



DECL

2009007301

19 PGS

**AFTER RECORDING RETURN TO:**

Robert D. Burton, Esq.
Armbrust & Brown, L.L.P.
100 Congress Ave., Suite 1300
Austin, Texas 78701

SEVENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME FOR PARADISO VILLAS

A Residential Condominium, Located in Williamson County, Texas

ADDING UNITS 94, 95, 96, 97, 106, 107, 108, 109

Cross Reference to Declaration of Condominium Regime for Paradiso Villas recorded as Document No. 200609882 in the Official Public Records of Williamson County, Texas, as amended by that certain First Amendment Declaration of Condominium Regime for Paradiso Villas recorded as Document No. 2007023480 in the Official Public Records of Williamson County, Texas, as amended by that certain Second Amendment Declaration of Condominium Regime for Paradiso Villas recorded as Document No. 2007063486 in the Official Public Records of Williamson County, Texas, as amended by that certain Third Amendment Declaration of Condominium Regime for Paradiso Villas recorded as Document No. 2007104795 in the Official Public Records of Williamson County, Texas, as amended by that certain Fourth Amendment Declaration of Condominium Regime for Paradiso Villas recorded as Document No. 2008011334 in the Official Public Records of Williamson County, Texas, as amended by that certain Fifth Amendment Declaration of Condominium Regime for Paradiso Villas recorded as Document No. 2008041131 in the Official Public Records of Williamson County, Texas and further amended by that certain Sixth Amendment Declaration of Condominium Regime for Paradiso Villas recorded as Document No. 2008069380 in the Official Public Records of Williamson County, Texas

**SEVENTH AMENDMENT TO DECLARATION OF CONDOMINIUM REGIME
FOR PARADISO VILLAS**

This Seventh Amendment to Declaration of Condominium Regime for Paradiso Villas (the "**Amendment**") is made by **NEWMARK HOMES, L.P.**, a Texas limited partnership, debtor in possession ("**Newmark**"), on behalf of **CASTLETOP CAPITAL ENERGY, L.P.**, a Texas limited partnership ("**Declarant**"), and is as follows:

RECITALS:

A. The Paradiso Villas, a condominium regime (the "**Regime**"), located in Williamson County, Texas, was established pursuant to that certain Declaration of Condominium Regime for Paradiso Villas recorded as Document No. 200609882 in the Official Public Records of Williamson County, Texas, as amended by that certain First Amendment Declaration of Condominium Regime for Paradiso Villas recorded as Document No. 2007023480 in the Official Public Records of Williamson County, Texas, as amended by that certain Second Amendment Declaration of Condominium Regime for Paradiso Villas recorded as Document No. 2007063486 in the Official Public Records of Williamson County, Texas, as amended by that certain Third Amendment Declaration of Condominium Regime for Paradiso Villas recorded as Document No. 2007104795 in the Official Public Records of Williamson County, Texas, as amended by that certain Fourth Amendment Declaration of Condominium Regime for Paradiso Villas recorded as Document No. 2008011334 in the Official Public Records of Williamson County, Texas as amended by that certain Fifth Amendment Declaration of Condominium Regime for Paradiso Villas recorded as Document No. 2008041131 in the Official Public Records of Williamson County, Texas and further amended by that certain Sixth Amendment Declaration of Condominium Regime for Paradiso Villas recorded as Document No. 2008069380 in the Official Public Records of Williamson County, Texas (collectively, the "**Declaration**").

B. Pursuant to *Provision A.3.11 of Appendix "A"* to the Declaration, Declarant may amend the Declaration unilaterally and without the consent of other Owners or any mortgagee to create Units, General Common Elements and Limited Common Elements within the Property.

C. In accordance with *Provision A.3.9 of Appendix "A"* to the Declaration, Declarant has reserved the right, during the Development Period, to create Units, General Common Elements, and Limited Common Elements within the Property. The "Development Period" as such term is defined in the Declaration, is a seven (7) year period commencing on the date the Declaration was recorded in the Official Public Records of Williamson County, Texas. The Declaration was recorded in the Official Public Records of Williamson County, Texas, on November 13, 2006.

D. Declarant desires to amend the Declaration for the purpose of creating eight (8) additional Units within the Regime. The total number of Units within the Regime after giving

effect to this Amendment is equal to fifty-one (51), and the total number of Units which Declarant has reserved the right to create by amendment is equal to eighty-six (86).

E. Pursuant to those certain Special Power of Attorneys for the New Units (as defined below) dated October 31, 2008 and recorded in the Official Public Records of Williamson County, Texas between Declarant and Newmark, Declarant has appointed Newmark, as its attorney-in-fact to execute this Amendment.

