

Return to FATICO/Main 1879324-RC

**WHEN RECORDED RETURN TO:**

Marc D. Blonstein, Esq.  
Berens, Kozub & Kloberdanz, PLC  
7047 East Greenway Pkwy., Suite 140  
Scottsdale, Arizona 85254

**ASSIGNMENT OF FOUNDER'S RIGHTS**

THIS ASSIGNMENT OF FOUNDER'S RIGHTS (the "Assignment") is made as of the 31 day of October, 2014, by and between MEast Holdings, LLC, a Delaware limited liability company ("Assignor"), to and for the benefit of Mariposa East, LP, an Arizona limited partnership ("Assignee"), with reference to the facts set forth below.

**RECITALS**

WHEREAS, Assignee (and/or an affiliate of Assignee) previously acquired from Assignor title to that certain real property described on Exhibit "A" attached hereto and by this reference incorporated herein (the "Property"); and

WHEREAS, in connection with the conveyance of the Property from Assignor to Assignee, Assignor and Assignee intend and agree that Assignor shall assign, without warranting the existence, scope, character, assignability, or duration thereof, to Assignee any right, title and interest (the "Rights") under any and all of the community documents affecting the Property and the governance thereof (collectively, the "Declaration"), including but not limited to the rights of the "Founder" (as used and defined in such documents), pursuant to any documents affecting the Property, including but not limited to the following documents:

- (a) By-Laws of Mariposa Community Association, Inc., dated August 27, 2004, recorded on December 23, 2004 in the real estate records of Sandoval County, New Mexico, in Book 407, Page 41052;
- (b) By-Laws of Mariposa Assembly, Inc., recorded on July 8, 2005, in the real estate records of Sandoval County, New Mexico, in Book 408, Page 25011 (pages 28-46 of recorded instrument);
- (c) Amended and Restated Community Covenant dated July 7, 2005, recorded on July 8, 2005, in the real estate records of Sandoval County, New Mexico in Book 408, Page 25022, as amended by those certain documents recorded in the real estate records of Sandoval county, New Mexico in Book 410, Page 3691; Book 412, Page 6514; and Book 413, Page 23497;

(d) Community Charter for Mariposa Residential Property dated December 17, 2004, recorded on December 23, 2004 in the real estate records of Sandoval County, New Mexico in Book 407, Page 41052;

(e) First Supplement to Community Charter for Mariposa Residential Property dated May 2, 2005, recorded on May 3, 2005 in the real estate records of Sandoval County, New Mexico in Book 408, Page 15689;

(f) Fifth Supplement to Community Charter for Mariposa Residential Property, recorded in the real estate records of Sandoval County, New Mexico in Book 409, Page 41734 as document number 2006-41734; and

(g) Sixth Supplement to Community Charter for Mariposa Residential Property, recorded in the real estate records of Sandoval County, New Mexico in Book 409, Page 48352 as document number 2006-48352;

NOW, THEREFORE, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, Assignor and Assignee agree as follows:

#### AGREEMENT

1. Assignor hereby assigns to Assignee all Rights of "Founder" that Assignor may have under the Declaration with respect to the Property.

2. Assignee hereby accepts the foregoing assignment and all such rights, powers and obligations Assignor may have as "Founder" under the Declaration with respect to the Property.

3. This Assignment shall be binding upon and inure to the benefit of the parties hereto and their successors and assigns.

4. This Assignment shall be construed and enforced in accordance with the laws of the State of New Mexico.

5. Each of the parties signing this Assignment hereby warrants, and represents that it has the full legal power, authority and right to execute, deliver and perform the obligations under this Assignment, that this Assignment has been duly authorized by all requisite actions on the part of such warranting party, and that no remaining action or third party action is required to make this Assignment binding upon such party.

6. This Assignment may be executed in any number of counterparts, each of which, when so executed and when delivered, shall be an original, but such counterparts shall together constitute but one and the same instrument. Copies of this executed Assignment shall be fully enforceable as originals.

*[signature on following page]*



ASSIGNEE:

Mariposa East, LP, an Arizona limited partnership

By: ABQ-HVI Partners, LLLP, an Arizona  
Limited liability limited partnership  
Its: General Partner

By: Harvard Ventures, Inc., a Nevada  
Corporation  
Its: General Partner

By: [Signature]  
Its: H.V.I.

STATE OF ARIZONA     )  
                                  ) ss.  
County of Maricopa     )

This instrument was acknowledged before me this 29<sup>th</sup> day of October, 2014, by Tim Bostin, Vice President of Harvard Ventures, Inc., a Nevada corporation, as General Partner of ABQ-HVI Partners, LLLP, an Arizona limited liability limited partnership, as General Partner of Mariposa East, LP, an Arizona limited partnership.

