



ENT 15820:2018 PG 1 of 7
 JEFFERY SMITH
 UTAH COUNTY RECORDER
 2018 Feb 16 9:19 am FEE 79.00 BY DA
 RECORDED FOR D R HORTON

When Recorded, Please Mail to:

D.R. Horton, Inc.
 12351 South Gateway Park Place, Suite D-100
 Draper, UT 84020

ASSIGNMENT OF DECLARANT’S RIGHTS FOR RIVER BEND TOWNHOMES

THIS ASSIGNMENT OF DECLARANT’S RIGHTS FOR RIVER BEND TOWNHOMES (this “Assignment”) is executed to be effective the 15 day of February, 2018, by STARTING 5 L.L.C., a Utah limited liability company (“Assignor”), and D.R. HORTON, INC., a Delaware corporation (“Assignee”).

RECITALS

A. Assignor is the entity identified and designated as the Declarant (the “Declarant”) in that certain Declaration of Covenants, Conditions and Restrictions for River Bend Townhomes dated January 12, 2018 that was recorded in the Office of the Recorder of Utah County, Utah on January 29, 2018 as Entry No. 9003:2018 (referred to herein as the “Declaration”). The Declaration pertains to a residential unit development known as River Bend Townhomes (the “Project”) located on that certain real property in the City of Saratoga Springs, Utah County, Utah more particularly described on Exhibit A attached hereto (the “Property”). Capitalized terms not otherwise defined in this Assignment shall have the same meaning given to such terms in the Declaration.

B. Assignee has acquired from Assignor all 58 of the lots located within the Project that are more particularly described on Exhibit B attached hereto (“Assignee’s Lots”), and Assignee desires to acquire from Assignor all rights, title and interest of Assignor as the Declarant arising under the Declaration.

C. Assignor is willing to assign to Assignee all of such Assignor’s rights, title and interest as the Declarant under the Declaration as hereinafter set forth.

ASSIGNMENT

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

1. Assignment of Declarant Rights. Assignor hereby assigns to Assignee all rights, title and interest of Assignor as the Declarant under the Declaration. Assignee hereby accepts the assignment from Assignor of all rights, title and interest as Assignee as the Declarant under the Declaration effective as of and commencing on the date of this Assignment. Assignor and Assignee hereby agree and declare that commencing on the date of this Assignment, Assignee shall be deemed the Declarant under the Declaration for all purposes, and Assignee shall have the right to remove from the Board of Directors of the River Bend Townhomes Owners Association, Inc., a Utah non-profit corporation (the “Association”) all members of the Board of Directors of the Association that may have previously been appointed by Assignor, and commencing on the date of this Assignment, Assignee shall have the exclusive and irrevocable

right, as the Declarant under the Declaration, to appoint all of the members of the Board of Directors and their successors and replacements as provided in Section 3.10 of the Declaration.

2. Miscellaneous.

a. Amendments. This Assignment may not be changed orally, but only by a written agreement signed by the parties.


b. Successors and Assigns. This Assignment shall be binding upon and inure to the benefit of the parties and their respective successors and assigns.


c. Severability. If any provision of this Assignment is held to be invalid, void or unenforceable in whole or in part, the rest of this Assignment shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

d. Governing Law. This Assignment shall be governed by and interpreted in accordance with the laws of the State of Utah.

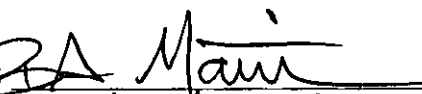
IN WITNESS WHEREOF, Assignor and Assignee have caused this Assignment to be executed by persons duly authorized to execute the same as of the date first above written.

