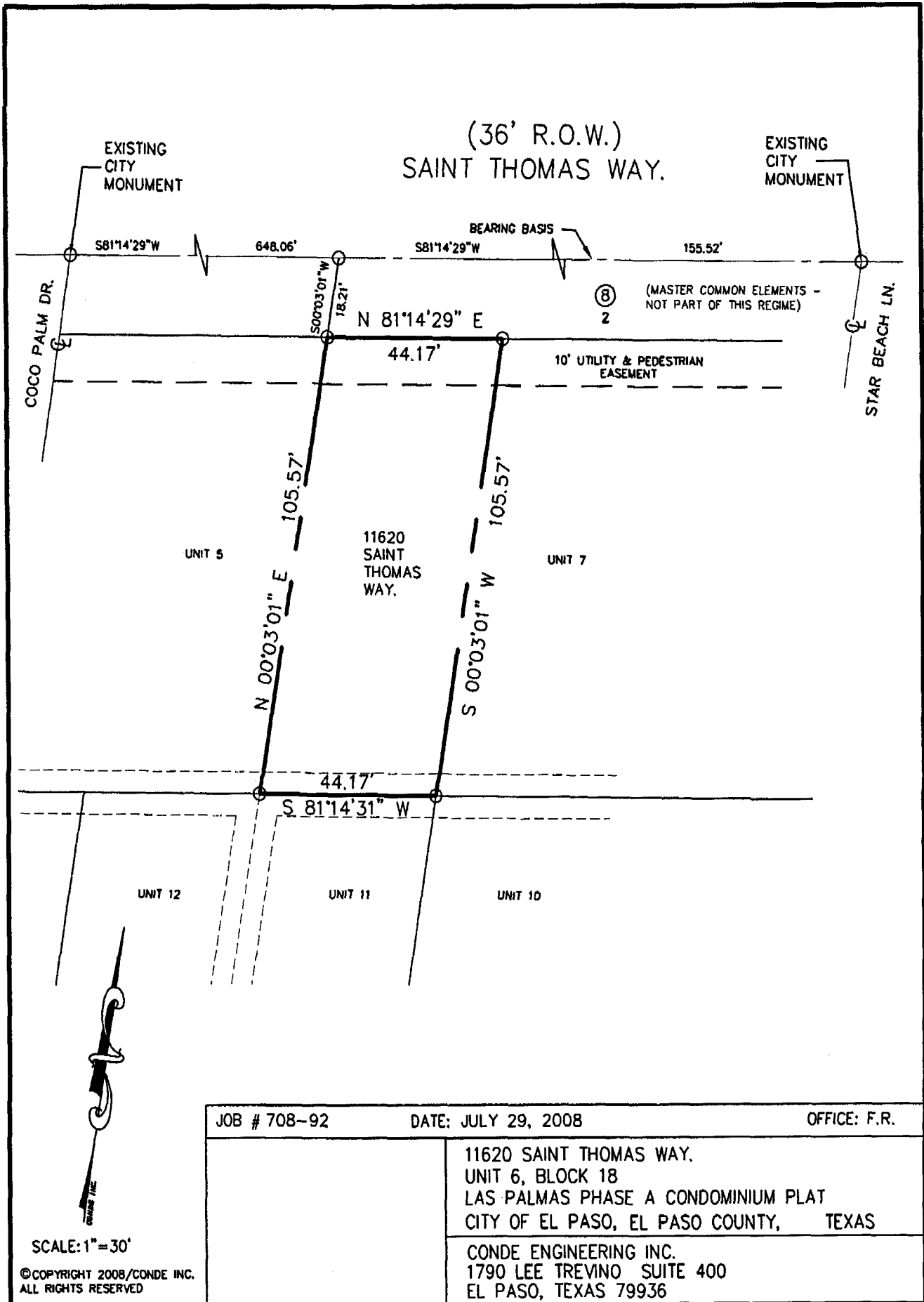
SCALE: 1" = 30'

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JOB # 708-92	DATE: JULY 29, 2008	OFFICE: F.R.
11616 SAINT THOMAS WAY UNIT 5, BLOCK 18 LAS PALMAS PHASE A CONDOMINIUM PLAT CITY OF EL PASO, EL PASO COUNTY, TEXAS		
CONDE ENGINEERING INC. 1790 LEE TREVINO SUITE 400 EL PASO, TEXAS 79936		

