



Nancy E. Rister, County Clerk

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 Declaration of Covenants, 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. Assignee's Acceptance of Assignment. 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.

*[SIGNATURE PAGE FOLLOWS]*

Unofficial Document





After Recording, Please Return to:

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

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