

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

AFTER RECORDING, RETURN TO:
Bishop Arts Tenth Street Condominium Association, Inc.
c/o Essex Association Management, L.P.
1512 Crescent Drive, Ste. 112
Carrollton, Texas 75006

**THIRD AMENDMENT TO CONDOMINIUM DECLARATION FOR
BISHOP ARTS TENTH STREET CONDOMINIUMS**

THIS THIRD AMENDMENT TO CONDOMINIUM DECLARATION FOR BISHOP ARTS TENTH STREET CONDOMINIUMS (this "Amendment") is made and entered into on this 24th day of January, 2019 by SZK DEVELOPMENT, LLC, a Texas limited liability company ("Declarant").

PRELIMINARY STATEMENTS

WHEREAS, Declarant executed that certain Condominium Declaration for Bishop Arts Tenth Street Condominiums dated April 26, 2018, and recorded on May 14, 2018, in Document Number 201800126527, of the Official Public Records of Dallas County, Texas, reference to which record is here made for all purposes (the "Original Declaration"), as amended and modified by that certain First Amendment to Condominium Declaration for Bishop Arts Tenth Street Condominiums dated July 1, 2018, and recorded on December 6, 2018, in Document Number 201800320893, of the Official Public Records of Dallas County, Texas, reference to which record is here made for all purposes (the "First Amendment to Declaration"), and as further amended and modified by that certain Second Amendment to Condominium Declaration for Bishop Arts Tenth Street Condominiums dated January 8, 2019, and recorded on January 11, 2019, in Document Number 201900009486, of the Official Public Records of Dallas County, Texas, reference to which record is here made for all purposes (the "Second Amendment to Declaration"; the Original Declaration, as modified and amended by the First Amendment to Declaration and the Second Amendment to Declaration is herein referred to as the "Declaration");

WHEREAS, in accordance with the terms of the Declaration, including, without limitation, Declarant's rights under Section 3.7 and Section 12.2 of the Declaration, the Declarant has the right at any time and from time-to-time without the joinder or consent of any other party, to unilaterally amend the Declaration by any instrument in writing duly signed, acknowledged, and filed for record in Dallas County, Texas.

WHEREAS, Exhibit B and Exhibit C attached to the First Amendment to Declaration and Exhibit B attached to the Second Amendment to Declaration erroneously referenced the

Phases in which each Unit within the Condominium is located, and Declarant desires to correct such erroneous reference and to add to Exhibit C of the Declaration unit reference for the address assigned to each Unit by applicable governmental authorities; an

WHEREAS, Declarant hereby desires to amend and modify the Declaration as hereinafter provided by this Amendment, which shall run with the land and title subject to the Declaration, as amended by this Amendment, and shall be binding on all persons having any right, title or interest in all or any portion of the real property now or hereafter made subject to the Declaration, as amended by this Amendment, and their respective heirs, legal representatives, successors-in-title and assigns.

NOW, THEREFORE, Declarant does hereby adopt this Amendment as follows:

1. Definitions. Unless otherwise defined in this Amendment, all capitalized words or terms used herein shall be defined and have the meaning set forth in the Declaration as modified and amended hereby.

2. Amendment(s). The Declaration is hereby modified and amended in the following respects:

(a) Exhibit B of the Declaration is hereby modified and amended and replaced in its entirety with Exhibit B attached hereto.

(b) Exhibit C of the Declaration is hereby modified and amended and replaced in its entirety with Exhibit C attached hereto.

3. No Other Effect. Except as expressly amended by this Amendment, the terms and provisions of the Declaration are not amended, modified or supplemented.

4. Severability. Invalidation of any provision of this Amendment by judgment or court order shall in no way affect any other provision of this Amendment, or the remainder of this Amendment, which shall remain in full force and effect. Furthermore, in lieu of each such illegal, invalid, or unenforceable provision, there shall be added automatically as a part of this Amendment a provision as similar in terms to such illegal, invalid, or unenforceable provision as may be possible and be legal, valid, and enforceable.

5. Headings. The headings contained in this Amendment are for reference purposes only and shall not in any way affect the meaning or interpretation of this Amendment.

REMAINDER OF PAGE LEFT BLANK - SIGNATURE PAGE FOLLOWS

IN WITNESS WHEREOF, the undersigned have executed this Amendment effective as of the date set forth above.

DECLARANT:

SKZ DEVELOPMENT, LLC,
a Texas limited liability company

By: [Signature]
Name: Brad Vinberg
Title: Manager

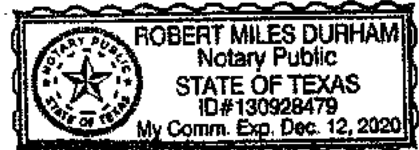
STATE OF TEXAS §
 §
COUNTY OF DALLAS §

BRADLEY VINBERG BEFORE ME, the undersigned authority, on this day personally appeared BRADLEY VINBERG of SKZ DEVELOPMENT, LLC, a Texas limited liability company, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that s/he executed the same for the purposes and consideration therein expressed, and as the act and deed of said limited liability company, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 24th day of January, 2019.

