36-E**S**E E-1

When Recorded Return To:
The Ledges at Snow Canyon, LLC
120 E. St. George Blvd.
3<sup>rd</sup> Floor
St. George, UT 84770

DOC # 20150022660

Partial Assignment Page 1 of 4

Russell Shirts Washington County Recorder

07/01/2015 09-30-09 AM Fee \$ 16.00

By THE LEDGES AT SNOW CANYON LLC

THE LEDGES AT SNOW CANYON LLC

## PARTIAL ASSIGNMENT OF DECLARANT RIGHTS FOR THE ESCAPES AT THE LEDGES PHASE ONE SUBDIVISION

NOTICE IS HEREBY GIVEN that effective the <u>12</u> day of <u>Ture</u>, 2015 ("Effective Date") The Ledges at Snow Canyon, LLC, a Utah limited liability company ("Assignor") hereby assigns to Jack Fisher Construction of Southern Utah, LLC, a Utah limited liability company ("Assignee"), certain rights and interests it possesses as Declarant of Escapes at The Ledges Subdivision – Phase 1 under provisions of the Neighborhood Seclaration thereof, which affects the property more particularly described as all of Escapes at The Ledges – Phase 1 Subdivision.

## WITNESSETH

WHEREAS, Assignor, in connection with the development of Escapes at The Ledges – Phase 1 Subdivision located in St. George, Washington County, Utah, recorded that certain Neighborhood Declaration for Escapes at The Ledges with the Washington County Recorder's Office a Entry Number 20150003651 (Neighborhood Declaration))

WHEREAS, Assignor desires to assign to Assignee certain of its rights and obligations as Declarant under the Neighborhood Declaration, and Assignee desires to accept such assignment;

WHEREAS, in consideration of the assignment contemplated hereby, Assignee has committed to construct certain pool and other related facilities and improvements (the "Amenities") for the use and benefit of the Owners (as defined in the Neighborhood Declaration) on a portion of the Common Area owned or to be owned by the Escapes at the Ledges Owners Association; and

WHEREAS, such assignment is expressly authorized by Article 14.9 of the Declaration

NOW, THEREFORE, in consideration of the foregoing, Assignor declares as follows:

1. Effective as of the Effective Date, The Ledges at Snow Canyon LLC, as Assignor, does hereby assign and set over to Jack Fisher Construction of Southern Utah LLC, as Assignee, all of Assignor's parts and obligations as Declarate under the Declaration

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except the rights and obligations enumerated in paragraph 2 below. By signing below, Assignee accepts such assignment and the rights and obligations thereof.

- 2. Notwithstanding anything to the contrary set forth herein, Assignor retains all Special Development Rights enumerated in Articles 14 of the Neighborhood Declaration, including but not limited to the rights to expand, withdraw, seek and obtain zoning and subdivision approvals, dedicate, market and develop, and all Amendment rights set forth in Article 15 of the Neighborhood Declaration.
- 3. In the event Assignee fails to complete the Amenities within two (2) years of the Effective Date, or such longer period as shall be expressly agreed to in writing by Assignor, this assignment shall automatically terminate and the Declarant rights transferred to Assignee hereunder shall revert to Assignor without further action by either party; provided that in such event Assignor shall be permitted, and is hereby authorized by Assignee, to file a notice of such termination and reversion with the Washington County Recorder.

[Signature pages follow]

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IN WITNESS WHEREOF, Assignor and Assignee has each caused this Partial Assignment of Declarant Rights to be signed in its business entity name by a duly authorized individual.

	of Declarant Rights to be signed in its but	iness entity name by a duly authorize	ed individual.
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TO TO	Its: Manager Brei	4 Burgess)	
)	STATE OF UTAH ) ss.		ELWIN F PRINCE Notary Public State Of Utah
	COUNTROF WASHINGTON )	My Co	mmission Expires June 30, 2015 Commission No. 611999
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. /	On this /2 day of June, 2	0/5 before me personally appeared	Brett Durgess
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Elegio .	and who, being by me dily worn (or affi		
	Ledges at Snow Canyon LLC, a Utah limit	(1/1/ >	
)"	was signed by him on behalf of that comp	pany, he being duly authorized to do	so.
	Northern Dublic	<u></u>	
	Notary Public	J (2)	
	JACK FISHER CONSTRUCTION OF SOUTH	FRN UTAH IIC a Utah limited liabilit	v company
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	On this 23 day of Julie 2 2 whose identity is personally known to or	0 <u>15</u> , before me personally appeared	Tyler Meyers
0	whose identity is personally known to or	proved to me on the basis of satisfac	tory evidence,
	and who, being by me duly sworn (or affi Jack Fisher Construction of Southern Uta	1 2/3///53	. 3/3///
	foregoing document was signed by him o		
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	0 0 1 - 5	BRENDAN I CHOIL	<u> </u>
	- Sunday Succes 1	BRENDAN J. SNOW  Notary Public	
	Alotary Public	State Of Utah My Commission Expires 01-05-2019	· (1)
		COMMISSION NO. 680889	