

IF RECORDED, MAIL TO:
4SQUARE NORTH OGDEN, LLC
1835 S. HIGHWAY 89
PERRY, UTAH 84302
19390204M-5



W3024196

E# 3024196 PG 1 OF 4
Leann H. Kilts, WEBER COUNTY RECORDER
23-Dec-19 0833 AM FEE \$40.00 DEP TN
REC FOR: OLD REPUBLIC TITLE (OREM)
ELECTRONICALLY RECORDED

**ASSIGNMENT OF RIGHTS IN 1. DEVELOPMENT AND CROSS
ACCESS AGREEMENT, 2. THE TERMS, CONDITIONS,
RESTRICTIONS, RESERVATIONS AND LIMITATIONS OF THAT
CERTAIN DEVELOPER'S AGREEMENT WITH NORTH
OGDEN CORPORATION, AND 3. THE TERMS CONDITIONS,
RESTRICTIONS, RESERVATIONS AND LIMITATIONS OF THAT
CERTAIN SUB DIVIDER'S ESCROW AGREEMENT.**

This Assignment of Agreements is made this 17 ^{December} day of ~~November~~, 2019, by and between SEC 070, LLC, and (hereinafter referred to as "Owners") and 4Square North Ogden, LLC, (hereinafter referred to as "4Square").

RECITALS:

- A. Owners are the current owner of real property located at 2596 North 300 E, also known as 307 E 2600 North, North Ogden, UT 84414 (hereinafter referred to as "Property").
- B. Owners are currently completing construction of all items as agreed in the above referenced documents and desires to assign their rights as laid out in the aforementioned documents.

NOW THEREFORE, in consideration of the mutual promises of the parties herein set forth, it is agreed upon as follows:

- 1. Owners herein assign to 4Square all rights, title, interest, and obligations thereunder as "Developer" under the Development and Cross Access Agreement recorded July 22, 2019 as Entry No. 2992362 of Official Records in Weber County, State of Utah.
- 2. In Addition, Owners further agree to assign to 4Square all rights, title, interest, and obligations thereunder as "Developer" in that certain agreement titled Development Agreement with North Ogden Corporation recorded July 22, 2019 as Entry No. 2992363 of Official Records in Weber County, State of Utah.
- 3. In Addition, Owners further agree to assign to 4Square all rights, title, interest, and obligations thereunder as "Developer" in that certain agreement titled The Terms, Conditions, Restrictions, Reservations and Limitations of that Certain Sub divider's Escrow Agreement recorded July 22, 2019 as Entry No. 2992364 of Official Records in Weber County, State of Utah
- 4. 4Square herein desires to accept said Assignment from Owners.

5. This Agreement, and each and every term and provision hereof, shall inure to the benefit of, and be binding upon and enforceable against each party, and their respective legal representatives, successors, and assigns.

IN WITNESS THEREOF, the Assignment has been executed this day and year first stated hereinabove.


Dated the date written hereto above.

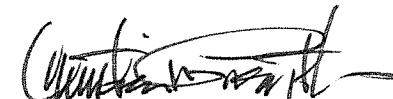
Assignor:

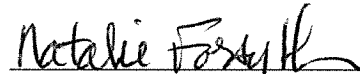
Assignee:

SEC 070, LLC

4Square North Ogden, LLC


By: Christian Forsyth, Manager

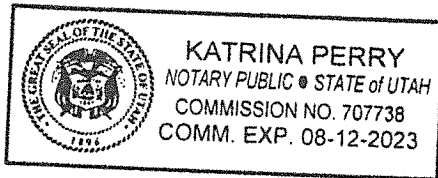

By: Christian W. Forsyth, Manager

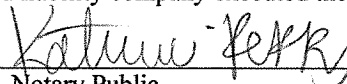

By: Natalie Forsyth, Manager

STATE OF UTAH

COUNTY OF Box elder

On this 17 day of December, 2019, personally before me appeared Christian Forsyth who proven on the basis of satisfactory evidence is the Manager of SEC 070, LLC, A Utah limited liability company, and that said document was signed by him/her on behalf of said entity by authority of its members and within the authority granted under said entity's articles of organization and/or operating agreement, and acknowledged to me that said limited liability company executed the same.

