

9678291
03/29/2006 03:05 PM \$17.00
Book - 9273 Ps - 1435-1438
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
EMIGRATION PLACE DEV
4293 RIVERBOAT RD #330
SALT LAKE CITY UTAH 84123
BY: SAM, DEPUTY - WI 4 P.

WHEN RECORDED, MAIL TO:

Emigration Place Dev. LC
4393 Riverboat Rd #330
Salt Lake City, UT 84123

ASSIGNMENT OF RIGHTS OF DECLARANT

PURSUANT TO

MASTER DECLARATION OF

COVENANTS, CONDITIONS AND RESTRICTIONS OF

SUGARPLUM

A PLANNED UNIT DEVELOPMENT

THIS ASSIGNMENT OF RIGHTS OF DECLARANT ("Assignment") is made by MSICO., L.L.C., a Utah limited liability company ("Assignor"), in favor of EMIGRATION PLACE DEVELOPMENT, L.C., a Utah limited liability company ("Assignee"), with reference to the following:

Recitals

A. On July 27, 1983, Sorenson Resources, Inc. (also known as Sorenson Resources Company and hereinafter referred to as "SRC"), executed that certain Master Declaration of Covenants, Conditions and Restrictions of Sugarplum, a Planned Unit Development (the "Declaration.") The Declaration was recorded on August 12, 1983, as Entry No. 3830328, in Book 5482, Page 1173 at the office of the Salt Lake County Recorder.

B. The Declaration affects certain real property (the "Project") located in the Town of Alta, Salt Lake County, Utah, commonly known as Lots 1 through 9, Sugarplum, a planned unit development, and more particularly described on Exhibit "A" attached hereto and incorporated by reference herein.

C. SRC reserved certain rights as the "Declarant" under the Declaration.

D. Section 1.11 of the Declaration allows the assignment of the rights of Declarant under the Declaration by written assignment instrument.

E. The rights of the Declarant under the Declaration were assigned previously to Assignor by an Assignment of Rights Of Declarant dated Feb 28, 2006, 2006 and recorded at the office of the Salt Lake County Recorder.

F. By this Assignment, Assignor desires to assign its rights as Declarant under the Declaration to Emigration Place Development, L.C., a Utah limited liability company.

Assignment

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor, MSICO., L.L.C., hereby assigns to Assignee, Emigration Place Development, L.C., a Utah limited liability company, all of Assignor's rights as Declarant under the above-described Declaration.

DATED this 29th day of March, 2006.

ASSIGNOR:

MSICO., L.L.C.

By: [Signature]

Title: President

STATE OF UTAH)

: ss

COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 29th day of March, 2006, by Joe Peterson, as the President of MSICO., L.L.C., a Utah limited liability company.

[Signature]

My commission expires: Notary Public

June 1, 2008

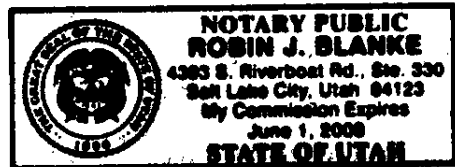


EXHIBIT "A"