[Signature]  
Notary Public

My Commission Expires:

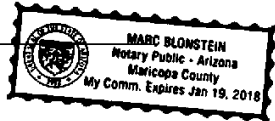


Exhibit "A" to  
Assignment of Founder's Rights

Legal Description

Parcel 1:

Intentionally Omitted

Parcel 2:

Tracts 1A3, OS2, OS3, OS4, OS5, OS6, OS7, OS9 and OS10 of MARIPOSA EAST, as the same are shown and designated on the plat thereof filed in the office of the County Clerk of Sandoval County, New Mexico on July 1, 2004 in Map Book 3, folio 2433B.

Parcel 3:

Tracts OS8A1 and OS8A2 of MARIPOSA EAST, as the same are shown and designated on the plat thereof filed in the office of the County Clerk of Sandoval County, New Mexico on July 25, 2005 in Map Book 3, folio 2560A.

Parcel 4:

Tract 1B2 of MARIPOSA EAST, as the same is shown and designated on the plat thereof filed in the office of the County Clerk of Sandoval County, New Mexico on October 5, 2005 in Map Book 3, folio 2583B.

Parcel 5:

Tracts 1A11, 1A12, 1A13, 1A14, 1A15, 1A16E, 1A16F, 1A16G, 1A16I, 1A20, OS12, OS13 and OS14 of MARIPOSA EAST, as the same are shown and designated on the plat thereof filed in the office of the County Clerk of Sandoval County, New Mexico on February 9, 2006 in Map Book 3, folio 2632B.

Parcel 6:

Tract One-A-Sixteen-H1 (1A16H1), MARIPOSA EAST, as the same is shown and designated on the plat thereof filed in the office of the County Clerk of Sandoval County, New Mexico on August 22, 2006 in Map Book 3, folio 2703B.

Parcel 7:

Tracts 1A21A1 and 1A21A2 of MARIPOSA EAST, as the same are shown and designated on the plat thereof filed in the office of the County Clerk of Sandoval County, New Mexico on January 17, 2007 in Map Book 3, folio 2764B.

**Parcel 8:**

Tract 1A16A1 of MARIPOSA EAST, as the same is shown and designated on the plat thereof filed in the office of the County Clerk of Sandoval County, New Mexico on March 20, 2007 in Map Book 3, folio 2788A.

**Parcel 9:**

Tract OS11A of MARIPOSA EAST, as the same is shown and designated on the plat thereof filed in the office of the County Clerk of Sandoval County, New Mexico on July 17, 2007 in Map Book 3, folio 2825B.

**Parcel 10:**

Lots numbered One (1), Two (2), Forty-one (41) and Forty-two (42) of the Final Plat of DESERT VIEW, Mariposa, New Mexico as the same are shown and designated on the plat thereof filed in the office of the County Clerk of Sandoval County, New Mexico on February 11, 2005 in Map Book 3, folio 2504A.

**Parcel 11:**

Lot numbered Forty-three-A (43-A) of DESERT VIEW, Mariposa, New Mexico, as the same is shown and designated on the plat thereof filed in the office of the County Clerk of Sandoval County, New Mexico on November 30, 2005 in Map Book 3, folio 2739A.

**Parcel 12:**

Lot numbered Twenty-Nine-A (29-A) of DESERT VIEW, Mariposa, New Mexico, as the same is shown and designated on the plat thereof filed in the office of the County Clerk of Sandoval County, New Mexico on December 4, 2007 in Map Book 3, folio 2869B.

**Parcel 13:**

Lots numbered Seven (7), Eight (8), Nine (9) and Twenty-five (25) in Block lettered "A" and Lots numbered Two (2), Three (3), Five (5), Six (6) and Nine (9) in Block lettered "B" and Tracts "A" and "B" of the Final Plat of RIDGELINE ESTATES UNIT 1, Mariposa, New Mexico, as the same are shown and designated on the plat thereof filed in the office of the County Clerk of Sandoval County, New Mexico on June 16, 2006 in Map Book 3, folio 2675B.

**Parcel 14:**

Lots numbered Twenty-seven (27), Twenty-nine (29), Thirty-four (34), Thirty-five (35), Thirty-six (36), Thirty-seven (37), Thirty-nine (39), Forty (40), Forty-one (41) and Forty-four (44) in Block lettered "A" of the Final Plat for RIDGELINE ESTATES UNIT 2, Mariposa, New Mexico, as the same are shown and designated on the plat thereof filed in the office of the

County Clerk of Sandoval County, New Mexico on September 14, 2006 in Map Book 3, folio 2711B.