[Signature]
Notary Public in and for the State of Texas

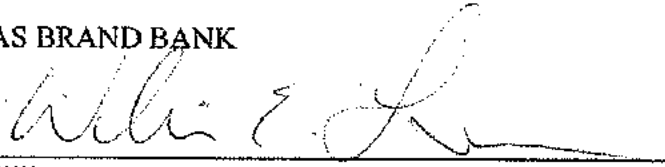
My Commission Expires: DEC 12



CONSENT AND SUBORDINATION OF LIENHOLDER

The undersigned, being the beneficiary under that certain Construction Deed of Trust, Security Agreement – Financing Statement dated July 27, 2017, executed by SZK Development LLC, a Texas limited liability company (the "**Borrower**") and recorded on July 28, 2017, under Document No. 201700211743, in the Official Public Records of Dallas County, Texas, together with any modifications, supplements, restatements or amendments thereto, hereby consents to the Amendment to Condominium Declaration of for Bishop Arts Tenth Street Condominiums (the "**Amendment to Declaration**") to be applicable to the Land, in accordance with the terms thereof, and furthermore subordinates its lien rights and interests in and to the Land to the terms, provisions, covenants, conditions and restrictions under the Amendment to Declaration so that foreclosure of its lien will not extinguish the terms, provisions, covenants, conditions and restrictions under the Amendment to Declaration.

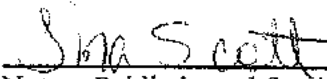
TEXAS BRAND BANK

By: 
William E. Lowe, President

STATE OF TEXAS §
 §
COUNTY OF Dallas §

BEFORE ME, the undersigned authority, on this day personally appeared William E. Lowe, President of Texas Brand Bank, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that s/he executed the same for the purposes and consideration therein expressed, and as the act and deed of said entity and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 24th day of January, 2019.


Notary Public in and for the State of Texas

My Commission Expires: 12-20-20

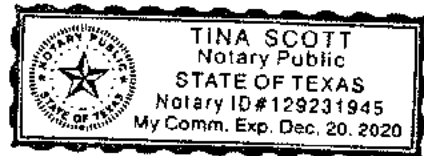


EXHIBIT "B"

MAP

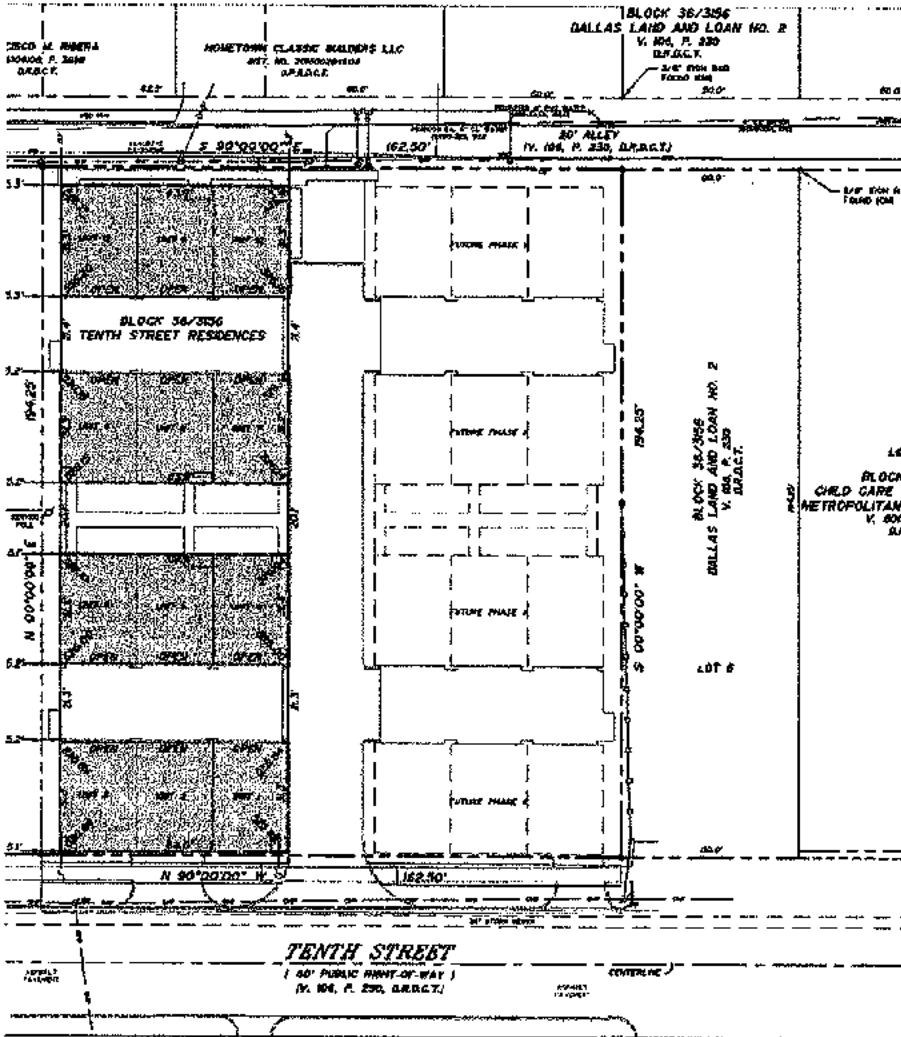
[see attached]

005782\00068\2240890.1

427 West 10th Street Residences

Exhibit 'A'

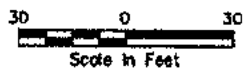
LAND - SURVEYOR CERTIFICATION



Description
 Being all of Lot 2A, Block 36/3156, Tenth Street Residences, on addition to the City of Dallas, Dallas County, Texas.

