

**UNANIMOUS WRITTEN CONSENT  
IN LIEU OF SPECIAL MEETING OF THE  
BOARD OF DIRECTORS  
OF MARIPOSA COMMUNITY ASSOCIATION, INC.**

The undersigned, constituting all of the Directors of **MARIPOSA COMMUNITY ASSOCIATION, INC.**, a New Mexico nonprofit Association (the "Association"), hereby unanimously consent in writing to the following resolutions without the formality of convening a meeting and adopt said resolutions and any action taken thereunder for and as the actions of this Association:

WHEREAS, the Directors of the Association met on April 29, 2015 and approved a Service Area Assessment within the The Peaks Subdivision Mariposa East (the "Peaks Service Area") not to exceed \$2,000.00 per Lot (the "Assessment"), which was to commence upon the acceptance of the improvements within the Peaks Service Area (the "Improvements") for maintenance as described in the minutes of the meeting,

WHEREAS, the Improvements have been completed, and the common areas on which the Improvements have been constructed have been conveyed to the Association by Quit Claim Deed recorded at No. 2016007427 in the Official Records of Sandoval County, New Mexico (the "Quit Claim Deed"), attached as Exhibit "A",

WHEREAS, the plans and warranties related to the Improvements have been assigned to the Association pursuant to that certain Assignment of Plans and Warranties dated April 1, 2016, made by The Troughs, LLC, a New Mexico limited liability company in favor of the Association ("Assignment of Warranties"),

WHEREAS, the final costs of such Improvements are reflected in the invoice attached as Exhibit "B", and therefore result in a final per Lot assessment amount for The Peaks Service Area of \$1,653.02 per Lot.

RESOLVED, that the Association accepts: (i) the land described in the Quit Claim Deed, (ii) the Improvements, and (iii) the Assignment of Warranties.

RESOLVED, that the Special Assessment against each Lot within the Peaks Service Area shall be \$1,653.02 per Lot, payable thirty (30) days after the date of this resolution, as set forth below.

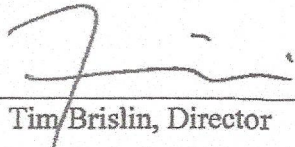
RESOLVED, that in the event the Special Assessments are not timely paid, interest shall accrue on such amount at the rate of .75% per month until paid.


RESOLVED, that: (i) regular assessments for The Peaks Service Area, payable solely by owners of Lots within The Peaks Service Area, shall be initially set at the

rate of \$20.00 per month; (ii) such regular assessments shall be adjusted as necessary to accommodate any deficiencies and to ensure no future deficiencies, and (iii) no deficiencies shall be payable from other funds held by the Association or from Founder.

RESOLVED, that the officers of the Association are authorized and directed to execute such further documents and take such further action as they consider necessary or advisable implement the purposes of these resolutions.

This Consent shall be effective for all purposes on the 15<sup>th</sup> day of April, 2016

By:   
\_\_\_\_\_  
Tim Brislin, Director

By:   
\_\_\_\_\_  
Jack Eichorn, Director

By:   
\_\_\_\_\_  
Michael Fietz, Director

Exhibit A

Quit Claim Deed



Exhibit B

Invoice

**Invoice**

**Special Assessment Work**

April 1, 2016

To: **Mariposa Community Association**

<u>Payee</u>	<u>Amount</u>	<u>Extra Work</u>
Gate It Access Systems	\$25,214.79	
Sundance Mechanical	\$136,426.81	
Aspen Block	\$10,843.47	
The Hilltop	\$91,118.16	\$17,606.86
Bizzell Electric	\$4,761.63	
<b>Total To Date</b>	<b>\$268,364.86</b>	<b>\$285,971.72</b>
Credit The Troughs (@91.33%)	\$245,097.63	\$261,177.97
<b>Baiance Due</b>	<b>\$23,267.23</b>	<b>\$24,793.75</b>
<b>Per lot Assessment</b>	<b>\$1,551.24</b>	<b>\$1,653.02</b>

Total Due

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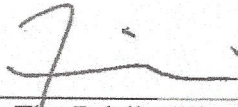
The undersigned, constituting all of the Directors of MARIPOSA COMMUNITY ASSOCIATION, INC., a New Mexico nonprofit Association (the "Association"), hereby unanimously consent in writing to the following resolutions without the formality of convening a meeting and adopt said resolutions and any action taken thereunder for and as the actions of this Association:


**RESOLVED**, that Vincent Pizzonia be, and he hereby is, removed as Vice President and Treasurer of The Association, effective immediately; and

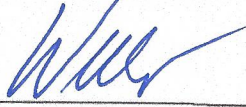
**RESOLVED**, that Michael Fietz be, and he hereby is appointed as Vice President and Treasurer of The Association, effective immediately, to serve until the next annual meeting of the Board of Directors, or until his successor is elected and shall qualify.

**RESOLVED**, that the officers of the Association are authorized and directed to execute such further documents and take such further action as they consider necessary or advisable implement the purposes of these resolutions.

This Consent shall be effective for all purposes on the 15<sup>th</sup> day of April, 2016

By:   
\_\_\_\_\_  
Tim Brislin, Director

By:   
\_\_\_\_\_  
Jack Eichorn, Director

By:   
\_\_\_\_\_  
Michael Fietz, Director