NOW THEREFORE, the Declaration is hereby amended as follows:

1. **Creation of Units.** In accordance with the rights reserved by the Declarant pursuant to *Section 5.1* of the Declaration and *Provisions A.3.9 and A.3.11* of Appendix "A" to the Declaration, Declarant hereby creates eight (8) Units, which are designated as Unit Nos. 94, 95, 96, 97, 106, 107, 108 and 109 (collectively, the "New Units"). The New Units are hereby classified as Units which **MUST BE BUILT**.

2. **Replacement of Attachment 2.** Attachment 2 to the Declaration is hereby deleted in its entirety and the Plats and Plans attached hereto as Attachment 1 (the "New Plats and Plans") are substituted in their place. The New Plats and Plans: (i) assign an identifying number to all Units; (ii) describe the portion of the limited common elements created or assigned to all Units; and (iii) include the information required by Section 82.059 of the Texas Uniform Condominium Act.

3. **Replacement of Attachment 3.** The Percentage Interests allocated to all Units within the Regime, after the addition of the New Units, is set forth on Attachment 2, attached hereto. Attachment 2, attached hereto, will supersede and replace Attachment 3 attached to the Declaration.

4. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

[SIGNATURE PAGE FOLLOWS]

EXECUTED to be effective as of the 30 day of JANUARY, 2009.

NEWMARK ON BEHALF OF DECLARANT:

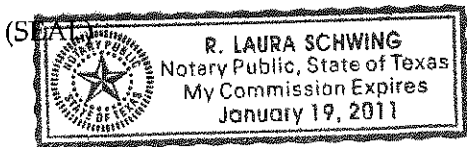
NEWMARK HOMES, L.P., a Texas limited partnership,
Debtor in Possession

By: TOUSA Homes, Inc., a Florida corporation, General
Partner, Debtor in Possession

By: [Signature]
Printed Name: Steven Krasoff
Title: SUP

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me this 30 day of January, 2009 by Steve Krasoff S.V.P. of TOUSA Homes, Inc., a Florida corporation, General Partner of Newmark Homes, L.P., a Texas limited partnership, Debtor in Possession, on behalf of said corporation and limited partnership.



[Signature]
Notary Public Signature

ATTACHMENT 1

**ATTACHMENT 2 TO THE DECLARATION OF CONDOMINIUM REGIME FOR
PARADISO VILLAS**

SEE EXHIBIT NEXT PAGE ORIGINAL CERTIFICATION

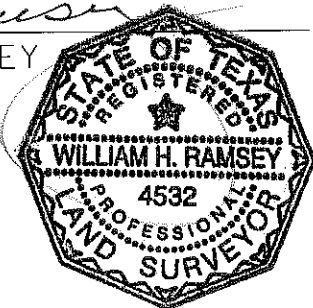
PARADISO CONDOMINIUMS A CONDOMINIUM COMMUNITY

KNOW ALL MEN BY THESE PRESENTS:

THAT I, WILLIAM H. RAMSEY, DO HEREBY CERTIFY THAT
THIS SURVEY CONTAINS ALL THE INFORMATION REQUIRED
OF PLATS AND PLANS UNDER SECTION 82.059 OF THE TEXAS
UNIFORM CONDOMINIUM ACT, CHAPTER 82, TEXAS PROPERTY CODE.

