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Book - 10760 Pg - 3352-3358
RASHELLE HOBBS
Recorder, Salt Lake County, UT
MERIDIAN TITLE
BY: eCASH, DEPUTY - EF 7 P.

When Recorded, Mail to:

Anthem Center, LLC
126 West Segoe Lily Drive, Suite 275
Sandy, Utah 84070

MTC: 27066 D
TAX ID: 26-25-178-001 ; 26-25-178-002

Space Above for Recorder's Use

ASSIGNMENT AND ASSUMPTION OF DECLARANT'S RIGHTS AND OBLIGATIONS

This Assignment and Assumption of Declarant's Rights and Obligations ("**Assignment**") is entered into as of March 13, 2019 (the "**Effective Date**") by and among **ANTHEM COMMERCIAL, LLC**, a Utah limited liability company ("**Anthem Commercial**"), **ANTHEM CENTER, LLC**, a Utah limited liability company ("**Anthem**" and together with Anthem Commercial, collectively, the "**Developer**") and **WAL-MART REAL ESTATE BUSINESS TRUST**, a Delaware statutory trust ("**Wal-Mart**"). Anthem Commercial, Anthem and Wal-Mart are sometimes referred to herein individually as a "**Party**" and collectively as the "**Parties.**"

BACKGROUND

A. The Parties entered into that certain Easement with Covenants and Restrictions affecting Land dated January 20, 2017 and recorded in the Salt Lake County Recorder's Office as Entry No: 12458368 (collectively, and as may be further amended, modified and supplemented, the "**Declaration**"). Capitalized terms used but not defined in this Assignment will have the respective meanings ascribed to them in the Declaration.

B. The Declaration encumbers certain property located in Salt Lake County, Utah, and legally described on Exhibit A to this Assignment ("**Property**").

C. On the date hereof, Wal-Mart is conveying the Wal-Mart Tract (as defined in the Declaration) to Anthem.

D. Wal-Mart desires to transfer and assign all of its rights and obligations under the Declaration to Anthem and Anthem desires to accept and assume such rights and obligations.

AGREEMENT

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Wal-Mart hereby assigns to Anthem as of the Effective Date all of Wal-Mart's right, title, and interest under the Declaration including, without limitation, all rights and obligations of "Wal-Mart" as such term is used in the Declaration, as the owner of the Wal-Mart Tract. Anthem hereby accepts the foregoing assignment and assumes all of the obligations, liabilities, duties, and responsibilities of Wal-Mart under the Declaration from and after the Effective Date.

2. This Assignment may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

3. This Assignment shall be governed by and construed under the laws of the State of Utah.

[Signatures and Acknowledgements Follow]

The Parties have executed this Assignment effective as of the date first set forth above.

WAL-MART REAL ESTATE BUSINESS TRUST, a Delaware statutory trust

By: _____

Josh Katzer
Name: Josh Katzer
Title: Senior Director

STATE OF ARKANSAS

§

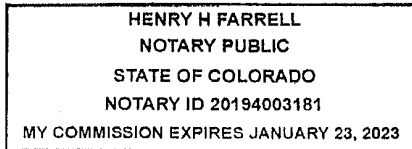
COUNTY OF BENTON

§

§

This instrument was acknowledged before me on March 8, 2019, by Josh Katzer, a Senior Director of **WAL-MART REAL ESTATE BUSINESS TRUST**, a Delaware statutory trust, on behalf of said trust.

(Seal and Expiration Date)



Henry H. Farrell

Notary Public

ANTHEM CENTER, LLC, a Utah limited liability company, by its managers

Arbor Commercial Real Estate L.L.C., a Utah limited liability company

By: 

Name: John Gust

Title: Manager

Anthem Commercial, LLC, a Utah limited liability company

By: 

Name: J. Ryan Button

Title: Manager

State of Utah

County of Salt Lake

The foregoing instrument was acknowledged before me this 6 day of March, 2019, by John Gust, the Manager of Arbor Commercial Real Estate, L.L.C., a Utah limited liability company, a manager of Anthem Center, LLC, a Utah limited liability company, on behalf of such company.

(Seal and Expiration Date)





Notary Public

State of Utah

County of Salt Lake

The foregoing instrument was acknowledged before me this 7 day of March, 2019, by J. Ryan Button, the Manager of Anthem Commercial, LLC, a Utah limited liability company, a manager of Anthem Center, LLC, a Utah limited liability company, on behalf of such company.

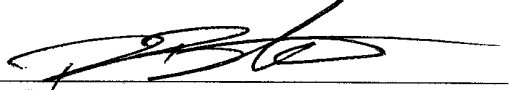
(Seal and Expiration Date)





Notary Public

ANTHEM COMMERCIAL, LLC, a Utah
limited liability company

By: 
Name: J. Ryan Button
Title: Manager

State of Utah

County of Salt Lake

The foregoing instrument was acknowledged before me this 7 day of March, 2019 by J. Ryan Button, the Manager of Anthem Commercial, LLC, a Utah limited liability company, on behalf of such company.

(Seal and Expiration Date)



Notary Public

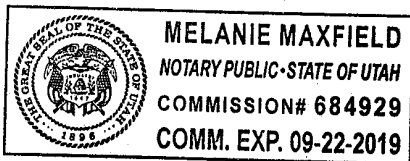


Exhibit A

Legal Description of the Property

The following property located in Salt Lake County, Utah:

Parcel 1: [26-25-126-005, 26-25-126-008 and 26-25-126-007]

Lots 1, 5 and 6, Anthem Commercial Lot 1 Amended Subdivision, Amending Lot 1 of Anthem Commercial Subdivision, according to the plat thereof as recorded in the office of the Salt Lake County Recorder.

Parcel 2: [26-25-126-011, 26-25-126-012, 26-25-126-014 and 26-25-126-013]

Lots 201, 202, 203 and 204, Anthem Commercial Lot 1 2nd Amended Subdivision, Amending Lots 2, 3 and 4 of Anthem Commercial Lot 1 Amended Subdivision, according to the plat thereof as recorded in the office of the Salt Lake County Recorder.

Parcel 3: [26-25-128-001, 26-25-178-001, 26-25-178-002, 26-25-251-003, 26-25-178-003, 26-25-251-004]

Lots 2, 3, 4 and 5, Anthem Commercial, according to the plat thereof as recorded in the office of the Salt Lake County Recorder.