

SUPPLEMENTAL DECLARATION
OF MERGER AND ANNEXATION
FOR
DIAMOND HEAD CONDOMINIUMS
PHASE IV

STATE OF TEXAS §
COUNTY OF BEXAR §

KNOW ALL MEN BY THESE PRESENTS:

THIS DECLARATION is made on the date set forth below by U. S. HOME CORPORATION, a Delaware corporation, hereinafter called "Declarant",

W I T N E S S E T H:

WHEREAS, Declarant is the Owner of certain property in the County of Bexar, State of Texas, which is more particularly described on the attached Exhibit "A", and

WHEREAS, by a Condominium Declaration, hereinafter called "Declaration", filed on June 26, 1984, and recorded in Volume 3143, Page 0096, of the Condominium Records of Bexar County, Texas, the Declarant therein restricted DIAMOND HEAD CONDOMINIUMS, PHASE I, consisting of sixteen (16) Units, to Condominium ownership; and

WHEREAS, by First Amendment to Condominium Declaration and Supplemental Declaration of Merger and Annexation for DIAMOND HEAD CONDOMINIUMS, PHASE II, recorded August 29, 1984, in Volume 3199, Page 1005, Condominium Records, Bexar County, Texas, Declarant annexed an additional thirty-two (32) Units to DIAMOND HEAD CONDOMINIUMS; and

WHEREAS, by a Supplemental Declaratin of Merger and Annexation for DIAMOND HEAD CONDOMINIUMS, PHASE III, filed October 29, 1984, and recorded in Volume 3245, Page 0185, of the Condominium Records, Bexar County, Texas, the Declarant therein restricted an additional sixteen (16) Units to Condominium ownership; and

WHEREAS, the above referenced Declaration provides in Paragraph 2.10 that the Declarant may annex additional property to DIAMOND HEAD CONDOMINIUMS, PHASE I, as defined therein; and

WHEREAS, the Declarant is desirous of annexing and merging the adjoining tract described in Exhibit "A" as PHASE IV on which exist sixteen (16) Units; and

WHEREAS, at a duly called meeting, more than sixty-seven percent (67%) of the registered votes of Units in PHASE I and PHASE II approved said annexation;

NOW THEREFORE, Declarant hereby declares that all of the Property described in Exhibit "A" as PHASE IV shall be held, sold and conveyed subject to the easements, restrictions, covenants and conditions set forth in the Declaration for DIAMOND HEAD CONDOMINIUMS, PHASE I, all of which are for the purpose of enhancing and protecting the value, desirability and attractiveness of the real property described above. The said easements, restrictions, covenants and conditions shall run with the above described Property and shall be binding on all parties having or acquiring any right, title or interest in the said Property or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each Owner and lessee thereof.

The Property described in the Plat of DIAMOND HEAD CONDOMINIUMS, as PHASE IV, which Plat is attached hereto as Exhibit "B", shall become a part of the regime, as defined in the Declaration, and the sixteen (16) Units shown on the Plat of PHASE IV, shall become Units, as defined in the Declaration, and from and after the filing hereof, DIAMOND HEAD CONDOMINIUMS, PHASE IV shall be a part of the regime as if it had been originally described in the Declaration and the percentage or fraction of ownership interest in the Common Areas is hereby reallocated and established among the total of eighty (80) Units as set out in Exhibit "C", attached hereto.

This Supplemental Declaration of Merger and Annexation may be amended by Declarant without joinder of any Unit Owner or Mortgagee in order to correct errors and discrepancies in said document or to comply with the requirements of the Veterans Administration, Federal Home Loan Mortgage Corporation, Federal National Mortgage Association or any other permanent lender approved by the Declarant; provided, however, that no vested property rights of any Unit Owner shall be materially affected.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereto set his hand and seal this 17 day of July, A.D., 1985.

U. S. HOME CORPORATION

ATTEST:

Neelie Jane Wagner
Secretary

By:

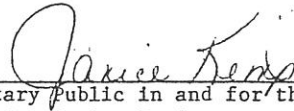
Tom Connally
Tom Connally

THE STATE OF TEXAS §

COUNTY OF BEXAR §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Tom Connally,
Vice-President of U. S. HOME CORPORATION, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 17 day
of July, A.D., 1985.



