

AFTER RECORDING, PLEASE RETURN TO:

Judd A. Austin, Jr.
Henry Oddo Austin & Fletcher, P.C.
1700 Pacific Avenue
Suite 2700
Dallas, Texas 75201

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**THIRD SUPPLEMENTAL CERTIFICATE AND MEMORANDUM
OF RECORDING OF DEDICATORY INSTRUMENTS FOR THE
DOWNS OF HILLCREST RESIDENTIAL ASSOCIATION, INC.**

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

The undersigned, as attorney for The Downs of Hillcrest Residential Association, Inc., for the purpose of complying with Section 202.006 of the Texas Property Code and to provide public notice of the following dedicatory instrument affecting the owners of property described on Exhibit B attached hereto, hereby states that the dedicatory instrument attached hereto is a true and correct copy of the following:

- ***Policy Resolution of the Board of Directors of The Downs of Hillcrest Residential Association, Inc. Establishing Rules Governing Landscape Contractor Hours of Operation*** (Exhibit "A");

All persons or entities holding an interest in and to any portion of property described on Exhibit B attached hereto are subject to the foregoing dedicatory instrument until amended, revoked or modified by the Board of Directors.

IN WITNESS WHEREOF, The Downs of Hillcrest Residential Association, Inc. has caused this Third Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments to

be filed with the office of the Dallas County Clerk, and serves to supplement that certain Certificate and Memorandum of Recording of Association Documents for The Downs of Hillcrest Residential Association, Inc., filed on September 28, 2006, and recorded as Instrument No. 200600361336 in the Official Public Records of Dallas County, Texas; that certain First Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments for The Downs of Hillcrest Residential Association, Inc., filed on December 13, 2011, and recorded as Instrument No. 201100323710 in the Official Public Records of Dallas County, Texas; and that certain Second Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments for The Downs of Hillcrest Residential Association, Inc., filed on December 19, 2016, and recorded as Instrument No. 201600352215 in the Official Public Records of Dallas County, Texas.

**THE DOWNS OF HILLCREST
RESIDENTIAL ASSOCIATION, INC.**

By: *Judd A. Austin, Jr.*
Its: Attorney

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

BEFORE ME, the undersigned Notary Public, on this day personally appeared Judd A. Austin, Jr., attorney for The Downs of Hillcrest Residential Association, Inc., known to me to be the person whose name is subscribed on the foregoing instrument and acknowledged to me that he executed the same for the purposes therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND AFFIRMED SEAL OF OFFICE on this 18th day of May, 2017.



Elise Myers
Notary Public, State of Texas

EXHIBIT A

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

**POLICY RESOLUTION OF THE BOARD OF DIRECTORS
OF THE DOWNS OF HILLCREST RESIDENTIAL
ASSOCIATION, INC. ESTABLISHING RULES GOVERNING
LANDSCAPE CONTRACTOR HOURS OF OPERATION**

WHEREAS, the Board of Directors of The Downs of Hillcrest Residential Association, Inc. (the "Board") is the entity responsible for the operation of The Downs of Hillcrest Residential Association, Inc. (the "Association") in accordance with and pursuant to that certain Amended and Restated Declaration of Covenants, Conditions, and Restrictions for The Downs of Hillcrest, recorded in Volume 2000163, Page 69, *et seq.* of the Official Public Records of Dallas County, as amended (collectively, the "Downs of Hillcrest Declaration"), and the First Amended and Restated Bylaws of the Association (the "Bylaws"); and

WHEREAS, under Article VIII, Section 8.03 of the Downs of Hillcrest Declaration and Article VIII, Section 8.01 of the Bylaws, the Association, by and through the Board of Directors, may establish rules as may be necessary for the operation and use of the Common Properties; and

WHEREAS, the Board has determined the need to promulgate rules applicable to the times and days of the week and weekends when landscape contractors will not be allowed upon the Common Properties or allowed to conduct work within the Properties; and

WHEREAS, a meeting of the Board was held on the 11th day of May, 2017 (the "Meeting"); and

WHEREAS, a quorum of the Directors was present at the Meeting; and

WHEREAS, a motion was made, and duly seconded, to adopt the Rules Governing Landscape Contractor Hours of Operation, attached hereto as Exhibit "1", in accordance with the authority provided the Board under the Downs of Hillcrest Declaration and the Bylaws.