William H. Ramsey

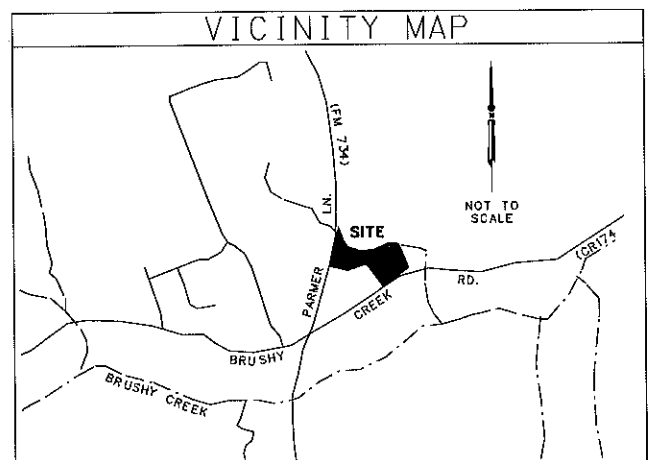
WILLIAM H. RAMSEY
R.P.L.S. #4532

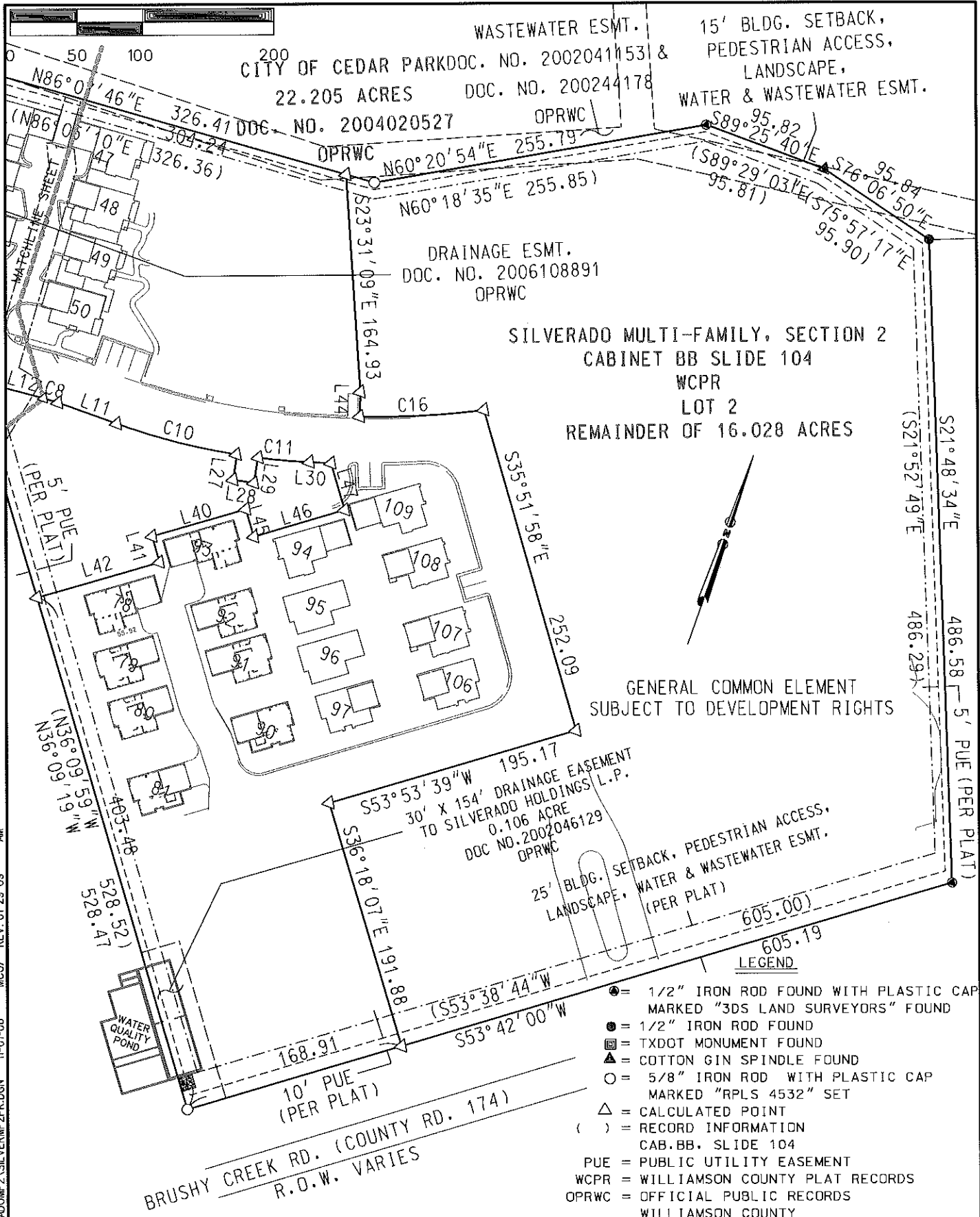


1-26-09
DATE

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P.O. BOX 92768
AUSTIN, TEXAS 78709-2768
PHONE (512) 301-9398
FAX (512) 301-9395
r|survey@flash.net





