

Del Paseo: definition of ownership

Del Paseo, a 60-unit, award-winning townhome development, was built in 1968 by Jefferson Properties, a subsidiary of Southland Investment Properties of Texas, and has been maintained and operated by Jefferson Properties on a rental basis since its inception. Now Del Paseo is being converted into sixty luxurious townhomes available for purchase.

The purchaser is buying a home within the condominium development known as Del Paseo Townhomes, subject to all of the provisions of the Condominium Act of the State of Texas. The operating rules and regulations of the development will be set forth in the Declaration and Master Deed and the Condominium By-laws, each of which will be a recorded document.

A purchaser of a Del Paseo Townhome acquires exclusive ownership of a living space within the building in which his home is located. Generally speaking, each unit consists of the enclosed space within the interior surface of the perimeter walls, floors and ceilings

of the townhome, the attached garage and the exterior surfaces of balconies and patios of the unit.

The structure in which each townhome is located, the land and other facilities serving the development are all defined as "common elements" and are owned by all Del Paseo home owners under a common ownership agreement, governed by the provisions of the Condominium Act and the Master Deed. In addition to owning his home, each owner will also own a 1/60th share of the "common elements" and will receive a deed to his property which will be insured by a policy of title insurance. Commencing with the tax assessment for the year 1979, each home owner will receive a real property tax bill based on the value of his particular townhome plus 1/60th of the value of the common area.

The owner of a Del Paseo Townhome will generally be responsible for the maintenance, repair and replacement of items including air conditioning and heating equipment located within his particular unit. The upkeep of the common elements including the structural portions, roofs and exterior walls of the buildings, landscaping, interior and exterior non-dedicated streets, swimming pool and utility facilities serving the buildings will be the responsibility of the Del Paseo Townhome Association.

Each owner of a Del Paseo Townhome will automatically

become a member of the Del Paseo Townhome Association which will be established as a Texas non-profit association. The Association will have periodic meetings, the first of which will be held within ninety days after 70% of the homes in the development have been purchased. The purpose of the meetings will be to discuss budgetary matters, to elect officers and in general to decide how the development will be managed. The board of directors of the Association shall establish an annual budget in advance which will project all expenses which in the board's opinion will be required for the operation, management and maintenance of the development, including a reasonable allowance for contingencies and reserves. Each home owner will be responsible for 1/60th of the annual assessment which shall be paid monthly, in advance. Failure to pay the assessment shall be the personal liability of the individual owner, and the By-laws provide strict penalties up to and including foreclosure and litigation for the collection and satisfaction of delinquent assessments.

Each townhome will be separately metered for electricity only. Common element charges will include all water and gas, and the Association will maintain "All Risk" insurance including fire, extended coverage, vandalism, malicious mischief and collapse. Home owner's interest in the Association will be protected by liability insurance in the amount of

\$1 million. Each home owner should carry personal liability and personal effects insurance.

In the event of damage to the property, the Association will be responsible for the repair of the premises, unless under certain circumstances wherein damages are so great that the members may not wish to reconstruct the development, in which case the property would be sold and the sale proceeds along with insurance proceeds would be distributed to each owner and his or her respective mortgagee.

The By-laws of the Association place certain restrictions on the use of a townhome within the project. For instance, it must be used for single-family residential purposes, and the common elements can only be used for purposes consistent with that use. Architectural and other exterior alterations or modifications must be approved by the Association. The By-laws are specifically designed to maintain the beauty of the project and to protect the quiet enjoyment of Del Paseo Townhome living.

Each home has its own individual heating and air conditioning unit and is equipped with a dishwasher, garbage disposal, hot water heater and automatic garage door opener. Each of these items will have a limited warranty during which time defective parts will be repaired at no cost to the purchaser.

The foregoing is intended to be a general summary of the Del Paseo Townhome condominium development. Each purchaser should read the Master Deed and the Condominium By-laws and should review these documents for the purpose of determining his or her precise rights and interests in the property. It is further suggested that each purchaser submit the above documents for individual legal review prior to purchase of a Del Paseo Townhome.

Del Paseo Townhomes—a journey into luxurious comfort and sophisticated living. Enjoy the privacy of individual home ownership, surrounded by landscaped grounds, shaded patios, a swimming pool and recreation areas.

Only minutes from downtown Dallas or D/FW Airport, Del Paseo is the perfect location for those ready to enjoy the pleasures of home ownership without its responsibilities.

Each of the four designs offers three bedrooms, two-and-a-half baths, two-car garage with automatic door opener, covered balconies and serenely secluded patio.

Del Paseo — *a journey home.*

MacArthur at Lane Street

Del Paseo
TOWNHOMES