NOW, THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS that the Board has resolved to adopt, and does hereby adopt, the Rules Governing Landscape Contractor Hours of Operation attached hereto as Exhibit "1".

IT IS FURTHER RESOLVED, that such Rules shall be filed of record with the Office of the Dallas County Clerk and shall become effective upon notification to the Owners of property subject to the Declaration of the adoption thereof by: (i) posting same on the Association's website, and (ii) forwarding a copy of the Rules to those Owners who have registered an electronic mail address with the Association.

**THE DOWNS OF HILLCREST
COMMUNITY ASSOCIATION, INC.**

By: Sheila Lou MacHutta
President

Date: May 16, 2017

Exhibit "1"

**RULES GOVERNING LANDSCAPE CONTRACTOR HOURS OF OPERATION
THE DOWNS OF HILLCREST**

In order to preserve the quality of life of members and residents and the high standards of maintenance and care of the Common Properties, the following hours of operation are hereby established for contractors:

Landscape contractors are allowed access to the community to perform work for Owners in accordance with the following schedule:

- 8:00 am - 6:00 pm Monday through Friday
- 9:00 am - 5:00 pm Saturday
- No Contractors Allowed on Sunday

In the event of an emergency during hours when contractors are not allowed, Owner must call Guard who will have request reviewed by Board and/or Management.

**TRACT ONE
46.665 ACRES**

BEING a tract of land out of the THOMAS DYKES SURVEY, Abstract No. 405 and being part of the City of Dallas Blocks B-1/7457, E/7457 and H/7457 and all of City of Dallas Blocks A-1/7457, C-1/7457, D-1/7457, F/7457 and G/7457 Dallas County, Texas and being part of the REPLAT OF PART OF THE DOWNS ON HILLCREST, an addition to the City of Dallas according to the plat thereof recorded in Volume 88075, Pages 3949, Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a point for the most southerly, southeast corner of said REPLAT OF PART OF THE DOWNS ON HILLCREST and for the intersection of the original north right-of-way line of Churchill Way (60.0 feet original width) with a corner cut-off line between said north line of Churchill Way and the west right-of-way line of Hillcrest Road (100.0 feet wide);

THENCE, leaving the said west right-of-way line of Hillcrest Road and with the said north right-of-way line of Churchill Way, South $87^{\circ} 55' 58''$ West, a distance of 1350.67 feet to a point for corner;

THENCE, leaving the said north right-of-way line and with the east line of Lot 1, Block D/7457, THE DOWNS ON HILLCREST ADDITION, an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 7, Page 478A, Map Records of Dallas County, Texas, North $02^{\circ} 04' 02''$ West, a distance of 95.00 feet to the beginning of a tangent curve to the left, having a central angle of $03^{\circ} 40' 23''$, a radius of 2815.10 feet and a chord bearing and distance of North $03^{\circ} 54' 14''$ West, 180.44 feet;

THENCE with the said curve, an arc distance of 180.47 feet to a point for the northeast corner of said Lot 1, Block D/7457;

THENCE South $88^{\circ} 46' 58''$ West, a distance of 244.24 feet to a point for the northwest corner of said Lot 1, Block D/7457;

THENCE North $01^{\circ} 00' 10''$ West, a distance of 180.77 feet to a point for the southwest corner of Lot 3, Block D/7457, THE DOWNS ON HILLCREST ADDITION;

THENCE North $78^{\circ} 27' 25''$ East, a distance of 241.23 feet to a point for the southeast corner of said Lot 3 Block D/7457;

THENCE North $00^{\circ} 55' 56''$ East, a distance of 38.83 feet to a point for the beginning of a tangent curve to the right, having a central angle of $19^{\circ} 30' 02''$, a radius of 443.89 feet and a chord bearing and distance of North $10^{\circ} 40' 57''$ East, 150.32 feet;