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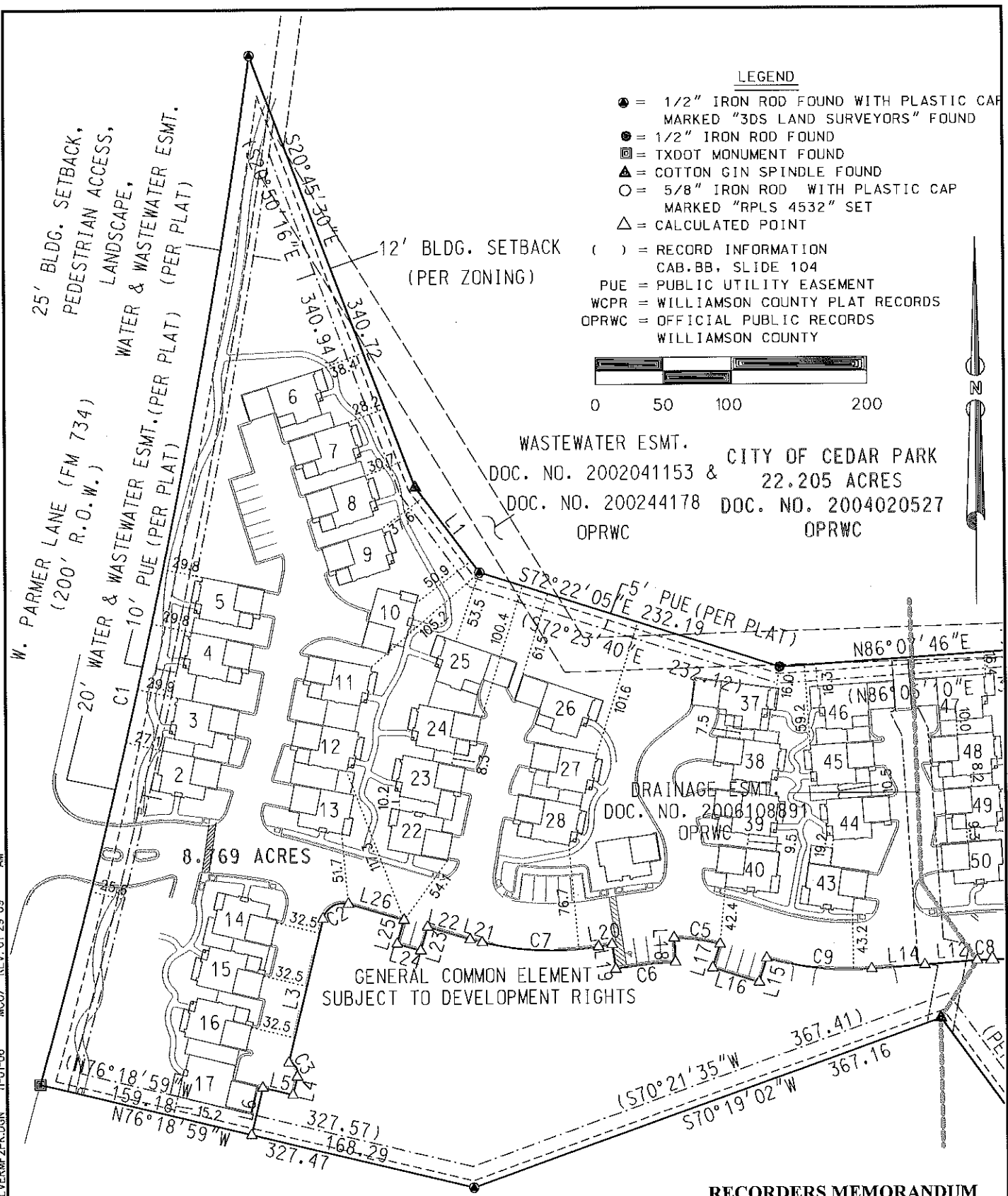
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 bramsey@l surveying.com

PARADISO CONDOMINIUMS
 CONDOMINIUM MAP EXHIBIT

JOB NO. 930-21 SHEET 2 OF 2 C.D.A. GRID NO. G-43

LEGEND

- = 1/2" IRON ROD FOUND WITH PLASTIC CAP MARKED "3DS LAND SURVEYORS" FOUND
- ⊙ = 1/2" IRON ROD FOUND
- ⊠ = TXDOT MONUMENT FOUND
- ▲ = COTTON GIN SPINDLE FOUND
- = 5/8" IRON ROD WITH PLASTIC CAP MARKED "RPLS 4532" SET
- △ = CALCULATED POINT
- () = RECORD INFORMATION CAB.BB, SLIDE 104
- PUE = PUBLIC UTILITY EASEMENT
- WCPR = WILLIAMSON COUNTY PLAT RECORDS
- OPRWC = OFFICIAL PUBLIC RECORDS WILLIAMSON COUNTY



