

Prepared by, and after recording  
return to:  
Moss & Barnett (JMS)  
A Professional Association  
150 South Fifth Street, Suite 1200  
Minneapolis, MN 55402

*MNT59353*

**ASSIGNMENT OF SECURITY INSTRUMENT**

**(Fox Creek Apartments)**

**Berkadia Commercial Mortgage LLC**, a Delaware limited liability company, whose address is Attn: Executive Vice President - Servicing, 323 Norristown Road, Suite 300, Ambler, PA 19002 (“**Lender**”), as the holder of the instrument hereinafter described and for valuable consideration hereby endorses, assigns and delivers to **FANNIE MAE**, a corporation organized under the laws of the United States of America, whose address is c/o Berkadia Commercial Mortgage LLC, Attn: Servicing - Executive Vice President, 323 Norristown Road, Suite 300, Ambler, PA 19002, its successors, participants and assigns, all right, title and interest of Lender in and to the following:

A Multifamily Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing from Fox Creek Management, LLC, a Delaware limited liability company (“**Borrower**”), to Metro National Title, as Trustee, for the benefit of Berkadia Commercial Mortgage LLC, a Delaware limited liability company, as Beneficiary, dated as of March 13, 2018, and recorded immediately prior hereto in the land records of Davis County, Utah, securing the payment of a Multifamily Note, dated as of March 13, 2018, in the original principal amount of \$16,223,000.00 made by the Borrower, payable to the order of Berkadia Commercial Mortgage LLC, and creating a first lien on the property described in Exhibit “A” attached hereto.

Together with any and all notes and obligations therein described, the debt secured thereby and all sums of money due and to become due thereon, with the interest provided for therein, and

hereby irrevocably appoints assignee hereunder its attorney to collect and receive such debt, and to foreclose, enforce and satisfy the foregoing the same as it might or could have done were these presents not executed, but at the cost and expense of assignee.

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.

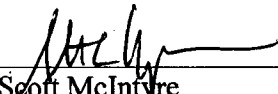
This Assignment shall be governed in all respects by the laws of the state in which the aforementioned instrument was recorded and shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, Lender has caused its name to be signed hereto by Scott McIntyre, its Authorized Representative, and does hereby appoint said Scott McIntyre, its Authorized Representative, to execute, acknowledge and deliver these presents on its behalf, all done as of March 13, 2018.

[The remainder of this page intentionally left blank; signature page follows.]

**ASSIGNOR:**

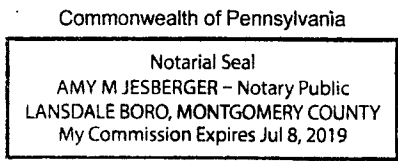
Berkadia Commercial Mortgage LLC,  
a Delaware limited liability company


By:   
Name: Scott McIntyre  
Title: Authorized Representative

COMMONWEALTH OF PENNSYLVANIA )  
  ) ss.  
COUNTY OF MONTGOMERY )

On March 5th, 2018, before me, the undersigned, a Notary Public in and for the Commonwealth of Pennsylvania, duly commissioned and sworn, personally appeared Scott McIntyre, to me known to be the Authorized Representative of Berkadia Commercial Mortgage LLC, a Delaware limited liability company, and acknowledged the foregoing instrument to be the free and voluntary act and deed of said limited liability company, for the uses and purposes therein mentioned, and on oath stated that she was authorized to execute the said instrument.

Witness my hand and official seal hereto affixed the day and year first above written.



  
Notary Public in and for Pennsylvania  
My Commission Expires: July 8, 2019

**EXHIBIT "A"**

**TO THE ASSIGNMENT OF SECURITY INSTRUMENT**

A PART OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 4 NORTH,  
RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; U.S. SURVEY:

BEGINNING AT THE SOUTHWEST CORNER OF MEADOWBROOK HOLLOW PLAT  
"B", LAYTON CITY, DAVIS COUNTY, UTAH, SAID POINT BEING 709.93 FEET SOUTH  
89°52'30" WEST AND 854.04 FEET SOUTH 0°07'30" EAST AND 656.56 FEET SOUTH  
0°09'12" WEST FROM THE NORTHEAST CORNER OF SAID SECTION 17; AND  
RUNNING THENCE SOUTH 0°09'12" WEST 70.00 FEET; THENCE SOUTH 89°50'48"  
EAST 30.00 FEET; THENCE SOUTH 0°09'12" WEST 360.47 FEET; THENCE NORTH  
89°50'48" WEST 592.47 FEET TO THE EAST LINE OF 400 WEST STREET; THENCE  
NORTH 0°08'48" EAST 588.68 FEET ALONG SAID EAST LINE; THENCE NORTH  
89°46'12" EAST 461.67 FEET; THENCE SOUTH 0°09'12" WEST 161.31 FEET; THENCE  
SOUTH 89°50'48" EAST 100.88 FEET TO THE POINT OF BEGINNING.

TAX ID NO. 10-028-0039

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