



AFTER RECORDING RETURN TO:

Robert D. Burton

Winstead, PC

401 Congress Ave., Suite 2100

Austin, Texas 78701

rburton@winstaed.com

NOTICE OF NON-UNIFORM ASSESSMENT

BLUFFS TRACT

Bexar County, Texas

Cross Reference that certain Declaration of Covenants, Conditions, Easements and Restrictions for the Dominion Planned Unit Development, recorded as Volume 2956, Page 0061, Official Public Records of Bexar County, Texas as amended and that certain Declaration of Protective Covenants for P.U.D R-6 Zoning (Raw Land Only – SRP Tracts) recorded in Document No. 20040264960 in the Official Public Records of Bexar County, Texas as amended by that certain First Amendment to Declaration of Protective Covenants for SRP Tracts recorded as Document No. 20130171633 in the Official Public Records of Bexar County, Texas.

Notice of Non-Uniform Assessment – Bluffs Tract

This Notice of Non-Uniform Assessment – Bluffs Tract (this “Notice”) is made and executed on this 16 day of August, 2013, by INTCO-DOMINION PARTNERSHIP, a Texas general partnership (“Declarant”), and is as follows:

RECITALS

1. Authority Under Umbrella Declaration. Pursuant to Article III, Section 10 of the Declaration of Covenants, Conditions, Easements and Restrictions for The Dominion Planned Unit Development dated October 18, 1983, and recorded in Volume 2956, Page 61, of the Official Public Records of Real Property of Bexar County, Texas, as amended (the “Umbrella Declaration”), Declarant may, in its sole discretion, elect to modify the assessments imposed on non-residential property on a non-uniform basis by filing a Notice of Non-Uniform Assessment.

2. Designation of Non-Uniform Assessment. This Notice of Designation of Non-Uniform Assessment is filed with respect to the property known as the “Bluffs Tract”. The Bluffs Tract is comprised of 7.101 acres described on Exhibit “A” attached hereto and made a part hereof for all purposes (the “Bluffs Tract”). Assessments will be levied against the Bluffs Tract in increments known as a “Non-Uniform Commercial Assessment”. The Non-Uniform Commercial Assessment is currently set at \$250 per month. Assessments will be levied against the Bluffs Tract in an amount equivalent to two (2) Non-Uniform Commercial Assessments. Assessments established hereunder will not be levied until the earlier to occur of the date: (i) Improvements which may be used for residential, commercial, or recreational purposes have been constructed on the Bluffs Tract, as reasonably determined by the Association; or (ii) a certificate of occupancy, or its equivalent, is issued by the City of San Antonio, Texas, for such Improvements.

3. Adjustment to Non-Uniform Commercial Assessments. Beginning on January 1, 2014, and continuing annually each year thereafter, each Non-Uniform Commercial Assessment shall be increased by the greater of:

(i) the percentage of increase, if any, in the cost of living index at the beginning of January 1, 2014 and each calendar year thereafter, over and above the cost of living index at the commencement of the immediately preceding calendar year. For purposes of this Paragraph 3(i), increases in the cost of living index shall be measured by the Consumer Price Index for “All Urban Consumers, U.S. City Average, All Items,” issued by the Bureau of Labor Statistics of the United States Department of Labor. The figures for purposes of calculating the percentage increase, if any, shall be the last figures published prior to the applicable measurement date. If for any reason the Bureau of Labor Statistics does not furnish such an index and such information, the Board of Directors of the Association may use such other index or comparable statistics on the cost of living for Bexar County, Texas, as shall be computed and published by an agency of the United States or by a responsible financial periodical of recognized authority;

OR

(ii) the percentage of increase, if any, in the uniform regular monthly assessment to be levied by the Board of Directors of the Association for residential lots subject to the Umbrella Declaration for the

calendar year 2014 and each calendar year thereafter, over and above the uniform regular monthly assessment levied by the Board of Directors of the Association during the immediately preceding calendar year.

4. **Subdivision**. In the event the Bluffs Tract is subdivided into additional platted lots, each resulting lot will be allocated one (1) Non-Uniform Commercial Assessment. In the event the Bluffs Tract is subdivided into two (2) platted lots, each lot will be allocated one (1) Non-Uniform Commercial Assessment. In no circumstance or event, including the combination of tracts or lots, will the Bluffs Tract be allocated less than two (2) Non-Uniform Commercial Assessments.

5. **Miscellaneous**. This notice constitutes a notice of non-uniform assessment under Article III, Section 10 the Umbrella Declaration. Any capitalized terms used and not otherwise defined in this notice shall have the meanings set forth in the Umbrella Declaration.

IN WITNESS WHEREOF, Declarant has executed this instrument as of the date first set forth above.

