

E 159764 B 387 P 1256
Date 18-Jan-2022 03:40PM
Fee: \$40.00 ACH
Filed By: BDN
BRENDA NELSON, Recorder
MORGAN COUNTY
For: MERIDIAN TITLE COMPANY
Recorded Electronically by Simplifile

When recorded, return to:
M.D.C. Holdings, Inc.
4350 South Monaco Street, #500
Denver, Colorado 80237
Attn: Matthew Adeletti

Tax ID 000-000000-7331
00-000000-9646

PARTIAL ASSIGNMENT OF DECLARANT'S RIGHTS

THIS PARTIAL ASSIGNMENT OF DECLARANT'S RIGHTS ("Assignment") is executed as of JANUARY 14, 2022, by **CW ROAM, LLC**, a Utah limited liability company (the "Assignor"), and **RICHMOND AMERICAN HOMES OF UTAH, INC.**, a Colorado corporation ("Assignee").

RECITALS

A. Assignor is the Declarant under that certain Declaration of Covenants, Conditions, and Restrictions, and Reservation of Easements for Roam, as recorded JAN 18, 2022 in Morgan County, as entry number 159757, as amended (the "Declaration").

B. Assignee has entered into a contract to purchase the real property more particularly described in **Exhibit A** attached hereto and incorporated herein by this reference (the "**Property**"), which property is subject to the Declaration.

C. As provided for under the Declaration, Declarant may assign, transfer, or share all or some of its control, power, rights, exemptions, authority, or decision-making ability to any person or entity.

D. As a condition to its agreement to proceed with the purchase of the Property, Assignee has requested a partial assignment of certain of Declarant's rights under the Declaration pertaining to the Property, as authorized in the Declaration, and Assignor has agreed to make such partial assignment upon and subject to the terms set forth in this Assignment.

E. All capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Declaration.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged and affirmed, Assignor and Assignee agree as follows solely with respect to the Property:

1. The above Recitals are incorporated into and are made a part of this Assignment by this reference.

2. Assignor hereby assigns and transfers to Assignee Assignor's rights, protections, and authority as Declarant under Sections 5.13, 8.6, 9.7, 9.10, 10.4, 18.7, 18.11, 18.13, 18.14 and 18.15 of the Declaration.

3. The rights and exemptions granted to Assignee herein may not be amended, modified, or revoked without the written consent of Assignee.

4. In accordance with the definition of the term "Declarant" in the Declaration, Assignee shall not be deemed to be the Declarant under the Declaration, but may exercise only those rights of the Declarant that have been assigned to it as such rights pertain to the Property. Accordingly, Assignor expressly retains all of its rights as the Declarant and Assignee shall not be deemed to have assumed any of the duties or obligations of the Declarant in accordance with the Declaration.

5. This Assignment shall be binding upon and shall inure to the benefit of the parties hereto and their respective assigns; provided, however, Assignee shall have no right hereunder to assign all or a portion of the assigned Declarant rights to any third-party purchaser(s).

6. This Assignment shall be governed by and shall be construed in accordance with the laws of the State of Utah.

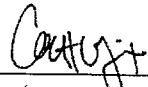
7. This Assignment may be executed in counterparts and the signature pages combined to constitute one document.

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

[Signatures follow on subsequent pages]


ASSIGNOR:

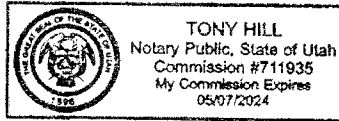
CW ROAM, LLC, a
Utah limited liability company

By: 
Name: COLIN WRIGHT
Its: AUTHORIZED REPRESENTATIVE

STATE OF UTAH)
) ss.
County of DAVIS)

The foregoing instrument was acknowledged before me this 14 day of
JANUARY, 2022, by COLIN WRIGHT, the AUTHORIZED
REP of CW ROAM, LLC, a Utah limited liability company, on behalf of
such company.


TONY HILL, NOTARY PUBLIC



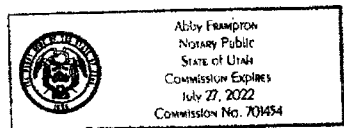
ASSIGNEE:

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

By: *[Signature]*
Name: SCOTT TURNER
Its: EUPD

STATE OF UTAH)
County of Salt Lake) ss.