Certification
 I hereby certify that we have verified the location of foundation forms for Lot 2A, Block 36/3156, Tenth Street Residences and have found them to be correctly located within acceptable positional tolerance for foundation forms.

Robert W. Schneeburg
 Robert W. Schneeburg, TX RPLS NO. 4804
 Gonzalez & Schneeburg, Engineers & Surveyors, Inc.
 TX Surveying Firm Reg. No. 100752-00
 2100 Lakeside Boulevard, Suite 200
 Richardson, Texas 75082
 Phone 972.516.8855 Fax 972.516.8900
 GSES No.: 6625-17-10-1
 Date: November 14, 2017



FORM SURVEY
 FOR
 427 W. TENTH STREET
 LOT 2A, BLOCK 36/3156
 TENTH STREET RESIDENCES
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

Gonzalez & Schneeburg 2100 Lakeside Boulevard, Suite 200
 engineers - surveyors Richardson, Texas 75082
 (972) 516-8855 Fax (972) 516-8901

SCALE: NTS

PAGE: 1 of 2
 DATE: 01/23/19



4700 WESTGROVE DRIVE, STE. 200
 ADDISON, TEXAS 75001
 PHONE: 972-333-9455
 EMAIL: ralphbush@hotmail.com

427 West 10th Street Residences

Exhibit 'A'

LAND - LEGAL DESCRIPTION

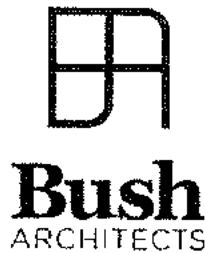
Description

Being all of Lot 2A, Block 36/3156, Tenth Street Residences, an addition to the City of Dallas, Dallas County, Texas.

Certification

I hereby certify that we have verified the location of foundation forms for Lot 2A, Block 36/3156, Tenth Street Residences and have found them to be correctly located within acceptable positional tolerance for foundation forms.

PAGE: 1 of 2
DATE: 01/23/19



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ADDISON, TEXAS 75001
PHONE: 972-333-9455
EMAIL: ralphbush@hotmail.com

427 West 10th Street Residences

Exhibit 'B'

Notes

1. All hallways, elevators, stairs and landings which are not located in a unit, are general common elements.
2. All Balconies are part of the unit to which attached.
3. The Unit plans show interior wall to interior wall measurements. The actual unit dimensions, which extend into the wall and floor cavities as described in the declaration, and summarized here:

For units on Levels 2 and 3, the lower boundary is the underside of the sub-flooring.

Each unit's upper boundary in the exterior surface of the sheetrock comprising the unit's perimeter ceilings.

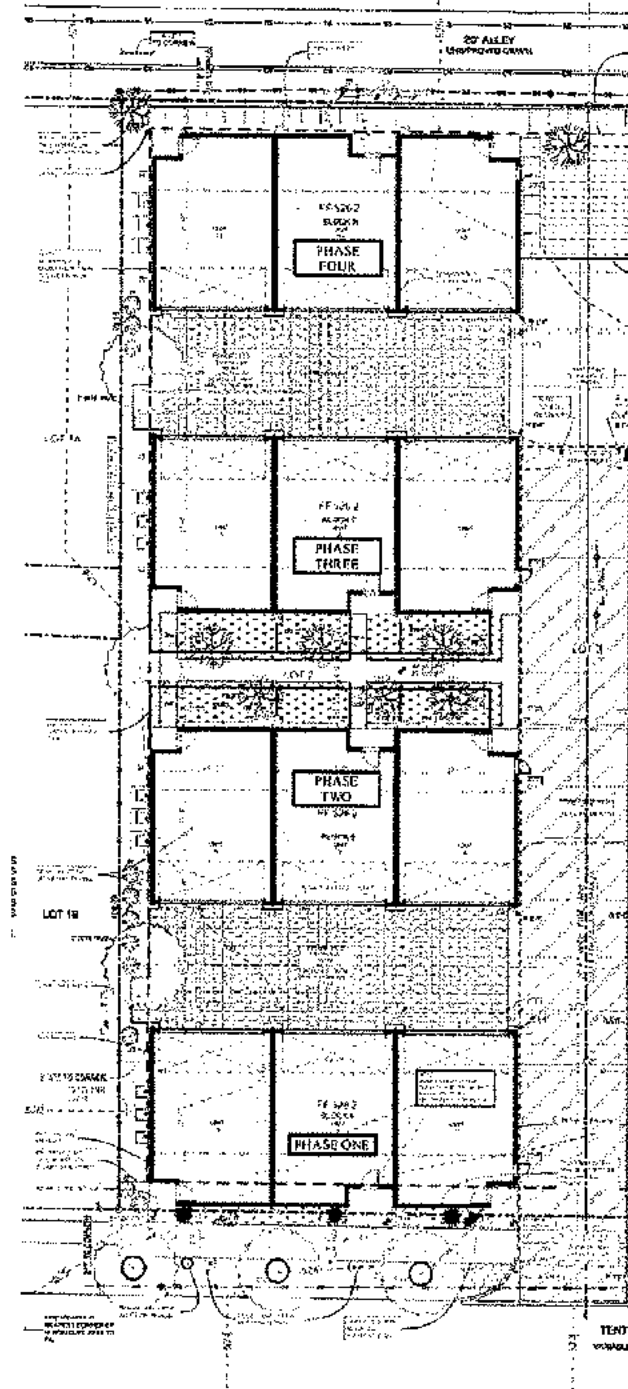
On party-walls, walls between two units, on half of the wall cavity is within the unit's dimensions. The unit's lateral boundaries are the planes defined by the midpoints of the party wall