BEGINNING AT A 2" STEEL PIPE PLACED IN THE ROCK KERN OF CORNER #2 OF THE BLACKJACK MINING LODE CLAIM, SURVEY #5288, SAID CLAIM CORNER BEING LOCATED S 32°13'19" W 3,377.23 FEET, MORE OR LESS, FROM THE NORTHEAST CORNER OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE S 18°16' E 263.39 FEET ALONG THE WEST LINE OF SAID BLACKJACK CLAIM; THENCE N 71°45' E 187.88 FEET; THENCE S 17°07' W 221.95 FEET TO THE BEGINNING POINT OF A 442.256 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHERLY 132.00 FEET ALONG THE ARC OF SAID CURVE TO A POINT ON SAID WEST LINE OF THE BLACKJACK CLAIM; THENCE S 18°16' E 37.99 FEET TO CORNER #3 OF SAID BLACKJACK CLAIM; THENCE N 71°42'58" E 57.42 FEET ALONG THE SOUTH LINE OF SAID BLACKJACK CLAIM TO A POINT ON THE ARC OF A 376.256 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHERLY 183.785 FEET ALONG THE ARC OF SAID CURVE; THENCE S 30°46' E 51.10 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF THE SNOWBIRD CLAIM, SURVEY #5152; THENCE N 22°44'53" E 307.27 FEET ALONG SAID SOUTHEASTERLY LINE TO A POINT ON SAID SOUTH LINE OF THE BLACKJACK CLAIM; THENCE N 71°42'58" E 490.31 FEET TO A POINT ON THE NORTH LINE OF THE MARTHA CLAIM, SURVEY #5897; THENCE N 49°42' E 403.65 FEET ALONG SAID NORTH LINE; THENCE N 16°32'40" W 323.28 FEET; THENCE S 22°40' W 212.12 FEET; THENCE N 67°20' W 152.0 FEET; THENCE N 22°41'34" E 134.98 FEET; THENCE S 73°29'05" W 116.41 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF THE HELLGATE NO. 2 MINERAL MINING LODE CLAIM, SURVEY #5282; THENCE N 22°40' E 153.85 FEET TO CORNER #1 OF SAID HELLGATE NO. 2 CLAIM; THENCE N 66°37' W 35.28 FEET ALONG THE NORTH LINE OF SAID HELLGATE NO. 2 CLAIM TO A POINT ON THE SOUTH LINE OF THE HELLGATE MINERAL MINING LODE CLAIM, SURVEY #5282; THENCE N 65°32'42" E 550.52 FEET TO CORNER #2 OF SAID HELLGATE CLAIM; THENCE N 15°50'49" W 239.0 FEET ALONG THE EAST LINE OF SAID HELLGATE CLAIM; THENCE N 42°35'38" W 73.70 FEET; THENCE N 22°42' W 65.0 FEET; THENCE S 53°53' W 68.0 FEET; THENCE S 76°19' W 54.0 FEET; THENCE SOUTHWESTERLY 1595 FEET MORE OR LESS ALONG THE CENTERLINE OF LITTLE COTTONWOOD CREEK TO A POINT ON THE SOUTH LINE OF SAID HELLGATE NO. 2 CLAIM; THENCE S 67°14'21" E 186.96 FEET MORE OR LESS ALONG SOUTH LINE TO A POINT ON THE NORTH LINE OF SAID BLACKJACK CLAIM; THENCE S 71°42'58" W 113.55 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AN ACCESS EASEMENT, BEING A FORTY FOOT WIDE NON-EXCLUSIVE RIGHT OF WAY FOR INGRESS, AND EGRESS, TWENTY FEET TO EITHER SIDE OF A CENTER LINE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 13 FEET SOUTH OF ENGINEERING STATION 56 + 30.35 OF UTAH STATE BYPASS HIGHWAY IN LITTLE COTTONWOOD CANYON, SALT LAKE COUNTY, UTAH SAID POINT BEING N 79°58'58" W 116.39 FEET FROM UTAH DEPARTMENT OF HIGHWAYS MONUMENT NO. SL-A-13, WHICH SAID MONUMENT IS S 13°39'21" W 2531 FEET FROM THE NORTHEAST CORNER OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTHWESTERLY TO THE CORNER NO. 1 OF THE SURVEYED HELLGATE NO. 2 MINERAL MINING LODE CLAIM, SURVEY NO. 5282; THENCE S 22°40' W ALONG THE SOUTHEAST BOUNDARY LINE OF SAID HELLGATE NO. 2 MINERAL MINING LODE CLAIM 200.0 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF LOT 1 OF BLACKJACK VILLAGE SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF RECORDED IN SALT LAKE COUNTY, STATE OF UTAH; THENCE N 73°32'30" E 116.41 FEET TO THE BOUNDARY OF THE SUBJECT PROJECT DESCRIBED ABOVE.

CONTAINS 25.78 ACRES

Tax Parcel No. 30-06-403-006

886474/01

4