



AFTER RECORDING RETURN TO:

Robert D. Burton

Kristi E. Stotts

Winstead, PC

401 Congress Ave., Suite 2100

Austin, Texas 78701

## NOTICE OF NON-UNIFORM ASSESSMENT

*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.

### Notice of Non-Uniform Assessment

This Notice of Non-Uniform Assessment (this "Notice") is made and executed on this 2 day of February, 2016, by INTCO-DOMINION PARTNERSHIP, a Texas general partnership ("Declarant") and agreed to and consented to by The Dominion Homeowners Association, Inc., a Texas non-profit corporation (the "Association"), 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 6L, 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 a certain tract of land defined as the "Club Property" and described on Exhibit "A" to that certain Easement and Maintenance Agreement recorded as Volume 5999, Page 694, of the Official Public Records of Real Property of Bexar County, Texas, incorporated herein and made a part hereof for all purposes (the "Tract"). Assessments will be levied against the Tract in increments known as a "Non-Uniform Commercial Assessment". The Non-Uniform Commercial Assessment is currently set at Three Thousand Four Hundred Dollars (\$3,400.00) per month. Assessments will be levied against the Tract in an amount equivalent to one (1) Non-Uniform Commercial Assessment.

3. Adjustment to Non-Uniform Commercial Assessments. Beginning on January 1, 2018, and continuing annually each year thereafter, the 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, 2017 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 2017 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 Tract is subdivided into additional platted lots, each resulting lot will be allocated one Non-Uniform Commercial Assessment.

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

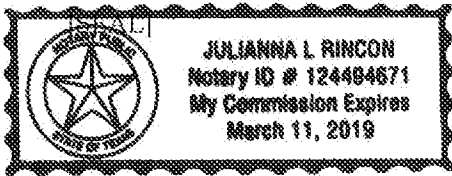
By: INTCO Properties III, L.P.,  
a Texas limited partnership  
its managing general partner

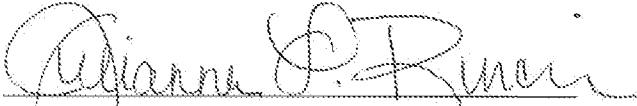
By: INTCO Properties G.P. III, Inc.,  
a Texas corporation,  
its General Partner

By:   
Larry W. Slayter, Vice President

STATE OF TEXAS           §  
  §  
COUNTY OF BEXAR       §

ACKNOWLEDGED, SUBSCRIBED AND SWORN TO BEFORE ME this 2 day of February 2018, 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.



  
Notary Public, State of Texas  
Julianna L. Rincon  
(Name - Typed or Printed)  
March 11, 2019  
(Date Commission Expires)

AGREED TO AND CONSENTED BY:

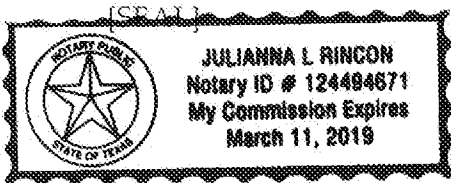
ASSOCIATION:

THE DOMINION HOMEOWNERS ASSOCIATION, INC.,  
a Texas non-profit corporation

By: [Signature]  
Name: James D. Berg  
Title: Chairman of the Board

STATE OF TEXAS           §  
  §  
COUNTY OF BEXAR §

ACKNOWLEDGED, SUBSCRIBED AND SWORN TO BEFORE ME this 2 day of February, 2018, by James D. Berg, the Chairman of The Dominion Homeowners Association, Inc., a Texas non-profit corporation, on behalf of said corporation.



[Signature]  
Notary Public, State of Texas  
Julianna L. Rincon  
(Name - Typed or Printed)  
March 11, 2019  
(Date Commission Expires)

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02/03/2017 4:27PM  
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Official Public Records of  
BEXAR COUNTY  
GERARD C. RICKHOFF  
COUNTY CLERK  
Fees \$42.00

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.  
02/03/2017 4:27PM  
COUNTY CLERK, BEXAR COUNTY TEXAS



*Gerard C. Rickhoff*