20210032599 Recorded at the Request of: Haguewood Enterprises, P.C. and CKR Holdings, LLC Record against the Property ROCOMODATION RECORDING ONLY, INFINITY described in Exhibit A and B TITLE, A UTAH TITLE INSTRANCE AGENCY, MAKES NO REPRESENTATION AS After Recording mail to: TO CONDITION OF TITLE OR DOES IT Jenkins Bagley Sperry, PLLC ASSUME ANY RESPONSIBILITY FOR VALIDITY, 285 W. Tabernacle, Ste. 30€ SUFFICIENCY OR EFFECTS OF DOCUMENT. St. George, UT 84770 LIMITED ASSIGNMENT OF DECLARANT'S RIGHTS THIS LIMITED ASSIGNMENT OF DECLARANT'S RIGHTS ("Assignment") is made

THIS LIMITED ASSIGNMENT OF DECLARANT'S RIGHTS ("Assignment") is made this 3 day of 2021 ("Effective Date"), by and between Pelican Hills Partners, LLC, a Utah limited liability company ("Assignor"), and Haguewood Enterprises, P.C., a Utah professional corporation and CRK Holdings LLC, a Utah limited liability company ("Assignees").

## **RECITALS** §

WHEREAS, EsNet Pelican Hills, LLC (as successor in interest to Mesa Del Sol, L.L.C.) is the "Declarant" under that certain Declaration of Condominium, Pelican Hills Condominiums, recorded with the Washington County Recorder on March 12, 2007, as Entry No. 20070012413, as the same may have been amended by that certain First Amendment to Declaration of Condominium, Pelican Hills Condominiums, recorded with the Washington County Recorder on Warch 12, 2013, as Entry No. 20130009244 (collectively, the "CC&Rs"), which affects the real property located in Washington County, Utah described in attached Exhibit A; and

WHEREAS, Declarant assigned rights to Pelican Hills Partners, LLC as Declarant under that certain Partial Assignment of Declarant Rights, peorded with the Washington County Recorder on March 10, 2021, as Entry No. 20210016934 for the Phase 4 Property of the Pelican Hills Condominums, from the prior Declarant EsNet Pelican Hills, LLC (as successor in interest to Mesa Del Sol, L.L.C.).

WHEREAS, Pelican Hills Partners, LLC hereunder desires to conticlaim and assign to Haguewood Enterprises, P.C., and CKR Holdings, LLC and Haguewood Enterprises, P.C. and CKR Holdings, LLC desire to receive and assume from Pelican Hills Partners, LLC, any and all of the rights and obligations that Pelican Hills Partners, LLC may have as substitute Declarant for Phase 4 under the CC&Rs and Partial Assignment of Declarant Rights referred to in the Second Recital with respect to the real property located in Washington County, Utah described in attached Exhibit B (the "Phase 4 Property"), which is a portion of the "Additional Land" described in the CC&Rs.

2) 64-21 OUT 4 Part Assign Decl Rights (Pelican Hill Partners to Haguewood) V4 (Per Title Req) akk

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WHEREAS, Pelican Hills Partners, LLC recorded a Supplemental Declaration for Pelican Hills Condominiums with the Washington County Recorder on March 10, 2021, as Entry No. 20210016955.

NOW THEREFORE, in consideration of the mutual promises contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged Assignor and Assignees hereby agree as follows:

- Recitals Incorporated. The Recitals set forth above are incorporated herein as part of this Assignment.
- Assignment. Assignor hereby transfers, conveys, quitclaims and assigns to Assignees any and all of the rights and obligations that Assignor may have as a substitute Declarant under the CC&Rs and is limited to the rights and obligations received under the Partial Assignment of Declarant Rights referred to in the Second Recital, but only to the extent that such rights and obligations relate to the Phase 4 Property (the "Assigned Interest"), without representation or warranty of any kind.
- Assumption In consideration of the foregoing assignment, Assignees hereby assumes and agrees to pay, discharge, and perform any and all obligations of Assignor under the CC&Rs and the Partial Assignment of Declarant Rights referred to in the Second Recital relating to the Assigned Interest.
- Assignees' Indemnification of Assignor. Assignees shall and does hereby indemnify Assignor against, and agrees to hold Assignor harmless of and from all liabilities, obligations, actions, suits proceedings or claims, and all losses costs and expenses, including, but not limited to, reasonable attorneys' fees, arising as a result of (i) any act, omission or obligation of Assignees as Declarant under the CC&Rs, (ii) Assignees' exercise of rights quitclaimed under this Assignment, or (iii) this Assignment.
- Binding Effect. This Assignment shall inure to the benefit of and shall be binding upon 5. the parties hereto and their respective successors and assigns.
- Governing Law. This Assignment shall be governed by and construed in accordance with the laws of the State of Utah, without giving effect to its conflict of laws principles.
- Legal Counsel. Assignor and Assignees hereby agree that they have executed this Assignment voluntarily, without coercion or duress of any kind, and have had the opportunity to consult with independent counsel regarding same.
- Counterparts This Assignment may be executed in any number of counterparts 8. provided each counterpart is identical in its terms. Each such counterpart, when executed and delivered will be deemed to be an original, and all such counterparts shall be deemed to constitute one and the same instrument. For convenience in recording, signature pages from multiple

Limited Assignment of Declarant Rights Pelican Hills Page 2 of 7

20210032599 05/05/2021 04:51:14 PM Rage 3 of 7 Washington County counterparts may be detached from their counterparts and attached to a single counterpart to be recorded. IN WITNESS WHEREOF, all of the parties hereto execute this Assignment as of the Effective Date. PELICAN HILLS PARTNERS, LLC, Assignor: a Litah limited liability company By: Frank Eubank Title: Marken STATE OF V COUNTY OF \ and who, being duly sworn (or affirmed), did say that he/she is the authorized representative of Pelican Hills Partners, LLC., a Utah limited liability company, and that he/she executed the foregoing document on behalf of said company, and he/she acknowledged before me that the company/corporation executed the same for the uses and purposes stated therein... Notary Public Residing at My Commission Expires: 7.8.2024 LISASORRELLS NOTARY PUBLIC+STATE OF UTAH COMMISSION#710480 COMM. EXP. 02-08-2024 Limited Assignment of Declarant Rights Pelican Hills Page 3 of 7

20210032599 05/05/2021 04:51:14 PM Rage 6 of 7 Washington County

EXHIBIT A Legal Description - Pelican Hills Phases 1-3

All of Units 1011 through 1014, Units 1025 through 1028, Units 1111 through 1114, Units 1125 through 1128, Units 1211 through 1214, Units 1225 through 1228, Units 2611 through 2614, Units 2625 through 2628, Units 2711 through 2713, Units 2724 through 2726, Units 2811 through 2813 and Units 2824 through 2826, together with all Common Areas, Pelican Hills Condo (SG), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

PARCEL: SG-PHC-1-10-1011 through SG-PHC-1-10-1014 PARCEL: SG-PHC-1-10-1025 through SG-PHC-1-10-1028 PARCEL: SG-PHC-1-11-1111 Chrough SG-PHC-1-11-1114 PARCEL: SG-PHC-1-1147125 through SG-PHC-1-11-1128 PARCEL: SG-PHC-1-12-1211 through SG-PHC-1-12-1214 PARCEL: SG-PHC-1-12-1225 through SG-PHC-1-12-1228 PARCEL: SG-PHC=1-26-2611 through SG-PHC=1-26-2614 PARCEL: SG@MC-1-26-2611 through SG-PHC 1-26-2614 PARCEL: SG-PHC-1-26-2625 through SG-PHC-1-26-2628 PARCEL: SG-PHC-1-27-2711 through SG-PHC-1-27-2713 PARCEL: SG-PHC-1-27-2724 through SG-PHC-1-27-2726 PARCEL: SG-PHC-1-28-2811 through SG-PHC-1-28-2813 PARCEL: SG-PHC-1-28-2824 through SG-PHC-1-28-2826