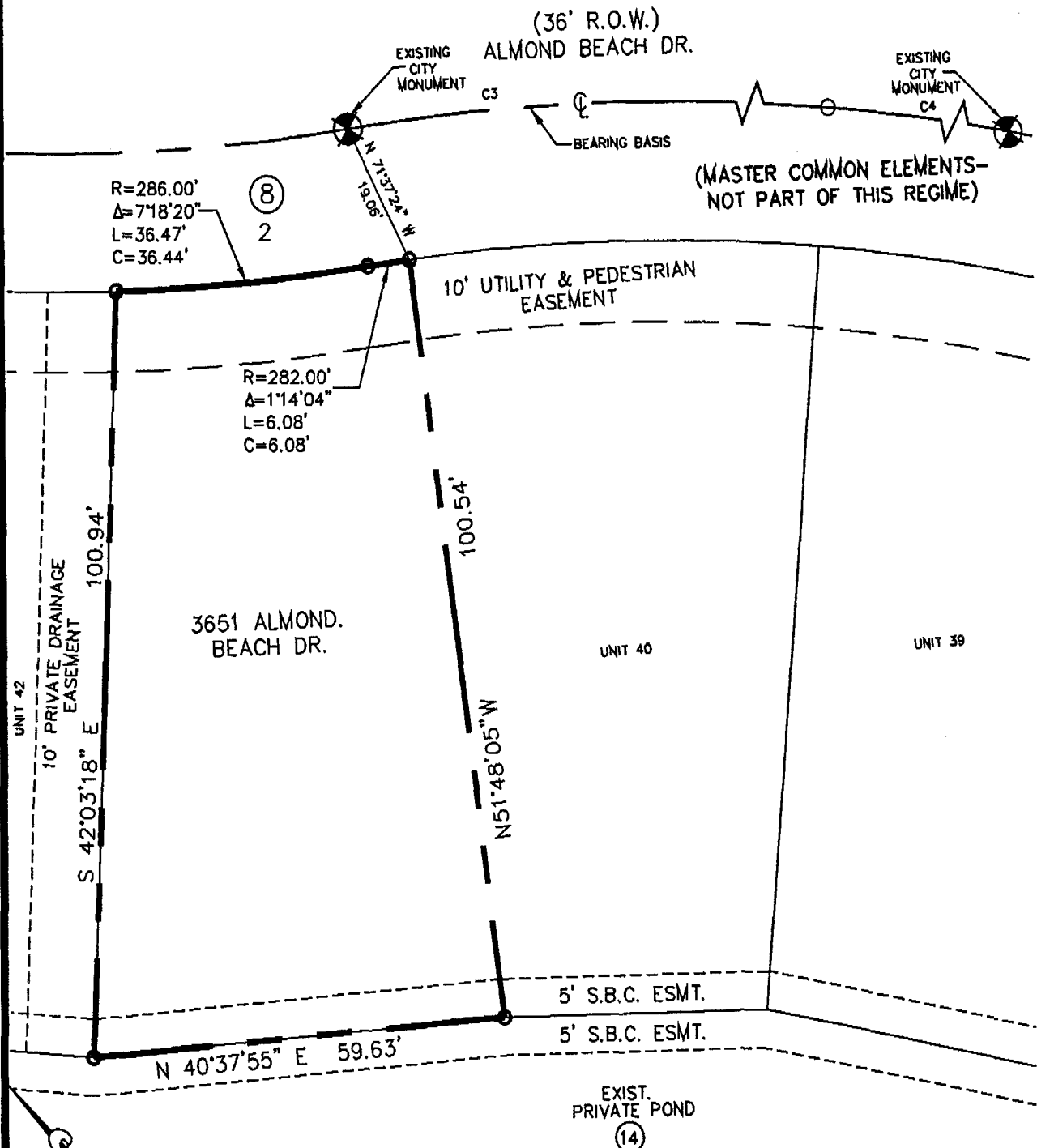
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CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C3	300.00	69.61	34.98	69.45	S43°36'40"W	13°17'38"
C4	300.00	208.45	108.63	204.28	N70°08'47"E	39°48'37"

