

RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:

Benloch Ranch Land Company II, LLC  
2780 N Moose Wilson Road  
P.O. Box 1827  
Wilson, WY 83014

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(Space above this line for Recorder's use only)

## PARTIAL ASSIGNMENT OF DECLARANT RIGHTS

THIS PARTIAL ASSIGNMENT OF DECLARANT RIGHTS (this "Assignment"), is made and entered into effective as of 18<sup>th</sup> MARCH, 2022, by and between **AJ FIRESIDE PARK CITY LLC**, a Delaware limited liability company ("Declarant"), and **BENLOCH RANCH LAND COMPANY II, LLC**, a Utah limited liability company ("Assignee").

### RECITALS

Contemporaneously herewith, an affiliate of Declarant, Benloch Ranch Land Company II, LLC, a Utah limited liability company ("BRLC") is conveying to Assignee the real property legally described on **Exhibit A** attached hereto (the "Property"), which is subject to that certain Master Declaration of Covenants, Conditions, Restrictions, and Reservation of Easements for Benloch Ranch recorded in the real property records of Wasatch County, Utah on June 16, 2021 as Entry No. 502142 (as amended, the "Declaration").

Declarant now desires to partially and nonexclusively assign to Assignee, and Assignee desires to accept, certain rights of Declarant as Declarant under the Declaration.

Initially capitalized terms used herein and not otherwise defined herein shall have the meanings set forth in the Declaration.

### ASSIGNMENT AND AGREEMENT

1. Assignment of Special Declarant Rights. Declarant, as Declarant under the Declaration, hereby partially and nonexclusively assigns to Assignee the following Special Declarant Rights of Declarant under Section 15.3 of the Declaration (the "Assigned Rights"), to the extent such Assigned Rights relate, and exercisable only with respect, to the Property: (a) the right to maintain sales offices, model Dwellings, and signs advertising the Project or any Dwelling at any location in the Project (but not marketing any other property); and (b) the right to use easements throughout the Common Areas as set forth in the Declaration. The Assigned Rights shall only be exercised by Assignee with respect to Property owned by Assignee from time to time, and may not be exercised with respect to any other property not owned by Assignee, except that Assignee shall have such access rights over the private roads within the Project as may be reasonably necessary for Assignee to access the Property.

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2. Acceptance of Assigned Rights. Assignee hereby accepts the foregoing assignment of Assigned Rights and assumes all obligations with respect to the Assigned Rights first arising from and after the date of this Assignment.

3. Reserved and Retained Rights. Subject to the foregoing partial and nonexclusive assignment of the Assigned Rights, Declarant reserves and retains all rights as Declarant under the Declaration. Without limiting Assignees rights under Section 1, Declarant expressly reserves and retains all rights as Declarant, including, without limitation, the Special Declarant Rights set forth in Section 15.3 of the Declaration, with respect to the property now owned, or hereafter acquired, by Declarant.

4. Cooperation. Assignee and Declarant hereby agree to cooperate with regards to the development of the Project and Declarant agrees to grant Assignee such additional rights under the Declaration as Assignee reasonably required to own and develop the Property.

5. Binding Effect. The terms and provisions of this Assignment shall be binding upon and inure to the benefit of Declarant and Assignee and their respective successors and assigns.

6. Further Assurances. From time to time following the date of this Assignment, each party shall perform such other acts and shall execute, deliver and furnish such other instruments, documents, materials and information as the other party may reasonably request in order to effectuate the transactions provided for in this Assignment.

7. Recitals. The foregoing Recitals are incorporated into and made a part of this Assignment.

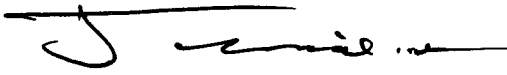
8. Counterparts. This Assignment may be executed in multiple counterparts, which taken together shall be deemed one original.

*[Remainder of Page Intentionally Left Blank. Signature Pages Follow.]*

IN WITNESS WHEREOF, the undersigned have duly executed this Assignment as of the date first set forth above.

**DECLARANT:**

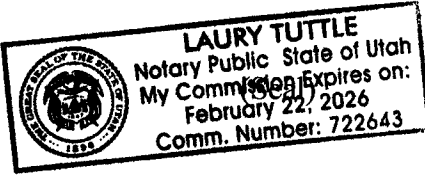
**AJ FIRESIDE PARK CITY LLC,**  
a Delaware limited liability company

By:   
Name: Jamie Mackay  
Title: President

STATE OF Utah )  
                                  )§  
COUNTY OF Salt Lake)

This instrument was acknowledged before me on this 18th day of March, 2022, by Jamie Mackay, the President of AJ Fireside Park City LLC, a Delaware limited liability company.

  
Title and Rank notary



**ASSIGNEE:**

**BENLOCH RANCH LAND COMPANY II, LLC,**  
a Utah limited liability company

By: [Signature]  
Name: Jamie Mackay  
Title: President

STATE OF Utah )  
COUNTY OF Salt Lake )§

The foregoing instrument was acknowledged before me, a notary public, on this 18th day of March, 2022, by Jamie Mackay, as President of **BENLOCH RANCH LAND COMPANY II, LLC**, a Utah limited liability company.