On all other perimeter walls, the unit's lateral boundaries are the planes defined by the outside-facing surfaces of the sheetrock on the perimeter walls of the living area and by the inside-facing surfaces of the doors and windows in the perimeter cavities, door and windows are not part of the Unit.

4. GCE = General Common Element
5. LCE = Limited Common Element

427 West 10th Street Residences

Exhibit 'B' LAND - SITE PLAN



SCALE: 1" = 400'-0"



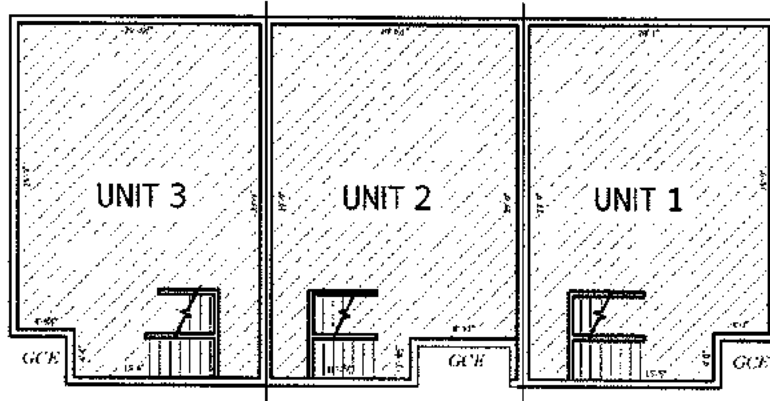
PAGE: 2 of 14
DATE: 01/23/19

4700 WESTGROVE DRIVE, STE. 200
ADDISON, TEXAS 75001
PHONE: 972-333-9455
EMAIL: ralphbush@hotmail.com

427 West 10th Street Residences

Exhibit 'B'




PHASE ONE - LOT 2A
BLOCK A - FIRST FLOOR
427 W. 10th Street



FLOOR PLAN - GROUND LEVEL

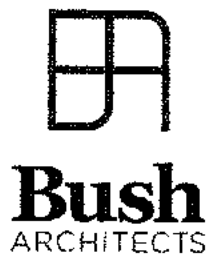
Elevations on this level are between 526.20' and 535.87' based upon a finished floor elevation of 526.20' at ground level.



-  GENERAL COMMON ELEMENT
-  UNIT
-  LIMITED COMMON ELEMENT

SCALE: 1/16" = 1'-0"

PAGE: 3 of 14
DATE: 01/23/19

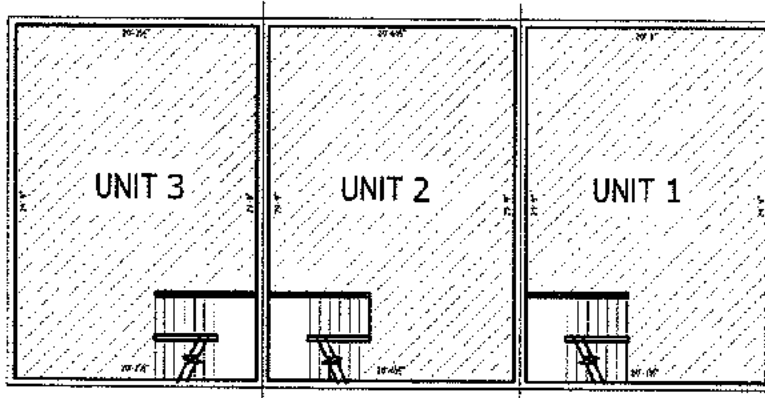


4700 WESTGROVE DRIVE, STE. 200
ADDISON, TEXAS 75001
PHONE: 972-333-9455
EMAIL: ralphbush@hotmail.com

427 West 10th Street Residences

Exhibit 'B'




PHASE ONE - LOT 2A
BLOCK A - SECOND FLOOR
427 W. 10th Street



FLOOR PLAN - SECOND LEVEL

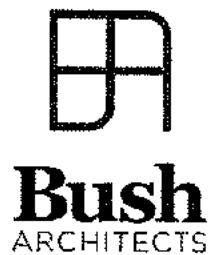
Elevations on this level are between 535.87' and 547.54' based upon a finished floor elevation of 526.20' at ground level.