WASTEWATER ESMT.
 DOC. NO. 2002041153 & 22.205 ACRES
 DOC. NO. 200244178 DOC. NO. 2004020527
 OPRWC OPRWC

DRAINAGE ESMT.
 DOC. NO. 2006108891
 OPRWC

GENERAL COMMON ELEMENT C6
 SUBJECT TO DEVELOPMENT RIGHTS

**SILVERADO MULTI-FAMILY, SECTION 1
 CABINET W SLIDE 79**

RECORDERS MEMORANDUM
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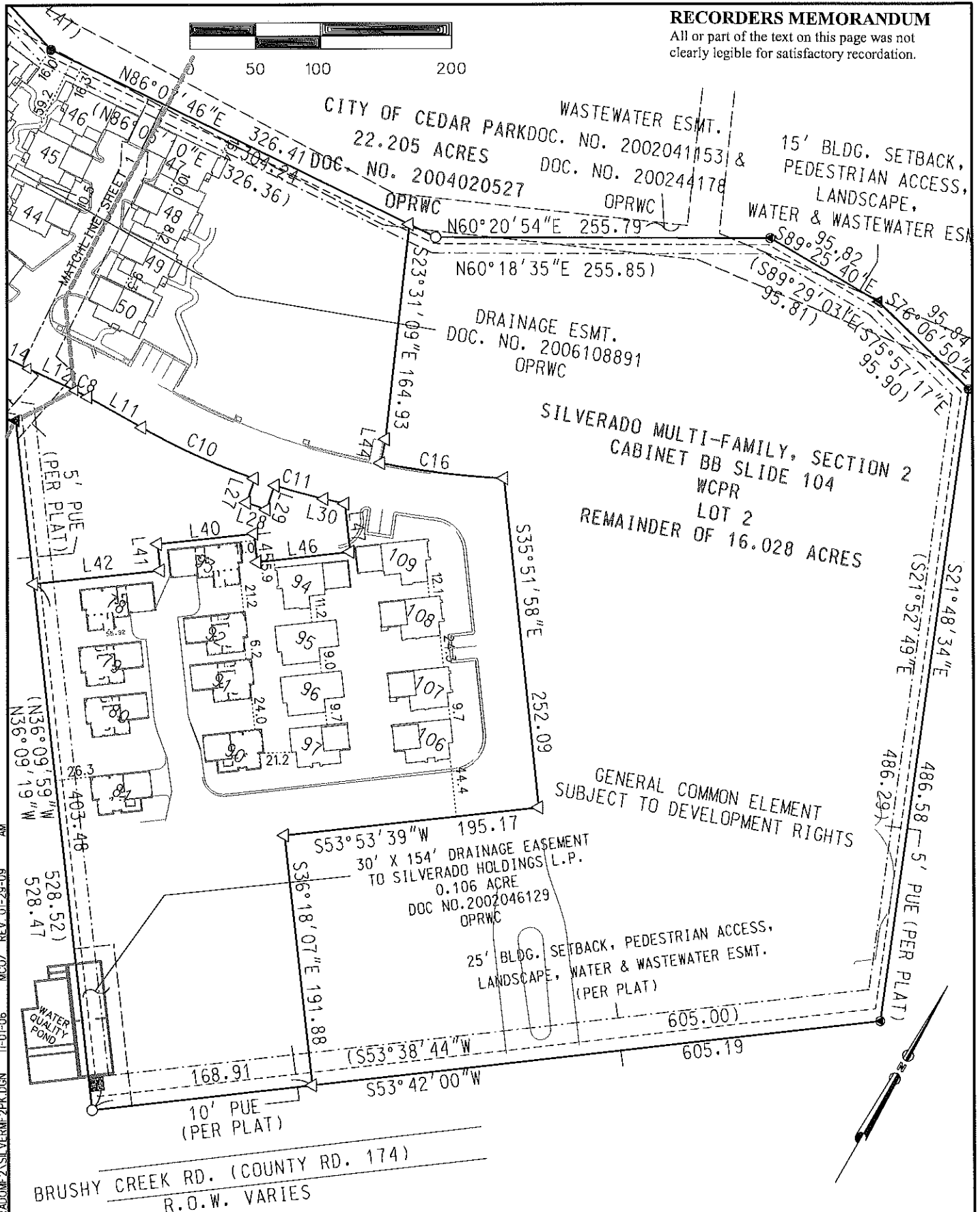
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 bramsey@lrsurveying.com

**PARADISO CONDOMINIUMS
 DIMENSIONAL CONTROL**

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RECORDERS MEMORANDUM

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**PARADISO CONDOMINIUMS
DIMENSIONAL CONTROL**

P:\PROJECTS\930.SILVERADO\2.SILVERM2PK.DGN MCO /REV. 01-28-09

CURVE	LENGTH	DELTA	RADIUS	DIRECTION	CHORD
C1	773.28	07° 36' 01"	5829.58	N11° 42' 02"E	772.71
(C1)	773.38	07° 36' 04"	5829.58	S11° 37' 35"W	772.81
C2	24.33	92° 56' 35"	15.00	S60° 09' 15"W	21.75
C3	13.50	100° 43' 48"	7.68	S29° 10' 48"E	11.82
C5	34.05	12° 25' 36"	157.00	N81° 54' 43"W	33.98
C6	44.39	09° 41' 32"	262.41	S83° 36' 15"W	44.34
C7	86.71	22° 47' 26"	218.00	N87° 37' 59"W	86.14
C8	11.23	03° 32' 10"	182.00	S87° 41' 19"W	11.23
C9	78.26	20° 33' 36"	218.10	N84° 05' 14"W	77.84
C10	94.03	10° 24' 01"	518.00	S84° 32' 17"W	93.90
C11	38.84	04° 17' 45"	518.00	S75° 18' 40"W	38.83
C16	94.71	08° 35' 01"	632.00	N67° 05' 04"E	94.62

