

**RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:**

Glen D. Watkins  
Jones, Waldo, Holbrook & McDonough, P.C.  
170 South Main Street, Suite 1500  
Salt Lake City, Utah 84101

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**ASSIGNMENT OF DECLARANT'S RIGHTS**

This ASSIGNMENT OF DECLARANT'S RIGHTS (this "Assignment") is made on March 4, 2014, by ROCKWELL HOUSING, LLC, a Utah limited liability company ("Rockwell Housing") to POUNCE HOLDINGS, L.L.C., a Utah limited liability company ("Pounce").

**RECITALS**

- A. Rockwell Housing is the Declarant under that certain Amended and Restated Declaration of Condominium and Declaration of Covenants, Conditions, and Restrictions for Rockwell Square Condominiums, dated as of January 7, 2011 and recorded on January 11, 2011 as Entry No. 11114069, in Book 9897, at Page 4942 in the official records of Salt Lake County, Utah (together with all amendments and supplements thereto, the "Declaration"). Capitalized terms used and not otherwise defined herein shall have the meanings given them in the Declaration. The Declaration encumbers the property described on Exhibit A attached hereto.
- B. By General Warranty Deed (the "Deed") recorded November 15, 2012, as Entry No. 11514940, in Book 10077, at Page 6648, Rockwell Housing conveyed to Pounce its interests in all the Units in Rockwell Square Condominiums then remaining subject to the Declaration, other than those Units located in Building 1 (as designated on the Plat).
- C. Rockwell Housing desires to assign, and/or to confirm the assignment of its rights, as the Declarant under the Declaration to Pounce.

NOW, THEREFORE, the parties hereto agree as follows:

- 1. **ASSIGNMENT**. Pursuant to Articles 15.06 and 20.05 of the Declaration, Rockwell Housing hereby expressly assigns to Pounce all of Rockwell Housing's rights as the Declarant under the Declaration.
- 2. **NO SUCCESSOR LIABILITY**. Notwithstanding any provision hereof to the contrary, Pounce is not assuming the duties and liabilities of the Declarant under the Declaration (a) pertaining to the construction of Building 1, or (b) arising or resulting from the actions

or omissions of Rockwell Housing occurring before the date on which Rockwell Housing conveyed all its interests to Pounce, by the Deed referenced above. Pounce hereby expressly disclaims any assumption of any such duties and liabilities.

3. **COUNTERPARTS.** This Assignment may be executed in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute and be construed as one and the same instrument.

*[Signature Pages to Follow]*

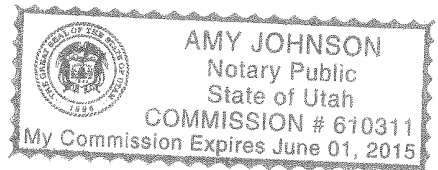
**Signature Page for Rockwell Housing:**

ROCKWELL HOUSING, LLC  
a Utah limited liability company

By: [Signature]  
Name: Michael Platter  
Title: Secretary

STATE OF UTAH                    )  
  :SS  
COUNTY OF SALT LAKE        )

The foregoing instrument was acknowledged before me this 3rd day of March, 2014, by Michael Platter, Secretary of Rockwell Housing, LLC, a Utah limited liability company.



[Signature]  
NOTARY PUBLIC  
Residing at: Salt Lake

My commission expires June 1, 2015.

**Signature Page for Pounce Holdings, LLC:**

POUNCE HOLDINGS, LLC,  
a Utah limited liability company

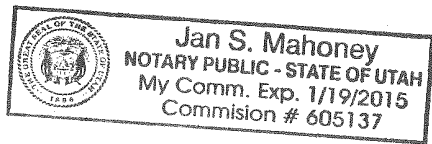
By: *Brian L. Davis*  
Name: BRIAN L. DAVIS  
Title: PRESIDENT

STATE OF UTAH )  
 ) SS.  
COUNTY OF SALT LAKE )

The foregoing instrument was acknowledged before me this 4<sup>th</sup> day of March, 2014, by  
Brian L. Davis, \_\_\_\_\_ of  
Pounce Holdings, LLC, a Utah limited liability company.

*Jan S. Mahoney*  
NOTARY PUBLIC  
Residing at: \_\_\_\_\_

My commission expires \_\_\_\_\_.