-  GENERAL COMMON ELEMENT
-  UNIT
-  LIMITED COMMON ELEMENT

SCALE: 1/16" = 1'-0"

PAGE: 4 of 14
DATE: 01/23/19

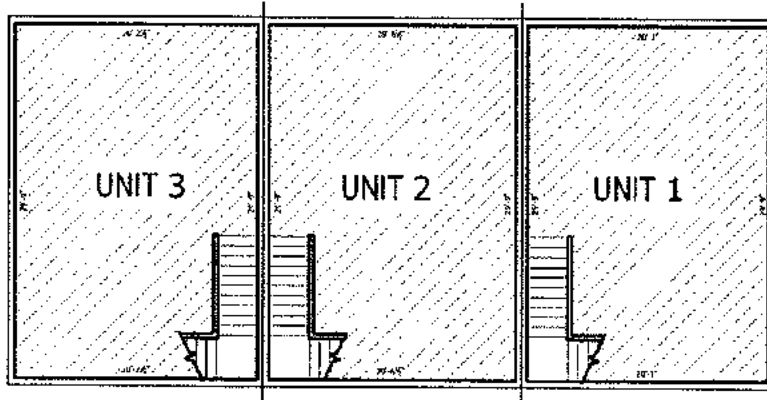


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427 West 10th Street Residences

Exhibit 'B'




PHASE ONE - LOT 2A
BLOCK A - THIRD FLOOR
427 W. 10th Street



FLOOR PLAN - THIRD LEVEL

Elevations on this level are between 547.54' and 556.54' based upon a finished floor elevation of 326.20' at ground level.



-  GENERAL COMMON ELEMENT
-  UNIT
-  LIMITED COMMON ELEMENT

SCALE: 1/16" = 1'-0"

PAGE: 5 of 14
DATE: 01/23/19

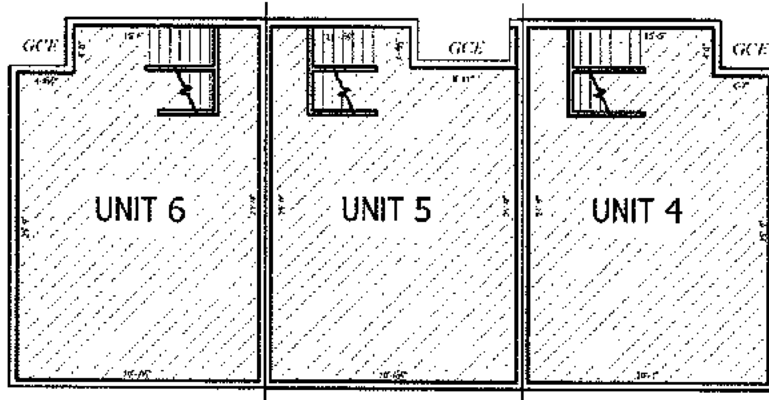


4700 WESTGROVE DRIVE, STE. 200
ADDISON, TEXAS 75001
PHONE: 972-333-9455
EMAIL: ralphbush@hotmail.com

427 West 10th Street Residences

Exhibit 'B'




PHASE TWO - LOT 2A
BLOCK B - FIRST FLOOR
427 W. 10th Street



FLOOR PLAN - GROUND LEVEL

Elevations on this level are between 526.20' and 535.87' based upon a finished floor elevation of 526.20' at ground level



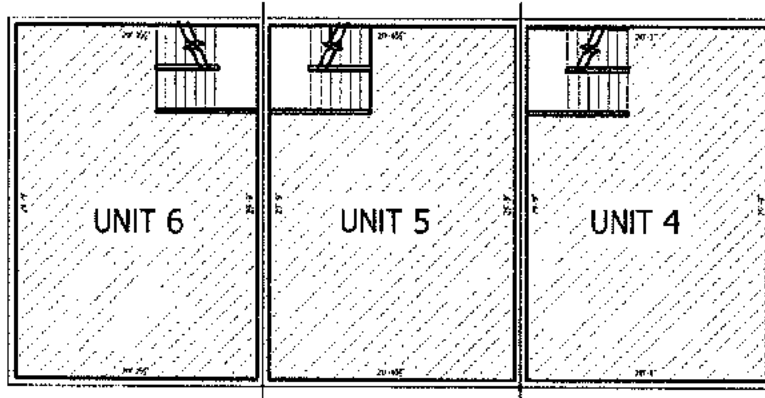
-  GENERAL COMMON ELEMENT
-  UNIT
-  LIMITED COMMON ELEMENT

SCALE: 1/16" = 1'-0"

427 West 10th Street Residences

Exhibit 'B'


PHASE TWO - LOT 2A
BLOCK B - SECOND FLOOR
427 W. 10th Street





FLOOR PLAN - SECOND LEVEL

Elevations on this level are between 535.87' and 547.54' based upon a finished floor elevation of 536.20' at ground level.



