

**AFTER RECORDING RETURN TO:**

Jennifer Cook Purcell, Esq.  
DLA PIPER LLP (US)  
401 Congress Ave., Ste 2500  
Austin, Texas 78701  
jennifer.purcell@dlapiper.com



**PLUM CREEK MIXED-USE**  
**NOTICE OF ANNEXATION**

***RESIDENTIAL TRACT 2 – UPTOWN NORTH***

*Hays County, Texas*

**Votes: 116.6**

**Assessment Units: 116.6**

**Declarant: PLUM CREEK DEVELOPMENT PARTNERS, LTD., a Texas limited partnership  
MOUNTAIN PLUM, LTD., a Texas limited partnership**

Cross reference to Plum Creek Mixed-Use Master Declaration, recorded as Document No. 17035892 in the Official Public Records of Hays County, Texas, as amended.



**PLUM CREEK MIXED-USE**  
**NOTICE OF ANNEXATION**

***RESIDENTIAL TRACT 2 – UPTOWN NORTH***

This Plum Creek Mixed-Use Notice of Annexation – Residential Tract 2 – Uptown North (this “**Notice**”) is made and executed by **PLUM CREEK DEVELOPMENT PARTNERS, LTD.**, a Texas limited partnership and **MOUNTAIN PLUM, LTD.**, a Texas limited partnership (collectively, “**Declarant**”) and is as follows:

1. **Applicability of Master Declaration.** This Notice is Recorded with respect to Lots 2 and 3 of Plum Creek Phase II, Uptown North Subdivision, a subdivision located in Hays County, Texas, according to the map or plat recorded in Document No. 19044530 in the Official Public Records of Hays County, Texas (collectively, the “**Development Tract**”). Pursuant to that certain Plum Creek Mixed-Use Master Declaration, recorded as Document No. 17035892 in the Official Public Records of Hays County, Texas, as may be amended from time to time (the “**Master Declaration**”), Declarant served notice that portions of the Property, upon the filing of a Notice of Annexation, may be made a part of the Development and thereby fully subjected to Master Declaration.

2. **Development Tract Incorporated Into Development.** The Development Tract is part of the Property. The provisions of the Master 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 Master Declaration

3. **Allocation of Votes and Assessment Units.** Pursuant to *Section 3.04* and *Section 5.09* of the Master Declaration, 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.

The number of votes and Assessment Units of each Lot, in accordance with *Section 3.04(a)* and *Section 5.09(b)* of the Master Declaration, may be modified if the Improvements actually constructed on such Lot differ from the Improvements contemplated to be constructed thereon at the time this Notice was originally Recorded. Any modification to the number of votes and Assessment Units allocated a Lot in the Development Tract will be in accordance with the formula set forth in the paragraph below.

For the purposes of *Section 3.04(a)* of the Master Declaration, on the date this Notice is Recorded, 67 detached units and 62 attached units (the “**Projected Units**”) are anticipated to be constructed on the Development Tract. The votes and Assessment Units allocated to each Lot of the Development Tract are equal to such Projected Units set forth on Attachment 1. In the event that all or any portion of the Development Tract is submitted to the condominium form of ownership, each Condominium Unit will be allocated a proportionate share of the total votes and Assessment Units allocated to such Lot of the Development Tract, which allocation will be based on the relative size of a Condominium Unit compared to all other Condominium Units.

4. **Amendment.** This Notice may not be amended without the written consent of the Owner the Development Tract, which consent cannot be unreasonably withheld, conditioned or delayed.

5. **Miscellaneous.** This Notice constitutes a Notice of Annexation under *Section 9.05* of the Master Declaration. Any capitalized terms used and not otherwise defined in this Notice shall have the meanings set forth in the Master Declaration.

*[SIGNATURE PAGE FOLLOWS]*

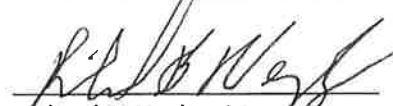
EXECUTED to be effective on the date this instrument is Recorded.

**DECLARANT:**


**PLUM CREEK DEVELOPMENT PARTNERS, LTD.,** a Texas limited partnership

By: PCDP General Partner, LLC, a Texas limited liability company, its General Partner

By:

  
Richard B. Negley, Manager

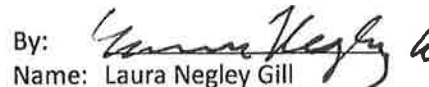
By:

  
Thomas J. Smith, Manager

By:

MountainCityLand, LLC,  
a Texas limited liability company

By:

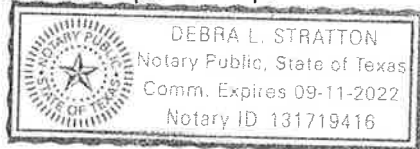
  
Name: Laura Negley Gill  
Title: Manager

*[ACKNOWLEDGEMENTS ON FOLLOWING PAGE]*

THE STATE OF TEXAS §  
 COUNTY OF HAYS §

This instrument was acknowledged before me on this 11th day of December, 2019, by Richard B. Negley, Manager of PCDP General Partner, LLC, a Texas limited liability company, General Partner of Plum Creek Development Partners, Ltd., a Texas limited partnership, on behalf of said limited liability company and limited partnership.

