

AFTER RECORDING RETURN TO:



ROBERT D. BURTON, ESQ.
WINSTEAD PC
600 W 5TH STREET, SUITE 900
AUSTIN, TEXAS 78701
EMAIL: RBURTON@WINSTEAD.COM

PFLUGERVILLE DOWNTOWN EAST

NOTICE OF APPLICABILITY [CONDOMINIUM]

Travis County, Texas

Declarant: City of Pflugerville, a Texas home rule municipality

Cross-reference to: (i) Pflugerville Downtown East Master Covenant [Commercial], recorded as Document No. _____ in the Official Public Records of Travis County, Texas, as amended from time to time; and (ii) Development Tract Declaration of Condominium Regime for Parcel 4 Master Condominium, recorded as Document No. _____ in the Official Public Records of Travis County, Texas, as amended from time to time.

[PFLUGERVILLE DOWNTOWN EAST]
NOTICE OF APPLICABILITY
[CONDOMINIUM]

PFLUGERVILLE DOWNTOWN EAST
NOTICE OF APPLICABILITY
[CONDOMINIUM]

This Notice of Applicability [Condominium] is made and executed by the **City of Pflugerville**, a Texas home rule municipality ("**Declarant**"), and is as follows:

1. **Applicability of Master Covenant.** This Notice of Applicability is filed with respect to the Retail Unit and the REC unit, all of Parcel 4 Master Condominium, a condominium regime in Travis County, Texas, created pursuant to the Development Tract Declaration of Condominium Regime for Parcel 4 Master Condominium, recorded as Document No. _____ in the Official Public Records of Travis County, Texas (collectively, the "**Development Tract**"). Pursuant to that certain Pflugerville Downtown East Master Covenant [Commercial], recorded as Document No. _____ in the Official Public Records of Travis County, Texas (the "**Covenant**"), Declarant served notice that portions of the property described on Exhibit "A" to the Covenant, upon the Recording of appropriate Notices of Applicability 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 Covenant.

2. **Applicability of Declaration.** The Development Tract has already been subjected to the terms and provisions of the Development Tract Declaration of Condominium Regime for Parcel 4 Master Condominium, recorded as Document No. _____ in the Official Public Records of Travis County, Texas (the "**Declaration**").

3. **Development Tract.** The Development Tract described and identified in Paragraph 1 hereinabove will constitute one of the Development Tracts, which is permitted, contemplated and defined under the Covenant.

4. **Property Incorporated Into Development.** The provisions of the Covenant and Declaration shall apply to the Development Tract. The Development Tract 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 Covenant and the Declaration.

5. **Allocation of Votes and Assessment Units.** Pursuant to *Section 3.4.1* and *Section 5.8.2* of the Covenant, the Declarant hereby assigns votes and Assessment Units to the Development Tract as set forth on Attachment 1, attached hereto and incorporated herein by reference.

6. **Miscellaneous.** This notice constitutes a Notice of Applicability under Covenant and the Declaration. This notice, to the extent required, shall be considered an amendment to the Covenant. Any capitalized terms used and not otherwise defined in this notice shall have the meanings set forth in the Covenant.

[SIGNATURE PAGE FOLLOWS]

EXECUTED to be effective as of the ____ day of _____, 20____.

DECLARANT:

CITY OF PFLUGERVILLE, a Texas home rule municipality

By: _____

Printed Name: _____

Title: _____

THE STATE OF TEXAS §

COUNTY OF _____ §

This instrument was acknowledged before me this ____ day of _____, 20__ by _____, the _____ of City of Pflugerville, a Texas home rule municipality on behalf of said city.

(SEAL)

Notary Public Signature

ATTACHMENT 1

Property	Votes	Assessment Units
Retail Unit	8.81%	8.81
REC Unit	91.19%	91.19

[PFLUGERVILLE DOWNTOWN EAST]
NOTICE OF APPLICABILITY
[CONDOMINIUM]