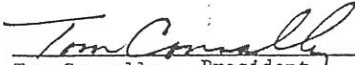
Notary Public in and for the State of Texas
My Commission Expires: May 15, 1989

C E R T I F I C A T E

I HEREBY CERTIFY that the foregoing is a true, complete and correct copy of the Supplemental Declaration of Merger and Annexation for DIAMOND HEAD CONDOMINIUMS, PHASE IV, as adopted by at least sixty-seven percent (67%) of the vote of the Association at a meeting of the Association on the 17 day of July, A.D., 1985.

DIAMOND HEAD OWNERS ASSOCIATION, INC.

By:


Tom Connally, President

By:



David Anderson, Secretary

EXHIBIT "A"

METES AND BOUNDS DESCRIPTION

PHASE IV

Being a tract of land out of Lot 31, Block A, N.C.B. 11609, Diamond Head Subdivision, San Antonio, Bexar County, Texas, recorded in Volume 9504, Page 48, Deed and Plat Records of Bexar County, Texas; said tracts being more particularly described as follows:

COMMENCING at an iron pin found on the southwest right-of-way line of Medical Drive at the most westerly corner of the aforementioned Lot 31, said pin being the common most northerly corner of said Lot 31 and Lot 18, Block A, N.C.B. 11609, Walnut Hill Three Apartment Subdivision;

THENCE S 49° 32' 20" E, 629.86 feet along the common line between said Lots 31 and 18 to a point;

THENCE N 40° 27' 40" E, 138.00 feet to the point of BEGINNING said point also being the most southerly corner of this tract;

THENCE N 49° 32' 20" W, 92.75 feet to a point for the most westerly corner of this tract;

THENCE N 40° 27' 40" E, 98.50 feet to a point for the most northerly corner of this tract;

THENCE S 49° 32' 20" E, 92.75 feet to a point for the most easterly corner of this tract;

THENCE S 40° 27' 40" W, 98.50 feet to the point of BEGINNING and containing 0.210 acres of land.

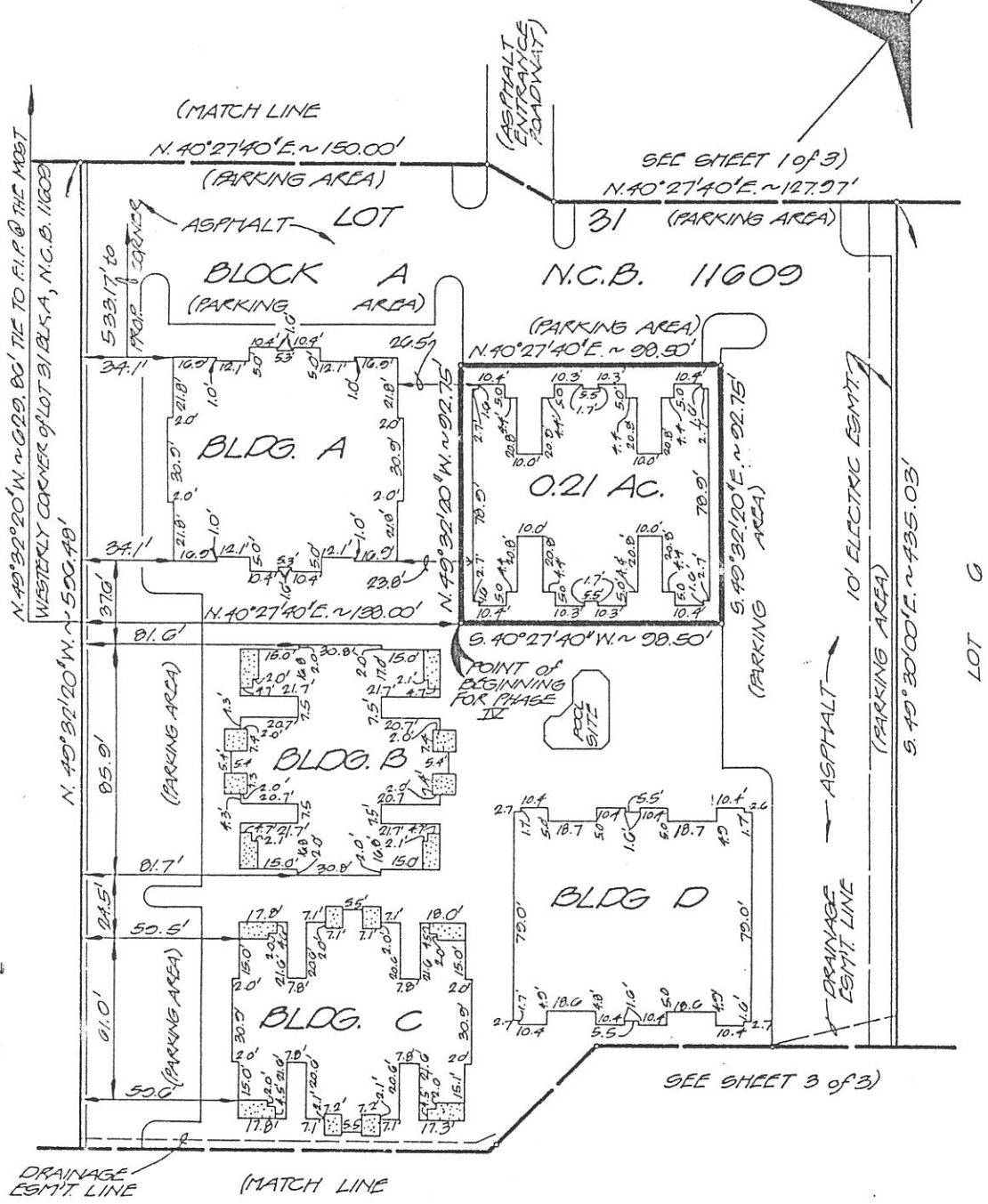
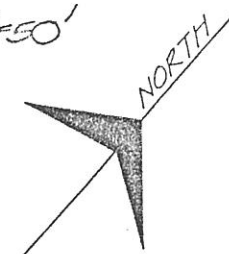
Prepared for U.S. Home
on June 20, 1985

