

④

#109
Courtesy
(3)

AFTER RECORDING RETURN TO:

JOSHUA D. BERNSTEIN, ESQ.
NORTON ROSE FULBRIGHT US LLP
98 SAN JACINTO BLVD., SUITE 1100
AUSTIN, TEXAS 78701

**MONTECILLO
UNIT FOUR "A"**

**NOTICE OF ANNEXATION
[SINGLE-FAMILY RESIDENTIAL]**

Declarant: EPT MESA DEVELOPMENT, LP, a Delaware limited partnership

Cross reference to that certain Montecillo Amended and Restated Master Covenant, recorded as Document No. 20160088513 in the Official Public Records of El Paso County, Texas, and that certain Montecillo Development Area Declaration [Single-Family Residential], recorded as Document No. 20170050830 in the Official Public Records of El Paso County, Texas.

MONTECILLO UNIT FOUR "A"

NOTICE OF ANNEXATION [SINGLE-FAMILY RESIDENTIAL]

This Notice of Annexation [*Single-Family Residential*] (this "Notice of Annexation") is made and executed by **EPT MESA DEVELOPMENT, LP**, a Delaware limited partnership ("Declarant"), and is as follows:

1. Applicability of Master Covenant. This Notice of Annexation is filed with respect to Lots 5 – 10, Block 12; Lots 3 – 8, Block 13; Lots 2 – 10, Block 14; Lots 1 – 6, Block 15; and Lots 4 – 9, Block 16, in Montecillo Unit Four "A", being a replat of a portion of Lots 3 and 6, Block 2, Montecillo Unit Three, Replat "B" and a portion of Tract 1, John Barker Survey No. 10, City of El Paso, El Paso County, Texas, according to the map or plat recorded in Document No. 20170030463 in the Official Public Records of El Paso County, Texas (the "Development Area"). Pursuant to that certain Montecillo Amended and Restated Master Covenant, recorded as Document No. 20160088513 in the Official Public Records of El Paso County, Texas (the "Master Covenant"), Declarant served notice that portions of the property described on Exhibit "A" to the Master Covenant, upon the Recording of appropriate Notices of Annexation from time to time, may be made a part of the Development and thereby fully subjected to the terms, covenants, conditions, restrictions, reservations, easements, servitudes, liens and charges of the Master Covenant.

2. Applicability of Development Area Declaration. Pursuant to that certain Master Covenant and the Montecillo Development Area Declaration [Single-Family Residential], recorded as Document No. _____ in the Official Public Records of El Paso County, Texas (the "Development Area Declaration"), Declarant served notice that portions of the property described on Exhibit "A" to the Master Covenant, upon the filing of appropriate Notices of Annexation from time to time, may be subjected to the terms, covenants, conditions, restrictions, reservations, easements, servitudes, liens and charges of certain Development Area Declarations, as amended, modified or supplemented from time to time. Pursuant to this Notice of Annexation, the Development Area is subject to the terms and provisions of the Development Area Declaration.

3. Development Area. The Development Area described and identified in *Section 1* will constitute one of the Development Areas which is permitted, contemplated and defined under the Master Covenant.

4. Property Incorporated Into Development. The provisions of the Master Covenant and the Development Area Declaration shall apply to the Development Area. The Development Area is hereby included within and made a part of the Development, and is hereby subjected to the terms, covenants, conditions, restrictions, reservations, easements, servitudes, liens and charges of the Master Covenant and the Development Area Declaration.

5. Miscellaneous. This Notice of Annexation constitutes a Notice of Annexation under *Section 12.05* of the Master Covenant. Any capitalized terms used and not otherwise defined in this Notice of Annexation shall have the meanings set forth in the Master Covenant.

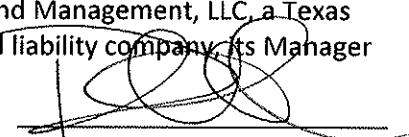
EXECUTED to be effective on the date this instrument is Recorded.

DECLARANT:

EPT MESA DEVELOPMENT, LP, a Delaware limited partnership

By: EPT Mesa Development Management, LLC, a Delaware limited liability company, its General Partner

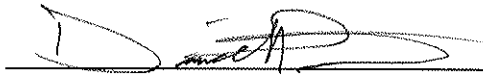
By: EPT Land Management, LLC, a Texas limited liability company, its Manager

By: 
Richard Aguilar, Manager

THE STATE OF TEXAS §
 §
COUNTY OF El Paso §

This instrument was acknowledged before me on this 3rd day of July, 2017, by Richard Aguilar, the Manager of EPT Land Management, LLC, a Texas limited liability company, Manager of EPT Mesa Development Management, LLC, a Delaware limited liability company, the General Partner of EPT Mesa Development, LP, a Texas limited partnership, on behalf of said limited liability companies and limited partnership.

(seal) 



Notary Public, State of Texas

Doc # 20170050834
#Pages 3 #NFPages 1
7/12/2017 4:51 PM
Filed & Recorded in
Official Records of
El Paso County
Delia Briones
County Clerk
Fees \$34.00

eRecorded

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