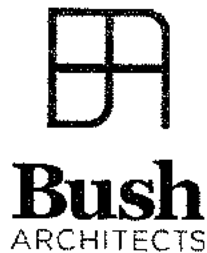
 GENERAL COMMON ELEMENT

 UNIT

 LIMITED COMMON ELEMENT

SCALE: 1/16" = 1'-0"

PAGE: 7 of 14
DATE: 01/23/19

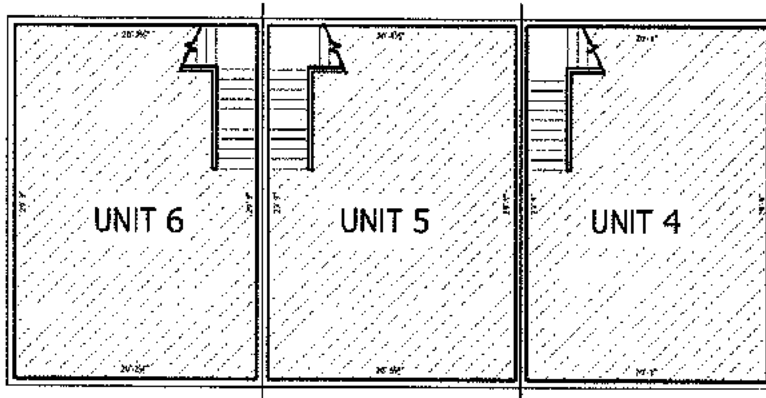


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PHONE: 972-333-9455
EMAIL: ralphbush@hotmail.com

427 West 10th Street Residences

Exhibit 'B'




PHASE TWO - LOT 2A
BLOCK B - THIRD FLOOR
427 W. 10th Street



FLOOR PLAN - THIRD LEVEL

Elevations on this level are between 547.54' and 556.54' based upon a finished floor elevation of 526.20' at ground level.



-  GENERAL COMMON ELEMENT
-  UNIT
-  LIMITED COMMON ELEMENT

SCALE: 1/16" = 1'-0"

PAGE: 8 of 14
DATE: 01/23/19

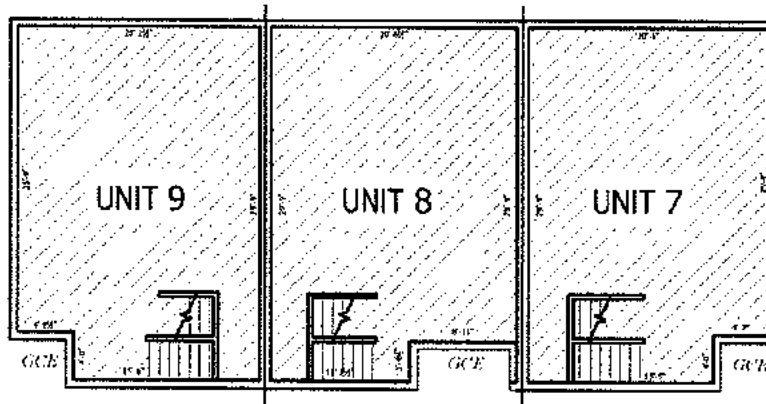


4700 WESTGROVE DRIVE, STE. 200
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PHONE: 972-333-9455
EMAIL: ralphbush@hotmail.com

427 West 10th Street Residences

Exhibit 'B'


PHASE THREE - LOT 2A
BLOCK C - FIRST FLOOR
427 W. 10th Street




FLOOR PLAN - GROUND LEVEL

Elevations on this level are between 526.20' and 535.87' based upon a finished floor elevation of 526.20' at ground level



 GENERAL COMMON ELEMENT

 UNIT

 LIMITED COMMON ELEMENT

SCALE: 1/16" = 1'-0"

PAGE: 9 of 14
DATE: 01/23/19

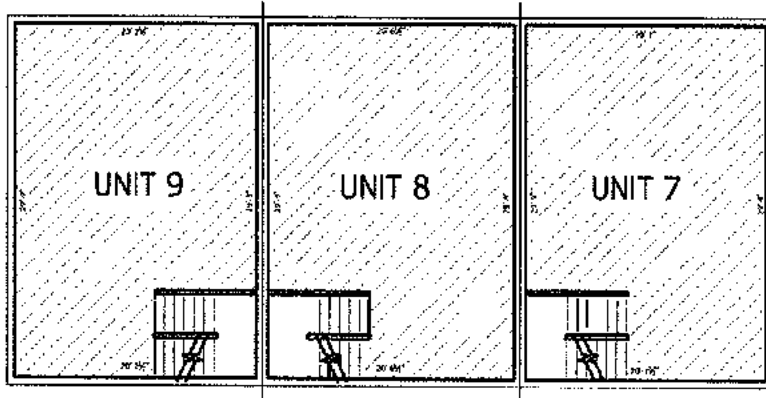


4700 WESTGROVE DRIVE, STE. 200
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PHONE: 972-333-9455
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427 West 10th Street Residences

Exhibit 'B'




PHASE THREE - LOT 2A
BLOCK C - SECOND FLOOR
427 W. 10th Street



FLOOR PLAN - SECOND LEVEL

Elevations on this level are between 533.87' and 547.34' based upon a finished floor elevation of 526.20' at ground level.