The foregoing instrument was acknowledged before me this 6 day of January
2022, by Scott Turner, the EUPD of
**RICHMOND AMERICAN HOMES OF UTAH, INC., a Colorado corporation, on
behalf of such company.**



Abby Frampton

EXHIBIT A
TO PARTIAL ASSIGNMENT OF DECLARANT'S RIGHTS LEGAL DESCRIPTION

A parcel of land, situate in the Northwest Quarter of Section 25, Township 5 North, Range 1 East, Salt Lake Base and Meridian, said parcel also located in Morgan County, Utah. Being more particularly described as follows:

Beginning at a point which is South 89°43'35" East 455.87 feet along the section line and South 00°16'25" West 172.32 feet from the Northwest Corner of said Section 25 and running thence:

- thence North 69°02'40" East 87.74 feet;
- thence Southerly 190.08 feet along the arc of a 280.00-foot radius non-tangent curve to the left (center bears South 57°50'46" East and the long chord bears South 12°42'00" West 186.45 feet with a central angle of 38°53'44");
- thence South 06°44'28" East 195.97 feet;
- thence Southerly 115.98 feet along the arc of a 331.61-foot radius tangent curve to the right (center bears South 83°15'33" West and the long chord bears South 03°16'42" West 115.39 feet with a central angle of 20°02'22");
- thence South 13°17'54" West 71.36 feet;
- thence South 76°42'06" East 168.38 feet;
- thence North 13°17'54" East 9.68 feet;
- thence North 89°53'25" East 582.73 feet;
- thence South 00°06'33" East 15.00 feet;
- thence North 89°53'43" East 158.97 feet to the westerly line of Rollins Ranch Phase 4B;
- thence along said westerly line, to and along the westerly line of Rollins Ranch Phase 4A the following two (2) courses and distances:
 - 1) Southeasterly 208.49 feet along the arc of a 356.50-foot radius non-tangent curve to the left (center bears North 64°25'44" East and the long chord bears South 42°19'30" East 205.53 feet with a central angle of 33°11'53");
 - 2) South 04°15'30" East 39.46 feet to that property owned by Cottonwood Mutual Water Company;
- thence along the North and West line of that property owned by Cottonwood Mutual Water Company the following (2) courses and distances:
 - 1) thence North 89°47'45" West 87.99 feet;
 - 2) thence South 00°11'51" West 61.67 feet to the North line of Paul Warner Subdivision;
- thence along the North and West lines of Paul Warner Subdivision the following two (2) course and distances:
 - 1) West 389.73 feet;
 - 2) South 00°09'40" East 120.00 feet;
- thence South 89°43'47" West 127.73 feet;
- thence South 00°16'13" East 524.98 feet;
- thence Southeasterly 20.27 feet along the arc of a 15.00-foot radius tangent curve to the left (center bears North 89°43'47" East and the long chord bears South 38°58'36" East 18.76 feet with a central angle of 77°24'45") to the northerly right-of-way line of Old Highway Road;
- thence along said northerly right-of-way the following two (2) courses and distances:
 - 1) Westerly 69.11 feet along the arc of a 872.19-foot radius non-tangent curve to the left (center bears South 04°14'46" East and the long chord bears South 83°29'03" West 69.09 feet with a central angle of 04°32'24");
 - 2) South 82°40'32" West 16.33 feet;
- thence Northeasterly 21.72 feet along the arc of a 15.00-foot radius non-tangent curve to the left (center bears North 07°19'28" West and the long chord bears North 41°12'07" East 19.87 feet with a central angle of 82°56'50");
- thence North 00°16'13" West 411.86 feet;
- thence Northwesterly 23.52 feet along the arc of a 15.00-foot radius non-tangent curve to the left (center bears South 89°43'14" West and the long chord bears North 45°12'13" West 21.18 feet with a central angle of 89°49'45");
- thence South 89°53'27" West 407.29 feet;
- thence Westerly 95.10 feet along the arc of a 280.00-foot radius non-tangent curve to the right (center bears North 00°06'34" West and the long chord bears North 80°22'47" West 94.64 feet with a central angle of 19°27'34");
- thence North 70°39'00" West 41.15 feet;
- thence Westerly 21.44 feet along the arc of a 15.00-foot radius non-tangent curve to the left (center bears South 19°21'05" West and the long chord bears South 68°24'23" West 19.66 feet with a central angle of 81°53'23");
- thence Southerly 287.40 feet along the arc of a 470.00 feet radius curve to the left (center bears South 62°32'13" East