LINE	DIRECTION	DISTANCE
L1	S36° 51' 21"E	78.48
L2	S07° 57' 22"E	18.53
L3	S13° 40' 14"W	108.89
L4	S13° 40' 53"W	13.75
L5	N76° 21' 10"W	22.90
L6	S13° 41' 01"W	35.83
L11	S89° 42' 03"W	47.19
L12	S85° 08' 38"W	38.97
L14	S86° 07' 50"W	39.65
L15	S17° 22' 46"W	18.55
L16	N72° 37' 14"W	36.00
L17	N17° 22' 45"E	18.27
L18	S02° 49' 18"E	17.90
L19	N08° 15' 54"W	18.48
L20	S80° 49' 11"W	10.10
L21	N76° 15' 01"W	9.03
L22	N73° 22' 31"W	32.79
L23	S16° 33' 27"W	18.13
L24	N73° 26' 33"W	18.00
L25	N16° 33' 27"E	18.16
L26	N73° 22' 14"W	42.46
L27	N10° 55' 07"W	18.76
L28	S79° 04' 53"W	16.00
L29	S10° 55' 06"E	18.96
L30	S73° 09' 48"W	16.35
L40	S54° 05' 24"W	73.78
L41	N35° 54' 38"W	20.36
L42	N54° 05' 22"E	96.50
L44	S18° 20' 36"E	18.57
L45	S36° 06' 21"E	21.69
L46	N53° 53' 39"E	71.78
L47	N36° 06' 21"W	36.80

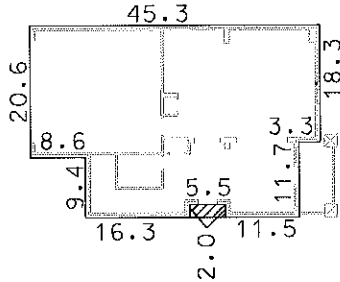
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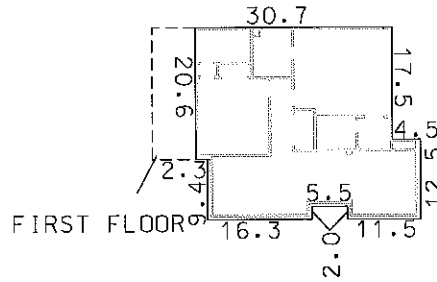
**PARADISO CONDOMINIUMS
CONDOMINIUM COURSES**



FIRST FLOOR

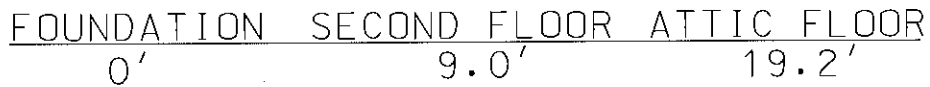


SECOND FLOOR



ALL BUILDINGS ARE
TWO STORY BRICK, ROCK AND STUCCO

VERTICAL ELEVATIONS OF UNIT
VERTICAL DISTANCE
ABOVE BUILDING FOUNDATION
(PER ARCHITECTURAL PLAN)



LEGEND

- L.C.E. = LIMITED COMMON ELEMENT
- = CONCRETE PORCH OR PATIO (L.C.E.)

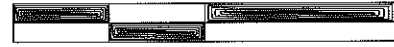
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PARADISO CONDOMINIUMS
A CONDOMINIUM COMMUNITY

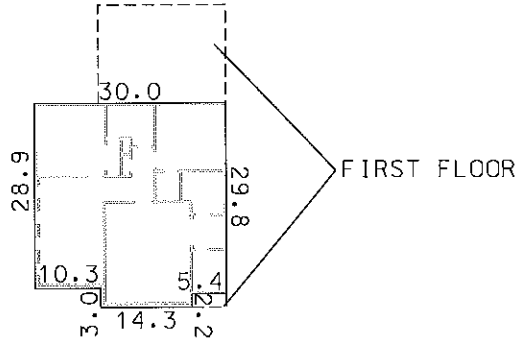
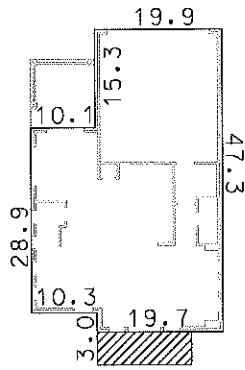
UNIT MAP BUILDINGS 2,10,13,14,81,90,97 & 106



0 15 30 60

FIRST FLOOR

SECOND FLOOR



ALL BUILDINGS ARE
TWO STORY BRICK, ROCK AND STUCCO

VERTICAL ELEVATIONS OF UNIT
VERTICAL DISTANCE
ABOVE BUILDING FOUNDATION
(PER ARCHITECTURAL PLAN)

FOUNDATION SECOND FLOOR ATTIC FLOOR
0' 9.0' 19.2'

LEGEND

- L.C.E. = LIMITED COMMON ELEMENT
-  = CONCRETE PORCH OR PATIO (L.C.E.)

