



Mariposa Neighborhood Association
PO Box 1894
Bernalillo, NM 87004

March 3, 2021

Mariposa Community Association Board of Directors

Tim Brislin, President

tbrislin@harvardinvestments.com

Jack Eichorn, Vice President / Secretary

jeichorn2@comcast.net

David Newell, Treasurer

David.Newell@PulteGroup.com

2501 Mariposa Parkway NE

Rio Rancho, NM 87144

Dear Sirs,

At this time the Mariposa Neighborhood Association calls for you to hold an election of Mariposa lot owner's to place a Mariposa lot owner on the Mariposa Community Association's Board of Directors per New Mexico State Property Law. It has been sixty days or more since lot owners now comprise more than 25% of the 2,500 planned homes.

The New Mexico State Statute 47-16-8 E. states that "Not later than sixty days after conveyance of twenty-five percent of the lots that are part of the development, and any additional lots that may be added to the development, to lot owners other than a declarant, at least one member and not less than twenty-five percent of the members of the board shall be elected by lot owners."

Contrary to what was stated at the February 17, 2021, Executive Session of the MCA Board and Kelly Heimgartner, MNA Secretary, as you can see above, the NM State Statute specifically identifies lot owners as the defining criteria, not homes with Certificates of Occupancy.

At this time, the Sandoval County Assessor's Property Taxes website search shows 651 non-declarant lot owners in Mariposa East. This represents 26.04% of the 2,500 planned homes in Mariposa East.

As per New Mexico State Statute 47-16-8 E., "additional lots that may be added to the development" are the lots in Phase I and Phase II of Mariposa East which number 2,500 in total.

Mr. Brislin mentioned in the Executive Session of February 17, 2021, that he would discuss with counsel, but he felt that Mariposa West was part of the number to be used in this determination. The MNA takes exception to that. Numerous development documents refer only to Mariposa East. Further, Mariposa West is not even owned by Harvard Investments.

The Mariposa Neighborhood Associations requests that you promptly address this matter and respond to this call for action within ten (10) business days.

Sincerely,



Eric Gregory
President
Mariposa Neighborhood Association

cc:
Kevin Hearty
Western Division Vice President
CCMC
khearty@ccmcnet.com

Ed Lyons
Community Manager
Mariposa Community Association
elyons@ccmcnet.com

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