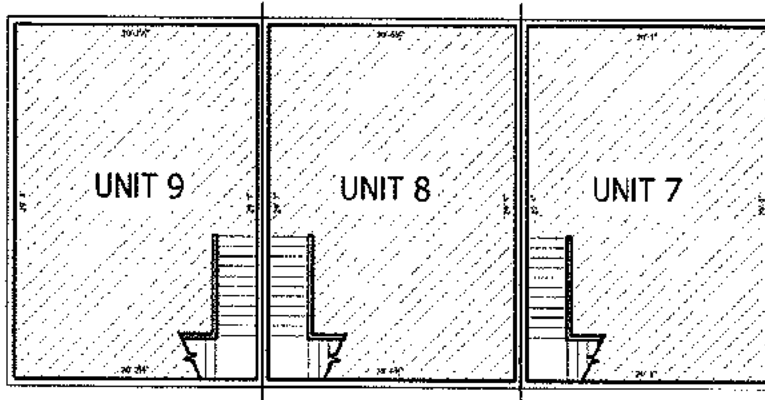
-  GENERAL COMMON ELEMENT
-  UNIT
-  LIMITED COMMON ELEMENT

SCALE: 1/16" = 1'-0"

427 West 10th Street Residences

Exhibit 'B'




PHASE THREE - LOT 2A
BLOCK C - THIRD FLOOR
427 W. 10th Street



FLOOR PLAN - THIRD LEVEL

Elevations on this level are between 547.54' and 556.54' based upon a finished floor elevation of 526.20' at ground level.



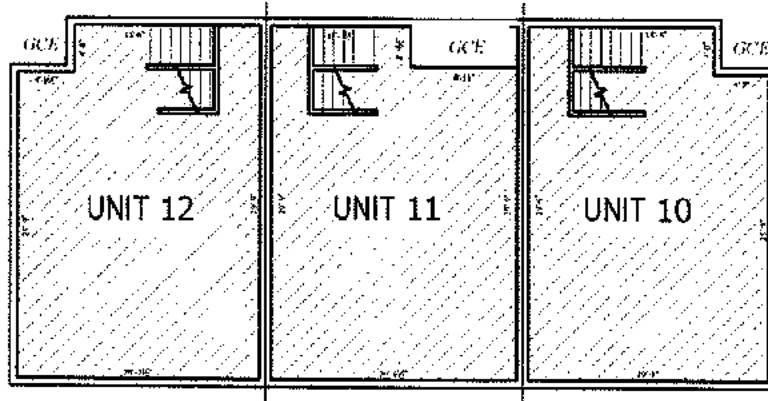
-  GENERAL COMMON ELEMENT
-  UNIT
-  LIMITED COMMON ELEMENT

SCALE: 1/16" = 1'-0"

427 West 10th Street Residences

Exhibit 'B'


PHASE FOUR - LOT 2A
BLOCK D - FIRST FLOOR
427 W. 10th Street





FLOOR PLAN - GROUND LEVEL

Elevations on this level are between 526.20' and 525.87' based upon a finished floor elevation of 526.20' at ground level.



 GENERAL COMMON ELEMENT

 UNIT

 LIMITED COMMON ELEMENT

SCALE: 1/16" = 1'-0"

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DATE: 01/23/19

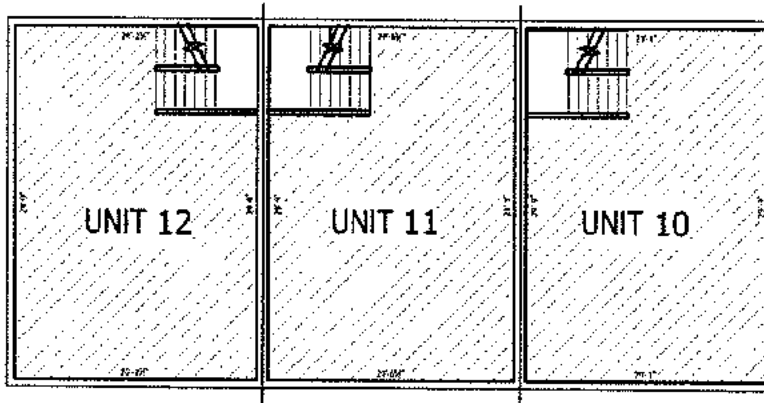


4700 WESTGROVE DRIVE, STE. 200
ADDISON, TEXAS 75001
PHONE: 972-333-9455
EMAIL: ralphbush@hotmail.com

427 West 10th Street Residences

Exhibit 'B'




PHASE FOUR - LOT 2A
BLOCK D - SECOND FLOOR
427 W. 10th Street



FLOOR PLAN - SECOND LEVEL

Elevations on this level are between 535.87' and 547.54' based upon a finished floor elevation of 526.20' at ground level.