**EXHIBIT A**

The real property referenced in the foregoing instrument is located in Salt Lake County, Utah and is more particularly described as follows:

Retail Units 1 thru 4, inclusive, in Building 1, contained within the ROCKWELL SQUARE CONDOMINIUMS AMENDED, a Utah condominium project as identified in the Record of Survey Map recorded October 1, 2008 as Entry No. 10532621, in Book 2008, at Page 255 of Plats, (as said Record of Survey Map may have been amended and/or supplemented) and as further defined and described in the Declaration of Condominium of ROCKWELL SQUARE CONDOMINIUMS, recorded July 2, 2008, as Entry No.

10470405, in Book 9623, at Page 8416 (as said Declaration may have been amended and/or supplemented) in the Office of the Recorder of Salt Lake County, Utah.

Together with the appurtenant undivided interest in and to the common areas and facilities more particularly described in said Declaration and any amendments and/or Supplements thereto.

Parcel Identification Nos. 34-06-328-163 (Unit 1), 34-06-328-164 3 (Unit 2); 34-06-328-165 (Unit 3); and 34-06-166 (Unit 4).

Units 20 thru 49, inclusive, in Building 1, contained within the ROCKWELL SQUARE CONDOMINIUMS AMENDED, a Utah condominium project as identified in the Record of Survey Map recorded October 1, 2008 as Entry No. 10532621, in Book 2008, at Page 255 of Plats, (as said Record of Survey Map may have been amended and/or supplemented) and as further defined and described in the Declaration of Condominium of ROCKWELL SQUARE CONDOMINIUMS, recorded July 2, 2008, as Entry No. 10470405, in Book 9623, at Page 8416 (as said Declaration may have been amended and/or supplemented) in the Office of the Recorder of Salt Lake County, Utah.

Together with the appurtenant undivided interest in and to the common areas and facilities more particularly described in said Declaration and any amendments and/or Supplements thereto.

Parcel Identification Nos. 34-06-328-003 through 34-06-328-032, inclusive.

Retail Units 1 thru 4, inclusive, in Building 2, contained within the ROCKWELL SQUARE CONDOMINIUMS AMENDED, a Utah condominium project as identified in the Record of Survey Map recorded October 1, 2008 as Entry No. 10532621, in Book 2008, at Page 255 of Plats, (as said Record of Survey Map may have been amended and/or supplemented) and as further defined and described in the Declaration of Condominium of ROCKWELL SQUARE CONDOMINIUMS, recorded July 2, 2008, as Entry No.

10470405, in Book 9623, at Page 8416 (as said Declaration may have been amended and/or supplemented) in the Office of the Recorder of Salt Lake County, Utah.

Together with the appurtenant undivided interest in and to the common areas and facilities more particularly described in said Declaration and any amendments and/or Supplements thereto.

Parcel Identification No's. 34-06-328-167 (Unit 1), 34-06-328-168 (Unit 2), 34-06-328-169 (Unit 3) and 34-06-328-170 (Unit 4).

Units 20 thru 49, inclusive, in Building 2, contained within the ROCKWELL SQUARE CONDOMINIUMS AMENDED, a Utah condominium project as identified in the Record of Survey Map recorded October 1, 2008 as Entry No. 10532621, in Book 2008, at Page 255 of Plats, (as said Record of Survey Map may have been amended and/or supplemented) and as further defined and described in the Declaration of Condominium of ROCKWELL SQUARE CONDOMINIUMS, recorded July 2, 2008, as Entry No. 10470405, in Book 9623, at Page 8416 (as said Declaration may have been amended and/or supplemented) in the Office of the Recorder of Salt Lake County, Utah.

Together with the appurtenant undivided interest in and to the common areas and facilities more particularly described in said Declaration and any amendments and/or Supplements thereto.

Parcel Identification No's. 34-06-328-035 thru 34-06-328-064, inclusive.

Retail Units 1 thru 4, inclusive, in Building 3, contained within the ROCKWELL SQUARE CONDOMINIUMS AMENDED, a Utah condominium project as identified in the Record of Survey Map recorded October 1, 2008 as Entry No. 10532621, in Book 2008, at Page 255 of Plats, (as said Record of Survey Map may have been amended and/or supplemented) and as further defined and described in the Declaration of Condominium of ROCKWELL SQUARE CONDOMINIUMS, recorded July 2, 2008, as Entry No. 10470405, in Book 9623, at Page 8416 (as said Declaration may have been amended and/or supplemented) in the Office of the Recorder of Salt Lake County, Utah.

Together with the appurtenant undivided interest in and to the common areas and facilities more particularly described in said Declaration and any amendments and/or Supplements thereto.

Parcel Identification No's. 34-06-328-171 (Unit 1), 34-06-328-172 (Unit 2), 34-06-328-173 (Unit 3) and 34-06-328-174 (Unit 4).

