



MARIPOSA

COMMUNITY ASSOCIATION

To: The Mariposa Neighborhood Association

Re: Question for the Board regarding Turnover

Kelly,

At the February 17, 2021 Executive Session Meeting, you asked a question on behalf of your group regarding the metrics utilized to establish the completion percentage required for election of Mariposa homeowners to the Mariposa Community Association Board of Directors (the "MCA Board"). The MCA Board requested that CCMC procure a legal opinion from the MCA General Counsel as to the process outlined in the MCA Governing Documents, and as it pertains to the Mariposa Master Plan in defining the terms of that process.

Based on the Community Charter for Mariposa Residential Property and the Mariposa Master Plan, there is one residential community called Mariposa, approved for approximately 6,825 total homes. The Homeowner Association Act identifies that the trigger for the election under NMSA § 47-16-8(E) is "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." (emphasis added). Accordingly, the trigger to begin elections by the lot owners for a position on the MCA Board is when at least 25% of the total number of lots that may be added to the development (1,706 homes out of 6,825 homes) have been sold to owners other than the Founder.

Please let me know if you have further questions,

For the Mariposa Board of Directors,

Sincerely,

Ed Lyons

Community Manager, Mariposa

2501 Parkway Avenue NE • Rio Rancho, NM 87144

www.CCMCnet.com p: 505-219-2986 f: 505-219-2988