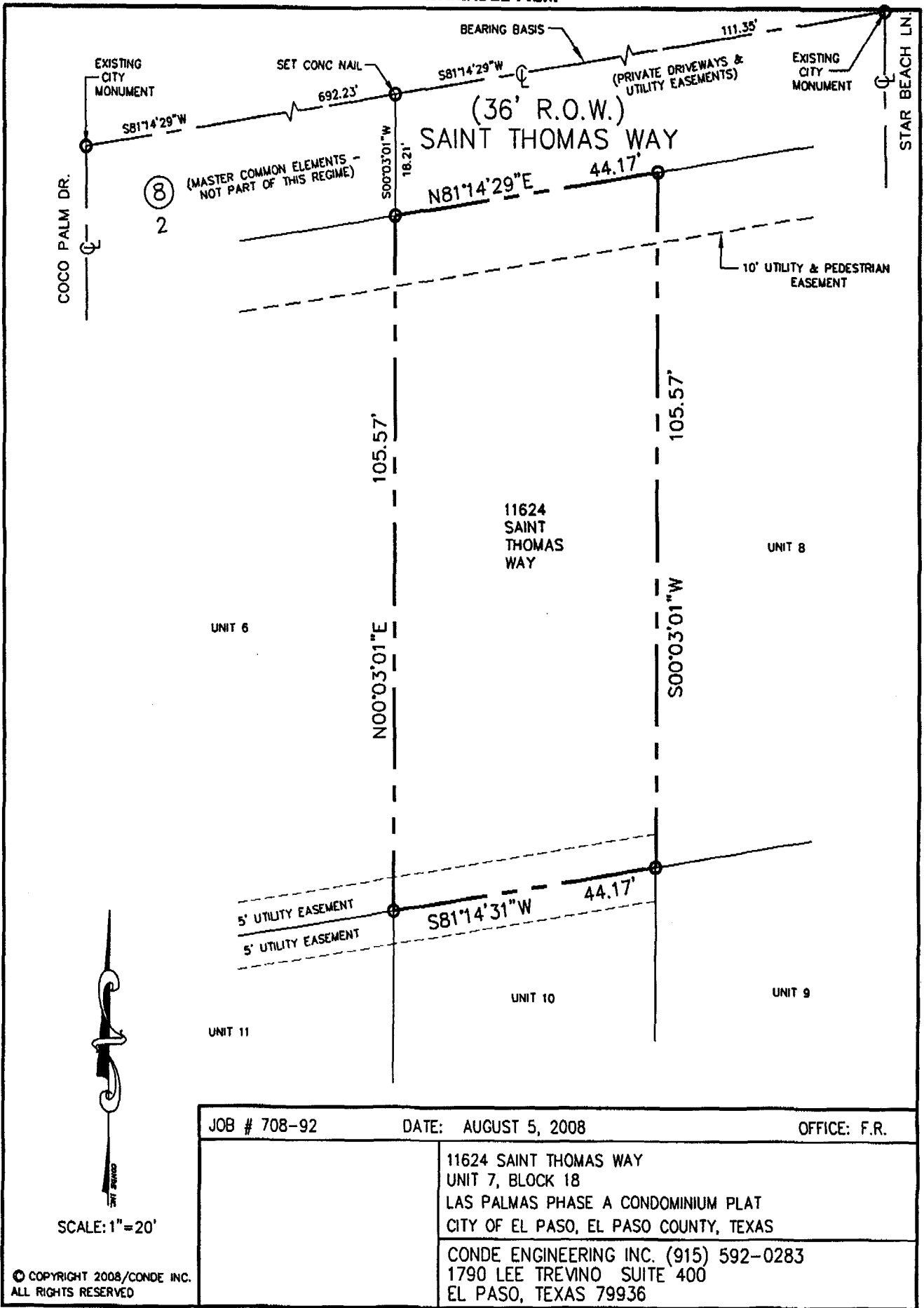


SCALE: 1"=20'

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JOB # 708-92	DATE: JULY 30, 2008	OFFICE: F.R.
3651 ALMOND BEACH DR. UNIT 41, BLOCK 14 LAS PALMAS PHASE B CONDOMINIUM PLAT CITY OF EL PASO, EL PASO COUNTY, TEXAS		
CONDE ENGINEERING INC. 1790 LEE TREVINO SUITE 400 EL PASO, TEXAS 79936		CADD FILE:

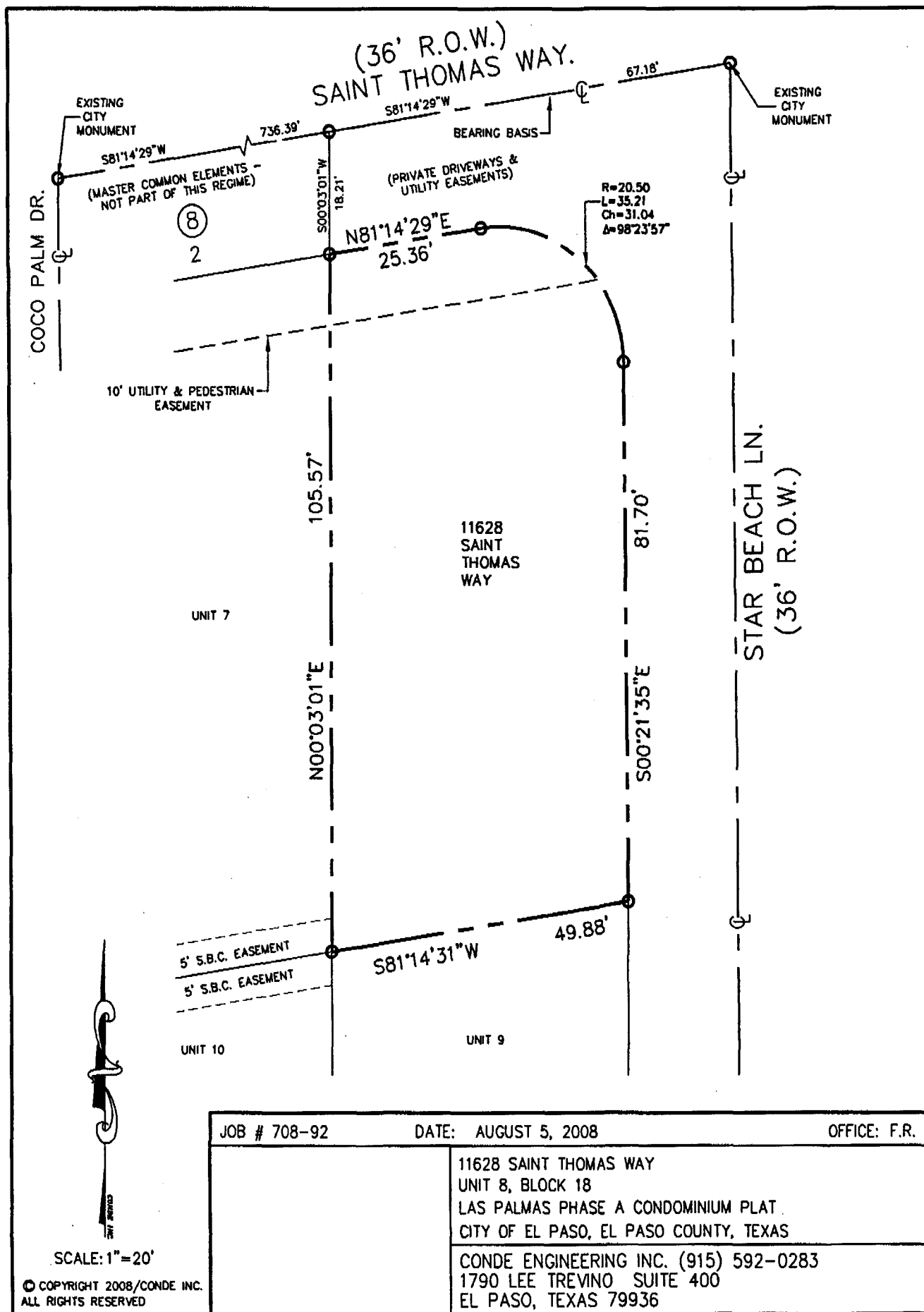
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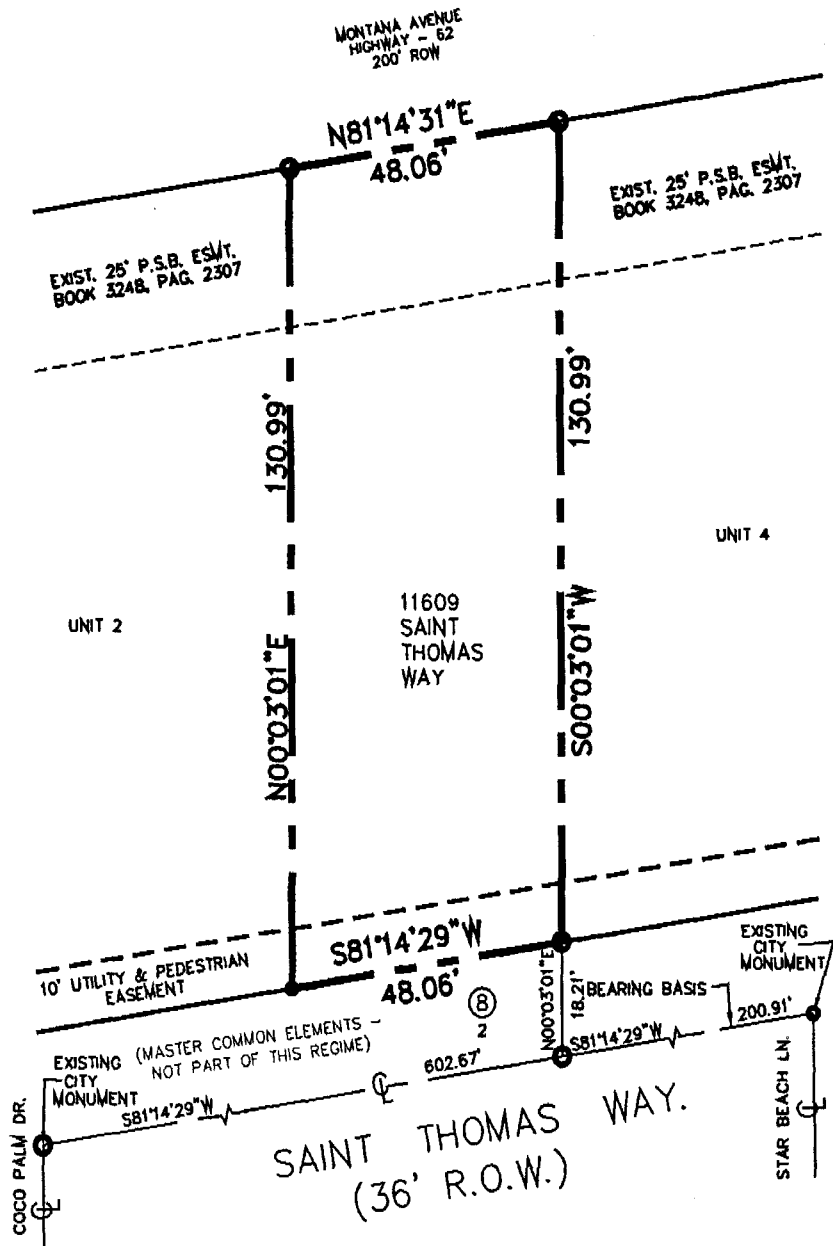
SCALE: 1" = 20'