All of Units 1311 through 1314, Units 1325 through 1328, Units 1411 through 1414, Units 1425 through 1428 Units 1511 through 1514, Units 1525 through 1528, together with all Common Areas, Pelican Hills Condo 2 (SG), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

PARCEL: SG-PHC-2-13-1311 through SG-PHC-2-13-1314 PARCEL: SG-PHC-2-13-1325 through SG-PHC-2-13-1328 PARCEL: SG-PHC-2-14-1411 (phrough SG-PHC-2-14-1414) PARCEL: SG-PHC-2-14-1425 through SG-PHC-2-14-1428 PARCEL: SG-PHC-2-15-1511 through SG-PHC-2-15-1514 PARCEL: SG-PHC-2-15-1525 through SG-PHC-2-13-1528

> Limited Assignment of Declarant Rights Pelican Hills Page 6 of 7

All of Units 2111 through 2113, Units 2124 through 2126, Units 2211 through 2213, Units 2224 through 2226, Units 2311 through 2314, Units 2325 through 2328, Units 2411 through 2414, Units 2425 through 2428 together with all Common Areas, Pelican Hills Condo 3 (SG), according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

PARCEL: SG-PHC-3-21-2111 through SG-PHC-3-21-2113 PARCEL: SG-PHC-3-21-2124 through SG-PHC-3-21-2126 PARCEL: SG-PHC-3-22-2211 through SG-PHC-3-22-2213 PARCEL: SG-PHC-3-22-2224 through SG-PHC-3-22-2226 PARCEL: SG-PHC-3-23-2311 through SG-PHC-3-23-2314 PARCEL: SG-PHC-3-23-2325 through SG-PHC-3-23-2328 PARCEL: SG-PHC-3-24-2411 through SG-PHC-3-24-2414

PARCEL: SG-PHC-3-24-2425 through SG-PHC-3-24-2428

Exhibit B

## Exhibit B Legal Description – Pelican Hills Phase 4

Beginning at a point being on the 1/16th line, said point being the Northwest corner of Pelican Hills Phase 1, said point also being South 00 deg. 14'54" West 912.52 feet along the center section line and West 1,331.47 feet from the North quarter corner of Section 35. Township 42 South, Range 16 West, Salt Lake Base and Meridian, and running thence North 00 deg. 32'05" East 503.32 feet along the 1/16th line to the Southerly line of Green Valley Subdivision Phase 4; thence North 42 deg. 08'34" East 466.74 feet along said Southerly line to the Westerly line of Dixie Drive; thence South 46 deg. 10'08" East 259.42 feet along the Westerly line of said Dixie Drive; thence Southeasterly 107.65 feet along an arc of a 760.00 foot radius curve to the right (center bears South 43 deg. 49'52" West long chord bears South 42 deg. 06'1" East 107.56 feet with a central angle of 08 deg. 06'55" along said Westerly line of Dixie Drive; thence South 59 deg. 02'23" West 386.14 feet; thence South 31 deg. 53'33" West 65.45 feet; thence South 42 deg. 58'47" West 42.28 feet; thence South 04 deg. 13'19" East 73.02 feet; thence South 38 deg. 17'38" East 60.37 feet; thence South 28 deg. 28'11" West 48.00 feet; thence South 04 deg. 50'43" West 21.42 feet; thence South 55 deg. 50' 10" West 76.36; thence South 60 deg. 23'17" West 158 19 feet to the point of beginning.

Tax ID No.: SG-6-2-35-412

Limited Assignment of Declarant Rights
Pelican Hills
Page 7 of 7

e 7 of 7