

ENABLING DECLARATION

**CONDOMINIUM  
RECORDS**

FOR ESTABLISHMENT OF A CONDOMINIUM REGIME FOR  
UNIVERSITY PLACE CONDOMINIUM

THE STATE OF TEXAS       X  
COUNTY OF DALLAS        X

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, REAL INVESTMENTS, INC., hereinafter called "Grantor", is the sole owner in fee simple of the real property hereinafter described upon which there is situated an apartment project consisting of six multiple unit apartment buildings, containing a total of seventy-six individual apartments, and two garage or carport structures, containing a total of ninety-five individual parking spaces, together with certain other facilities and structures as appurtenances thereto, which apartment project is known as University Place Condominium; and

WHEREAS, said Grantor now submits said property and improvements thereon to the condominium regime established by the Texas Condominium Act, in order to hereby establish by this Declaration a plan for the individual and exclusive ownership of the separate real property freehold estates thereby created, consisting of the area or space enclosed within the boundaries, as herein defined, of each apartment in said multiple unit apartment buildings and the co-ownership, as tenants in common, of all the remaining real property which is hereinafter defined as the "common elements" of the property:

Now, therefore, in furtherance of said plan of condominium ownership and the purposes and intents hereof, said Grantor, the sole owner in fee simple of said property and improvements, hereby makes the following declarations as to the provisions, descriptions, definitions, restrictions, covenants, limitations, conditions, rights, privileges, obligations and liabilities which shall apply to, govern, control and regulate the sale, re-sale or other disposition, acquisition, ownership, use and enjoyment of said property and improvements and the real property freehold estates hereby established, hereby specifying and agreeing that said declarations and the provisions hereof shall be and constitute covenants to run with the land and shall be binding on Grantor, its successors and assigns, and all subsequent owners of all or any part of said real property and improvements, together with their grantees, successors, heirs, executors, administrators, devisees, or assigns, to-wit:

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1. Said Grantor, in order to establish said plan of condominium ownership for the hereinbelow described property and improvements, hereby expressly submits said property and improvements to the condominium regime established by the Texas Condominium Act, as now existing or hereafter amended, and does hereby covenant and agree that it hereby divides said real property into the following separate freehold estates, to-wit:

(a) Each of the seventy-six individual apartment spaces in said multiple unit apartment buildings hereinafter described shall constitute a separate freehold estate. The boundaries of each such apartment space shall be and are the interior surfaces of the perimeter walls, floors, ceilings, and the unit includes both the portions of the building so described and the airspace so encompassed, excepting the common elements. The individual ownership of each apartment space herein defined shall further include the interior construction, interior dividing walls, partitions, appliances, fixtures and improvements which are intended to exclusively serve such apartment space, such as interior room walls, floors and ceiling covering or finish, closets, cabinets, shelving, individual bathroom and kitchen fixtures, plumbing and appliances, individual lighting and electrical fixtures, air conditioning and heating equipment (including all such equipment exclusively servicing the apartment but located outside of the perimeter boundary of said apartment) and other separate items or chattels belonging exclusively to such apartment which may be removed, replaced, disposed of or otherwise treated without affecting any other apartment space or the ownership, use or enjoyment thereof. None of the land in this project on which any apartment or carport or parking space is located shall be separately owned, as all land in this project shall constitute part of the "general common elements" of the property as hereinafter defined, and shall be owned in common by the owners of the apartment units in this condominium project.

(b) The "general common elements" of the property as described and defined in paragraph 11, below, and the respective undivided interest therein of each owner of an individual apartment space, shall constitute a freehold estate; and it is hereby covenanted and stipulated that each such undivided interest in the general common elements shall be held and owned together with and may not be sold, conveyed or otherwise disposed of or encumbered separate from the individual apartment to which it is allocated.

2. For the purposes of this Declaration, the ownership of each "apartment space" shall include the apartment space itself and the respective undivided interest in the general common elements allocated to the apartment space, and such apartment space, and undivided interest in the general common elements shall together constitute an apartment unit.