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JOB # 708-92	DATE: AUGUST 5, 2008	OFFICE: F.R.
11624 SAINT THOMAS WAY UNIT 7, BLOCK 18 LAS PALMAS PHASE A CONDOMINIUM PLAT CITY OF EL PASO, EL PASO COUNTY, TEXAS		
CONDE ENGINEERING INC. (915) 592-0283 1790 LEE TREVINO SUITE 400 EL PASO, TEXAS 79936		



JOB # 708-92	DATE: AUGUST 5, 2008	OFFICE: F.R.
11628 SAINT THOMAS WAY UNIT 8, BLOCK 18 LAS PALMAS PHASE A CONDOMINIUM PLAT CITY OF EL PASO, EL PASO COUNTY, TEXAS		
CONDE ENGINEERING INC. (915) 592-0283 1790 LEE TREVINO SUITE 400 EL PASO, TEXAS 79936		



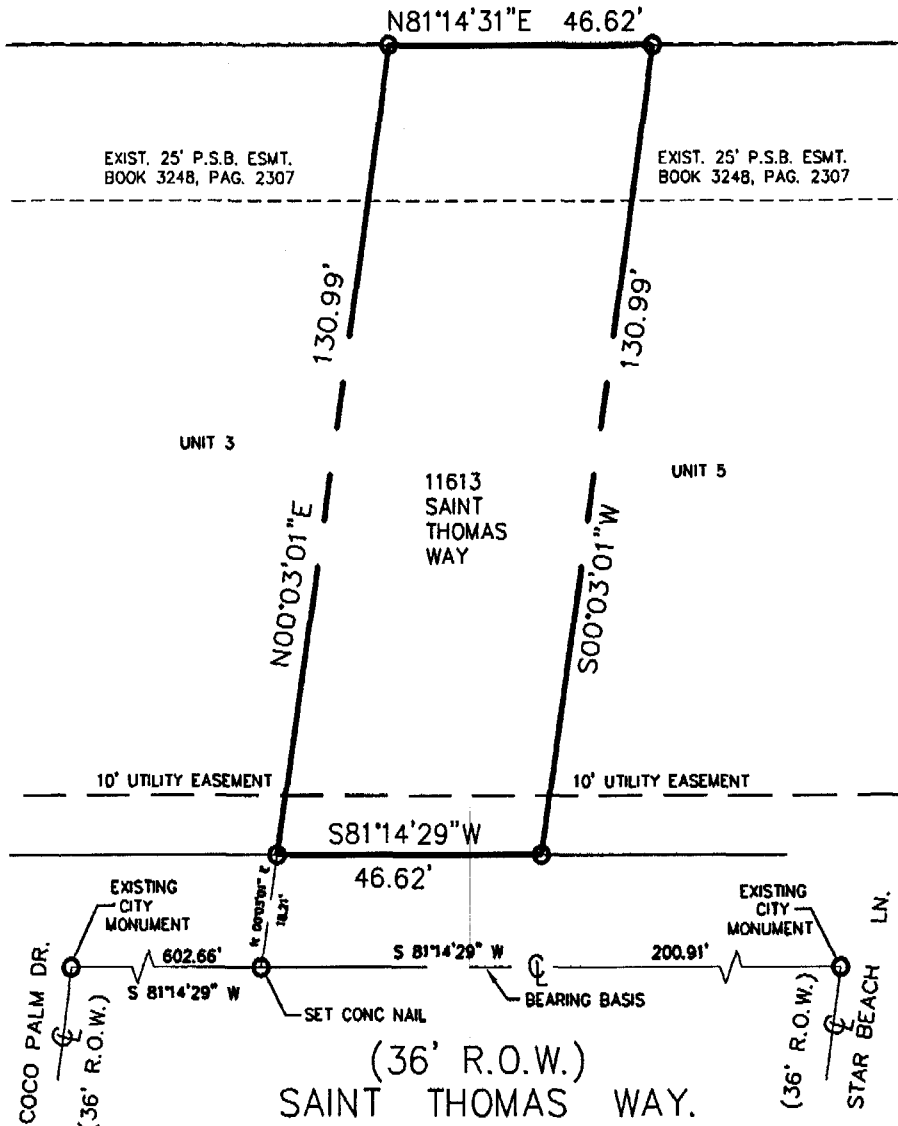
SCALE: 1" = 30'

