

DECLARATION OF PARTITION

WHEREAS, TEXAS HOLIDAY VILLAGES LLC, a Texas limited liability company, as successor-in-interest to Medina Holiday Villages, LP, a Texas limited partnership (“the **Developer**”) originally entered into those certain Subdivision Restrictions (Section B – Holiday Villages of Medina), dated September 11, 2002, and recorded in the Real Property Records of Medina County, Texas in Volume 457, Page 306 - 311 (the “**Declaration**”).

WHEREAS, pursuant to the terms of the Declaration, (a) Developer may, at any time after December 21, 2005, partition any unsold timeshare interests from all other interests in the property that is subject to the Declaration, (b) such partition may be accomplished by the execution of a Declaration of Partition and (c) the percentage of the property to be partitioned to the Developer shall be approximately equal to the percentage of unsold timeshare interests;

WHEREAS, Developer owns 494 of the 500 timeshare interests created by the Declaration (i.e., 98.8% of the timeshare interests); the remaining six timeshare interest owners are owned by individuals (i.e. 1.20 % of the timeshare interests).

WHEREAS, the Property subject to the Declaration (the “**Property**”) contains 6.20 acres (270,072 sf), and, accordingly Developer intends to partition 5.735 acres (249,833sf) out of the Declaration (i.e., 92.5% of the total acreage of the Property), more particularly described in **Exhibit A** attached hereto (the “**Partitioned Property**”) leaving 0.463 acres (20,165 sf) (i.e., 7.45% of the total acreage of the Property) more particularly described in **Exhibit B** attached hereto which shall be made available to the Property Owners Association and the six timeshare interest owners.

NOW THEREFORE, for the purpose of making a partition of the Property between Developer and the remaining owners of the timeshare interests in the Property, and for and in consideration of the foregoing premises, the sum of Ten and 00/100 Dollars (\$10.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Developer does hereby partition the Partitioned Property from the remainder of the Property and hereby declares that (i) the Partitioned Property shall be owned, separately, in fee by Developer and (ii) the Partitioned Property shall, along with the remainder of the Property, remain subject to the Subdivision Restrictions until such time as the Association amends the Declaration to remove the Partitioned Property from the Declaration.

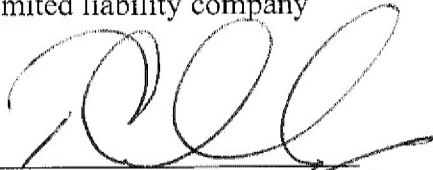
Developer shall HAVE AND HOLD the Partitioned, with the appurtenances, estate, title and interest thereto belonging to Developer, its heirs and assigns, forever.

[Signature Page Follows]

IN WITNESS WHEREOF, Developer has executed this Declaration of Partition on the date set forth in the acknowledgment below, to be effective as of such date.

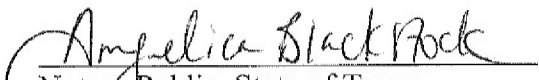
DECLARANT:

TEXAS HOLIDAY VILLAGES LLC,
a Texas limited liability company

By: 
Name: PATTON CHAPMAN
Title: PRESIDENT

THE STATE OF TEXAS)
)
COUNTY OF DALLAS)

This instrument was acknowledged before me on the 3rd day of May, 202~~2~~³, by Patton Chapman, the President of TEXAS HOLIDAY VILLAGES LLC, a Texas limited liability company, on behalf said limited liability company.


Notary Public, State of Texas

(SEAL)

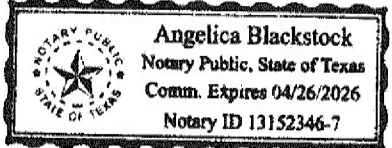


Exhibit A

THE PARTITIONED PROPERTY

5.735 acres of land known as Tract Two of that subdivision known as Section B, Holiday Villages of Medina, as shown of record in Volume 8, Page 141, Plat Records of Medina County, Texas.



