

A/C5



ASSIGNMENT AND ASSUMPTION OF RIGHTS

THE STATE OF TEXAS §
 §
COUNTY OF COMAL §

WHEREAS, **SUMMIT RESORT DEVELOPMENTS, INC.**, a Texas corporation (hereinafter designated “**Assignor**”) owns all rights of the “**Developer**” under the Restrictions, Assessments and Easements of The Summit Estates at Fischer, Texas, being recorded under Comal County Clerk’s Document Nos. 200306025937 and 200506004842 (the “**Restrictions**”), which Restrictions cover the subdivisions described on Exhibit “A” attached hereto; and

WHEREAS, Assignor desires to assign its right, title, and duties in and under the Restrictions to **SUMMIT ESTATES AT FISCHER MAINTENANCE CORPORATION**, a Texas non-profit corporation (hereinafter designated “**Assignee**”); and

WHEREAS, Assignee desires to assume the duties and obligations of Assignor as set forth in the Restrictions.

NOW, THEREFORE, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to Assignor in hand paid by Assignee, the receipt and adequacy of which are hereby acknowledged and confessed by Assignor, Assignor does hereby **BARGAIN, SELL, TRANSFER, ASSIGN, and CONVEY** unto Assignee all its right, title, and duties in and under the Restrictions, and Assignee hereby assumes and agrees to perform in a timely manner all of the duties of Assignor under the Restrictions, and further, Assignor hereby agrees to execute any additional documents which are needed, in Assignee’s reasonable judgement, to evidence the transfer of Assignor’s rights under the Restrictions to Assignee.

EXECUTED to be effective the 1st day of November, 2020.

ASSIGNOR:

SUMMIT RESORT DEVELOPMENTS, INC.,
a Texas corporation

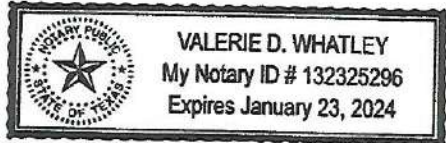
By: [Signature]
Printed Name: KELLY E. SIMMONS
Title: CFO

ASSIGNEE:

SUMMIT ESTATES AT FISCHER
MAINTENANCE CORPORATION,
a Texas non-profit corporation

By: [Signature]
David Oldham
President

STATE OF TEXAS §
 §
COUNTY OF Comal §



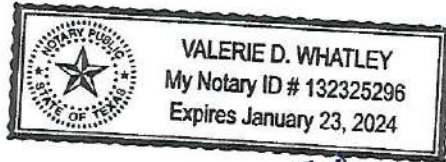
This instrument was acknowledged before me on this 24 day of November, 2020, by Kelly E. Simmons CFO of SUMMIT RESORT DEVELOPMENTS, INC., a Texas corporation, on behalf of said corporation.

[Signature]
Notary Public in and for the State of Texas
Printed Name: Valerie D. Whatley
My Commission Expires: January 23, 2024

STATE OF TEXAS

COUNTY OF Comal

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This instrument was acknowledged before me on this 30 day of November, 2020, by David Oldham, President of **SUMMIT ESTATES AT FISCHER MAINTENANCE CORPORATION**, a Texas non-profit corporation, on behalf of said non-profit corporation.

Valerie D. Whatley

Notary Public in and for the State of Texas

Printed Name: Valerie D. Whatley

My Commission Expires: January 23, 2024

EXHIBIT "A"

Real Property Descriptions

The Summit Estates at Fischer, Texas (Unit 1):

Volume 14, Page 261 of the Plat Records of Comal County, Texas

The Summit Estates at Fischer, Texas (Unit 2):

Volume 15, Page 122 of the Plat Records of Comal County, Texas

Filed and Recorded
Official Public Records
Bobbie Koepf, County Clerk
Comal County, Texas
12/01/2020 11:29:39 AM
TERRI 4 Page(s)
202006053942



Bobbie Koepf