



OFFICIAL RECORDS OF
PINAL COUNTY RECORDER
Virginia Ross
Electronically Recorded

DATE/TIME: 12/12/2019 1153

FEE: \$30.00

PAGES: 3

FEE NUMBER: 2019-106038

THOMAS TITLE & ESCROW

WHEN RECORDED RETURN TO:

Rick Morris
Richmond American Homes
16427 N. Scottsdale Road, Suite 145
Scottsdale, Arizona 85254

4788TAZ

2012

NOTICE OF DESIGNATION AS DESIGNATED BUILDER

THIS NOTICE OF DESIGNATION AS DESIGNATED BUILDER is made as of December 5th, 2019, by LANDSMITH APPRECIATION FUND, LLC, a California limited liability company ("Declarant").

WHEREAS, Declarant is the "Declarant" under that certain Declaration of Covenants, Conditions, Restrictions and Easements for McClellan Meadows dated March 16, 2006 and recorded on March 28, 2006 in the Official Records of Pinal County, Arizona as Document No. 2006-043290 and that certain Assignment and Assumption of Declarant's Rights and Developer's Rights dated and recorded on October 29, 2010 in the Official Records of Pinal County, Arizona as Document No. 2010-102156 (together with any amendments or supplements thereto, collectively, the "Declaration"); and

WHEREAS, capitalized terms that are not defined herein will have the meanings ascribed thereto in the Declaration; and

WHEREAS, the Declaration provides that the Declarant may designate as a Designated Builder any Person approved by Declarant who purchases one (1) or more Lots or portions of the Property for further subdivision, development, construction of Residential Units and/or resale in the ordinary course of business; and

WHEREAS, concurrently herewith, Richmond American Homes of Arizona, Inc., a Delaware corporation ("**Richmond**") is acquiring a total of ninety-three (93) Lots on the Property, to wit: Lots 21 through 26 inclusive, Lots 30 through 43 inclusive, Lots 113 through 126 inclusive, Lots 130 through 155 inclusive, Lots 157 through 186 inclusive, and Lots 193, 194, 195 (collectively the "**Purchased Lots**").

NOW, THEREFORE, Declarant declares as follows:

Declarant designates Richmond as a Designated Builder under the Declaration but only with respect to the Purchased Lots, and Richmond shall enjoy all of the rights, benefits, and privileges given to Designated Builder under the Declaration with respect to the Purchased Lots.

[signature page follows]

IN WITNESS WHEREOF, Declarant has caused this instrument to be duly executed as of the date set forth above.

LANDSMITH APPRECIATION FUND, LLC,
a California limited liability company

By: Landsmith, LLC, a Nevada limited liability company
Its: Manager

By: [Signature]
Name: James Bruckner
Title: Authorized Officer

STATE OF CA)
) ss.
County of Santa Clara)

The foregoing instrument was acknowledged before me this 05th day of December, 2019, by _____, the _____ of Landsmith, LLC, a Nevada limited liability company, the Manager of Landsmith Appreciation Fund, LLC, a California limited liability company, for and on behalf thereof.

[Signature]
Notary Public

My Seal and Commission Expiration Date:

* See Attached
Acknowledgement
Certificate

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Santa Clara

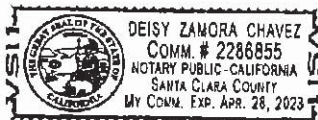
On December 05th, 2019 before me, Deisy Zamora Chavez, Notary Public,

personally appeared James Breitenstein
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Notary Seal

Deisy H
Notary Signature

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Notice of Designation as Designated Builder

Document Date: N/A Number of Pages: -02-

Signer(s) Other Than Named Above: N/A

Capacity(ies) Claimed by Signer(s)

Signer's Name: James Breitenstein

☒ Individual

☐ Corporate Officer

Title(s): _____

☐ Partner -- ☐ Limited ☐ General

☐ Attorney-in-fact

☐ Trustee

☐ Parent, Guardian, or Conservator

☐ Other: _____

Signer is Representing: James Breitenstein