[signature page to follow]

DECLARANT:

INTCO-DOMINION PARTNERSHIP,
a Texas general partnership

By: INTCO Properties III, L.P.,
a Texas limited partnership
its managing general partner

By: INTCO Properties G.P. III, Inc.,
a Texas corporation,
its General Partner

By: *Larry W. Slayter*
Larry W. Slayter, Vice President

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

ACKNOWLEDGED, SUBSCRIBED AND SWORN TO BEFORE ME this 6th day of August, 2013, by LARRY W. SLAYTER, Vice President of INTCO Properties G.P. III, Inc., a Texas corporation, as general partner of INTCO Properties III, L.P., a Texas limited partnership, as managing general partner of INTCO-Dominion Partnership, a Texas general partnership, on behalf of said corporation, said limited partnership and said general partnership.

[SEAL]

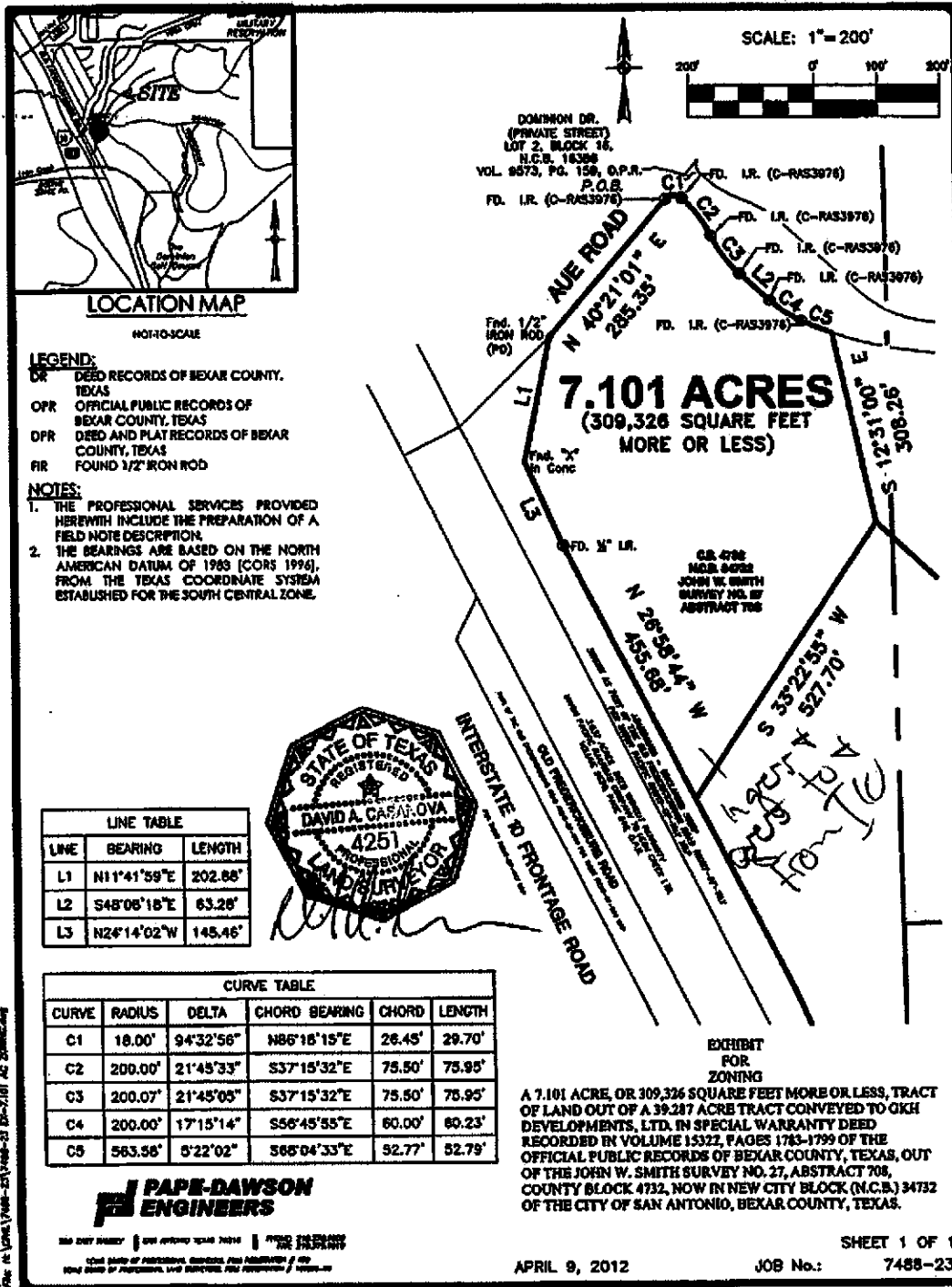


Laura A. Syphers
Notary Public, State of Texas

Laura A. Syphers
(Name - Typed or Printed)

4/7/2014
(Date Commission Expires)