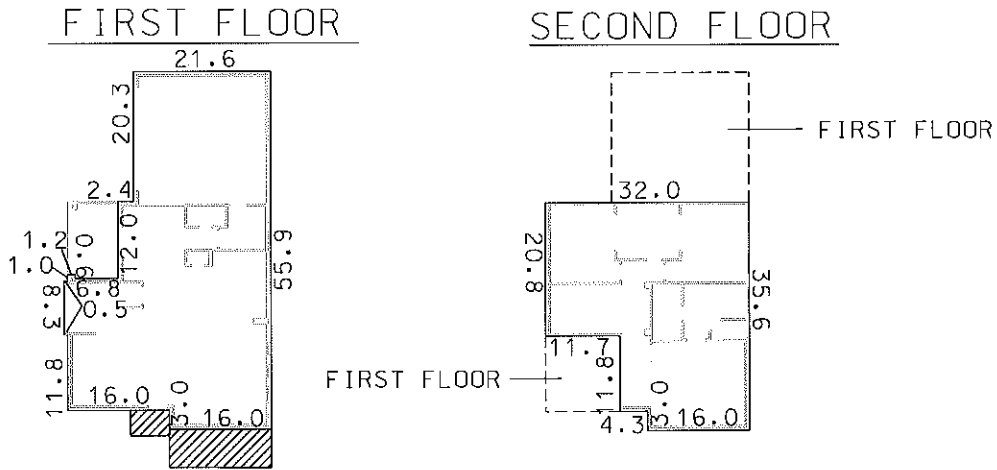
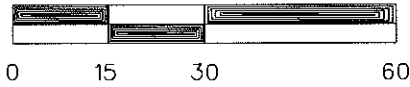
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**PARADISO CONDOMINIUMS
A CONDOMINIUM COMMUNITY**

UNIT MAP BUILDINGS 3-5,7-9,11,12,15,16,23,24,27,28,
38,39,44,45,48,49,79,80,91,92,95,96,107 & 108



ALL BUILDINGS ARE
TWO STORY BRICK, ROCK AND STUCCO

VERTICAL ELEVATIONS OF UNIT
VERTICAL DISTANCE
ABOVE BUILDING FOUNDATION
(PER ARCHITECTURAL PLAN)

FOUNDATION	SECOND FLOOR	ATTIC FLOOR
0'	9.0'	19.2'

LEGEND

- L.C.E. = LIMITED COMMON ELEMENT
-  = CONCRETE PORCH OR PATIO (L.C.E.)

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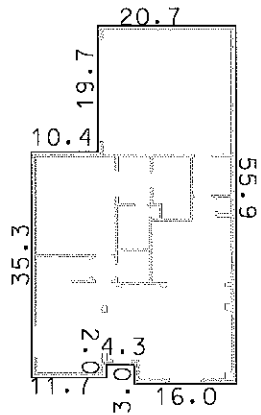
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A CONDOMINIUM COMMUNITY**

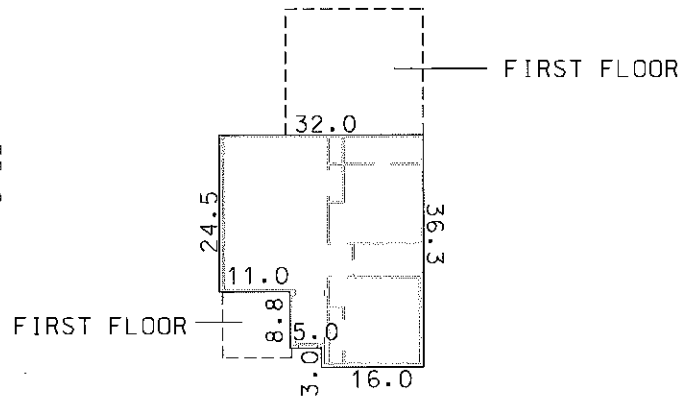
UNIT MAP BUILDING 6, 26, 78, 93, 94 & 109



FIRST FLOOR

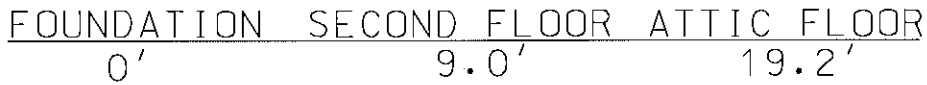


SECOND FLOOR



ALL BUILDINGS ARE
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VERTICAL ELEVATIONS OF UNIT
VERTICAL DISTANCE
ABOVE BUILDING FOUNDATION
(PER ARCHITECTURAL PLAN)



