ENT 102402:2012 PG 1 of 3
Jeffery Smith
Utah County Recorder
2012 Nov 21 02:29 PM FEE 110.00 BY CLS
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ASSIGNMENT OF DECLARANT'S RIGHTS

This assignment of Declarant's Rights is made by Millcreek Homes, Inc., a Utah corporation ("Declarant"), to Goldsworth Real Estate Inc., a Utah corporation ("Successor Declarant").

RECITALS

- A. Millcreek Homes, Inc., ("Declarant") is a Utah corporation that developed the Gables at Saratoga Springs in Saratoga Springs, Utah County, Utah. Declarant is the present "Declarant" pursuant to the Declaration of Govenants, Conditions, and Restrictions for the Gables at Saratoga Springs, recorded June 13, 2008, as Entry No. 69123:2008, in the Utah County Recorder's Office ("Declaration");
- B. Goldsworth Real Estate Inc. ("Successor Declarant") is a Utah corporation engaged in developing, building, and marketing real estate.
- C. Declarant desires to assign all rights reserved to it in the Declaration to Successor Declarant;

NOW, THEREFORE, Declarant for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, agrees as follows:

- 1. Declarant assigns, transfers, and grants to the Successor Declarant any rights or interest Declarant has or hereafter may have as reserved and identified in the Declaration, as amended, supplemented, or replaced from time to time.
- 2. Declarant hereby warrants and represents, for the benefit of Successor Declarant, that Declarant is "Declarant", as defined in the Declaration, having full right and power to assign Declarant's rights as set forth in the Declaration; and there has been no prior assignment of Declarant's rights as set forth in the Declaration to any other person or entity.
- 3. Successor Declarant hereby accepts the assignment and assumes all of the rights and obligations as defined in Declaration from the date this Assignment is executed going forward into the future. Successor Declarant does not assume any prior obligations or liabilities of Declarant, including without limitation: home warranties; express or implied warranties; defects in the design or construction of the Common Areas, Lots, or any Improvements constructed thereon; for unpaid monetary obligations; for the completion of the Common Areas; or prior breaches of the Declaration by Declarant.
- 4. This Assignment shall be binding upon and shall inure to the benefit of the parties hereto and to their respective successors and assigns.
 - 5. Successor Declarant, in its sole discretion, may reassign the Declarant's rights.
 - 6. This Assignment may be recorded at the sole discretion of Successor Declarant.

- 7. Declarant warrants and represents that the person signing this Assignment is the authorized signer for Declarant and is authorized to sign this Assignment and legally bind Declarant. By signing this Assignment, Declarant is legally bound to its provisions.
- 8. Electronic transmission (including email and fax) of a signed copy of this Assignment and the retransmission of any signed electronic transmission shall be the same as delivery of an original. The Assignment may be executed in counterparts. Electronically transmitted copies and counterparts shall be considered the same as originals.

IN WITNESS WHEREOF Declarant and Successor Declarant, intending to be legally bound, have executed this Assignment on the dates expressed below.

executed this Assignment on the	dates expressed below.
DECLARANT:	SUCCESSOR DECLARANT:
MILLCREEK HOMES, INC.	GOLDSWORTH REAL ESTATE INC.
In De	
1 / -O	By: Flown Real Estate, T By: Flown Ly Vice Mest 2012 Dated: 116 2012
By Jacob Toombs, Preside	lent By: Thombe 1/1ce Pres
Dated: October 30	2012 Dated: / 11/6 , 2012
CTATE OF LITATI	
STATE OF UTAH	
County of Salt Lake	
On the 30^{m} day of 10^{m}	er , 2012, personally appeared <u>Jacob Toombs</u>
who, being first duly sworn, did	that say that s/he is the <u>president of Millorek 1018 Declarant</u> ed on behalf of Declarant by authority of its directors; and s/he
and that said instrument to	be her/his voluntary act and deed.
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Notary P	while and any
MELINDA K. G	CODMAN!
Commission My Commission	657327 Expires Notary Public
July 25, 25 State of	
STATE OF UTAH	
County of 11tah :s	
County of 1/14ear	
On the 6th day of NOVer	wher 2012, personally appeared Koven Toombs
who, being first duly sworn, did t	that say that s/he is the Vice President of
Successor Declarant and that said	instrument was signed on behalf of Successor Declarant by
authority of its directors; and s/he	acknowledged said instrument to be her/his voluntary act and deed.
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No.	$Q = 0$ Q_{NN} .
RICHARD D. N	DRUMAN Dutent North
NOTARY PUBLIC-STATE	Notary Public

COMM. EXP. 07-02-2014

Exhibit A Legal Description

Lots 1 through 70 Gables at Saratoga Springs PUD, Phase 1, as shown on the official plat thereof on file in the Utah County Recorder's Office.

Parcel ID Nos.: 40:414:0001 and all others within the Gables at Saratoga Springs PUD, Phase 1.

Lots 249 through 276 Gables at Saratoga Springs PUD, Phase 2C as shown on the official plat thereof on file in the Utah County Recorder's Office.

Parcel ID Nos.: 40:438:0249 and all others within the Gables at Saratoga Springs PUD, Phase 2C.

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