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5/8/2020 3:49:00 PM \$40.00  
Book - 10940 Pg - 8759-8763  
RASHELLE HOBBS  
Recorder, Salt Lake County, UT  
MOUNTAIN VIEW TITLE & ESCROW  
BY: eCASH, DEPUTY - EF 5 P.

## NOTICE OF ASSIGNMENT AND ASSUMPTION OF LEASE

THIS ASSIGNMENT AND ASSUMPTION OF LEASE (the "Assignment") is entered into as of the 7 day of May 2020, by and between Highland Square, LLC, a Utah limited liability company ("Assignor" or "Highland"), and Millcreek Center Shops, LLC., a Utah limited liability company ("Assignee" or Millcreek) in contemplation of the following facts and circumstances pertaining to property more particularly described as follows:

*16-33-153.014*

### RECITALS

- A. Whereas, on the 1st day of September, 2004, Highland Square, LLC, a Utah limited liability company entered into a lease with Guild Hall, Inc., a Utah corporation as evidenced by the recording of the Notice of Lease recorded on July 7, 2005, as Entry No. 9425542, in Book 9156 at Page 30 of Official Records of Salt Lake County.
- B. Whereas, "Highland" (Assignor) hereby desires to assign its interest to "Millcreek" (Assignee), and Assignee desires to assume said interest in and to said lease;

NOW, THEREFORE IN CONSIDERATION OF THE SUME OF TEN DOLLARS AND OTHER, GOOD AND VALUABLE CONSIDERATION, Assignor, Assignee and Landlord hereby agree to the following:

1. **ASSIGNMENT**. Assignor hereby assigns, sets over and transfers to Assignee, all of Assignor's legal and beneficial right, title, interest and estate in and to the lease and conveys and warrants that the Lease is valid and enforceable and the Assignor has not heretofore assigned any right, title, claim or interest in or under the Lease to any other person, firm or entity.
2. **ACCEPTANCE OF ASSIGNMENT**. Assignee hereby accepts the Lease and assumes and agrees to be bound by, assume and perform all of the terms, covenants, and conditions that are contained in the Lease to be performed by Assignor from and after the date of this Assignment.
3. **Counterpart Signatures**. This document may be executed in one or more identical counterparts each of which shall be deemed an original, and all of which, taken together, shall constitute one and the same document.

ASSIGNOR:

Highland Square, LLC, a Utah limited liability company

By: Gerri R. Collett  
Gerri R. Collett, Member

By: Jacqueline C. Mena  
Jacqueline C. Mena formerly Jacqueline C. Zuro, Member

ASSIGNEE:

Millcreek Center Shops, LLC., a Utah limited liability company

By: David M. Rasmussen  
David M. Rasmussen, Member/Manager

By: Kimberly F. Rasmussen  
Kimberly F. Rasmussen, Member/Manager

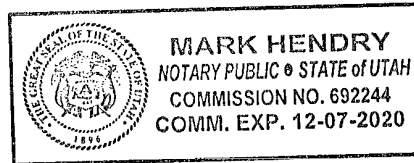
STATE OF UTAH )  
COUNTY OF SALT LAKE )

On May 7, 2020 before me, MARK HENDRY, a Notary Public, personally appeared GERRI R. COLLETT who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Utah that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_



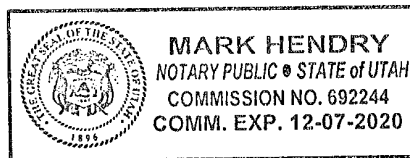
STATE OF UTAH )  
COUNTY OF SALT LAKE )

On May 7, 2020 before me, MARK HENDRY, a Notary Public, personally appeared JACQUELINE C. MENA who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Utah that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_



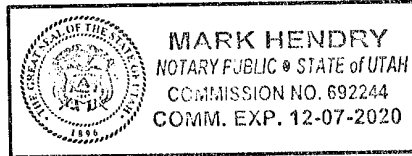
STATE OF UTAH )  
COUNTY OF SALT LAKE )

On May 7, 2020 before me, MARK HENDRY, a Notary Public, personally appeared DAVID M. RASMUSSEN who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Utah that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_



STATE OF UTAH )  
COUNTY OF SALT LAKE )

On May 7, 2020 before me, MARK HENDRY, a Notary Public, personally appeared KIMBERLY F. RASMUSSEN who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Utah that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

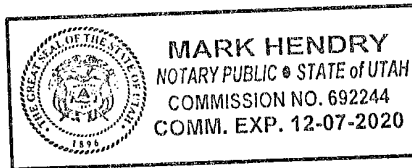


EXHIBIT "A"

BEGINNING AT A POINT THAT IS 942.01 FEET EAST FROM THE SOUTHWEST CORNER OF LOT 14, BLOCK 23, TEN ACRE PLAT "A", BIG FIELD SURVEY; SAID POINT ALSO BEING SOUTH 1763.65 FEET AND WEST 1185.88 FEET FROM THE NORTH QUARTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; SAID POINT IS ALSO BEING NORTH 24°48'32" WEST 511.96 FEET AND NORTH 89°50'00" WEST 44.10 FEET FROM A SALT LAKE COUNTY MONUMENT IN THE INTERSECTION OF HIGHLAND DRIVE AND SIGGARD DRIVE; AND RUNNING THENCE NORTH 89°55'00" WEST 377.61 FEET; THENCE NORTH 00°58'00" EAST 317.60 FEET; THENCE SOUTH 88°01'12" EAST 228.74 FEET; THENCE SOUTH 24°48'32" EAST 342.34 FEET TO THE POINT OF BEGINNING

Tax I.D. Number: 16-33-153-014