METES AND BOUNDS

5.735-acre tract

Description of a 5.735 acre (249,833 Sq. Ft.) tract of land out of Apache Village Section B of Holiday Villages of Medina of record in Volume 8, page 141 of the Plat records, Medina County, Texas and being more particularly described by metes and bounds as follows:

(All bearings are based on the Texas State Plane Coordinate System, South Central Zone, North American Datum of 1983. All distances are on surface.)

BEGINNING at a Railroad Spike found in the East line of PR 1517 for the Northwest corner said Section B and hereof, same being the Southwest corner of Lot 184 Waters Edge Section A of Holiday Villages of Medina of record in Volume 8, Page 139 of the Plat Records of Medina County, Texas;

THENCE South $89^{\circ}38'53''$ East, along the South line of said Lot 184, same being the North line of said Section B, a distance of 308.75 feet to a $\frac{1}{2}$ inch iron rod with a 5520 cap set for the Northeast corner hereof;

THENCE Leaving the South line of said Lot 184, over and across said Section B, the following four (4) courses and distances:

- 1) South $05^{\circ}33'40''$ West, a distance of 84.58 feet to a Mag Nail with washer set;
- 2) South $89^{\circ}38'53''$ East, a distance of 106.89 feet to a Mag Nail with washer set for a point of curve to the right
- 3) Along a curve to the right having a radius of 50.00 feet, and arc length of 42.21 feet, a central angle of $48^{\circ}22'10''$, a chord which bears South $65^{\circ}27'48''$ East, a distance of 40.97 feet to a Mag Nail with washer set for the end of said curve;
- 4) North $72^{\circ}47'11''$ East, a distance of 99.30 feet to a $\frac{1}{2}$ inch iron rod with a 5520 cap set in the West line of FPR 1520 (60' Right-of-way) for the Northeast corner hereof;

THENCE South $00^{\circ}21'07''$ West along a West line of PR 1520, same being the East line of said Section B, a distance of 428.95 feet to an iron rod found for Northeast corner of Lot 118, Waters Edge Section A of Holiday Villages of Medina, Volume 8, Page 140 of the Plat Records of Medina County, Texas and the Southeast corner of said Section B and hereof;

THENCE North $89^{\circ}38'53''$ West, along the North line of said Lot 118, Lot 106 and Lot 105 of said Waters Edge and Lot 150 Final Plat of Rio Medina II Section F of Holiday Villages of Medina, Volume 8, Page 145 of the Plat Records of Medina County, Texas of a distance of 540.00 feet to a $\frac{1}{2}$ inch iron rod found for the Northwest corner of said Lot 150, and the Southwest corner of said Section B and hereof;



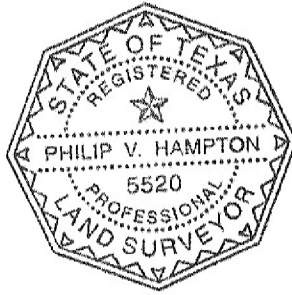
THENCE North 00°21'07"East along the East line of PR 1517, same being the East line of said Section B, a distance of 500.00 feet to the Point of Beginning and containing a calculated are of 5.735 acres (249,833 sq. ft).

I, Philip V. Hampton RPLS 5520, certify that this description was prepared from a survey performed by me on December 20, 2023