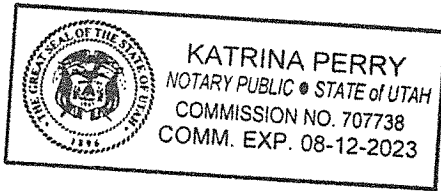



Notary Public
Residing In: Perry UT
Commission Expires: 8-12-23

STATE OF UTAH

COUNTY OF Box elder

On this 17 day of December, 2019, personally before me appeared Christian W. Forsyth and Natalie Forsyth who proven on the basis of satisfactory evidence are the Managers of 4Square North Ogden, LLC, A Utah limited liability company, and that said document was signed by him/her on behalf of said entity by authority of its members and within the authority granted under said entity's articles of organization and/or operating agreement, and acknowledged to me that said limited liability company executed the same.



Katrina Perry
Notary Public
Residing In: Perry UT
Commission Expires: 8-12-23

Exhibit A:

BEGINNING AT A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF 2600 NORTH STREET, SAID POINT BEING NORTH 89°41'30" WEST 805.37 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF 2550 NORTH STREET AND NORTH 00°19'43" EAST 602.13 FEET FROM THE SOUTHEAST CORNER OF LOT 48, PLAT 'B', NORTH OGDEN SURVEY, SAID POINT ALSO BEING NORTH 00°15'00" EAST ALONG THE CENTERLINE OF WASHINGTON BOULEVARD 6108.39 FEET AND SOUTH 88°51'10" WEST 870.79 FEET FROM THE OGDEN CITY SURVEY MONUMENT IN THE INTERSECTION OF WASHINTON BOULEVARD AND 1700 NORTH STREET; AND RUNNING THENCE NORTH 88°51'10" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE OF 2600 NORTH STREET 193.01 FEET; THENCE SOUTH 01°06'46" EAST 200.01 FEET; THENCE SOUTH 88°51'10" WEST 221.86 FEET TO THE EAST RIGHT-OF-WAY LINE OF 300 EAST STREET; THENCE NORTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE OF 300 EAST STREET THE FOLLOWING TWO (2) COURSES: NORTH 00°19'43" EAST 174.08 FEET; THENCE NORTH 42°09'42" EAST 35.70 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THAT CERTAIN ACCESS, UTILITIES, AND PARKING EASEMENT AGREEMENT WHICH RECORDED MARCH 27, 2018 AS ENTRY NO. 2911890, ON FILE IN THE OFFICE OF THE WEBER COUNTY RECORDED, STATE OF UTAH

LESS AND EXCEPTING:

A PARCEL OF LAND IN FEE FOR THE WIDENING OF THE EXISTING HIGHWAY STATE ROUTE 134 (2600 NORTH STREET) KNOWN AS PROJECT NO. F-0235(20)3, BEING PART OF AN ENTIRE TRACT OF PROPERTY SITUATE IN LOT 1, BARKER DEPOT, A SUBDIVISION RECORDED AS ENTRY NO. 2992361, BOOK 85, PAGE 95 OF PLATS, IN THE NE1/4 NE1/4 OF SECTION 32, T.7N., R.1W., S.L.B.&M. AS DESCRIBED IN THAT CERTAIN WARRANTY DEED RECORDED DECEMBER 2, 2019 AS ENTRY NO. 3019917 ON FILE IN THE OFFICE OF THE WEBER COUNTY RECORDED, STATE OF UTAH:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1; AND RUNNING THENCE S01°06'46"E 5.27 FEET ALONG THE EASTERLY LOT LINE OF SAID LOT 1 TO A POINT IN A 2,951.50-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (NOTE: CENTER BEARS S02°35'21"W); THENCE WESTERLY ALONG THE ARC OF SAID CURVE 115.64 FEET THROUGH A DELTA OF 02°14'41" (NOTE: CHORD TO SAID CURVE BEARS N88°32'00"W FOR A DISTANCE OF 115.63 FEET) TO A POINT IN THE SOUTHERLY RIGHT OF WAY LINE OF THE EXISTING HIGHWAY STATE ROUTE 134 (2600 NORTH STREET) SAID POINT IS 55.00 FEET PERPENDICULARLY DISTANT SOUTHERLY FROM SAID CONTROL LINE OPPOSITE ENGINEER STATION 101+59.30; THENCE N88°51'10"E 115.51 FEET ALONG SAID SOUTHERLY RIGHT OF WAY LINE TO THE POINT OF BEGINNING AS SHOWN ON THE OFFICIAL MAP OF SAID PROJECT ON FILE IN THE OFFICE OF THE UTAH DEPARTMENT OF TRANSPORTATION. THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 261 SQUARE FEET OR 0.006 ACRE IN AREA, MORE OR LESS.

(NOTE: ROTATE ALL BEARINGS IN THE ABOVE DESCRIPTION 00°54'30" CLOCKWISE TO OBTAIN HIGHWAY BEARINGS.)

Being Portions of Prior Tax ID Nos: 18-161-0001 and 18-161-0002