(seal)

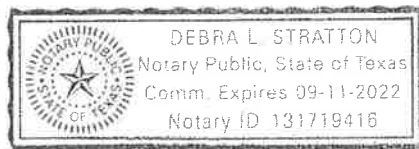


Debra Stratton  
 Notary Public, State of Texas

THE STATE OF TEXAS §  
 COUNTY OF HAYS §

This instrument was acknowledged before me on this 11th day of December, 2019, by Thomas J. Smith, Manager of PCDP General Partner, LLC, a Texas limited liability company, General Partner of Plum Creek Development Partners, Ltd., a Texas limited partnership, on behalf of said limited liability company and limited partnership.

(seal)

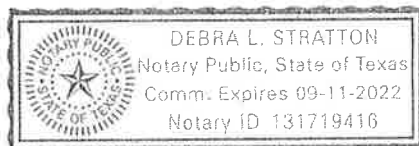


Debra Stratton  
 Notary Public, State of Texas

THE STATE OF TEXAS §  
 COUNTY OF HAYS §

This instrument was acknowledged before me on this 11th day of December, 2019, by Laura Negley Gill, Manager of MountainCityLand, LLC, a Texas limited liability company, Manager of PCDP General Partner, LLC, a Texas limited liability company, General Partner of Plum Creek Development Partners, Ltd., a Texas limited partnership, on behalf of said limited liability companies and limited partnership.

(seal)

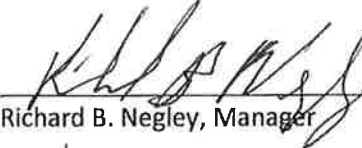


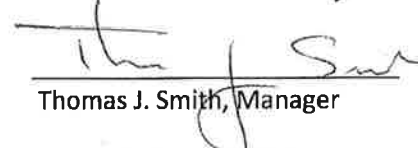
Debra Stratton  
 Notary Public, State of Texas

**DECLARANT:**

**MOUNTAIN PLUM, LTD.,** a Texas limited partnership

By: MP General, L.L.C., a Texas limited liability company, its  
General Partner

By:   
Richard B. Negley, Manager

By:   
Thomas J. Smith, Manager

By: MountainCityLand, LLC,  
a Texas limited liability company, its manager

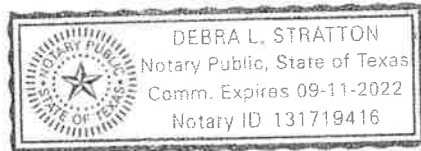
By:   
Name: Laura Negley Gill  
Title: Manager

*[ACKNOWLEDGEMENTS ON FOLLOWING PAGE]*

THE STATE OF TEXAS                   §  
   §  
 COUNTY OF HAYS                   §

This instrument was acknowledged before me on this 16th day of December, 2019, by Richard B. Negley, Manager of MP General, L.L.C., a Texas limited liability company, General Partner of Mountain Plum, Ltd., a Texas limited partnership, on behalf of said limited liability company and limited partnership.

(seal)

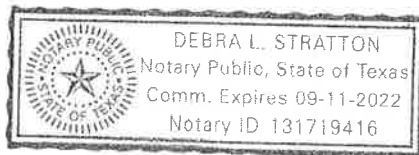


Debra Stratton  
 Notary Public, State of Texas

THE STATE OF TEXAS                   §  
   §  
 COUNTY OF HAYS                   §

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(seal)

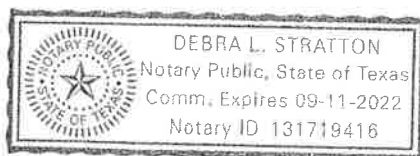


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THE STATE OF TEXAS                   §  
   §  
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(seal)



Debra Stratton  
 Notary Public, State of Texas

## ATTACHMENT 1

## ALLOCATION OF VOTES AND ASSESSMENT UNITS

<b>Votes</b>	<b>Assessment Units</b>
117	117

Attachment 1

$$1'' = 1'' \text{ } 000 \text{ } 000$$

PLUM CREEK MIXED-USE  
NOTICE OF ANNEXATION  
RESIDENTIAL TRACT 2 – UPTOWN NORTH

1" = "1" "WEST\286697283.1" "" WEST\286697283.1

**THE STATE OF TEXAS  
COUNTY OF HAYS**

I hereby certify that this instrument was FILED on the  
date and the time stamped hereon by me and was duly  
RECORDED in the Records of Hays County, Texas.

20001815 NOTICE

01/16/2020 01:49:29 PM Total Fees: \$54.00

Elaine H. Cárdenas, MBA, PhD, County Clerk  
Hays County, Texas

A handwritten signature in cursive script that reads "Elaine H. Cárdenas".