# 2012087326 Electronically Recorded

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2012 Oct 22 08:31 AM

Fee: \$ 32.00 Pages: 5 Williamson County Texas

## ASSIGNMENT OF DECLARANT RIGHTS

THE STATE OF TEXAS §

COUNTY OF WILLIAMSON §

This ASSIGNMENT OF DECLARANT RIGHTS (this "Assignment") is made by CIMARRON HILLS 2009, LP, an Arizona limited partnership authorized to do business in Texas ("Assignor") to CIMARRON HILLS DEVELOPMENT, L.L.C., an Arizona limited liability company authorized to do business in Texas ("Assignee"), and is as follows:

WHEREAS, Cimarron Hills, a master planned community located in Williamson County, Texas (the "Community"), was established pursuant to that certain <u>Declaration of Covenants</u>, Conditions and Restrictions for Cimarron Hills recorded as Document No. 2001007792, corrected and re-recorded as Document No. 2001010234, Official Public Records of Williamson County, Texas (collectively the "Declaration"); and

WHEREAS, Pivotal Cimarron Hills, L.P., an Arizona limited partnership ("Pivotal") acquired all Declarant rights under the Declaration pursuant to that certain General Assignment recorded under Document No. 2004076794, Official Public Records of Williamson County, Texas; and

WHEREAS, Assignor, as successor-in-interest by name change to Pivotal, currently holds all Declarant rights under the Declaration; and

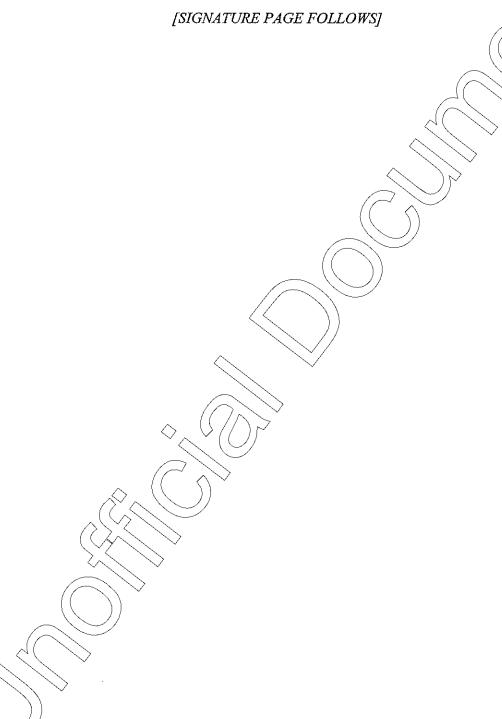
WHEREAS, pursuant to Article XVII, Section 7 of the Declaration, Declarant has the right, in its sole and absolute discretion, to assign all or part of its rights under the Declaration; and

WHEREAS, Assignor desires to transfer and assign to Assignee all of its rights as Declarant under the Declaration with respect to the Community.

NOW THEREFORE, for the mutual covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor and Assignee hereby agree as follows:

- 1. Transfer and Assignment of Declarant Rights. Assignor does hereby grant, set over, transfer and assign to Assignee, its successors and assigns, all of Assignor's right, title, interest, powers, privileges, benefits and obligations as the Declarant under the terms and provisions of the Declaration with respect to the Community.
- 2. <u>Assignee's Acceptance of Assignment</u>. Assignee accepts the assignment of Assignor's right, title, and interest as Declarant under the Declaration with respect to the Community, and expressly assumes and agrees to keep, perform, and fulfill all of the obligations

of Assignor as Declarant under the terms and provisions of the Declaration with respect to the Community.



EXECUTED to be effective as of the date set forth above.

#### ASSIGNOR:

CIMARRON HILLS 2009, LP,

an Arizona limited partnership, formerly known as PIVOTAL CIMARRON HILLS, L.P.

By: CIMARRON TX 2009, LLC,

an Arizona limited liability company,

Its General Partner

By: CIMARRON 2009, LLC,

an Arizona limited liability company,

Its Sole Member

By: DT LIFESTYLE, L.L.C.,

an Arizona limited liability company, fka DTR1B, L.L.C.

Its Sole Member

By: DTR1, L.L.C.,

an Arizona limited liability company,

Its Manager

By: DESERT TROON LIMITED, L.L.C.,

an Arizona limited Hability company,

Its Manager

DT INVESTMENTS, INC.,

an Arizona corporation,

Its Manager

By:

Gary S. Elbogen Vice President

STATE OF ARIZONA

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COUNTY OF MARICOPA

This instrument was acknowledge before me on the 100 day of 000 day of 000 day. 3012, by Gary S. Elbogen, Vice President of DT INVESTMENTS, INC., an Arizona corporation, Manager of DESERT TROON LIMITED, L.L.C., an Arizona limited liability company, Manager of DTR1, L.L.C., an Arizona limited liability company, fika DTR1B, L.L.C., Sole Member of CIMARRON 2009, LLC, an Arizona limited liability company, Sole Member of CIMARRON TX 2009, LLC, an Arizona limited liability company, Sole Member of CIMARRON TX 2009, LLC, an Arizona limited liability company, General Partner of CIMARRON HILLS 2009, LP, an Arizona limited partnership, formerly known as PIVOTAL

Notary Public, State of ARIZONA

CIMARRON HILLS, L.P., on behalf of said entities

### ASSIGNEE:

CIMARRON HILLS DEVELOPMENT, L.L.C., an Arizona limited liability company authorized to do business in Texas

By: CIMARRON 2009, LLC, an Arizona limited liability company, Its Sole Member

By: DT LIFESTYLE, L.L.C., an Arizona limited liability company, fka DTR1B, L.L.C., Its Sole Member

By: DTR1, L.L.C., an Arizona limited liability company, Its Manager

By: DESERT TROON LIMITED, L.L.C, an Arizona limited liability company, Its Manager

By: DT INVESTMENTS, INC., an Arizona corporation, Its Manager

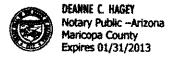
Gary S. Elbogen Vice President

THE STATE OF ARIZONA

COUNTY OF MARIEORA

This instrument was acknowledged before me on this <u>lblh</u> day of <u>October</u>, 2012, by Gary S. Elbogen as Vice President of DT Investments, Inc., an Arizona corporation, the manager of Desert Troon Limited, L.L.C., an Arizona limited liability company, the manager of DTR1, L.L.C., an Arizona limited liability company, the manager of DT Lifestyle, L.L.C. fka DTR1B, L.L.C., an Arizona limited liability company, the sole member of Cimarron 2009, LLC, an Arizona limited liability company, the sole member of Cimarron Hills Development, L.L.C., an Arizona limited liability company, on behalf of said entities.

Notary Public, State of Ferras An. 200



# After Recording, Please Return to: William P. McLean

William P. McLean McLean & Howard, L.L.P. Barton Oaks Plaza, Building II 901 South Mopac, Suite 225 Austin, Texas 78746