EXHIBIT A





LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

FIELD NOTES
FOR
ZONING

A 7.101 acre, or 309,326 square feet more or less, tract of land out of a 39.287 acre tract conveyed to GKH Developments, Ltd. in Special Warranty Deed recorded in Volume 15322, Pages 1783-1799 of the Official Public Records of Bexar County, Texas, out of the John W. Smith Survey No. 27, Abstract 708, County Block 4732, now in New City Block (N.C.B.) 34732 of the City of San Antonio, Bexar County, Texas. Said 7.101 acre tract being more fully described as follows, with bearings based on the North American Datum of 1983 (CORS 1996), from the Texas Coordinate System established for the South Central Zone:

BEGINNING: At a found ½" iron rod with a cap stamped "C-RAS3976" at the west end of a non-tangent curve to the right at the intersection of the east right-of-way line of Aue Road (60' right-of-way) with the south line of Lot 2, Block 16, New City Block 16386, a private street known as Dominion Drive as shown on the subdivision plat of The Dominion Phase 4A (PUD), Replat recorded in Volume 9573, Page 159 of the Deed and Plat Records of Bexar County, Texas;

THENCE: Along the south line of said Lot 2, Block 16, New City Block 16386 and said curve to the right having a radial bearing of S 50°58'14" E, a radius of 18.00 feet, a central angle of 94°32'56", a chord bearing and distance of N 86°18'15" E, 26.45 feet, for an arc length of 29.70 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson" at the point of curvature of a non-tangent curve to the right;

THENCE: Continuing along said south line of Lot 2, Block 16, New City Block 16386, the following bearings and distances:

Along said non-tangent curve to the right having a radial bearing of S 41°51'42" W, a radius of 200.00 feet, a central angle of 21°45'33", a chord bearing and distance of S 37°15'32" E, 75.50 feet, for an arc length of 75.95 feet to a found ½" iron rod with a red cap stamped "C-RAS3976" at the point of curvature of a non-tangent curve to the left;

Along said non-tangent curve to the left having a radial bearing of N 63°37'01" E, a radius of 200.07 feet, a central angle of 21°45'05", a chord bearing and distance of S 37°15'32" E, 75.50 feet, for an arc length of 75.95 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson";

S 48°08'18" E, 63.28 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson" at the point of curvature of a curve to the left;

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555 East Ramsey San Antonio, Texas 78216
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Along the arc of said curve to the left having a radius of 200.00 feet, a central angle of $17^{\circ}15'14''$, a chord bearing and distance of $S 56^{\circ}45'55'' E$, 60.00 feet, for an arc length of 60.23 feet to a found $\frac{1}{2}$ " iron rod with a red cap stamped "C-RAS 3976" at the point of curvature of a compound curve to the left;

Along the arc of said compound curve to the left having a radius of 563.58 feet, a central angle of $05^{\circ}22'02''$, a chord bearing and distance of $S 68^{\circ}04'33'' E$, 52.77 feet, and an arc length of 52.79 feet to a found "X" in concrete;

THENCE: $S 12^{\circ}31'00'' E$, Departing said south line of Lot 2, Block 16, New City Block 16386, along and with an east line of said 39.287 acre tract, a distance of 308.26 feet to a found $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson";

THENCE: $S 33^{\circ}22'55'' W$, over and across said 39.287 acre tract, a distance of 527.70 feet to a point on the west line of said 39.287 acre tract, on the east line of an abandoned, unclaimed strip of land shown as part of the Old San Antonio Fredericksburg Road right-of-way per the Union Pacific Railroad Company abandonment of right-of-way map dated May 22, 2001;

THENCE: Along and with said west line for the following bearings and distances:

$N 26^{\circ}58'44'' W$, a distance of 455.68 feet to a found $\frac{1}{2}$ " iron rod;

$N 24^{\circ}14'02'' W$, a distance of 145.46 feet to a found "X" in concrete;

$N 11^{\circ}41'59'' E$, a distance of 202.88 feet to a found $\frac{1}{2}$ " iron rod with a yellow cap stamped "Pape-Dawson" on the southeast right-of-way line of Aue Road;

THENCE: $N 40^{\circ}21'01'' E$, along and with said east right-of-way line of Aue Road, a distance of 285.35 feet to the POINT OF BEGINNING, and containing 7.101 acres in the City of San Antonio, Bexar County, Texas.

"This document was prepared under 22TAC663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: April 9, 2013
JOB No.: 7488-23
DOC.ID.: N:\CIVIL\7488-23\WORD\7488-23 FN-7.101 AC ZONING.docx
TBPE Firm Registration #470
TBPLS Firm Registration #100288-00



**PAPE-DAWSON
ENGINEERS**

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e-Filed & e-Recorded in the
Official Public Records of
BEXAR COUNTY
GERARD C. RICKHOFF
COUNTY CLERK
Fees \$40.00

STATE OF TEXAS
COUNTY OF BEXAR
This is to Certify that this document
was e-FILED and e-RECORDED in the Official
Public Records of Bexar County, Texas
on this date and time stamped thereon.
08/16/2013 11:23AM
COUNTY CLERK, BEXAR COUNTY TEXAS



Gerard C. Rickhoff