and the long chord bears South $09^{\circ}56'43''$ West 282.94 feet with a central angle of $35^{\circ}02'07''$)
 thence South $07^{\circ}34'20''$ East 7.48 feet;
 thence South $10^{\circ}38'46''$ East 46.62 feet;
 thence South $07^{\circ}34'20''$ East 191.84 feet;
 thence Southeasterly 23.59 feet along the arc of a 15.00-foot radius non-tangent curve to the left (center bears North $82^{\circ}24'56''$ East and the long chord bears South $52^{\circ}37'47''$ East 21.23 feet with a central angle of $90^{\circ}05'27''$) to the northerly right-of-way line of Old Highway Road;
 thence South $82^{\circ}40'32''$ West 89.50 feet along said northerly right-of-way line;
 thence Northerly 29.28 feet along the arc of a 38.18-foot radius non-tangent curve to the left (center bears North $53^{\circ}43'12''$ West and the long chord bears North $14^{\circ}18'30''$ East 28.57 feet with a central angle of $43^{\circ}56'36''$);
 thence North $07^{\circ}34'20''$ West 185.87 feet;
 thence North $05^{\circ}08'53''$ West 35.47 feet;
 thence North $07^{\circ}34'20''$ West 12.67 feet;
 thence Northerly 329.11 feet along the arc of a 530.00-foot radius non-tangent curve to the right (center bears North $82^{\circ}25'39''$ East and the long chord bears North $10^{\circ}13'01''$ East 323.85 feet with a central angle of $35^{\circ}34'44''$);
 thence Northeasterly 9.33 feet along the arc of a 1971.60 feet radius curve to the left (center bears North $62^{\circ}15'54''$ West and the long chord bears North $27^{\circ}52'14''$ East 9.33 feet with a central angle of $00^{\circ}16'16''$)
 thence Northwesterly 18.91 feet along the arc of a 27.50-foot radius non-tangent curve to the left (center bears South $60^{\circ}55'14''$ West and the long chord bears North $48^{\circ}46'45''$ West 18.54 feet with a central angle of $39^{\circ}23'58''$);
 thence North $21^{\circ}31'37''$ East 38.00 feet;
 thence Easterly 8.39 feet along the arc of a 225.50-foot radius non-tangent curve to the right (center bears South $20^{\circ}30'42''$ West and the long chord bears South $69^{\circ}31'33''$ East 8.39 feet with a central angle of $02^{\circ}07'57''$);
 thence Easterly 21.96 feet along the arc of a 15.00-foot radius non-tangent curve to the left (center bears North $19^{\circ}54'20''$ East and the long chord bears North $67^{\circ}58'01''$ East 20.05 feet with a central angle of $83^{\circ}52'38''$);
 thence North $25^{\circ}48'38''$ East 15.49 feet;
 thence Northerly 422.82 feet along the arc of a 1971.60-foot radius non-tangent curve to the left (center bears North $64^{\circ}24'52''$ West and the long chord bears North $19^{\circ}26'31''$ East 422.01 feet with a central angle of $12^{\circ}17'15''$);
 thence North $13^{\circ}17'54''$ East 83.57 feet;
 thence Northerly 95.00 feet along the arc of a 271.61-foot radius tangent curve to the left (center bears North $76^{\circ}42'07''$ West and the long chord bears North $03^{\circ}16'43''$ East 94.51 feet with a central angle of $20^{\circ}02'19''$);
 thence North $06^{\circ}44'28''$ West 195.97 feet;
 thence Northerly 160.11 feet along the arc of a 340.00-foot radius tangent curve to the right (center bears North $83^{\circ}15'33''$ East and the long chord bears North $06^{\circ}44'59''$ East 158.64 feet with a central angle of $26^{\circ}58'56''$) to the Point of Beginning.

Contains: 545,602 square feet or 12.525 acres, 37 lots and 3 parcels.