

11107770  
12/30/2010 2:58:00 PM \$36.00  
Book - 9893 Pg - 8986-8993  
Gary W. Ott  
Recorder, Salt Lake County, UT  
LANDMARK TITLE  
BY: eCASH, DEPUTY - EF 8 P.

**When Recorded, Return To:**

William A. Meaders, Jr.  
Kirton & McConkie  
60 E. South Temple, Suite 1800  
Salt Lake City, Utah 84111

*See Exhibit A for Tax Parcel Numbers*

**ASSIGNMENT OF RIGHTS UNDER  
SIGNAGE EASEMENT AGREEMENT**

THIS ASSIGNMENT is made as of December 28, 2010, by RIVERWALK INVESTMENT HOLDINGS, LLC, a Utah limited liability company ("Assignor"), in favor of RIVERWALK INVESTMENTS, LLC, a Utah limited liability company ("Assignee").

WHEREAS Assignor is the "Riverwalk Parcel Owner" named in that certain Signage Easement Agreement (the "SEA") between Assignor and Jordan River Boulevard Partners, LLC, dated June 25, 2008 and recorded June 25, 2008 as Entry No. 10464311 in the office of the Salt Lake County Recorder. The real properties affected by the SEA are described on Exhibit A attached hereto and incorporated by reference herein.

WHEREAS, Assignor has previously sold part of the Riverwalk Parcels (as defined in the SEA) to Assignee, and contemporaneously with this Assignment intends to sell additional Riverwalk Parcels to RIVERWALK INVESTMENTS II, LLC, an affiliate of Assignee. Upon completion of the sale to RIVERWALK INVESTMENTS II, LLC, Assignor will no longer own any portion of the Riverwalk Parcels (as defined in the SEA); and

WHEREAS, Assignor has certain rights under the SEA which Assignor desires to assign to Assignee and Assignee is willing to accept such rights;

NOW, THEREFORE, for Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby assigns to Assignee all of Assignor's rights as the "Riverwalk Parcel Owner" under the SEA, including without limitation Assignor's right under Section 1.4.2 of the SEA to designate "Sign Users". Assignee assumes and agrees to perform the obligations of Assignor arising from and after the date of this Agreement as the "Riverwalk Parcel Owner" under the SEA.

Assignee's address for notices is:

Riverwalk Investments, LLC  
Attn: Kip Wadsworth  
166 East 14400 South, Suite 210  
Draper, Utah 84020

Telephone: (801) 748-4088

Fax: (801) 748-4077

Email: [kip@wadsco.com](mailto:kip@wadsco.com)

This Assignment may be executed in counterparts, each of which shall be deemed an original, and all of which, when taken together, shall constitute one (1) and the same instrument. Signature pages may be detached from such counterparts and attached to a single copy of this Assignment to form one (1) document.

DATED as of the day and year first above written.

**ASSIGNOR:**

Riverwalk Investment Holdings, LLC, a Utah limited liability company, by its managers:

Tate Diversified Development, Inc., a California corporation

By:  \_\_\_\_\_

Ronald M. Tate, its president

J.D. Mercer & Co., LLC, a California limited liability company

By: \_\_\_\_\_

John D. Mercer, manager

Wallerstein Investments, LLC, a California limited liability company

By: \_\_\_\_\_

Larry I. Wallerstein, manager

**ASSIGNEE:**

Riverwalk Investments, LLC, by its manager,  
Wadsworth & Sons II, LLC

By: \_\_\_\_\_

Kip Wadsworth, Operations Manager

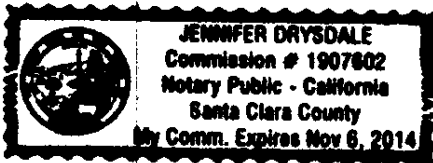
ACKNOWLEDGMENT

State of California            )  
  ) ss.  
County of Santa Clara        )

On December 28, 2010 before me, Jennifer Drysdale, a notary public in and for the State of California, personally appeared RONALD M. TATE, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument, the person, or the entity upon behalf of which the person 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.



Jennifer Drysdale  
NOTARY PUBLIC

Telephone: (801) 748-4088  
Fax: (801) 748-4077  
Email: [kip@wadseo.com](mailto:kip@wadseo.com)

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DATED as of the day and year first above written.