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3. The legal description of the land, known as the project tract of land, which together with all improvements thereon is hereby submitted to said condominium regime, is situated in Dallas County, Texas, and is more fully described as follows:

Being a tract or parcel of land situated in the City of Dallas, Dallas County, Texas; and being Block 3/5406 of Caruth Manor No. 1 Revised, an addition to the City of Dallas, Texas as recorded in Volume 48, Page 95 of the Map and Deed Records of Dallas County, Texas; and being more particularly described as follows:

BEGINNING at a point for corner in the intersection of the southerly line of University Boulevard (60 feet wide) and the westerly line of Skillman Avenue (100 feet wide);

THENCE in a southerly direction along the westerly line of Skillman Avenue and along a curve to the right having a radius of 5779.58 feet, a central angle of  $0^{\circ} 06' 52''$  and an arc length of 11.54 feet to the end of said curve to the right;

THENCE South  $0^{\circ} 00' 40''$  East continuing along said westerly line of Skillman Avenue a distance of 294.96 feet to a point for corner;

THENCE due West along the northerly line of a 15 foot wide alley a distance of 398.80 feet to an angle point;

THENCE South  $62^{\circ} 00' 00''$  West continuing along said northerly line of alley a distance of 124.70 feet to a point for corner in the northeasterly line of Amesbury Drive (50 feet wide);

THENCE North  $28^{\circ} 14' 00''$  West along the northeasterly line of Amesbury Drive a distance of 358.60 feet to an angle point;

THENCE North  $21^{\circ} 04' 00''$  East along the southeasterly cut-off line between the southerly line of University Boulevard and said northeasterly line of Amesbury Drive a distance of 12.97 feet to the beginning of a curve to the right;

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THENCE in a northeasterly and easterly direction along the southerly line of University Boulevard and along said curve to the right having a radius of 696.05 feet, a central angle of 18° 46' 00" and an arc length of 227.98 feet to the end of said curve to the right;

THENCE due East continuing along said southerly line of University Boulevard a distance of 449.91 feet to the POINT OF BEGINNING and containing 4.3939 acres.

Said land is described in Exhibits 1 and 2 attached hereto and made a part hereof by reference.

4. There is attached to this Declaration and made a part hereof as Exhibit 2 hereto, a survey plat which depicts said land as above described and the location of each of the six multiple unit apartment buildings located thereon, denoted as Building A, Building B, etc.

5. The six multiple unit apartment buildings shown and denoted on the above mentioned plat together with the two storage and laundry buildings are generally described as follows:

Building A. This building has two stories and contains six apartments on each floor; it has a total area of 17,374 square feet, of which 15,480 are within the apartments; it is constructed of wood framing, brick veneer siding, flat built up tar and gravel roof with composition shingle facade, pier and beam foundation, aluminum windows and is fully guttered.

Building B. This building has two stories and contains six apartments on each floor; it has a total area of 19,070 square feet, of which 17,790 are within the apartments; it is constructed of wood framing, brick veneer siding, flat built up tar and gravel roof with composition shingle facade, pier and beam foundation, aluminum windows and is fully guttered.

Building C. This building has two stories and contains four apartments on each floor; it has a total area of 12,220 square feet, of which 10,872 are within the apartments; it is constructed of wood framing, brick veneer siding, flat built up tar and gravel roof with composition shingle facade, pier and beam foundation, aluminum windows and is fully guttered.

Building D. This building has two stories and contains seven apartments on each floor; it has a total area of 22,102 square feet, of which 19,872 are within the apartments; it is constructed of wood framing, brick veneer siding, flat built up tar and gravel roof with composition shingle facade, pier and beam foundation, aluminum windows and is fully guttered.

Building E. This building has two stories and contains seven apartments on each floor; it has a total area of 22,016 square feet, of which 19,683 are within the apartments; it is constructed of wood framing, brick veneer siding, flat built up tar and gravel roof with composition shingle facade, pier and beam foundation, aluminum windows and is fully guttered.