THENCE with the said curve, an arc distance of 151.05 feet to a point for the northeast corner of said Lot 3, Block D/7457;

THENCE North $78^{\circ} 46' 24''$ West, a distance of 275.19 feet to a point for the northwest corner of said Lot 3, Block D/7457;

THENCE North $01^{\circ} 00' 10''$ West, a distance of 228.88 feet to a point for a corner;

THENCE South $89^{\circ} 48' 00''$ West, a distance of 40.00 feet to a point for corner;

THENCE North $01^{\circ} 00' 10''$ West, a distance of 295.54 feet to a point for corner;

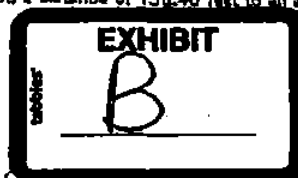
THENCE South $88^{\circ} 47' 17''$ West, a distance of 17.91 feet to a point for a corner;

THENCE North $01^{\circ} 58' 42''$ East, a distance of 52.04 feet to a point for a corner;

THENCE North $01^{\circ} 42' 48''$ West, a distance of 514.06 feet to a point for a corner;

THENCE North $86^{\circ} 42' 14''$ East, a distance of 856.85 feet to a point for the northwest corner of Lot 28, Block B-1/7457 of the beforementioned REPLAT OF PART OF THE DOWNS ON HILLCREST;

THENCE South $28^{\circ} 19' 37''$ East, a distance of 158.40 feet to an angle point for a corner;



THENCE South $51^{\circ} 53' 04''$ East, a distance of 88.11 feet to the beginning of a non-tangent curve to the right, having a central angle of $84^{\circ} 34' 27''$, a radius of 53.50 feet and a chord bearing and distance of North $44^{\circ} 42' 46''$ East, 71.89 feet;

THENCE Northeasterly, with said curve, an arc distance of 78.97 feet to a point for the point of tangency of said curve;

THENCE North $87^{\circ} 00' 00''$ East, a distance of 13.00 feet to a point for the beginning of a tangent curve to the right, having a central angle of $147^{\circ} 17' 06''$, a radius of 53.50 feet and a chord bearing and distance of South $19^{\circ} 20' 55''$ East, 102.87 feet;

THENCE Southeasterly, with said curve, an arc distance of 137.54 feet to a point for the beginning of a reverse curve to the left, having a central angle of $57^{\circ} 18' 03''$, a radius of 22.62 feet and a chord bearing and distance of South $25^{\circ} 39' 01''$ West, 21.70 feet;

THENCE Southerly, with the said curve, an arc distance of 22.62 feet to a point for the point of tangency of said curve;

THENCE South $03^{\circ} 00' 00''$ East, a distance of 17.64 feet to a point for the beginning of a non-tangent curve to the right, having a central angle of $08^{\circ} 59' 23''$, a radius of 175.00 feet and a chord bearing and distance of South $89^{\circ} 46' 24''$ East, 27.43 feet;

THENCE Easterly, with the said curve, an arc distance of 27.46 feet to a point for corner;

THENCE South $01^{\circ} 17' 02''$ East, a distance of 50.39 feet to a point for the beginning of a non-tangent curve to the left, having a central angle of $37^{\circ} 48' 20''$, a radius of 125.00 feet and a chord bearing and distance of South $78^{\circ} 15' 08''$ West, 80.92 feet;

THENCE Westerly, with the said curve, an arc distance of 82.41 feet to a point for the point of tangency of said curve;

THENCE South $59^{\circ} 21' 58''$ West, a distance of 84.27 feet to a point for the beginning of a non-tangent curve to the right, having a central angle of $24^{\circ} 22' 27''$, a radius of 175.00 feet and a chord bearing and distance of South $10^{\circ} 14' 01''$ East, 73.89 feet;

THENCE Southerly, with the said curve, an distance of 74.45 feet to a point for the beginning of a reverse curve to the left, having a central angle of $11^{\circ} 21' 44''$, a radius of 475.00 feet and a chord bearing and distance of South $03^{\circ} 43' 40''$ East, 94.04 feet;