**ASSIGNOR:**

Riverwalk Investment Holdings, LLC, a Utah limited liability company, by its managers:

Tate Diversified Development, Inc., a California corporation

By: \_\_\_\_\_  
Ronald M. Tate, its president

J.D. Mercer & Co., LLC, a California limited liability company

By: \_\_\_\_\_  
John D. Mercer, manager

Wallerstein Investments, LLC, a California limited liability company

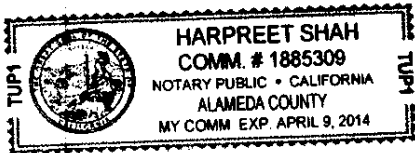
By: \_\_\_\_\_  
Larry I. Wallerstein, manager

**ASSIGNEE:**

Riverwalk Investments, LLC, by its manager, Wadsworth & Sons II, LLC

By: \_\_\_\_\_  
Kip Wadsworth, Operations Manager

State of California  
County of ALAMEDA  
Subscribed and sworn to (or affirmed)  
before me on this 28th day of DECEMBER,  
20 10 by JOHN DENNIS MERCER, JR.  
proved to me on the basis of satisfactory evidence to be  
the person(s) who appeared before me.  
Signature \_\_\_\_\_



ACKNOWLEDGMENT

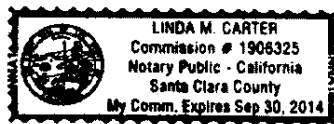
State of California        )  
County of Santa Clara    )

On December 28, 2010 before me, LINDA M. CARTER  
a notary public in and for the State of California,  
personally appeared LARRY I. WALLERSTEIN, who proved to me  
on the basis of satisfactory evidence to be the person  
whose name is subscribed to the within instrument and  
acknowledged to me that he executed the same in his  
authorized capacity, and that by his signature on the  
instrument, the person, or the entity upon behalf of which  
the person 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.

Linda M. Carter  
NOTARY PUBLIC



Telephone: (801) 748-4088  
Fax: (801) 748-4077  
Email: [kip@wadsco.com](mailto:kip@wadsco.com)


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DATED as of the day and year first above written.

**ASSIGNOR:**

Riverwalk Investment Holdings, LLC, a Utah  
limited liability company, by its managers:

Tate Diversified Development, Inc., a  
California corporation

By:   
Ronald M. Tate, its president

J.D. Mercer & Co., LLC, a California  
limited liability company

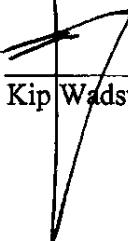
By: \_\_\_\_\_  
John D. Mercer, manager

Wallerstein Investments, LLC, a California  
limited liability company

By: \_\_\_\_\_  
Larry I. Wallerstein, manager

**ASSIGNEE:**

Riverwalk Investments, LLC, by its manager,  
Wadsworth & Sons II, LLC

By:   
Kip Wadsworth, Operations Manager

STATE OF CALIFORNIA )  
 : ss.  
COUNTY OF )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2010, by Larry I. Wallerstein, as manager of Wallerstein Investments, LLC, a California limited liability company, as Manager of Riverwalk Investment Holdings, LLC, a Utah limited liability company.

NOTARY PUBLIC

Residing at: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

STATE OF UTAH )  
 : ss.  
COUNTY OF SALT LAKE )

The foregoing instrument was acknowledged before me this 30 day of DEC, 2010, by Kip Wadsworth, as Operations Manager of Wadsworth & Sons II, LLC, a Utah limited liability company, as Manager of Riverwalk Investments, LLC, a Utah limited liability company.

Susan Forbush  
NOTARY PUBLIC  
Residing at: Draper, UT

My Commission Expires: 8/13/2011



**EXHIBIT A**

All of Lots 4A and 4B, **RIVER WALK AT BINGHAM JUNCTION LOT 4 AMENDED**, according to the official plat thereof, filed in Book "2008P" of Plats, at Page 146 of the Official Records of the Salt Lake County Recorder (as said plat shall have heretofore been corrected by various Affidavits filed in the Official Records of the Salt Lake County Recorder).

and

PARCEL "A", and Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9, **RIVER WALK AT BINGHAM JUNCTION LOT 4D & 4E AMENDED**, according to the official plat thereof, filed in Book "2010P" of Plats, at Page 68 of the Official Records of the Salt Lake County Recorder.

For reference purposes, Salt Lake County Tax Parcel Numbers:

21-26-226-003, 21-26-226-004, 21-26-226-008, 21-26-226-010, 21-26-226-013,  
21-26-226-018, 21-26-226-017, 21-26-226-016, 21-26-226-015, 21-26-226-014, 21-26-226-011,  
21-26-226-012 and 21-26-226-009