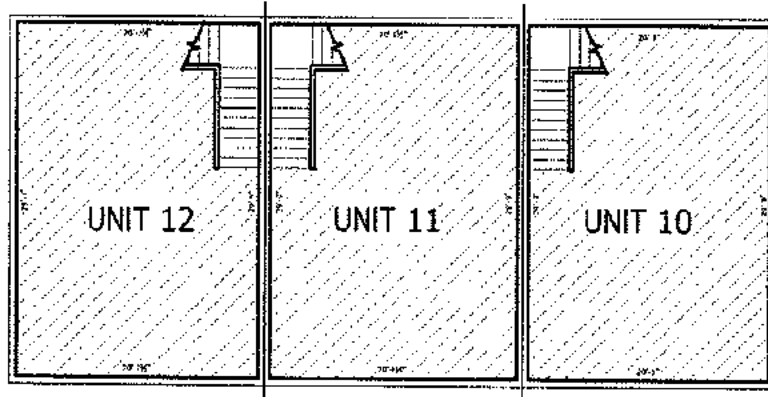
-  GENERAL COMMON ELEMENT
-  UNIT
-  LIMITED COMMON ELEMENT

SCALE: 1/16" = 1'-0"

427 West 10th Street Residences

Exhibit 'B'




PHASE FOUR - LOT 2A
BLOCK D - THIRD FLOOR
427 W. 10th Street



FLOOR PLAN - THIRD LEVEL

Elevations on this level are between 547.54' and 556.54' based upon a finished floor elevation of 526.20' at ground level.



-  GENERAL COMMON ELEMENT
-  UNIT
-  LIMITED COMMON ELEMENT

SCALE: 1/16" = 1'-0"

PAGE: 14 of 14
DATE: 01/23/19



4700 WESTGROVE DRIVE, STE. 200
ADDISON, TEXAS 75001
PHONE: 972-333-9455
EMAIL: ralphbush@hotmail.com

EXHIBIT "C"

ALLOCATION OF OWNERSHIP INTERESTS AND MONTHLY ASSESSMENTS

[see attached]

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427 West 10th Street Residences

Exhibit 'C'

Allocation of Ownership Interests

LOT 2A: 427 W 10th Street					
PHASE	BLOCK	UNIT NUMBER	UNIT ADDRESS: 427 W 10th Street DALLAS, TX	SQUARE FEET OF UNIT	PERCENTAGE OWNERSHIP
1	A	1	UNIT 101	2025	8.33%
1	A	2	UNIT 102	2025	8.33%
1	A	3	UNIT 103	2025	8.33%
LOT 2A: 427 W 10th Street					
PHASE	BLOCK	UNIT NUMBER	UNIT ADDRESS: 427 W 10th Street DALLAS, TX	SQUARE FEET OF UNIT	PERCENTAGE OWNERSHIP
2	B	4	UNIT 301	2025	8.33%
2	B	5	UNIT 302	2025	8.33%
2	B	6	UNIT 303	2025	8.33%
LOT 2A: 427 W 10th Street					
PHASE	BLOCK	UNIT NUMBER	UNIT ADDRESS: 427 W 10th Street DALLAS, TX	SQUARE FEET OF UNIT	PERCENTAGE OWNERSHIP
3	C	7	UNIT 501	2025	8.33%
3	C	8	UNIT 502	2025	8.33%
3	C	9	UNIT 503	2025	8.33%
LOT 2A: 427 W 10th Street					
PHASE	BLOCK	UNIT NUMBER	UNIT ADDRESS: 427 W 10th Street DALLAS, TX	SQUARE FEET OF UNIT	PERCENTAGE OWNERSHIP
4	D	10	UNIT 701	2025	8.33%
4	D	11	UNIT 702	2025	8.33%
4	D	12	UNIT 703	2025	8.33%



427 West 10th Street Residences

Exhibit 'C'

Monthly
Assessment

\$2,500.00

LOT 2A: 427 W 10th Street				MONTHLY ASSESSMENT	
PHASE	BLOCK	UNIT NUMBER	UNIT ADDRESS: 427 W 10th Street DALLAS, TX	SQUARE FEET OF UNIT	MONTHLY ASSESSMENT
1	A	1	UNIT 101	2025	\$200.00
1	A	2	UNIT 102	2025	\$200.00
1	A	3	UNIT 103	2025	\$200.00
LOT 2A: 427 W 10th Street				MONTHLY ASSESSMENT	
PHASE	BLOCK	UNIT NUMBER	UNIT ADDRESS: 427 W 10th Street DALLAS, TX	SQUARE FEET OF UNIT	MONTHLY ASSESSMENT
2	B	4	UNIT 301	2025	\$200.00
2	B	5	UNIT 302	2025	\$200.00
2	B	6	UNIT 303	2025	\$200.00
LOT 2A: 427 W 10th Street				MONTHLY ASSESSMENT	
PHASE	BLOCK	UNIT NUMBER	UNIT ADDRESS: 427 W 10th Street DALLAS, TX	SQUARE FEET OF UNIT	MONTHLY ASSESSMENT
3	C	7	UNIT 501	2025	\$200.00
3	C	8	UNIT 502	2025	\$200.00
3	C	9	UNIT 503	2025	\$200.00
LOT 2A: 427 W 10th Street				MONTHLY ASSESSMENT	
PHASE	BLOCK	UNIT NUMBER	UNIT ADDRESS: 427 W 10th Street DALLAS, TX	SQUARE FEET OF UNIT	MONTHLY ASSESSMENT
4	D	10	UNIT 701	2025	\$200.00
4	D	11	UNIT 702	2025	\$200.00
4	D	12	UNIT 703	2025	\$200.00

PAGE: 2 of 2
DATE: 01/23/19



Bush
ARCHITECTS

4700 WESTGROVE DRIVE, STE. 200
ADDISON, TEXAS 75001
PHONE: 972-333-9455
EMAIL: ralphbush@hotmail.com

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