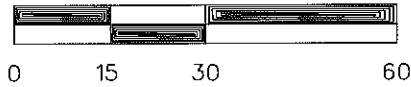
LEGEND

- L.C.E. = LIMITED COMMON ELEMENT
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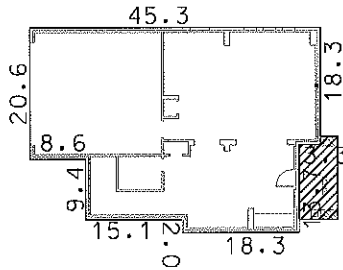
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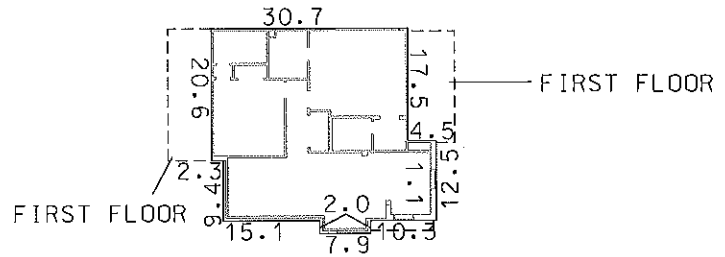
PARADISO CONDOMINIUMS
A CONDOMINIUM COMMUNITY
UNIT MAP BUILDING 17,25,
37,46 & 47



FIRST FLOOR



SECOND FLOOR



ALL BUILDINGS ARE
TWO STORY BRICK, ROCK AND STUCCO

VERTICAL ELEVATIONS OF UNIT
VERTICAL DISTANCE
ABOVE BUILDING FOUNDATION
(PER ARCHITECTURAL PLAN)

FOUNDATION	SECOND FLOOR	ATTIC FLOOR
0'	9.0'	19.2'

LEGEND

- L.C.E. = LIMITED COMMON ELEMENT
-  = CONCRETE PORCH OR PATIO (L.C.E.)

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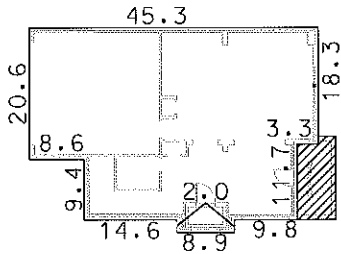
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PARADISO CONDOMINIUMS
A CONDOMINIUM COMMUNITY

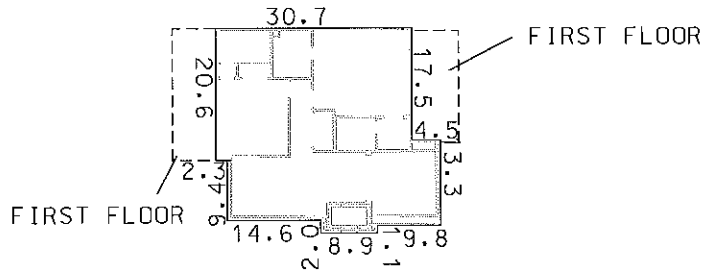
UNIT MAP BUILDING 22



FIRST FLOOR



SECOND FLOOR



ALL BUILDINGS ARE
TWO STORY BRICK, ROCK AND STUCCO

VERTICAL ELEVATIONS OF UNIT
VERTICAL DISTANCE
ABOVE BUILDING FOUNDATION
(PER ARCHITECTURAL PLAN)

FOUNDATION SECOND FLOOR ATTIC FLOOR
0' 9.0' 19.2'

LEGEND

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PARADISO CONDOMINIUMS
A CONDOMINIUM COMMUNITY

UNIT MAP BUILDINGS 40, 43 & 50

ATTACHMENT 2

**ATTACHMENT 3 TO THE DECLARATION OF CONDOMINIUM REGIME FOR
PARADISO VILLAS CONDOMINIUMS**

ALLOCATED INTERESTS

The Percentage of Common Element Ownership and Share of Common Expenses for each Unit is 1/51. Each Unit is allocated one (1) vote.

THE ALLOCATED INTEREST ASSIGNED TO A PARTICULAR UNIT WILL DECREASE AS ADDITIONAL UNITS ARE CREATED AND ADDED TO THE REGIME BY THE DECLARANT.

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS 2009007301

Nancy E. Rister

02/06/2009 11:05 AM

CMCNEELY \$88.00

NANCY E. RISTER, COUNTY CLERK
WILLIAMSON COUNTY, TEXAS

25
ARMBRUST & BROWN, L.L.P.
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AUSTIN, TX 78701