THENCE Southerly, with the said curve, an arc distance of 94.20 feet to the point for the beginning of a reverse curve to the right, having a central angle of $67^{\circ} 05' 18''$, a radius of 225.00 feet, and a chord bearing and distance of South $24^{\circ} 08' 07''$ West, 248.66 feet;

THENCE Southwesterly, with the said curve, an arc distance of 263.46 feet to a point for the northeast corner of Lot 8, Block E/7457, REPLAT OF PART OF THE DOWNS ON HILLCREST;

THENCE South $35^{\circ} 00' 00''$ East, a distance of 138.51 feet to a point for corner;

THENCE South $88^{\circ} 44' 19''$ West, a distance of 25.61 feet to a point for the northeast corner of Lot 10, Block E/7457, REPLAT OF PART OF THE DOWNS ON HILLCREST;

THENCE with the east line of Lot 10, South $18^{\circ} 55' 41''$ East, a distance of 92.13 feet to a point for the beginning of a non-tangent curve to the right, having a central angle of $15^{\circ} 15' 00''$, a radius of 252.89 feet and a chord bearing and distance of North $82^{\circ} 27' 35''$ East, 67.11 feet;

THENCE Easterly, with the said curve, an arc distance of 67.31 feet to a point for the beginning of a reverse curve to the left, having a central angle of $28^{\circ} 48' 29''$, a radius of 300.00 feet and a chord bearing and distance of North $75^{\circ} 40' 50''$ East, 148.25 feet;

THENCE Easterly, with the said curve, an arc distance of 150.84 feet to a point for the beginning of a reverse curve to the right, having a central angle of $13^{\circ} 18' 06''$, a radius of 325.00 feet and a chord bearing and distance of North $67^{\circ} 54' 39''$ East, 75.09 feet;

THENCE Easterly, with the said curve, an arc distance of 75.28 feet to a point for the point of tangency of said curve;

THENCE North $74^{\circ} 32' 42''$ East, a distance of 73.59 feet to a point for the beginning of a tangent curve to the right, having a central angle of $09^{\circ} 26' 35''$, a radius of 377.42 and a chord bearing and distance of North $79^{\circ} 16' 00''$ East, 160.91 feet;

THENCE Easterly, with the said curve, an arc distance of 161.09 feet to a point for corner;

THENCE South $01^{\circ} 10' 58''$ East, a distance of 50.19 feet to a point for the northwest corner of Lot 37, Block A/7457, REPLAT OF PART OF THE DOWNS ON HILLCREST;

THENCE South $01^{\circ} 17' 16''$ East, a distance of 223.06 feet to a point for the northwest corner of the HILLWOOD ESTATES ADDITION, an addition to the City of Dallas, Texas according to the plat thereof as recorded in Volume 73096, Page 470, Map Records of Dallas County, Texas;

THENCE South $00^{\circ} 01' 44''$ West, a distance of 428.98 feet to a point for the southwest corner of said HILLWOOD ESTATES ADDITION;

THENCE South $89^{\circ} 12' 02''$ East, a distance of 131.53 feet to a point for corner;

THENCE North $00^{\circ} 01' 40''$ East, a distance of 18.54 feet to a point for corner;

THENCE South $88^{\circ} 33' 58''$ East, a distance of 124.20 feet to a point for the southeast corner of said HILLWOOD ESTATES ADDITION and being in the west right-of-way line of Hillcrest Road;

THENCE with the said west right-of-way line, South $00^{\circ} 01' 44''$ West, a distance of 250.34 feet to a point for corner;

THENCE South $43^{\circ} 58' 51''$ West, a distance of 14.40 feet to the POINT OF BEGINNING and containing 46.665 acres of land.