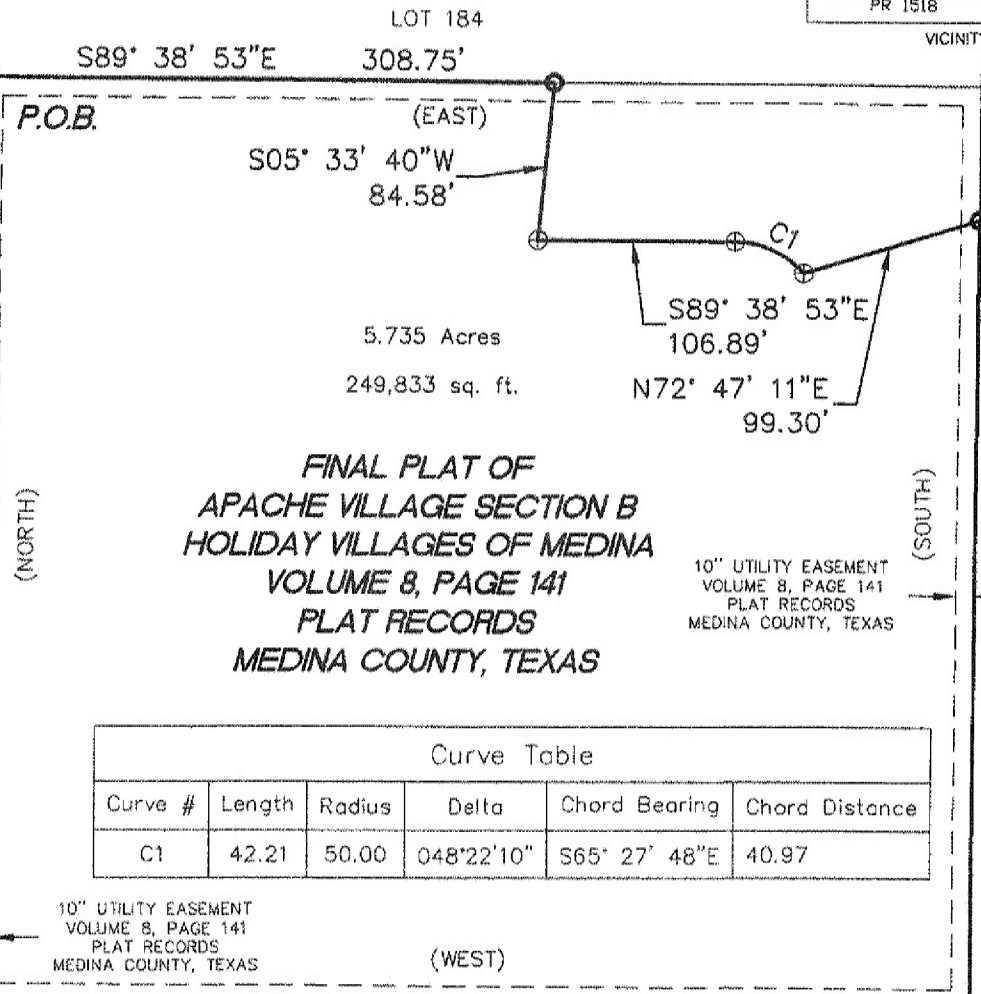
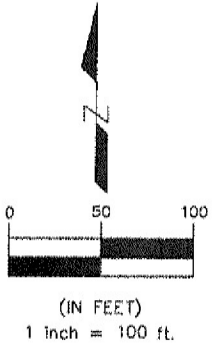
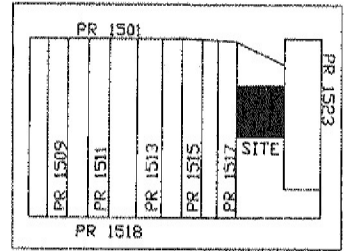
Philip V. Hampton 1/04/22

Philip V. Hampton

Texas Registration No. 5520



**WATERS EDGE SECTION A OF
HOLIDAY VILLAGES OF MEDINA
VOLUME 8, PAGE 139
PLAT RECORDS
MEDINA COUNTY, TEXAS**



Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Distance
C1	42.21	50.00	048°22'10"	S65° 27' 48"E	40.97

**FINAL PLAT OF RIO MEDINA II SECTION F
OF HOLIDAY VILLAGES OF MEDINA
VOLUME 8, PAGE 145
PLAT RECORDS
MEDINA COUNTY, TEXAS**

**FINAL PLAT OF
APACHE VILLAGE SECTION B
HOLIDAY VILLAGES OF MEDINA
VOLUME 8, PAGE 141
PLAT RECORDS
MEDINA COUNTY, TEXAS**