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JOB # 708-92	DATE: JULY 29, 2008	FIELD: U.P.	OFFICE: F.R.
11609 SAINT THOMAS WAY UNIT 3, BLOCK 19 LAS PALMAS PHASE A CONDOMINIUM PLAT CITY OF EL PASO, EL PASO COUNTY, TEXAS			
CONDE ENGINEERING INC. 1790 LEE TREVINO SUITE 400 EL PASO, TEXAS 79936			

SCALE: 1"=30'

MONTANA AVENUE
HIGHWAY - 62
200' ROW

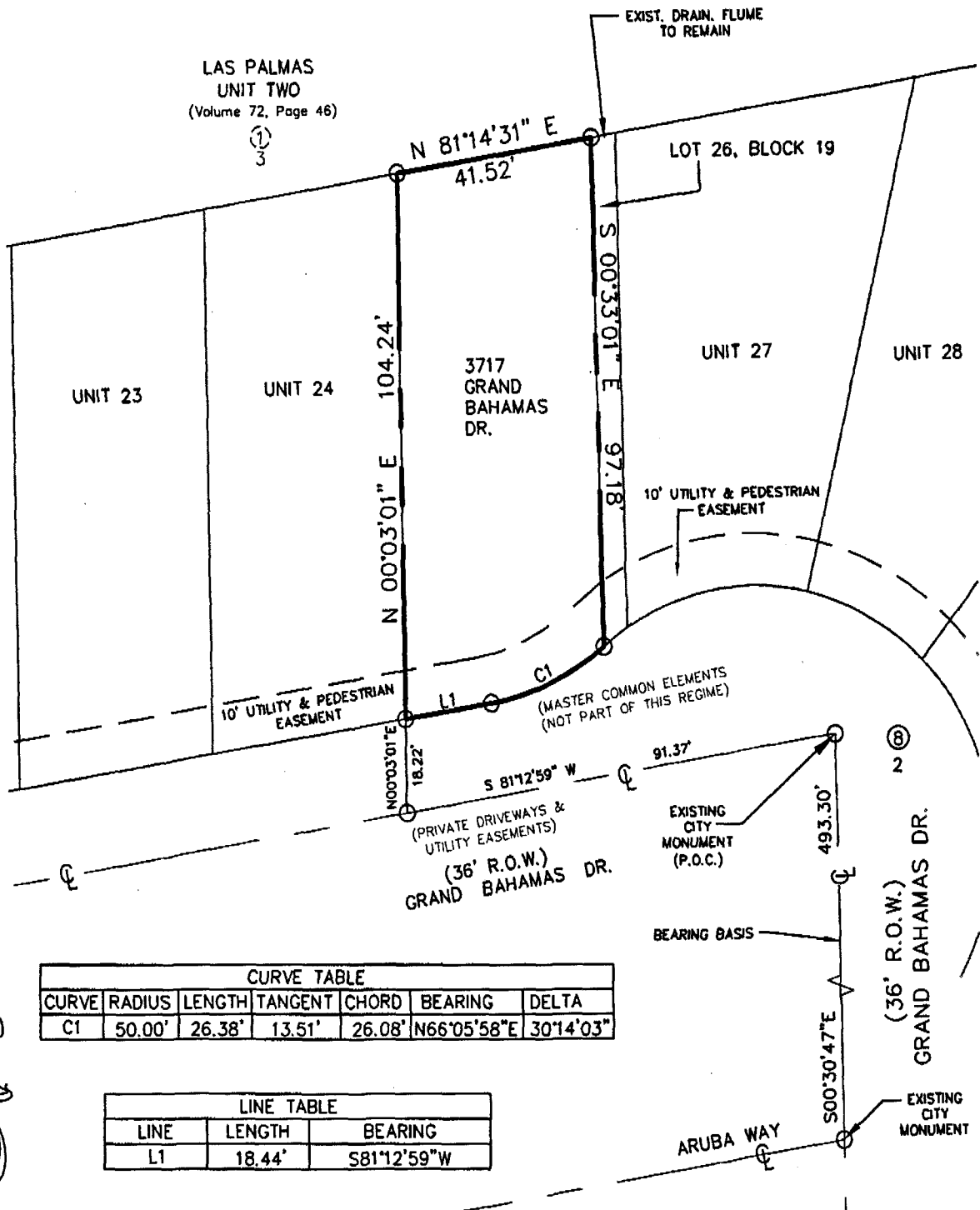


JOB # 708-92	DATE: JULY 29, 2008	FIELD: U.P.	OFFICE: F.R.
11613 SAINT THOMAS WAY UNIT 4, BLOCK 19 LAS PALMAS PHASE A CONDOMINIUM PLAT CITY OF EL PASO, EL PASO COUNTY, TEXAS			
CONDE ENGINEERING INC. 1790 LEE TREVINO SUITE 400 EL PASO, TEXAS 79936			

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LAS PALMAS
UNIT TWO
(Volume 72, Page 46)

①
3



CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	50.00'	26.38'	13.51'	26.08'	N66°05'58"E	30°14'03"

