

COUNTY OF SANTA FE }
STATE OF NEW MEXICO } ss
ASSIGNMENT OF RIGHTS
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I Hereby Certify That This Instrument Was e-Recorded for
Record On The 11TH Day Of September, A.D., 2020 at 03:09:50 PM
And Was Duly Recorded as Instrument # 1927649
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Geraldine Salazar
County Clerk, Santa Fe, NM

Deputy - DLROMERO



**ASSIGNMENT & DELEGATION OF
DECLARANT RIGHTS & STATUS**

This Assignment and Delegation of Declarant Rights and Status (this "Agreement") is entered into as of September 10, 2020, by and between Santa Fe Estates, Incorporated, a New Mexico corporation ("Santa Fe Estates"), and The City of Santa Fe, a New Mexico municipal corporation (the "City").

RECITALS

THE PARTIES HERETO enter into this Agreement on the basis of the following facts, understandings, and intentions:

A. On January 25, 1930, Santa Fe Estates' predecessor-in-interest and the City entered into an agreement to develop certain real estate (the "Property").

B. Over time, Santa Fe Estates developed the Property, and, as part of the development of the Property, Santa Fe Estates recorded the Declaration of Covenants, Conditions, Restrictions and Easements for Santa Fe Estates, filed for record on November 5, 2003 in Book 2701, pages 875-903, as Instrument No. 1299,655, records of Santa Fe County, New Mexico, as amended by First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Santa Fe Estates, filed for record on June 17, 2004 as Instrument No. 133,3331 in the records of Santa Fe County, New Mexico (collectively, the "Declaration"), under which Santa Fe Estates retained the rights and duties of "Declarant".

C. Santa Fe Estates and the City have mutually agreed to terminate the development agreement, and, by this Agreement, Santa Fe Estates desires to assign and delegate to the City, and the City desires to accept from Santa Fe Estates, all Santa Fe Estates rights and duties as Declarant under the Declaration.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals and the covenants and promises contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

Pursuant to Section 1.8 of the Declaration, Santa Fe Estates hereby assigns without recourse and delegates to the City all of Santa Fe Estates' rights and duties as Declarant under the Declaration from and after the date hereof, and the City hereby accepts such assignment and delegation and assumes performance of all rights and duties first arising or accruing under the Declaration on or after the date of this Agreement. This Agreement shall be binding on the parties hereto and shall inure to the benefit of their respective successors and assigns. Upon the written request of the other, each party hereto shall execute and deliver such other documents and instruments as may be reasonably necessary to fully assign, transfer, and vest in the City or its successors and assigns all of Santa Fe Estates' rights and duties as Declarant under the Declaration. This Agreement shall be governed by and construed in accordance with the laws of the State of New Mexico.

[Signatures and acknowledgments on following pages.]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first written above.

Santa Fe Estates, Incorporated,
a New Mexico corporation

By: David D. Gurule **ATTORNEY-IN-FACT** Date: 9/10/2020
David D. Gurule, Attorney-In-Fact

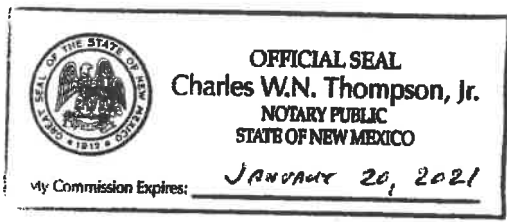
ACKNOWLEDGMENT

State of New Mexico)
) ss
County of Santa Fe)

This instrument was acknowledged before me on September 10, 2020 by David D. Gurule.

My commission expires:

Notary [Signature]



IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first written above.

The City of Santa Fe,
a New Mexico municipal corporation

By: [Signature]
Alan Webber, Mayor

Attested:

[Signature]
Yolanda Y. Vigil, City Clerk

Approved as to form:

[Signature] FOR
Erin K. McSherry, City Attorney

Approved:

[Signature]
Mary T. McCoy, Finance Director

Am

ACKNOWLEDGMENT

State of New Mexico)
) ss
County of Santa Fe)

This instrument was acknowledged before me on September 10, 2020 by Alan Webber.

My commission expires:

[Signature]
Notary

