

## ASSIGNMENT AND ASSUMPTION OF DECLARANT'S RIGHTS AND OBLIGATIONS

This Assignment and Assumption of Declarant's Rights and Obligations (this "*Assignment*"), is executed by and between **Vistas of La Cantera, LLC**, a Texas limited liability company ("*Assignor*") and **Vistas of La Cantera Owners Association**, a Texas non-profit corporation ("*Assignee*").

### RECITALS:

A. Assignor is the current "Declarant" under that certain Declaration of Covenants, Conditions and Restrictions for The Vistas of La Cantera, recorded in Volume 18659, Page 1673 of the Official Public Records of Bexar County, Texas (the "*Vistas Covenants*").

B. Assignor desires to assign, non-exclusively, certain rights and obligations as Declarant pursuant to the Vistas Covenants, as more fully set forth herein, and Assignee desires to accept such assignment.

C. Assignor and Assignee desire to execute and deliver this Assignment to set forth their agreement with respect to such assignment and assumption.

### ASSIGNMENT AND AGREEMENTS

1. **Assignment of Declarant's Rights**. Assignor hereby assigns to Assignee, on a non-exclusive basis, the following rights and obligations of Assignor, as Declarant under the Vistas Covenants: (a) the obligation to maintain, repair, and replace the Common Areas (as defined in the Vistas Covenants); (b) the right to certain easements for the maintenance, repair and replacement of the Vistas Common Areas as set forth in the Vistas Covenants; and (c) the right to levy and collect assessments as set forth in Article VI of the Vistas Covenants. Except to the extent assigned in the immediately preceding sentence, Assignor hereby retains unto itself, its successors and assigns, all other rights, interests, powers, privileges, benefits and obligations as Declarant under the Vistas Covenants.

2. **Assumption of Declarant's Rights**. Assignee hereby assumes and agrees to perform and discharge the duties and obligations of Assignor assigned herein.

3. **Defined Terms**. Defined terms used in this Assignment and not otherwise defined herein shall have the meaning given such terms in the Vistas Covenants.

4. **Binding Effect**. This Assignment shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

5. **Captions**. The captions of sections in this Assignment are for convenient reference only and are not to be construed in any way as part of this Assignment.

6. **Counterparts**. This Assignment may be executed by facsimile or electronic transmission in two or more counterparts, each of which shall be deemed to be an original, but all of which taken together shall constitute but one and the same instrument.

7. **Applicable Law**. This Assignment shall be governed by and construed in accordance with the laws of the State of Texas and the laws of the United States of America applicable to transactions in Texas.

EXECUTED to be effective as of August 1st, 2017.

ASSIGNOR:

VISTAS OF LA CANTERA, LLC,  
a Texas limited liability company

By: US Real Estate Limited Partnership,  
a Texas limited partnership,  
its Sole Member

By: USAA Real Estate Company,  
a Delaware corporation  
its General Partner

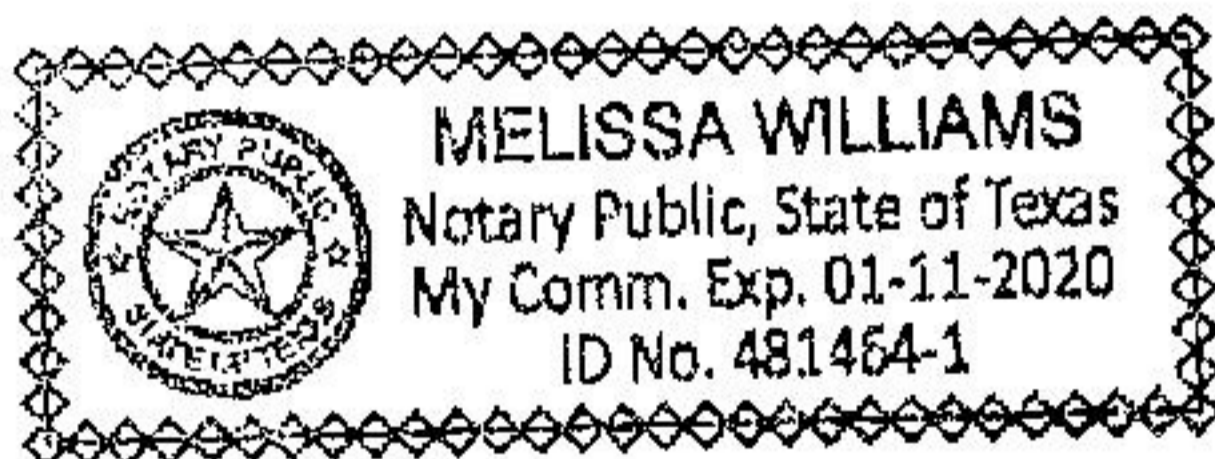
By: Bruce C. Petersen  
Name: Bruce C. Petersen  
Title: Executive Managing Director

