

ASSIGNMENT OF DECLARANT'S RIGHTS

This Assignment of Declarant's Rights is made by Bank of American Fork, a Utah corporation ("Declarant") to Henry Walker Land, LLC, a Utah limited liability company ("Successor Declarant").

RECITALS

A. Whisper Ridge Development, LLC, was the original "Declarant" pursuant to the Declaration of Covenants, Conditions, and Restrictions for Whisper Ridge at Stone Canyon, recorded as Entry No. 112595, Book 265, Page 862 in the Morgan County Recorder's Office ("Declaration"). Whisper Ridge Development expressly assigned all its interest and rights as "Declarant" to Bank of American Fork, by an Assignment and Quit Claim and Conveyance recorded as Entry 127141, Book 300, Page 1885 in the Morgan County Recorder's Office. Bank of American Fork is the current Declarant with all rights reserved to Declarant under the Declaration;

B. Henry Walker Land, LLC, purchased a significant portion of the Whisper Ridge at Stone Canyon Phase 1 Subdivision PRUD from Bank of American Fork. As part of the purchase Bank of American Fork agreed to assign all declarant rights and its status as Declarant under the Declaration to Henry Walker Land, LLC;

C. Declarant desires to assign all rights reserved to it in the Declaration to Successor Declarant;

NOW, THEREFORE, Declarant for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, agrees as follows:

1. Declarant assigns, transfers, and grants to the Successor Declarant any rights or interest Declarant has or hereafter may have as reserved and identified in the Declaration, as amended, supplemented, or replaced from time to time.

2. Declarant hereby warrants and represents, for the benefit of Successor Declarant, that Declarant has made no prior assignment of Declarant's rights as set forth in the Declaration to any other person or entity.

3. Successor Declarant hereby accepts the assignment and assumes all of the rights and obligations as defined in the Declaration from the date this Assignment is executed going forward into the future. Successor Declarant does not assume any prior obligations or liabilities of Declarant, including without limitation: home warranties; express or implied warranties; defects in the design or construction of the Common Areas, Lots, or any improvements constructed thereon; for unpaid monetary obligations; for the completion of the Common Areas; or prior breaches of the Declaration by Declarant.

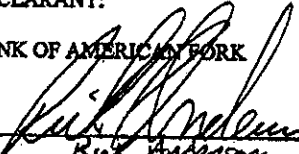
4. This Assignment shall be binding upon and shall inure to the benefit of the parties hereto and to their respective successors and assigns.

5. Successor Declarant, in its sole discretion, may reassign the Declarant's rights.
6. This Assignment may be recorded at the sole discretion of Successor Declarant.
7. Declarant warrants and represents that the person signing this Assignment is the authorized signer for Declarant and is authorized to sign this Assignment and legally bind Declarant. By signing this Assignment through the person signing this Assignment, Declarant is legally bound to its provisions.
8. Electronic transmission (including email and fax) of a signed copy of this Assignment and the retransmission of any signed electronic transmission shall be the same as delivery of an original. The Assignment may be executed in counterparts. Electronically transmitted copies and counterparts shall be considered the same as originals.

IN WITNESS WHEREOF Declarant and Successor Declarant, intending to be legally bound, have executed this Assignment on the dates expressed below.

DECLARANT:

BANK OF AMERICAN FORK

By:   
 Its: Rick Anderson  
 Dated: 12-7, 2012

SUCCESSOR DECLARANT:

HENRY WALKER LAND, LLC

By:   
 Its: Manager  
 Dated: 12/07, 2012

STATE OF UTAH )  
 :ss

County of Utah )

On the 1<sup>st</sup> day of December, 2012, personally appeared Rick Anderson who, being first duly sworn, did that say that he is the authorized signer for Declarant and that said instrument was signed on behalf of Declarant by authority of its directors; and he acknowledged said instrument to be his voluntary act and deed.

Cherie Monahan  
Notary Public



STATE OF UTAH )  
Davis )  
County of Salt Lake )

On the 1 day of December, 2012, personally appeared Chad Bessing who, being first duly sworn, did that say that he is the authorized signer for Successor Declarant and that said instrument was signed on behalf of Successor Declarant by authority of its members; and he acknowledged said instrument to be his voluntary act and deed.

Katie Sale  
Notary Public



**Exhibit A**

**Legal Description**

LOTS 101 THROUGH 105, 107 THROUGH 164, AND PARCELS A THROUGH F, WHISPER RIDGE AT STONE CANYON PHASE 1 SUBDIVISION PRUD, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE MORGAN COUNTY RECORDER'S OFFICE.

Parcel Nos.: 00-0075-1101 thru 1105, 1107-1164, 03-WHRIDI-0101 thru 0105, 03-WHIRIDI-0107 thru 0164, Parcel A thru F