Building F. This building has two stories and contains eight apartments on each floor; it has a total area of 24,236 square feet, of which 21,402 are within the apartments; it is constructed of wood framing, brick veneer siding, flat built up tar and gravel roof with composition shingle facade, pier and beam foundation, aluminum windows and is fully guttered.

Building G. This building has two stories and contains storage areas on each floor; it has a total area of 1,615 square feet; it is constructed of wood framing, brick veneer siding, flat built up tar and gravel roof and pier and beam foundation.

Building H. This building has one story and contains a storage area and laundry room; it has a total area of 730 square feet; it is constructed of wood framing, brick veneer siding, flat built up tar and gravel roof and concrete slab foundation.

6. The seventy-six individual apartment spaces hereby established and which shall be individually conveyed and owned each have a direct exit to a thoroughfare or to a given common space, leading to a thoroughfare, and they are described as follows:

Apartment 101. Located on the first floor of Building A as shown on Exhibit "A-1" attached hereto and contains 1290 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen and den.

Apartment 201. Located on the second floor of Building A as shown on Exhibit "A-2" attached hereto and contains 1290 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen and den.

Apartment 102. Located on the first floor of Building A as shown on Exhibit "A-3" attached hereto and contains 1290 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen and den.

Apartment 202. Located on the second floor of Building A as shown on Exhibit "A-4" attached hereto and contains 1290 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen and den.

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Apartment 103. Located on the first floor of Building A as shown on Exhibit "A-5" attached hereto and contains 1290 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 203. Located on the second floor of Building A as shown on Exhibit "A-6" attached hereto and contains 1290 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen and den.

Apartment 104. Located on the first floor of Building A as shown on Exhibit "A-7" attached hereto and contains 1290 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen and den.

Apartment 204. Located on the second floor of Building A as shown on Exhibit "A-8" attached hereto and contains 1290 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen and den.

Apartment 105. Located on the first floor of Building A as shown on Exhibit "A-9" attached hereto and contains 1290 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen and den.

Apartment 205. Located on the second floor of Building A as shown on Exhibit "A-10" attached hereto and contains 1290 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen and den.

Apartment 106. Located on the first floor of Building A as shown on Exhibit "A-11" attached hereto and contains 1290 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen and den.

Apartment 206. Located on the second floor of Building A as shown on Exhibit "A-12" attached hereto and contains 1290 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen and den.

Apartment 107. Located on the first floor of Building B as shown on Exhibit "B-1" attached hereto and contains 1506 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen and den.

Apartment 207. Located on the second floor of Building B as shown on Exhibit "B-2" attached hereto and contains 1472 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen and den.

Apartment 108. Located on the first floor of Building B as shown on Exhibit "B-3" attached hereto and contains 1555 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 208. Located on the second floor of Building B as shown on Exhibit "B-4" attached hereto and contains 1524 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 109. Located on the first floor of Building B as shown on Exhibit "B-5" attached hereto and contains 1457 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 209. Located on the second floor of Building B as shown on Exhibit "B-6" attached hereto and contains 1457 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 110. Located on the first floor of Building B as shown on Exhibit "B-7" attached hereto and contains 1413 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen and den.

Apartment 210. Located on the second floor of Building B as shown on Exhibit "B-8" attached hereto and contains 1413 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen and den.