STATE OF TEXAS

COUNTY OF BEXAR

§  
§  
§

This instrument was acknowledged before me on this 1st day of August, 2017, by Bruce C. Petersen, Executive Managing Director of USAA Real Estate Company, a Delaware corporation, the General Partner of US Real Estate Limited Partnership, a Texas limited partnership, the Sole Member of Vistas of La Canterra, LLC, a Texas limited liability company, on behalf of said limited liability company.



Melissa Williams  
Notary Public Signature

**ASSIGNEE:**

**VISTAS OF LA CANTERA OWNERS  
ASSOCIATION, INC.,**  
a Texas non-profit corporation

By: *Bruce C. Petersen*  
Name: Bruce C. Petersen  
Title: President

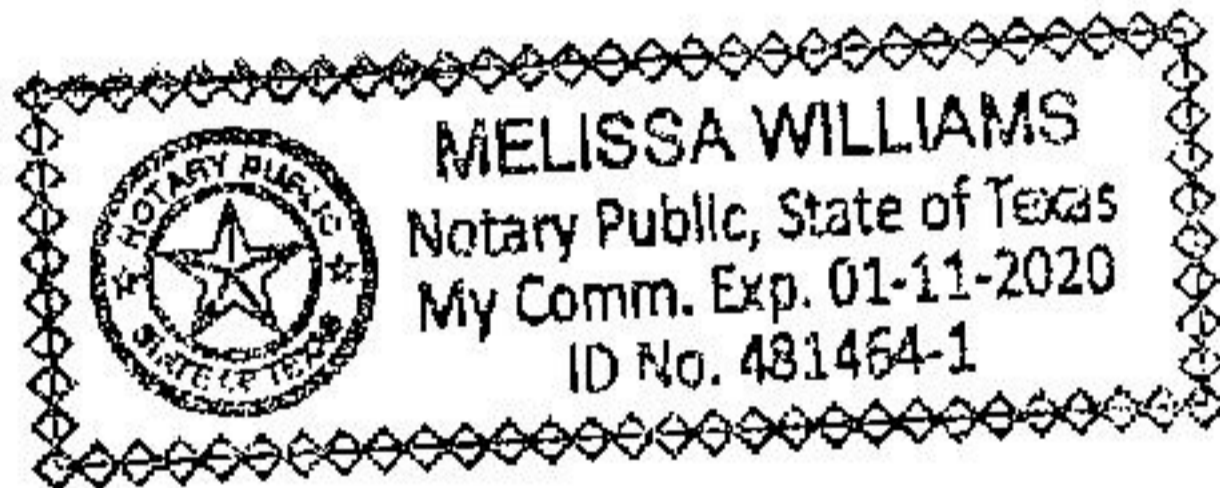
**THE STATE OF TEXAS** §

**COUNTY OF BEXAR** §

This instrument was acknowledged before me this 15<sup>th</sup> day of August, 2017, by Bruce C. Petersen, the President of Vistas of La Cantera Owners Association, Inc., a Texas non-profit corporation, on behalf of said non-profit corporation.

(SEAL)

*Melissa Williams*  
Notary Public Signature



Doc# 20170152595  
# Pages 4  
08/03/2017 11:29AM  
e-Filed & e-Recorded in the  
Official Public Records of  
BEXAR COUNTY  
GERARD C. RICKHOFF  
COUNTY CLERK  
Fees \$34.00

STATE OF TEXAS  
COUNTY OF BEXAR  
This is to Certify that this document  
was e-FILED and e-RECORDED in the Official  
Public Records of Bexar County, Texas  
on this date and time stamped thereon.  
08/03/2017 11:29AM  
COUNTY CLERK, BEXAR COUNTY TEXAS



*Gerard C. Rickhoff*