**WATERS EDGE SECTION A OF
HOLIDAY VILLAGES OF MEDINA
VOLUME 8, PAGE 139
PLAT RECORDS
MEDINA COUNTY, TEXAS**

**BOUNDARY SURVEY
TRACT 1, FINAL PLAT OF APACHE VILLAGE
SECTION B HOLIDAY VILLAGES OF MEDINA
VOLUME 8, PAGE 141 OF THE PLAT
RECORDS OF MEDINA COUNTY, TEXAS**

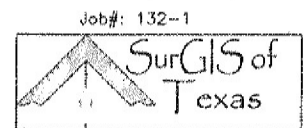
- LEGEND:**
- IRON ROD SET WITH 5520 CAP
 - IRON ROD FOUND
 - RAILROAD SPIKE
 - RECORD DIMENSIONS

Notes
1) Bearings are based on NAD 83 TEXAS COORDINATE SYSTEM SOUTH CENTRAL ZONE, US FOOT.

I HEREBY STATE: THAT THIS SURVEY WAS CREATED ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND BY ME ON January 2023.



Philip V. Hampton
Philip V. Hampton, R.P.L.S. NO. 5520



Job#: 132-1
12274 Bandera Road Ste 123
Helotes, Texas 78023
www.surgis-texas.com
210-367-5843
firm # 10193840

Exhibit B

THE TIMESHARE PROPERTY

0.463 acres of land known as Tract Two of that subdivision known as Section B, Holiday Villages of Medina, as shown of record in Volume 8, Page 141, Plat Records of Medina County, Texas.



METES AND BOUNDS

0.463-acre tract

Description of a 0.463 acre (20,165 Sq. Ft.) tract of land out of Apache Village Section B of Holiday Villages of Medina of record in Volume 8, page 141 of the Plat records, Medina County, Texas and being more particularly described by metes and bounds as follows:

(All bearings are based on the Texas State Plane Coordinate System, South Central Zone, North American Datum of 1983. All distances are on surface.)

BEGINNING at a 1/2 inch iron rod found on the West line of PR 1520 (60' Right-of-Way) for the Northeast corner of said Section B, same being the Southeast corner of Lot 184, Final Plat of Waters Edge Section A of Holiday Villages of Medina of record in Volume 8, Page 139 of the Plat Records of Medina County, Texas;

THENCE South 00°21'07" West, along a West line of PR 1520, same being the East line of said Section B, a distance of 71.05 feet to an iron rod with a 5520 cap set;

THENCE leaving the West line of PR 1520, over and across said Section B the following four (4) courses and distances:

- 1) South 72°47'11" West, a distance of 99.30 feet to a Mag Nail with washer set for the South corner hereof;
- 2) Along a curve to the left having a radius of 50.00 feet, and arc length of 42.21 feet, a central angle of 48°22'10", a chord which bears North 65°27'48" West, a distance of 40.97 feet to a Mag Nail with washer set for the end of said curve;
- 3) North 89°38'53" West, a distance of 106.89 feet to a Mag Nail with washer set for the Southwest corner hereof;
- 4) North 05°33'40" East, a distance of 84.58 feet to a 1/2 inch iron rod with a 5520 cap set in the South line of said Lot 184 for the Northwest corner hereof;

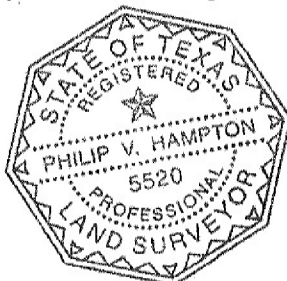
THENCE South 89°38'53" East along the South line of Lot 184, same being the North line of said Section B, a distance of 231.25 feet to the Point of Beginning and containing a calculated area of 0.463 acres (20,165 sq. ft).

I, Philip V. Hampton RPLS 5520, certify that this description was prepared from a survey performed by me on December 20, 2023.