AC/sm



Adalberto Camarillo
ADALBERTO CAMARILLO
Registered Public Surveyor
No. 3929

Scale: 1" = 50'



PLAT OF
DIAMOND HEAD CONDOMINIUMS
PHASE IV

A TRACT OF LAND OUT OF
LOT 31, BLOCK A, N.C.B. 11609,
DIAMOND HEAD SUBDIVISION,
SAN ANTONIO, BEXAR COUNTY,
TEXAS.

EXHIBIT "B"

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THE ABOVE PLAT IS TRUE AND CORRECT
ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY
SUPERVISION AND THAT THERE ARE NO VISIBLE EASEMENTS OR
ENCROACHMENTS OF BUILDINGS ON ADJOINING PROPERTY AND THAT
ALL BUILDINGS ARE WHOLLY LOCATED ON THIS PROPERTY EXCEPT AS
SHOWN ABOVE.

This 20th day of JUNE, 1985 A.D.

Causilla

Reference: VOL. 9504 PG. 48

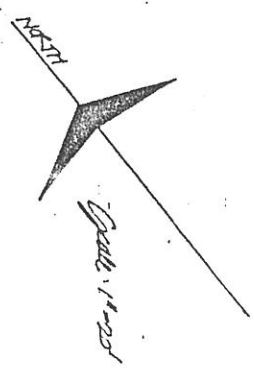
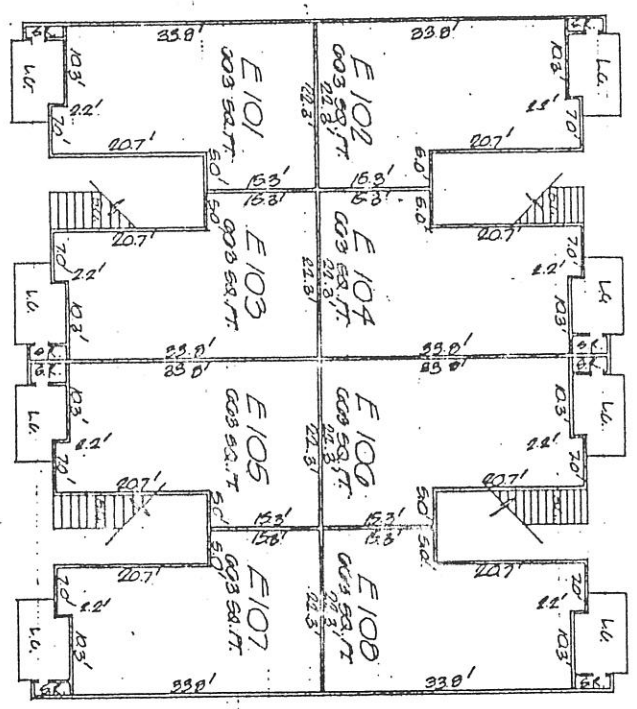
SURVEYED FOR: U.S. HOMES