TRACT TWO 14.374 ACRES

BEING a tract of land situated in the THOMAS DYKES SURVEY, Abstract No. 405 and being part of the City of Dallas Blocks A/7457, B-1/7457, D/7457, E/7457, and H/7457 and all of City of Dallas Block U/7457 and also being part of THE DOWNS ON HILLCREST, an addition to the City of Dallas as recorded in Volume 7, Page 478A, Map Records of Dallas County, Texas and also being a part of the REPLAT OF PART OF THE DOWNS ON HILLCREST, an addition to the City of Dallas as recorded in Volume 88075, Page 3949, Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a point in the west line of Hillcrest Road (100' ROW), for the southeast corner of Lot 38, Block H/7457 of the beforementioned REPLAT OF PART OF THE DOWNS ON HILLCREST and, the northeast corner of Lot 5, Block A of the beforementioned THE DOWNS ON HILLCREST;

THENCE along the north line of Lot 5, North $89^{\circ} 58' 49''$ West, a distance of 259.48 feet to a point for the northwest corner of Lot 5;

THENCE North $01^{\circ} 17' 16''$ West, a distance of 57.45 feet to a point for corner;

THENCE North $01^{\circ} 10' 58''$ West, a distance of 50.19 feet to a point for corner for the beginning of a non-tangent curve to the left, having a central angle of $09^{\circ} 26' 35''$, a radius of 977.42 feet and a chord bearing and distance of South $79^{\circ} 16' 00''$ West, 160.81 feet;

THENCE westerly, with the said curve, an arc distance of 181.09 feet to the point of tangency of said curve;

THENCE South $74^{\circ} 32' 42''$ West, a distance of 73.59 feet to a point for the beginning of a tangent curve to the left, having a central angle of $13^{\circ} 16' 06''$, a radius of 325.00 feet and a chord bearing and distance of South $67^{\circ} 54' 39''$ West, 75.08 feet;

THENCE westerly, with the said curve, an arc distance of 75.26 feet to a point for the beginning of a tangent curve to the right, having a central angle of $28^{\circ} 48' 29''$, a radius of 300.00 feet and a chord bearing and distance of South $75^{\circ} 40' 50''$ West, 149.28 feet;

THENCE westerly, with the said curve, an arc distance of 150.84 feet to a point for the beginning of a tangent curve to the left, having a central angle of $15^{\circ} 15' 00''$, a radius of 252.89 feet and a chord bearing and distance of South $82^{\circ} 27' 35''$ West, 67.11 feet;

THENCE westerly, with the said curve, an arc distance of 67.31 feet to a point for corner;

THENCE North $18^{\circ} 55' 41''$ West, a distance of 92.13 feet to a point for corner;

THENCE North $68^{\circ} 44' 18''$ East, a distance of 25.61 feet to a point for corner;

THENCE North 35° 00' 00" West, a distance of 138.51 feet to a point for the beginning of a non-tangent curve to the left, having a central angle of 67° 05' 18", a radius of 225.00 feet and a chord bearing and distance of North 24° 08' 07" East, 248.86 feet;

THENCE northerly, with the said curve, an arc distance of 283.46 feet to a point the beginning of a tangent curve to the right, having a central angle of 11° 21' 44", a radius of 475.00 feet and a chord bearing and distance of North 03° 43' 40" West, a distance of 84.04 feet;

THENCE northerly, with the said curve, an arc distance of 94.20 feet to a point for the beginning of a tangent curve to the left, having a central angle of 24° 22' 27", a radius of 175.00 feet and a chord bearing and distance of North 10° 14' 01" West, 73.89 feet;

THENCE northerly, with the said curve, an arc distance of 74.45 feet to a point for corner;

THENCE North 59° 21' 58" East, a distance of 84.27 feet to a point for corner at the beginning of a tangent curve to the right, having a central angle of 37° 46' 20", a radius of 125.00 feet and a chord bearing and distance of North 78° 15' 08" East, 80.92 feet;

THENCE easterly, with the said curve, an arc distance of 82.41 feet to a point for corner;

THENCE North 01° 17' 02" West, a distance of 50.39 feet to a point for the beginning of a non-tangent curve to the left, having a central angle of 08° 59' 23", a radius of 175.00 feet and a chord bearing and distance of North 89° 46' 24" West, 27.43 feet;