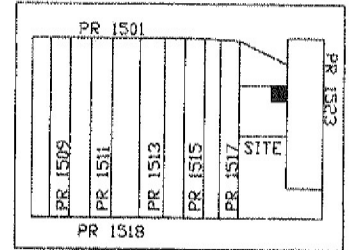
Philip V. Hampton 1/04/24

Philip V. Hampton

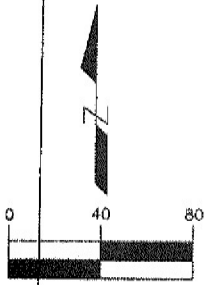
Texas Registration No. 5520



WATERS EDGE SECTION A OF
HOLIDAY VILLAGES OF MEDINA
VOLUME 8, PAGE 139
PLAT RECORDS
MEDINA COUNTY, TEXAS



VICINITY MAP



(IN FEET)

1 inch = 80 ft.

LOT 184

(EAST)

S89° 38' 53"E 231.25'

N05° 33' 40"E
84.58'

0.463 Acres
20,165 sq. ft.

71.05'
S00° 21' 07"W
(SOUTH)

C1
N89° 38' 53"W
106.89'
S72° 47' 11"W
99.30'

FINAL PLAT OF RIO MEDINA II SECTION F
OF HOLIDAY VILLAGES OF MEDINA
VOLUME 8, PAGE 145
PLAT RECORDS
MEDINA COUNTY, TEXAS

FINAL PLAT OF
APACHE VILLAGE SECTION B
HOLIDAY VILLAGES OF MEDINA
VOLUME 8, PAGE 141
PLAT RECORDS
MEDINA COUNTY, TEXAS

PR 1520
60' RIGHT-OF-WAY

Curve Table

Curve #	Length	Radius	Delta	Chord Bearing	Chord Distance
C1	42.21	50.00	048°22'10"	N65° 27' 48"W	40.97

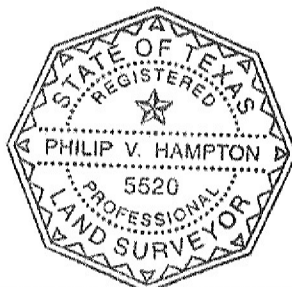
BOUNDARY SURVEY
TRACT 2, FINAL PLAT OF APACHE VILLAGE SECTION B
HOLIDAY VILLAGES OF MEDINA VOLUME 8, PAGE 141 OF THE
PLAT RECORDS OF MEDINA COUNTY, TEXAS

Notes

1) Bearings are based on NAD 83 TEXAS
COORDINATE SYSTEM SOUTH CENTRAL ZONE, US
FOOT.

I HEREBY STATE: THAT THIS SURVEY WAS CREATED
ACCORDING TO AN ACTUAL SURVEY MADE ON THE
GROUND BY ME ON January 2023.

Philip V. Hampton 1/24/24
Philip V. Hampton, R.P.L.S. NO. 5520



LEGEND:

- IRON ROD SET WITH 5520 CAP
- IRON ROD FOUND
- MAG NAIL SET
- (XX.XX') RECORD DIMENSIONS

Job#: 132-1



12274 Bandera Road Ste 123
Helotes, Texas 78023
www.surgis-texas.com
210-367-5843
firm # 10193840

**Medina County
Gina Champion
Medina County
Clerk**

Instrument Number: 2024000614

eRecording - Real Property

DECLARATION

Recorded On: January 25, 2024 11:30 AM

Number of Pages: 10

" Examined and Charged as Follows: "

Total Recording: \$57.00

******* THIS PAGE IS PART OF THE INSTRUMENT *******

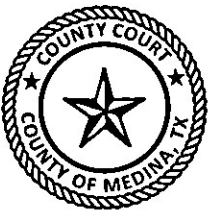
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2024000614
Receipt Number: 20240125000019
Recorded Date/Time: January 25, 2024 11:30 AM
User: Jaylen P
Station: cccash2

Record and Return To:

Simplifile
484 North 300 West, Suite 202
Provo UT



**STATE OF TEXAS
MEDINA COUNTY**

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Medina County, Texas.

Gina Champion
Medina County Clerk
Medina County, TX