STARTING 5 L.L.C.,
a Utah limited liability company

By: 
Name: Daniel W. Ashworth
Title: Manager
Date of Execution: February 15, 2018

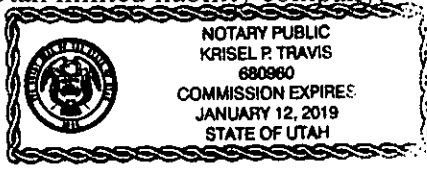
By: 
Name: Denise P. Ashworth
Title: Manager
Date of Execution: February 15, 2018

D.R. HORTON, INC.,
a Delaware corporation

By: 
Name: BA MARTIN
Title: V.P. & DIVISION PRESIDENT
Date of Execution: February 9, 2018

STATE OF UTAH)
 : ss.
COUNTY OF UTAH)

The foregoing instrument was acknowledged before me this 15 day of February, 2018, by Daniel W. Ashworth in such person's capacity as the Manager of Starting 5 L.L.C., a Utah limited liability company.

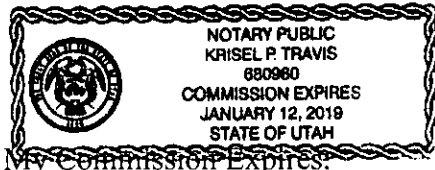


[Signature]
NOTARY PUBLIC
Residing at: London, UT

My Commission Expires:
JAN. 12. 2019

STATE OF UTAH)
 : ss.
COUNTY OF UTAH)

The foregoing instrument was acknowledged before me this 15 day of February, 2018, by Denise P. Ashworth in such person's capacity as the Manager of Starting 5 L.L.C., a Utah limited liability company.



[Signature]
NOTARY PUBLIC
Residing at: London UT

My Commission Expires:
Jan. 12. 2019

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

The foregoing instrument was acknowledged before me this 9 day of February, 2018, by Boyd A. Martin, as the V.P. & Division President of D.R. Horton, Inc., a Delaware corporation.

Krisel P. Travis
NOTARY PUBLIC
Residing at: Utah County

My Commission Expires:

Jan. 12. 2019

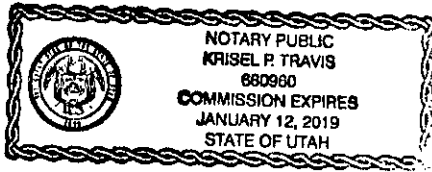


EXHIBIT ALegal Description of the Property

That certain real property located in the City of Saratoga Springs, Utah County, Utah, more particularly described as follows:

Phase 3B

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF RIVER BEND PHASE 2 PLAT AS DESCRIBED IN THE RIVER BEND PHASE 2 SUBDIVISION PLAT AS RECORDED AS ENTRY 12407 IN THE UTAH COUNTY RECORDER'S OFFICE, SAID POINT ALSO BEING EAST 499.53 FEET AND NORTH 2036.19 FEET AND SOUTH 89°22'26" EAST 473.94 FEET AND NORTH 191.93 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 14, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE ALONG SAID PHASE 2 BOUNDARY THE FOLLOWING THREE (3) COURSES; 1) NORTH 00°01'38" EAST 77.39 FEET; 2) NORTH 00°37'34" EAST 36.00 FEET; 3) NORTH 89°22'26" WEST 34.76 FEET TO THE SOUTHEAST CORNER OF RIVER BEND PHASE 3A; THENCE ALONG SAID PHASE 3A BOUNDARY NORTH 00°37'34" EAST 76.00 FEET TO A POINT ON THE SOUTH LINE OF THE JORDAN RIDGE CONDO PHASE 2 PLAT RECORDED AS ENTRY 2013-18466 IN THE OFFICIAL RECORDS OF THE UTAH COUNTY RECORDERS OFFICE. THENCE ALONG SAID SOUTH LINE SOUTH 89°22'26" EAST 682.40 FEET; THENCE SOUTH 47°36'40" WEST 270.74 FEET; THENCE NORTH 89°58'22" WEST 448.90 FEET TO THE POINT OF BEGINNING.

