

STATE OF TEXAS
COUNTY OF DALLAS

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GF# 1624181 ITC-MODA

**FIFTH AMENDMENT TO SECOND AMENDED AND RESTATED
CONDOMINIUM DECLARATION FOR THE SHELTON CONDOMINIUM**

This Fifth Amendment to Second Amended and Restated Condominium Declaration for the Shelton Condominium (this "**Amendment**") is executed this 9 day of August, 2016, by **THE SHELTON CONDOMINIUM ASSOCIATION**, a Texas nonprofit corporation (the "**Association**"), on behalf of the Unit Owners who have consented to this Amendment in accordance with the provisions of the Declaration.

RECITALS

- A. The land and building located at 5909 Luther Lane, Dallas, Texas 75225 are subject to the Second Amended and Restated Condominium Declaration for The Shelton Condominium, dated April 18, 2006 (the "**2006 Declaration**"), executed by **SHELTON DUNHILL, LTD.**, a Texas limited partnership ("**Declarant**"), and recorded on August 24, 2006 as Document No. 200600313093 in the Real Property Records of Dallas County, Texas (the "**Records**").
- B. The 2006 Declaration was amended by:
- (1) First Amendment to the Second Amended and Restated Condominium Declaration for the Shelton Condominium dated as of June 29, 2007, executed by Declarant, and recorded on July 12, 2007, as Document No. 20072250842 in the Records,
 - (2) Second Amendment to the Second Amended and Restated Condominium Declaration for the Shelton Condominium dated as of September 21, 2007, executed by Declarant, and recorded on November 30, 2007, as Document No. 20070427250 in the Records,
 - (3) Third Amendment to the Second Amended and Restated Condominium Declaration for the Shelton Condominium dated as of January 5, 2015, executed by Declarant, and recorded on January 5, 2015, as Document No. 201500001370 in the Records, and
 - (4) Fourth Amendment to the Second Amended and Restated Condominium Declaration for the Shelton Condominium dated as of March 25, 2016, executed by Declarant, and recorded on April 26, 2016, as Document No. 201600109912 in the Records (the "**Fourth Amendment**").

The 2006 Declaration, as amended by the amendments described in Recital B, is referred to herein as the "**Declaration**". *Capitalized terms used and not otherwise defined in this Amendment have the meanings ascribed to them in the Declaration.*

- C. The requisite percentage of Unit Owners have agreed to amend the Declaration as set forth below.

AMENDMENT

The Declaration is hereby amended as follows:

1. Modification of Exhibit B-1. The Parking/Storage Space List attached as Exhibit B-1 to the Fourth Amendment is hereby deleted in its entirety and replaced with Exhibit B-1 attached to this Amendment.

2. Miscellaneous.

- (a) Severability. The invalidity or unenforceability of one or more covenants, terms, or conditions in this Amendment will not affect the remainder of this Amendment.
- (b) Binding Effect; Runs with the Land. All provisions of the Declaration, as amended by this Amendment, will be construed to be covenants running with the land and with every part thereof and interest therein, and every Unit Owner and claimant of the Property or any part thereof or interest therein, and his or her heirs, executors, administrators, personal representatives, successors, assigns, and lessees will be bound by all the provisions of the Declaration, as amended by this Amendment.
- (c) Final Agreement. This Amendment is the final, complete, and exclusive agreement of the Unit Owners regarding the subject matter set forth herein. This Amendment supersedes all other agreements, representations, and understandings regarding the subject matter of this Amendment. The Declaration, as modified by this Amendment, may only be modified in the manner set forth in the Declaration.

This Amendment will be effective when it is recorded in the Records.

THE SHELTON CONDOMINIUM ASSOCIATION, a Texas
nonprofit corporation

By: [Signature]
Name: Tom Decker
Title: Authorized Person

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The foregoing instrument was acknowledged before me this 9 day of August, 2016, by Tom Decker Authorized Person of The Shelton Condominium Association, a Texas nonprofit corporation, on behalf of said non-profit corporation.

[Signature]
Notary Public, State of Texas

My commission expires:

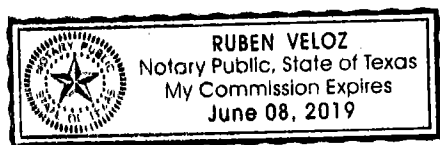


EXHIBIT B-1**SHELTON – PARKING SPACES AND STORAGE LOCKERS EXHIBIT,**

This Exhibit B-1 replaces the the Shelton – Parking Spaces and Storage Lockers Exhibit attached as Exhibit B-1 to the Third Amendment.