Apartment 111. Located on the first floor of Building B as shown on Exhibit "B-9" attached hereto and contains 1457 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 211. Located on the second floor of Building B as shown on Exhibit "B-10" attached hereto and contains 1457 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 112. Located on the first floor of Building B as shown on Exhibit "B-11" attached hereto and contains 1555 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 212. Located on the second floor of Building B as shown on Exhibit "B-12" attached hereto and contains 1524 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 113. Located on the first floor of Building C as shown on Exhibit "C-1" attached hereto and contains 1359 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 213. Located on the second floor of Building C as shown on Exhibit "C-2" attached hereto and contains 1359 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 114. Located on the first floor of Building C as shown on Exhibit "C-3" attached hereto and contains 1359 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 214. Located on the second floor of Building C as shown on Exhibit "C-4" attached hereto and contains 1359 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 115. Located on the first floor of Building C as shown on Exhibit "C-5" attached hereto and contains 1359 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 215. Located on the second floor of Building C as shown on Exhibit "C-6" attached hereto and contains 1359 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 116. Located on the first floor of Building C as shown on Exhibit "C-7" attached hereto and contains 1359 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 216. Located on the second floor of Building C as shown on Exhibit "C-8" attached hereto and contains 1359 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 117. Located on the first floor of Building D as shown on Exhibit "D-1" attached hereto and contains 1359 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 217. Located on the second floor of Building D as shown on Exhibit "D-2" attached hereto and contains 1359 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 118. Located on the first floor of Building D as shown on Exhibit "D-3" attached hereto and contains 1359 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 218. Located on the second floor of Building D as shown on Exhibit "D-4" attached hereto and contains 1359 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 119. Located on the first floor of Building D as shown on Exhibit "D-5" attached hereto and contains 1359 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.



Apartment 219. Located on the second floor of Building D as shown on Exhibit "D-6" attached hereto and contains 1359 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 120. Located on the first floor of Building D as shown on Exhibit "D-7" attached hereto and contains 1359 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 220. Located on the second floor of Building D as shown on Exhibit "D-8" attached hereto and contains 1359 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 121. Located on the first floor of Building D as shown on Exhibit "D-9" attached hereto and contains 1817 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 221. Located on the second floor of Building D as shown on Exhibit "D-10" attached hereto and contains 1747 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 122. Located on the first floor of Building D as shown on Exhibit "D-11" attached hereto and contains 1359 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 222. Located on the second floor of Building D as shown on Exhibit "D-12" attached hereto and contains 1359 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 123. Located on the first floor of Building D as shown on Exhibit "D-13" attached hereto and contains 1359 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 223. Located on the second floor of Building D as shown on Exhibit "D-14" attached hereto and contains 1359 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 124. Located on the first floor of Building E as shown on Exhibit "E-1" attached hereto and contains 1509 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 224. Located on the second floor of Building E as shown on Exhibit "E-2" attached hereto and contains 1478 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 125. Located on the first floor of Building E as shown on Exhibit "E-3" attached hereto and contains 1290 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen and den.

Apartment 225. Located on the second floor of Building E as shown on Exhibit "E-4" attached hereto and contains 1290 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen and den.

Apartment 126. Located on the first floor of Building E as shown on Exhibit "E-5" attached hereto and contains 1290 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen and den.

Apartment 226. Located on the second floor of Building E as shown on Exhibit "E-6" attached hereto and contains 1290 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen and den.

Apartment 127. Located on the first floor of Building E as shown on Exhibit "E-7" attached hereto and contains 1290 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen and den.

Apartment 227. Located on the second floor of Building E as shown on Exhibit "E-8" attached hereto and contains 1290 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen and den.

Apartment 128. Located on the first floor of Building E as shown on Exhibit "E-9" attached hereto and contains 1290 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen and den.

Apartment 228. Located on the second floor of Building E as shown on Exhibit "E-10" attached hereto and contains 1290 square feet. This apartment has two bedrooms, two bathrooms, a living room, dining room, kitchen and den.

Apartment 129. Located on the first floor of Building E as shown on Exhibit "E-11" attached hereto and contains 1659 square feet. This apartment has two bedrooms, two and one-half bathrooms, a living room, dining room, kitchen, den and fireplace.

Apartment 229. Located on the second floor of Building E as shown on Exhibit "E-12" attached hereto and contains 1659 square feet. This apartment has two bedrooms, two and one-half bathrooms, a living room, dining room, kitchen, den and fireplace.

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