Field Book _____ Page _____ Job No 84010

LEGEND
 L.C. LIMITED COMMON
 G.C. GENERAL COMMON
 S.R. STORAGE COMMON

The location of this BUILDING within the lot described hereon is not within Flood Hazard Area Zone "A". Based on Panel No. 4 of 29 of the Flood Insurance Rate Map for San Antonio, Texas (Community Panel No. 480045-0214B) prepared by the Department of Housing and Urban Development-Federal Insurance Administration, dated December 15, 1963.

BUILDING E
 FIRST FLOOR
 LOT 31, N.C.B. 11609
 5322 MEDICAL DR.



Adalberto Camarillo
 ADALBERTO CAMARILLO
 REGISTERED PUBLIC SURVEYOR

EXHIBIT "B"

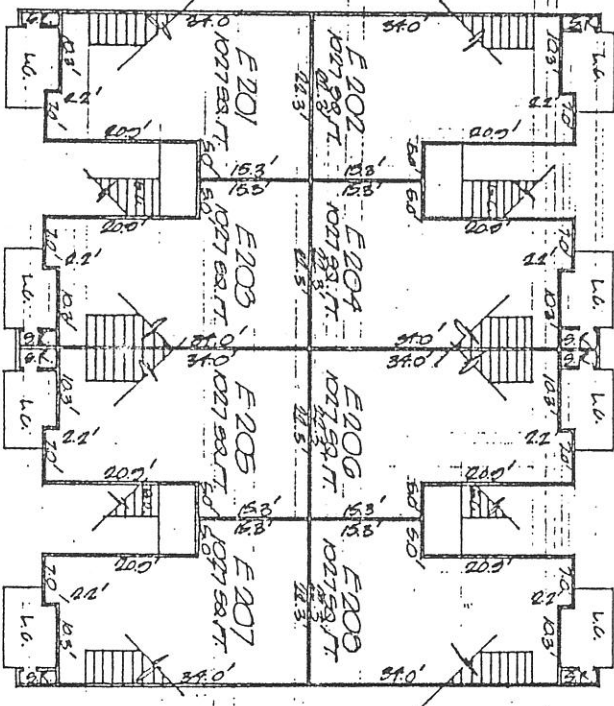
P POZNIECKI • CAMARILLO and ASSOC., INC.
 ENGINEERS • SURVEYORS • PLANNERS
 1933 BARCOCK ROAD SUITE 200 SAN ANTONIO, TEXAS 78209 517/388-3178

DIAMONDHEAD
 CONDOMINIUMS
 PHASE IV
 SAN ANTONIO, BEXAR COUNTY, TEXAS

LEGEND
 L.C. LIMITED COMMON
 G.C. GENERAL COMMON
 S.R. STORAGE COMMON

The location of this BUILDING within the lot described hereon is not within Flood Hazard Area Zone "A". Based on Panel No. 450045-0014D of the Flood Insurance Rate Map for San Antonio, Texas (Community Panel No. 450045-0014D) prepared by the Department of Housing and Urban Development-Federal Insurance Administration, dated December 15, 1983.

BUILDING E
 SECOND FLOOR
 LOT 31, N.C.B. 11609
 5322 MEDICAL DR.



ADALBERTO CAMARILLO
 REGISTERED PUBLIC SURVEYOR

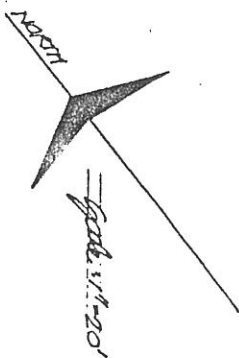


EXHIBIT "B"