Parcel 15:

Lots numbered Four (4), Five (5), Eight (8), Nine (9), Ten (10), Fourteen (14), Fifteen (15), Eighteen (18), Thirty-one (31), and Thirty-three (33) in Block lettered "A" of the Final Plat of HIGHLAND MEADOWS UNIT 1, Mariposa, New Mexico, as the same are shown and designated on the plat thereof filed in the office of the County Clerk of Sandoval County, New Mexico on June 16, 2006 in Map Book 3, folio 2676A.

Parcel 16:

Lots numbered Thirty-eight (38), Forty (40), Forty-one (41), Forty-two (42), Forty-three (43), Forty-four (44), Forty-five (45), Forty-six (46), Forty-seven (47) and Forty-nine (49) in Block lettered "A" and Lots numbered Fifty (50), Fifty-one (51), Fifty-two (52), Fifty-three (53), Fifty-four (54), Fifty-five (55), Fifty-seven (57), Fifty-eight (58), Fifty-nine (59), Sixty (60), Sixty-three (63) and Sixty-five (65) in Block lettered "B" and Tract A1 of the Final Plat of HIGHLAND MEADOWS UNIT 2, Mariposa, New Mexico, as the same are shown and designated on the plat thereof filed in the office of the County Clerk of Sandoval County, New Mexico on November 16, 2006 in Map Book 3, folio 2735B.

Parcel 17:

Lot numbered Seventy-four (74) in Block numbered One hundred twenty one (121), Unit Twenty-five (25), as the same is shown and designated on the map of said RIO RANCHO ESTATES filed in the office of the County Clerk of Sandoval County, New Mexico on March 5, 1971 in Rio Rancho Estates Plat Book 2, folio 52 through 54.

Parcel 18:

Natural Park and the Arroyo de la Barranca of Unit Twenty-five (25), Rio Rancho Estates, as the name are shown and designated on the Plat of Survey filed in the office of the County Clerk of Sandoval County, New Mexico on April 10, 2001 in Map Book 3, folio 2068A.

Parcel 19:

Tract OS-A of DESERT VIEW, Mariposa, New Mexico, as the same is shown and designated on the plat thereof filed in the office of the County Clerk of Sandoval County, New Mexico on November 30, 2006 in Map Book 3, folio 2739A.

Parcel 20:

Lot One (1) in Block lettered "A" of the Final Plat of HIGHLAND MEADOWS UNIT 1, Mariposa, New Mexico, as the same are shown and designated on the plat thereof filed in the

office of the County Clerk of Sandoval County, New Mexico on June 16, 2006 in Map Book 3, folio 2676A.

Parcel 21:

Lot numbered Sixty-one (61) in Block lettered "B" of the Final Plat of HIGHLAND MEADOWS UNIT 2, Mariposa, New Mexico, as the same are shown and designated on the plat thereof filed in the office of the County Clerk of Sandoval County, New Mexico on November 16, 2006 in Map Book 3, folio 2735B.

Parcel 22:

Tracts OS-B and OS-C of Final Plat of VENADA ESTATES MARIPOSA, NEW MEXICO, Rio Rancho, Sandoval County, New Mexico, as the same is shown and designated on the final plat thereof, filed in the office of the County Clerk of Sandoval County, New Mexico, on February 11, 2005, in Book 408, page 5001, as Document No. 200505001, in Plat Book 3, folio 2503B.

Parcel 23:

Lots 62, 63 and 64, Block 49, in Unit 25, as shown and described on the plat entitled "Blocks 48 thru 64, Commercial Tract "13", Multiple Tract "BB", Unit Twenty-Five RIO RANCHO ESTATES," filed in the office of the Sandoval County Clerk on February 8, 1971, in Rio Rancho Estate Plat Book 2, page 49.

Parcel 24:

Tract OS-1 of the Preliminary/Final Plat of Tracts 1A-1 thru 1A-10 & Tracts OS-1 thru OS-10 MARIPOSA EAST as the same is shown and designated on said plat filed in the office of the County Clerk of Sandoval County, New Mexico on July 1, 2004 in Volume 3, folio 2433-B.

Parcel 25:

Lot numbered Ten (10) in Block numbered One hundred thirty one (131), Unit Twenty-five (25), as the same is shown and designated on the map of said RIO RANCHO ESTATES filed in the office of the County Clerk of Sandoval County, New Mexico on March 5, 1971 in Rio Rancho Estates Plat Book 2, folio 52 through 54.

Parcel 26:

Intentionally Deleted