SHELTON – PARKING SPACES AND STORAGE LOCKERS

UNIT	PARKING SPACE NO.				STORAGE LOCKER NO.			
	First	Second	Third	Fourth	First	Second	Third	Fourth
700	102	103			1			
701	104	105			2			
702	106	107			3			
703	108	109			4			
704	110	111			5			
706	112	113			6			
707	116	120			8			
708	114	115			7			
800	121	122			9			
801	123	124			11	12		
802	125	129			13	16		
803	130	131			17			
804	132	133			18	19		
805	437	438			126	127		
806	317	318			86			
807	141	142			31			
808	143	144			32			
900	145	146			33			
901	147	148			34			
902	149	150			35			
903	151	152			36			
904	153	154			37			

UNIT	PARKING SPACE NO.				STORAGE LOCKER NO.			
	First	Second	Third	Fourth	First	Second	Third	Fourth
905	155	156			38			
906	201	202			42			
907	203	204			43			
908	205	206			44			
1000	207	208			45			
1001	209	210			46			
1002	211	212			47			
1003	217	218			49			
1004	213	214	215		48	50		
1005	218-A	218-B	218-C	218-D	51	52	60	62
1006	218-E	219			53			
1100	220	221			74			
1101	225	226			54	55		
1102	227	230			57	58		
1103	228	229			56	75		
1104	231	232	233		59	61		
1105	236	237	238	239	63	64		
1106	240	241			65			
1200	248	249			69			
1201	511	512	513	514	149	150		
1202	246	247			68			
1204	250	251	252		70	71		
1205	253	254			72			
1206	315	316			85			
1207	301	302			76			
1400	304	305			80			
1401	306	307			81			

UNIT	PARKING SPACE NO.				STORAGE LOCKER NO.			
	First	Second	Third	Fourth	First	Second	Third	Fourth
1402	308	309			82			
1403	310	311			83			
1404	312	313	314		84	79		
1405	433	434	435	436	124	125		
1406	255	256			73			
1500	139	140			30			
1501	319	320	321	322	87	89	90	91
1502	326	327			92			
1504	539	540	541		157	162		
1505	328	329	332	333	105	107		
1506	330	331			103	104		
1600	405	406	403	404	110	111	112	
1601	401	402	407	408	113			
1604	409	410	411		109	114		
1605	441	442	414	415	118	116		
1606	416	417			117			
1700	418	421			120	121		
1701	422	423	424	425	119	140		
1702	429	430			138	139		
1704	426	427	428		106			
1705	439	440	412	413	128	115		
1706	137	138			29			
1800	625	626	627	628	196	197	198	
1801	431	432	448	449	122	134		
1804	450	451	452		132			
1805	453	454	457	458	135	137		
1806	455	456			136			

UNIT	PARKING SPACE NO.				STORAGE LOCKER NO.			
	First	Second	Third	Fourth	First	Second	Third	Fourth
1900	501	502			142			
1901	503	504	505		145	146		
1902	506	507			147			
1904	508	509	510		144	148		
1905	242	243	244	245	66	67		
1906	515	516			151			
2000	522	523	524	525	154	155	156	
2001	519	520			153			
2003	517	518			152			
2004	527	528	529		141			
2005	557	558			177			
2006	531	532			179	180		
2007	533	534			158	159		
2100	535	538			161-A	161		
2101	536	537	526	530	160	174	164	165 & 166
2102	323	324	325		88			
2104	544	545	546		167	168	169	
2105	547	548			170	171	172	
2107	549	550			173			
2200	552	551			178			
2201	553	554			175	176		
2202	559	560	561		181			
2203	601	602			183			
2204	603	604	605		186	189		
2205	606	607	608	609	187	188		
2300 – PH	610	611	612	613	190	191		

UNIT	PARKING SPACE NO.				STORAGE LOCKER NO.			
	First	Second	Third	Fourth	First	Second	Third	Fourth
2302 – PH	444	445	446	447	129	130	131	133
2301 – PH	614	615			192			
2303 – PH	616	617			193			
2305 – PH	618	637			202			
2304 – PH	635	636			201			
2306 – PH	629	630			218			
2308 – PH	631	632			217	199		
2307 – PH	633	634			200			
2309 – PH	623	624			219			
2311 – PH	638	639	640		201 1/2	203		
Guests	117	118	119		10	39	40	
Guests	216	234	235	257	77	99	100	101
Guests	258	259	334	335	163	182	185	204
Guests	336	349	350	351	205	206	207	208
Guests	419	420	459	460	209	210	211	212
Guests	461	521	555	556	213	123		
Guests	620	621	644					
Guests	645	646	647	648	20	21	22	
Guests	649	650	651	652	23	24	25	
Guests	653	654	655	656	26	27	28	
Guests	658	659			41	78	93	
Guests					94	97	98	
Handicap	341	342	343	344				
Handicap	345	346	347	348	108	184	143	220

Filed and Recorded
 Official Public Records
 John F. Warren, County Clerk
 Dallas County, TEXAS
 08/10/2016 10:54:44 AM
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