

2022

WHEN RECORDED MAIL TO:

Allison Harrison
First American Title Insurance Company – National Commercial Services
401 E. Pratt Street, Suite 323, Baltimore, MD 21202

ENT 71391:2019 PG 1 of 6
Jeffery Smith
Utah County Recorder
2019 Jul 30 01:47 PM FEE 40.00 BY SM
RECORDED FOR First American Title NCS
ELECTRONICALLY RECORDED

NCS 959033A – MD61

ASSIGNMENT OF DECLARANT RIGHTS
(Grove Creek Center)

THIS ASSIGNMENT OF DECLARANT’S RIGHTS (this “Assignment”) is entered into as of the 29 day of July, 2019 by and among DMB INVESTMENTS, LLC, an Idaho limited liability company, B. W. INC., an Idaho Corporation, and DON BRANDT, a single man (collectively, “Assignor”), and Valley Grove III, LLC, a Maryland limited liability company (“Assignee”).

RECITALS

- A. Assignor is the Declarant under that certain “Declaration of Covenants, Conditions and Restrictions of Grove Creek Center” recorded June 30, 2017 as Entry No. 63280:2017 among the Official Records of Utah County, State of Utah (the “Declaration”).
- B. The Declaration encumbers certain real property located in Utah County, State of Utah, more particularly described on Exhibit A attached hereto (the “Property”).
- C. As of the date hereof, Assignor, as seller, is conveying to Assignee a certain portion of the Property. In connection with such transfer, Assignor agrees to assign all of the rights of the Declarant as set forth in the Declaration to Assignee.
- D. All undefined capitalized terms used herein shall have the meanings ascribed thereto in the Declaration.

AGREEMENTS

NOW, THEREFORE, in consideration of mutual covenants set forth herein the parties hereby agree as follows:

- 1. In accordance with Article 9, Section 9.5 of the Declaration, Assignor hereby assigns to Assignee any and all rights, powers, and reservations of the “Declarant” as set forth in the Declaration. Assignee hereby accepts and assumes any and all rights, powers, and reservations of the “Declarant” as set forth in the Declaration.
- 2. Assignor represents and warrants that, to the best of its knowledge, Assignor is the Declarant under the Declaration as of the date hereof and has the full power and authority to transfer the Declarant’s rights, powers, and reservations to Assignee.
- 3. Assignor represents that, to the best of its knowledge, it has not surrendered any rights under the Declaration to the Association or any other entity.

4. Assignor shall remain responsible for all responsibilities and actions as Declarant through the day before the date of this Assignment.

5. This Assignment, together with the Recitals hereof, sets forth all of the undertakings of the parties with respect to the subject matter hereof.

This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall be deemed to be one and the same agreement. A signed copy of this Agreement delivered by facsimile, email, or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original signed copy of this Agreement.

[Remainder of page intentionally left blank. Signatures and notarizations to follow.]

IN WITNESS WHEREOF, the parties have caused this Assignment to be executed as of the date first above written.

ASSIGNOR:

DMB INVESTMENTS, LLC
an Idaho limited liability company, doing business in Utah
as DMB Investments Utah, LLC



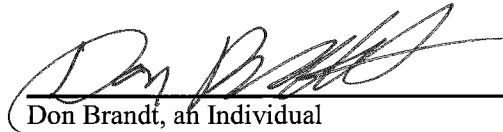
By: Dennis M. Baker
Its: Manager

B.W., INC.
an Idaho corporation



By: Dennis M. Baker
Its: President


BRANDT


Don Brandt, an Individual

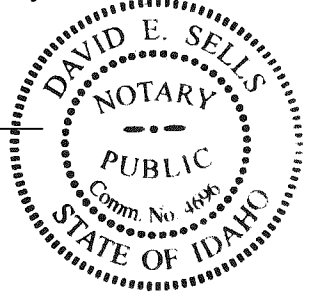
[Notarizations appear on following page.]

STATE OF Idaho)
):ss
COUNTY OF ADP)

The foregoing instrument was acknowledged before me this 26th day of July, 2019,
by Dennis M. Baker, as Manager of DMB Investments, LLC, an Idaho limited liability company.

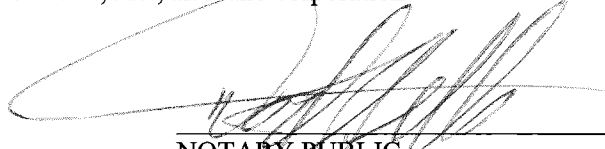


NOTARY PUBLIC

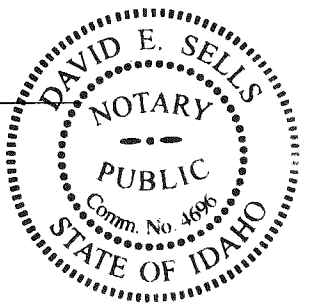


STATE OF Idaho)
):ss
COUNTY OF ADP)

The foregoing instrument was acknowledged before me this 26th day of July, 2019,
by Dennis M. Baker, as President of B.W., Inc., an Idaho corporation

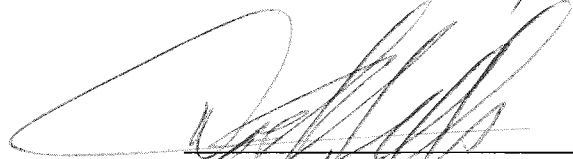


NOTARY PUBLIC



STATE OF Idaho)
):ss
COUNTY OF ADP)

The foregoing instrument was acknowledged before me this 26th day of July, 2019,
by Don Brandt.



NOTARY PUBLIC




ASSIGNEE:

VALLEY GROVE III, LLC,
a Maryland limited liability company

By: ST. JOHN PROJECTS, LLC
a Delaware limited liability company
Its: Manager


By: EDWARD ST. JOHN, LLC
a Delaware limited liability company
Its: General Manager


By: Edward A. St. John
Its: General Manager

STATE OF MARYLAND)
):ss
COUNTY OF BALTIMORE)

I HEREBY CERTIFY, that on this 26 day of JULY, 2019, before me, the undersigned Notary Public of said State, personally appeared Edward A. St. John, who acknowledged himself to be the General Manager of Edward St. John, LLC, which entity is the general manager of St. John Projects, LLC, which entity is the manager of Valley Grove III, LLC, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purpose therein contained.

WITNESS my hand and Notarial Seal.


NOTARY PUBLIC

My Commission Expires: 10/9/18

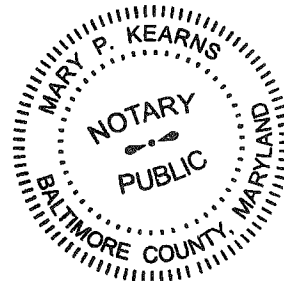


EXHIBIT A

Property Encumbered by Declaration

That certain real property and the improvement thereon situated in Utah County, State of Utah, more particularly described as follows:

All of Lot 1, Lot 2, Lot 3, Lot 4 and Lot 5 of the Grove Creek Center Commercial Subdivision, according to the official plat thereof recorded in the office of the County Recorder of Utah County, State of Utah.