LINE TABLE		
LINE	LENGTH	BEARING
L1	18.44'	S81°12'59"W

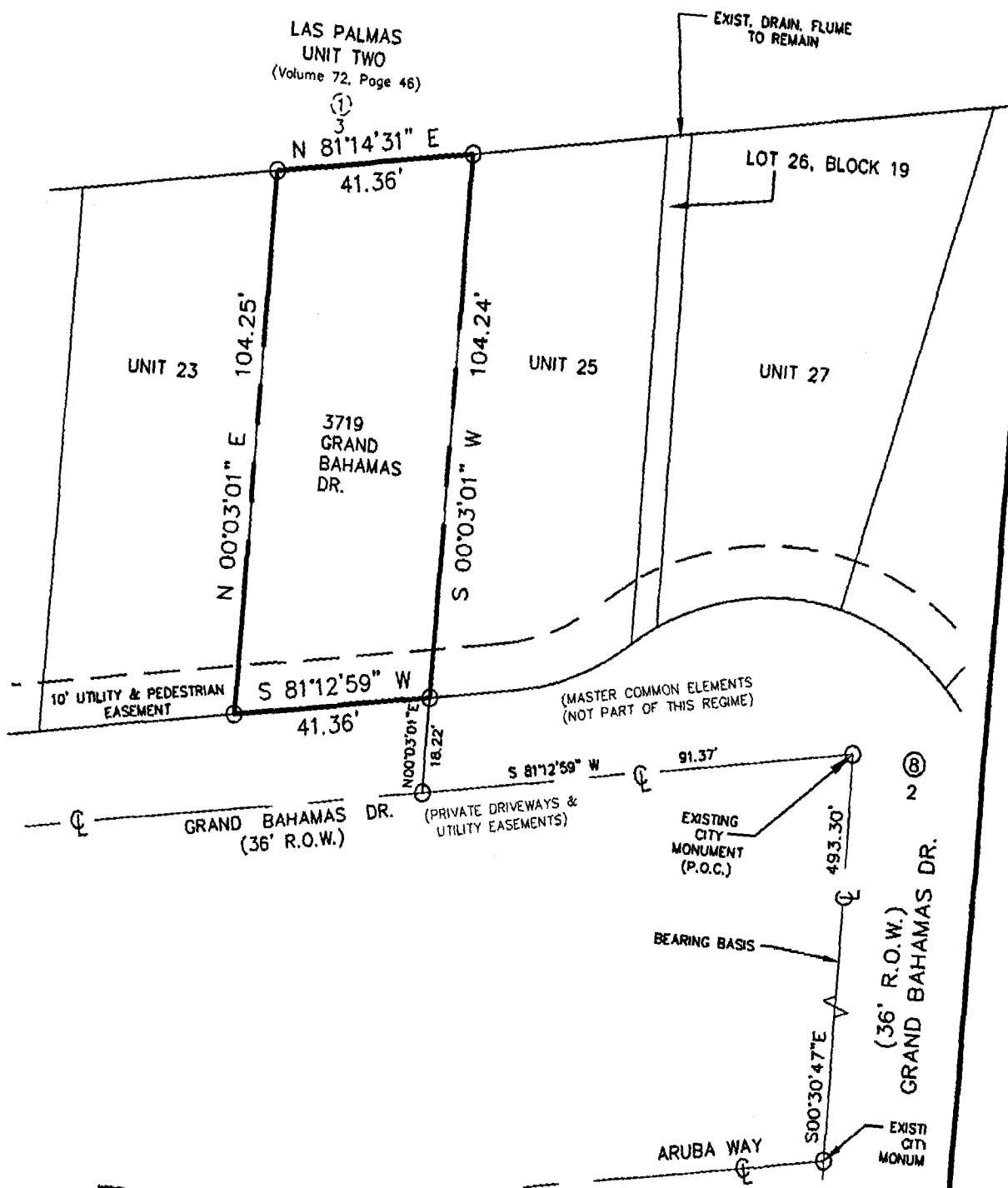


SCALE: 1" = 30'

JOB # 708-92	DATE: AUGUST 5, 2008	FIELD: U.P.	OFFICE: F.R.
3717 GRAND BAHAMAS DR. UNIT 25, BLOCK 19 LAS PALMAS PHASE A CONDOMINIUM PLAT CITY OF EL PASO, EL PASO COUNTY, TEXAS			
CONDE ENGINEERING INC. 1790 LEE TREVINO SUITE 400 EL PASO, TEXAS 79936			