Together with

Phase 4

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF RIVER BEND PHASE 1 AS DESCRIBED IN THE RIVER BEND PHASE 1 SUBDIVISION PLAT AS RECORDED AS ENTRY 12343 IN THE UTAH COUNTY RECORDER'S OFFICE, SAID POINT BEING EAST 499.53 FEET AND NORTH 2036.19 FEET AND SOUTH 89°22'26" EAST 324.73 FEET FROM THE SOUTH

QUARTER CORNER OF SECTION 14, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE ALONG SAID PHASE 1 BOUNDARY THE FOLLOWING THREE (3) COURSES; 1) NORTH 00°38'27" EAST 76.00 FEET; 2) NORTH 27°34'06" WEST 40.85 FEET; 3) NORTH 00°01'50" EAST 78.17 FEET TO A POINT ON THE SOUTH LINE OF THE RIVER BEND PHASE 2 SUBDIVISION BOUNDARY AS RECORDED AS ENTRY 12407 IN THE UTAH COUNTY RECORDER'S OFFICE. THENCE ALONG SAID SOUTH LINE SOUTH 89°58'22" EAST 167.21 FEET; THENCE LEAVING SAID BOUNDARY, SOUTH 89°58'22" EAST ALONG THE SOUTH LINE OF THE RIVER BEND PHASE 3B BOUNDARY 448.90 FEET TO THE WESTERLY LINE OF RIVER BEND PHASE 5; THENCE SOUTH 47°36'40" WEST ALONG SAID WESTERLY LINE 251.48 FEET; THENCE SOUTHWESTERLY, 39.24 FEET ALONG THE ARC OF A 338.50 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS SOUTH 50°55'57" WEST 39.22 FEET); THENCE NORTH 89°22'26" WEST 381.92 FEET TO THE POINT OF BEGINNING.

Together with

Phase 5

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF RIVER BEND PHASE 4 AS DESCRIBED IN THE RIVER BEND PHASE 4 SUBDIVISION PLAT AS RECORDED IN THE UTAH COUNTY RECORDER'S OFFICE, SAID POINT BEING EAST 499.53 FEET AND NORTH 2036.19 FEET AND SOUTH 89°22'26" EAST 706.65 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 14, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE ALONG SAID PHASE 4 BOUNDARY, NORTHEASTERLY 39.24 FEET ALONG THE ARC OF A 338.50 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS NORTH 50°55'57" EAST 39.22 FEET; THENCE NORTH 47°36'40" EAST 522.22 FEET TO THE SOUTH LINE OF JORDAN RIDGE CONDO PHASE 1 RECORDED AS ENTRY 2011-34400 IN THE OFFICIAL RECORDS OF THE UTAH COUNTY RECORDER'S OFFICE; THENCE SOUTH 89°22'26" EAST ALONG SAID SOUTH LINE 387.13 FEET; THENCE SOUTH 43°42'34" WEST 113.12 FEET; THENCE SOUTH 47°03'34" WEST 200.67 FEET; THENCE SOUTH 54°09'34" WEST 214.37 FEET; THENCE SOUTH 57°23'34" WEST 60.17 FEET; THENCE NORTH 89°22'26" WEST 353.76 FEET TO THE POINT OF BEGINNING

EXHIBIT B

Legal Description of Assignee's Lots

That certain real property located in the City of Saratoga Springs, Utah County, State of Utah, more particularly described as follows:

PARCEL 1:

Units 44 through 69, inclusive, RIVER BEND TOWNHOMES PHASE 3B, according to the official plat thereof, as recorded in the office of the Utah County Recorder, State of Utah.

TOGETHER WITH the undivided ownership interest in and to the Common Areas and Limited Common Areas and Facilities, which is appurtenant to said units as shown on the official recorded plat.

PARCEL 2:

Units 70 through 84, inclusive, RIVER BEND TOWNHOMES PHASE 4, according to the official plat thereof, as recorded in the office of the Utah County Recorder, State of Utah.

TOGETHER WITH the undivided ownership interest in and to the Common Areas and Limited Common Areas and Facilities, which is appurtenant to said units as shown on the official recorded plat.

PARCEL 3:

Units 85 through 101, inclusive, RIVER BEND TOWNHOMES PHASE 5, according to the official plat thereof, as recorded in the office of the Utah County Recorder, State of Utah.

TOGETHER WITH the undivided ownership interest in and to the Common Areas and Limited Common Areas and Facilities, which is appurtenant to said units as shown on the official recorded plat.

Tax Id No.: 58-032-0181, 58-032-0182 and 58-032-0183

Tax Parcel Number: 58-032-0181, 58-032-0182 and 53-032-0183