Units 20 thru 49, inclusive, in Building 3, contained within the ROCKWELL SQUARE CONDOMINIUMS AMENDED, a Utah condominium project as identified in the Record of Survey Map recorded October 1, 2008 as Entry No. 10532621, in Book 2008, at Page 255 of Plats, (as said Record of Survey Map may have been amended and/or supplemented) and as further defined and described in the Declaration of Condominium of ROCKWELL SQUARE CONDOMINIUMS, recorded July 2, 2008, as Entry No. 10470405, in Book 9623, at Page 8416 (as said Declaration may have been amended and/or supplemented) in the Office of the Recorder of Salt Lake County, Utah.

Together with the appurtenant undivided interest in and to the common areas and facilities more particularly described in said Declaration and any amendments and/or Supplements thereto.

Parcel Identification No's. 34-06-328-067 thru 34-06-328-096, inclusive.

Retail Units 1 and 2, in Building 4, contained within the ROCKWELL SQUARE CONDOMINIUMS AMENDED, a Utah condominium project as identified in the Record of Survey Map recorded October 1, 2008 as Entry No. 10532621, in Book 2008, at Page 255 of Plats, (as said Record of Survey Map may have been amended and/or supplemented) and as further defined and described in the Declaration of Condominium of ROCKWELL SQUARE CONDOMINIUMS, recorded July 2, 2008, as Entry No. 10470405, in Book 9623, at Page 8416 (as said Declaration may have been amended and/or supplemented) in the Office of the Recorder of Salt Lake County, Utah.

Together with the appurtenant undivided interest in and to the common areas and facilities more particularly described in said Declaration and any amendments and/or Supplements thereto.

Parcel Identification No's. 34-06-328-097 (Unit 1) and 34-06-328-098 (Unit 2)..

Units 20 thru 49, inclusive, in Building 4, contained within the ROCKWELL SQUARE CONDOMINIUMS AMENDED, a Utah condominium project as identified in the Record of Survey Map recorded October 1, 2008 as Entry No. 10532621, in Book 2008, at Page 255 of Plats, (as said Record of Survey Map may have been amended and/or supplemented) and as further defined and described in the Declaration of Condominium of ROCKWELL SQUARE CONDOMINIUMS, recorded July 2, 2008, as Entry No. 10470405, in Book 9623, at Page 8416 (as said Declaration may have been amended and/or supplemented) in the Office of the Recorder of Salt Lake County, Utah.

Together with the appurtenant undivided interest in and to the common areas and facilities more particularly described in said Declaration and any amendments and/or Supplements thereto.

Parcel Identification No's. 34-06-328-099 thru 34-06-328-128, inclusive.



Retail Units 1 thru 4, inclusive, in Building 5, contained within the ROCKWELL SQUARE CONDOMINIUMS AMENDED, a Utah condominium project as identified in the Record of Survey Map recorded October 1, 2008 as Entry No. 10532621, in Book 2008, at Page 255 of Plats, (as said Record of Survey Map may have been amended and/or supplemented) and as further defined and described in the Declaration of Condominium of ROCKWELL SQUARE CONDOMINIUMS, recorded July 2, 2008, as Entry No. 10470405, in Book 9623, at Page 8416 (as said Declaration may have been amended and/or supplemented) in the Office of the Recorder of Salt Lake County, Utah.

Together with the appurtenant undivided interest in and to the common areas and facilities more particularly described in said Declaration and any amendments and/or Supplements thereto.

Parcel Identification No's. 34-06-328-175 (Unit 1), 34-06-328-176 (Unit 2), 34-06-328-177 (Unit 3) and 34-06-328-178 (Unit 4).

Units 20 thru 49, inclusive, in Building 5, contained within the ROCKWELL SQUARE CONDOMINIUMS AMENDED, a Utah condominium project as identified in the Record of Survey Map recorded October 1, 2008 as Entry No. 10532621, in Book 2008, at Page 255 of Plats, (as said Record of Survey Map may have been amended and/or supplemented) and as further defined and described in the Declaration of Condominium of ROCKWELL SQUARE CONDOMINIUMS, recorded July 2, 2008, as Entry No. 10470405, in Book 9623, at Page 8416 (as said Declaration may have been amended and/or supplemented) in the Office of the Recorder of Salt Lake County, Utah.

Together with the appurtenant undivided interest in and to the common areas and facilities more particularly described in said Declaration and any amendments and/or Supplements thereto.

Parcel Identification No's. 34-06-328-131 thru 34-06-328-160, inclusive.