

**ASSIGNMENT AND ASSUMPTION OF SPECIAL DECLARANT RIGHTS**

**PONCHA MEADOWS FILING NO. 1, BLOCK 6**

THIS ASSIGNMENT AND ASSUMPTION OF SPECIAL DECLARANT RIGHTS (“Assignment”) is made effective as of the 10<sup>th</sup> day of May, 2021 by and between **Poncha Meadows, LLC**, a Colorado limited liability company of 7693 US Highway 285, Salida, CO 81201 (“Declarant” or “Assignor”), as Declarant under that certain Declaration of Covenants, Conditions, Restrictions and Easements for Poncha Meadows Filing No. 1, Block 6, Town of Poncha Springs, Chaffee County, Colorado, recorded at Reception No. 468360 in the office of the Chaffee County Colorado Clerk and Recorder (the “Declaration”), and **QP Poncha, LLC**, a Colorado limited liability company of 430 Lexington Street, 2<sup>nd</sup> Floor, Newton Massachusetts 02466 (“Successor Declarant” or “Assignee”).

**RECITALS**

WHEREAS, Assignor is the Declarant pursuant to the Declaration, and the Plat thereof recorded at Reception No. 456329 in the records of the office of the Chaffee County Colorado Clerk and Recorder (the “Plat”); and

WHEREAS, Section 38-33.3-304 of the Colorado Common Interest Ownership Act (“CCIOA”), and Section 8.7 of the Declaration permits the transfer of Special Declarant Rights; and

WHEREAS, Successor Declarant desires to accept the Assignment of Declarant's Special Declarant Rights as described in Section 8 of the Declaration, including the reserved Development Rights described therein as to the following described real property (the “Property”):

**Lots 1-19, Block 6  
Poncha Meadows, Filing No. 1  
per Plat recorded January 8, 2020 as Reception No. 456239  
Town of Poncha Springs  
Chaffee County, Colorado**

NOW, THEREFORE, in consideration of the forgoing, and for good and valuable consideration, the receipt of which is hereby acknowledged, Declarant (Assignor) and Successor Declarant (Assignee) hereby covenant, agree and declare as follows:

1. Assignment of Special Declarant Rights. In accordance with and subject to the provisions of the Declaration and the provisions of CCIOA, Declarant (Assignor) hereby assigns, transfers, and conveys to Successor Declarant (Assignee) all of Declarant's rights, responsibilities, and obligations as described and set forth in the Declaration and CCIOA as it pertains to the Property described above.



