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E# 3245564 PG 1 OF 4
Leann H. Kilts, WEBER COUNTY RECORDER
13-Jul-22 0927 AM FEE \$40.00 DEP DA
REC FOR: MCCOY & ORTA, P.C.
ELECTRONICALLY RECORDED

**ASSIGNMENT OF ABSOLUTE ASSIGNMENT OF LEASES, RENTS, INCOME AND
PROFITS**

HGI COMMERCIAL FUNDING II PARENT, LLC, a Delaware limited liability company
(Assignor)

to

HGI CRE CLO 2022-FL3, LLC, a Delaware limited liability company
(Assignee)

Effective as of March 31, 2022

County of Weber
State of Utah
PIN: 08-103-0076

DOCUMENT PREPARED BY AND WHEN RECORDED, RETURN TO:
McCoy & Orta, P.C.
100 North Broadway, 26th Floor
Oklahoma City, Oklahoma 73102
Telephone: 888-236-0007

ASSIGNMENT OF ABSOLUTE ASSIGNMENT OF LEASES, RENTS, INCOME AND PROFITS

Effective as of the 31st day of March, 2022, **HGI COMMERCIAL FUNDING II PARENT, LLC, a Delaware limited liability company**, for the benefit of itself, and for the benefit of any companion participation holder(s), having an address at c/o Harbor Group International, LLC, 999 Waterside Drive, Suite 2300, Attn: General Counsel, Norfolk, VA 23510 ("Assignor"), as the holder of the instrument hereinafter described and for valuable consideration hereby assigns, sells, transfers and delivers to **HGI CRE CLO 2022-FL3, LLC, a Delaware limited liability company**, for the benefit of itself, and for the benefit of any companion participation holder(s), having an address at c/o Harbor Group International, LLC, 999 Waterside Drive, Suite 2300, Norfolk, VA 23510, with a copy to Cadwalader, Wickersham & Taft LLP, 200 Liberty Street, New York, NY 10281 ("Assignee"), its successors, participants and assigns, without recourse, all right, title and interest of Assignor, except as expressly set forth in that certain Mortgage Asset Purchase Agreement, dated as of March 31, 2022, and subject to the rights and obligations of any companion participation holder(s) under any related participation agreement(s), in and to that certain:

ABSOLUTE ASSIGNMENT OF LEASES, RENTS, INCOME AND PROFITS made by NWI DAWN, LLC, a Delaware limited liability company to HGI COMMERCIAL FUNDING II, LLC, a Delaware limited liability company, dated as of December 9, 2021 and recorded on December 9, 2021, as Entry Number 3203064 in the Recorder's Office of Weber County, Utah ("Recorder's Office"), (as the same may have been amended, modified, restated, supplemented, renewed or extended), (the "Assignment of Leases"), securing payment of note(s) of even date therewith, in the principal amount of \$9,000,000.00, and creating a lien on the property described in Exhibit A attached hereto and by this reference made a part hereof.

The Assignment of Leases was assigned to HGI COMMERCIAL FUNDING II PARENT, LLC, a Delaware limited liability company, by assignment instrument dated as of March 31, 2022 and being recorded prior to the recording of this instrument in the Recorder's Office.

Together with any and all other liens, privileges, security interests, rights, entitlements, equities, claims and demands as to which Assignor hereunder possesses or to which Assignor is otherwise entitled as additional security for the payment of the notes and other obligations described herein.

This instrument shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

5 IN WITNESS WHEREOF, the Assignor has caused this instrument to be executed this day of May, 2022, to be effective as of the date first written above.

ASSIGNOR:

**HGI COMMERCIAL FUNDING II PARENT,
LLC, a Delaware limited liability company**

By: _____
Name: T. Richard Litton, Jr.
Title: Authorized Signatory

ACKNOWLEDGMENT

COMMONWEALTH OF VIRGINIA)
)
CITY OF NORFOLK)

On this 5th day of May, 2022, before me, the undersigned, a Notary Public in and for said state, personally appeared T. Richard Litton, Jr. as Authorized Signatory of HGI COMMERCIAL FUNDING II PARENT, LLC, a Delaware limited liability company, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

WITNESS my hand and official seal.

Signature: _____

Notary Public

My Commission Expires _____



EXHIBIT A

LEGAL DESCRIPTION

Part of the Northwest quarter of the Northwest quarter of Section 13, Township 5 North, Range 2 West, Salt Lake Base and Meridian: Beginning at a point 849.55 feet East and 33 feet South of the Northwest corner of said Section 13 and running thence South 169 feet; thence West 159.46 feet; thence South 359 feet; thence East 219.46 feet; thence North 528 feet to the South line of 4800 South Street; thence West 60 feet to the beginning.

ALSO: Part of the Northwest quarter of the Northwest quarter of Section 13, Township 5 North, Range 2 West, Salt Lake Base and Meridian: Beginning at a point 909.55 feet East and 220.2 feet South of the Northwest corner of said Section 13 and running thence East 112 feet; thence South 7.8 feet, more or less, to an existing chain fence; thence East 107.46 feet along said fence; thence South 333 feet; thence West 219.46 feet; thence North 340.8 feet to the beginning.

Further described by the following as surveyed description:

Part of the Northwest quarter of the Northwest quarter of Section 13, Township 5 North, Range 2 West, Salt Lake Base and Meridian: Beginning at a point 849.55 feet North $89^{\circ}52'11''$ East along the section line and 33.00 feet South $00^{\circ}07'49''$ East of the Northwest corner of said Section 13 and running thence North $89^{\circ}52'11''$ East 60.00 feet; thence South $00^{\circ}07'49''$ East 187.20 feet; thence North $89^{\circ}52'11''$ East 112.00 feet; thence South $00^{\circ}07'49''$ East to an existing chain link fence 8.58 feet; thence South $89^{\circ}42'37''$ East along said fence line 107.46 feet; thence South $00^{\circ}07'49''$ East 331.43 feet; thence South $89^{\circ}52'11''$ West 438.92 feet; thence North $00^{\circ}07'49''$ West 359.00 feet; thence North $89^{\circ}52'11''$ East 159.46 feet; thence North $00^{\circ}07'49''$ West 169.00 feet to the point of beginning.