

E 2489970 B 4890 P 1808-1811
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
10/28/2009 4:45:00 PM
FEE \$25.00 Pgs: 4
DEP eCASH REC'D FOR EQUITY TITLE INS AGENCY INC

After recording return to:
MDC Holdings
4350 S. Monaco St., Suite 500
Denver, CO 80237
Attn: Penny L. Nelson

PARTIAL ASSIGNMENT OF DECLARANT RIGHTS

THIS PARTIAL ASSIGNMENT OF DECLARANT RIGHTS is made effective as of October 27th, 2009 (the "Effective Date") by and between Edward D. Green ("Assignor") and RICHMOND AMERICAN HOMES OF UTAH, INC., a Colorado corporation, ("Assignee").

RECITALS:

A. Assignor is the "Declarant" as defined in the Declaration for Greyhawk Patio Homes recorded as Entry No. 2414170 in Book 4686 at Page 527 in the Official Records of Davis County, Utah (the "Declaration").

B. Assignor is selling to Assignee those certain Lots more particularly described on **Exhibit A** attached hereto and incorporated herein (the "Transferred Lots"), which Lots are subject to the Declaration.

C. The parties desire that Assignor partially assign to Assignee certain of the Assignor's rights and obligations created and reserved unto Declarant in the Declaration with respect to the Transferred Lots.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Capitalized Terms. Capitalized terms used but not defined herein shall have the same meaning set forth for such terms in the Declaration.
2. Assignment. Assignor hereby designates Assignee as an assign of Assignor as Declarant under the Declaration with respect to, but only with respect to, the Transferred Lots and only with respect to the rights and interests of Declarant set forth in the following provisions of the Declaration: (i) Construction Easements, Section 10(h); (ii) Common Expenses, Section 16(a); and (iii) Declarant's Sales Program, Section 29(a), (b), (c) and (d). Assignor hereby represents and warrants that it is the sole legal and beneficial owner of the rights it is assigning

Tax ID 09-375-0001, 09-004-0052, 09-375-0032, 09-375-0033,
09-375-0050, 09-375-0051, 09-375-0052, 09-375-0055,
09-375-0054, 09-375-0053

hereby, that it has the complete power and authority to convey and assign, and that all such rights assigned by it are not subject to any lien or claim by any other person or entity.

3. Assumption. Assignee hereby accepts and agrees to be bound by and to comply with the provisions of this Assignment.

4. Successors and Assigns. This Assignment shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns, if any.

5. Governing Law. This Assignment shall be governed by and construed in accordance with the laws of the Commonwealth of Virginia.

6. Counterparts. This Assignment may be executed simultaneously or in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same agreement.

IN WITNESS WHEREOF, Assignor and Assignee have executed this Assignment as of the day and year first above written.

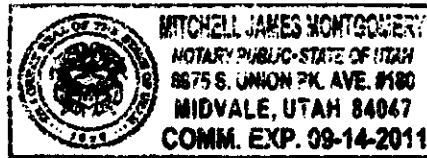
By: Edward D. Green
Edward D. Green

STATE OF UTAH,
COUNTY OF Salt Lake, to wit:

The foregoing instrument was acknowledged before me this 27th day of October 2009, by Edward D. Green.

Mitchell James Montgomery
Notary Public

My Commission Expires: 9-14-2011



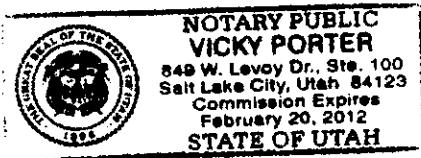
Edward D. Green

RICHMOND AMERICAN HOMES OF UTAH,
INC., a Colorado corporation

By: [Signature]
David W. Vitek, President (Utah Division)

STATE OF UTAH,
COUNTY OF Salt Lake, to-wit:

The foregoing instrument was acknowledged before me this 26th day of October, 2009 by David W. Vitek as President of Richmond American Homes of Utah Inc., a Utah corporation.



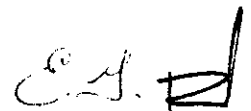
[Signature]
Notary Public

My Commission Expires: 2/20/12

[Handwritten initials]

EXHIBIT A
TRANSFERRED LOTS

Lots 1, 32, 33 and 50 through 56, Greyhawk Patio Homes P.U.D. Subdivision, according to the Official Plat thereof on file and of record in the Davis County Recorder's Office.

Handwritten signature or initials, possibly "C.S. D.", located in the bottom right corner of the page.