THENCE westerly, with the said curve, a distance of 27.46 feet to a point for corner;

THENCE North 03° 00' 00" West, a distance of 17.64 feet to a point for the beginning of a tangent curve to the right, having a central angle of 57° 18' 03", a radius of 22.82 feet and a chord bearing and distance of North 25° 39' 01" East, 21.70;

THENCE northerly, with the said curve, an arc distance of 22.83 feet to a point for the beginning of a tangent curve to the left, having a central angle of 147° 17' 06", a radius of 53.50 feet and a chord bearing and distance of North 19° 20' 55" West, 102.87 feet;

THENCE northwesterly, with the said curve, an arc distance of 137.54 feet to the point of tangency of said curve;

THENCE South 87° 00' 00" West, a distance of 13.00 feet to a point for the beginning of a tangent curve to the left, having a central angle of 84° 34' 27", a radius of 53.50 feet and a chord bearing and distance of South 44° 42' 46" West, 71.99 feet;

THENCE southwesterly, with the said curve, an arc distance of 78.97 feet to a point for corner;

THENCE North 51° 53' 04" West, a distance of 58.11 feet to a point for corner;

THENCE North 28° 19' 37" West, a distance of 158.40 feet to a point for the northwest corner of Lot 29, Block B-17457, REPLAT OF PART OF THE DOWNS ON HILLCREST;

THENCE North 86° 42' 14" East, a distance of 608.26 feet to a point for the northwest corner of Lot 11, Block D/7457, THE DOWNS ON HILLCREST ADDITION;

THENCE South 01° 17' 13" East, a distance of 363.46 feet to a point for corner;

THENCE South 42° 45' 22" East, a distance of 38.54 feet to a point for the beginning of a non-tangent curve to the left, having a central angle of 05° 37' 17", a radius of 870.00 feet and a chord bearing and distance of South 89° 31' 37" East, 95.13 feet;

THENCE easterly, with the said curve, an arc distance of 85.17 feet to the point of tangency of said curve;

THENCE North 87° 39' 44" East, a distance of 57.92 feet to a point for corner;

THENCE South 46° 09' 16" East, a distance of 34.62 feet to a point for corner;

THENCE North 87° 39' 44" East, a distance of 35.00 feet to a point in the west right-of-way line of Hillcrest Road (100' ROW);

THENCE with the said west right-of-way line, South 00° 01' 44" West, a distance of 583.83 feet to the POINT OF BEGINNING and containing 14.374 acres of land.

EXHIBIT B
(continued)

Those tracts and parcels of real property located in the City of Dallas, Dallas County, Texas and more particularly described as follows:

- (a) All lots, tracts or parcels of real property subject to that certain Declaration of Covenants, Conditions and Restrictions for the Downs of Hillcrest, recorded in Volume 92221, Page 4152 of the Deed Records of Dallas County, Texas;
- (b) All lots, tracts or parcels of real property subject to that certain Supplementary Declaration of Covenants, Conditions and Restrictions for the Downs of Hillcrest, recorded in Volume 93025, Page 0937 of the Deed Records of Dallas County, Texas;
- (c) All lots, tracts or parcels of real property subject to that certain Amended and Restated Declaration of Covenants, Conditions and Restrictions for The Downs of Hillcrest, recorded in Volume 2000163, Page 00069 of the Deed Records of Dallas County, Texas;
- (d) Lot 1 and Lot 1-A, Block D/7457 of THE DOWNS OF HILLCREST, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 7, Page 478-A of the Map Records of Dallas County, Texas;
- (e) Lot 3 and a part of Lot 2 in Block D/7457 of THE DOWNS OF HILLCREST, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 7, Page 478-A of the Map Records of Dallas County, Texas; and
- (f) Lot 70-A, Block G-1/7457, of THE DOWNS OF HILLCREST, PHASE 2A, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 98247, Page 35 of the Map Records of Dallas County, Texas.

Filed and Recorded
Official Public Records
John F. Warren, County Clerk
Dallas County, TEXAS
05/22/2017 10:58:28 AM
\$62.00
201700142519

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