SAN ANTONIO, BEXAR COUNTY, TEXAS

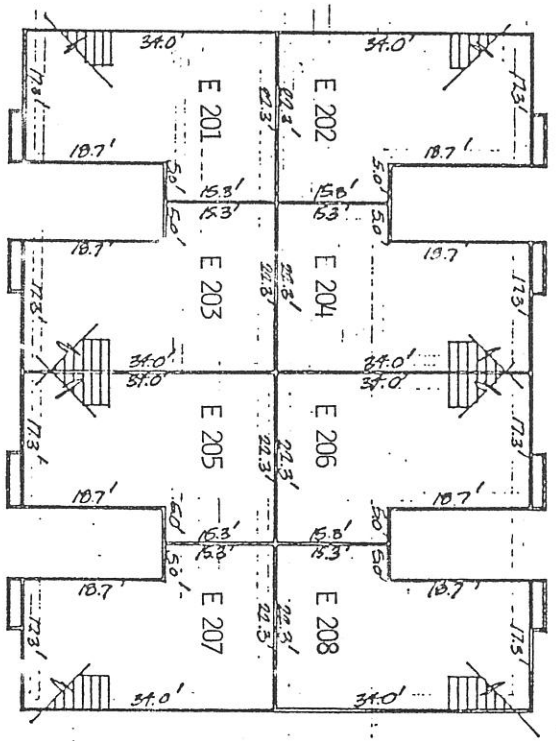
DIAMONDHEAD
 CONDOMINIUMS
 PHASE IV

PE POTRECHU - CAMARILLO AND ASSOC., INC.
 REGISTERED SURVEYORS
 1993 BARBOUR DRIVE, SUITE 300, SAN ANTONIO, TEXAS 78202, TELEPHONE 772-1112

- 1. LIMITED COMMON
- 2. GENERAL COMMON
- 3. STORAGE COMMON

LEGEND
 The location of this BUILDING within the lot described hereon is not within Flood Hazard Area Zone X-1, based on Panel No. 14 Q.E.B.9 of the Flood Insurance Study Map for San Antonio, First Community Type of the Flood Insurance Study prepared by the Department of Housing and Urban Development-Federal Insurance Administration, dated December 15, 1983.

BUILDING E
 THIRD FLOOR
 LOT 31, N.C.B. 11609
 5322 MEDICAL DR.



Adalberto Camarillo
 ADALBERTO CAMARILLO
 REGISTERED PUBLIC SURVEYOR

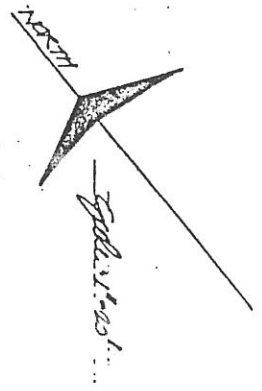


EXHIBIT "B"

P POZNIECKI • CAMARILLO and ASSOC., INC.
 ENGINEERS ARCHITECTS SURVEYORS PLANNERS
 1505 BARBER ST. SUITE 200 SAN ANTONIO, TEXAS 78208 TEL: 512/343-2172

DIAMONDHEAD
 CONDOMINIUMS
 PHASE IV

PLAN APPROVED BY SAN ANTONIO CITY CLERK

PHASE I, II, III, & IV
DIAMONDHEAD CONDOMINIUMS

I		II		III		IV	
UNIT	% INTEREST	UNIT	% INTEREST	UNIT	% INTEREST	UNIT	% INTEREST
A101	.8638	B101	.8638	D101	.9841	E101	.9841
A102	.8638	B102	.8638	D102	.9841	E102	.9841
A103	.9841	B103	.9841	D103	.9841	E103	.9841
A104	.9841	B104	.9841	D104	.9841	E104	.9841
A105	.9841	B105	.9841	D105	.9841	E105	.9841
A106	.9841	B106	.9841	D106	.9841	E106	.9841
A107	.8638	B107	.8638	D107	.9841	E107	.9841
A108	.8638	B108	.8638	D108	.9841	E108	.9841
A201	1.4932	B201	1.4932	D201	1.5244	E201	1.5244
A202	1.4932	B202	1.4932	D202	1.5244	E202	1.5244
A203	1.5244	B203	1.5244	D203	1.5244	E203	1.5244
A204	1.8939	B204	1.8939	D204	1.5244	E204	1.5244
A205	1.5244	B205	1.5244	D205	1.5244	E205	1.5244
A206	1.8939	B206	1.8939	D206	1.5244	E206	1.5244
A207	1.4932	B207	1.4932	D207	1.5244	E207	1.5244
A208	1.4932	B208	1.4932	D208	1.5244	E208	1.5244

NOTE: The percentage interest above will not shift to less than .3307% after all phases are complete. There will not be more than 192 units after all phases are complete.