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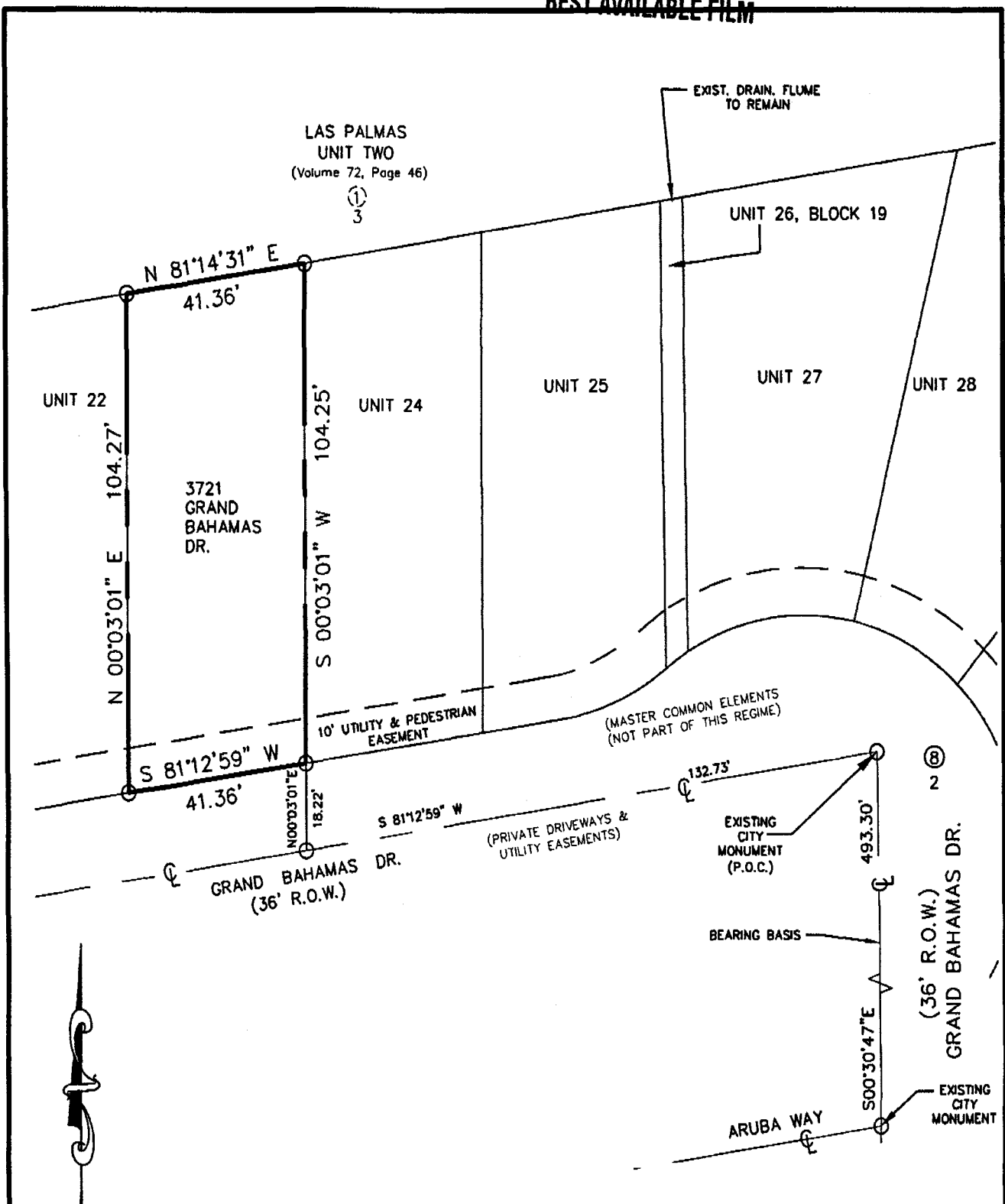


SCALE: 1" = 30'

JOB # 708-92	DATE: AUGUST 5, 2008	OFFICE: F.R.
3719 GRAND BAHAMAS DR. UNIT 24, BLOCK 19 LAS PALMAS PHASE A CONDOMINIUM PLAT CITY OF EL PASO, EL PASO COUNTY, TEXAS		
CONDE ENGINEERING INC. 1790 LEE TREVINO SUITE 400 EL PASO, TEXAS 79936		

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JOB # 708-92	DATE: AUGUST 5, 2008	OFFICE: F.R.
3721 GRAND BAHAMAS DR. UNIT 23, BLOCK 19 LAS PALMAS PHASE A CONDOMINIUM PLAT CITY OF EL PASO, EL PASO COUNTY, TEXAS		
CONDE ENGINEERING INC. 1790 LEE TREVINO SUITE 400 EL PASO, TEXAS 79936		

EXHIBIT "B"

SCHEDULE OF ALLOCATED INTERESTS

The percentage of Common Interest and share of Common Expense Liability for each Unit is 2.0833%.

THE PERCENTAGE OF COMMON INTEREST AND SHARE OF COMMON EXPENSE LIABILITY ASSIGNED TO A PARTICULAR UNIT WILL DECREASE IF ADDITIONAL UNITS ARE CREATED AND ADDED TO THE REGIME.

JK

Doc# 20080065760
#Pages 23
8/13/2008 1:29:17 PM
Filed & Recorded in
Official Records of
EL PASO COUNTY
DELIA BRIONES
COUNTY CLERK
Fees \$180.00

24

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