[Signature]  
Notary Public  
Residing at: Salt Lake City, Utah

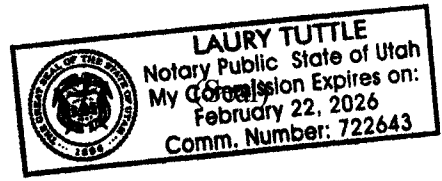


EXHIBIT A

## LEGAL DESCRIPTION

EAST BOND PARCEL

A PARCEL OF LAND LOCATED IN SECTIONS 1 AND 2, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT ON A CURVE, SAID POINT BEING NORTH 89°51'50" WEST 313.93 FEET AND NORTH 552.26 FEET FROM THE SOUTHEAST CORNER OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING; THENCE NORTHWESTERLY ALONG THE ARC OF A 655.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 41.84 FEET, CENTER BEARS SOUTH 56°20'56" WEST AND HAVING A CENTRAL ANGLE OF 3°39'37" (CHORD N35° 28' 53"W 41.84 FEET); THENCE NORTH 37°18'41" WEST 1338.30 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG THE ARC OF A 510.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 472.07 FEET, HAVING A CENTRAL ANGLE OF 53°02'05" (CHORD N10° 47' 38"W 455.40 FEET); THENCE NORTH 15°43'24" EAST 422.48 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG THE ARC OF A 620.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 243.69 FEET, HAVING A CENTRAL ANGLE OF 22°31'11" (CHORD N04° 27' 47"E 242.12 FEET); THENCE NORTH 6°47'49" WEST 169.83 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF A 510.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 172.42 FEET, HAVING A CENTRAL ANGLE OF 19°22'15" (CHORD N02° 53' 18"E 171.60 FEET); THENCE NORTH 12°34'26" EAST 171.17 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG THE ARC OF A 620.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 291.64 FEET, HAVING A CENTRAL ANGLE OF 26°57'05" (CHORD N00° 54' 07"W 288.96 FEET); THENCE NORTH 14°22'39" WEST 268.15 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG THE ARC OF A 245.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 214.39 FEET, HAVING A CENTRAL ANGLE OF 50°08'15" (CHORD N10° 41' 26"E 207.62 FEET); THENCE NORTH 35°45'34" EAST 258.56 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG THE ARC OF A 355.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 412.54 FEET, HAVING A CENTRAL ANGLE OF 66°34'57" (CHORD N02° 28' 03"E 389.71 FEET); THENCE NORTH 901.85 FEET TO A POINT ON A CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF A 330.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 134.56 FEET, CENTER BEARS NORTH 8°28'18" EAST, HAVING A CENTRAL ANGLE OF 23°21'43" (CHORD N86° 47' 19"E 133.63 FEET) TO A POINT OF REVERSE CURVATURE; THENCE NORTHEASTERLY ALONG THE ARC OF A 440.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 45.39 FEET, HAVING A CENTRAL ANGLE OF 5°54'40" (CHORD N78° 03' 48"E 45.37 FEET); THENCE SOUTH 6°22'33" EAST 20.00 FEET; THENCE NORTH 83°37'27" EAST 40.00 FEET; THENCE NORTH 6°22'33" WEST 20.00 FEET TO A POINT ON A CURVE; THENCE SOUTHEASTERLY ALONG

THE ARC OF A 440.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 187.68 FEET, CENTER BEARS SOUTH 3°46'14" EAST, HAVING A CENTRAL ANGLE OF 24°26'22" (CHORD S81° 33' 03"E 186.26 FEET); THENCE SOUTH 69°19'52" EAST 432.73 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A 270.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 356.42 FEET, HAVING A CENTRAL ANGLE OF 75°38'03" (CHORD S31° 30' 51"E 331.10 FEET) TO A POINT OF REVERSE CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A 500.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 290.07 FEET, HAVING A CENTRAL ANGLE OF 33°14'22" (CHORD S10° 19' 00"E 286.02 FEET) TO A POINT OF REVERSE CURVATURE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 440.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 448.73 FEET, HAVING A CENTRAL ANGLE OF 58°25'59" (CHORD S02° 16' 48"W 429.54 FEET); THENCE SOUTH 31°29'48" WEST 255.07 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A 170.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 473.28 FEET, HAVING A CENTRAL ANGLE OF 159°30'44" (CHORD S48° 15' 35"E 334.58 FEET); THENCE NORTH 51°59'03" EAST 183.86 FEET; THENCE SOUTH 63°00'57" EAST 7.45 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG THE ARC OF A 180.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 172.65 FEET, HAVING A CENTRAL ANGLE OF 54°57'24" (CHORD N89° 30' 21"E 166.11 FEET); THENCE NORTH 62°01'39" EAST 66.71 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG THE ARC OF A 220.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 184.93 FEET, HAVING A CENTRAL ANGLE OF 48°09'46" (CHORD N86° 06' 32"E 179.53 FEET); THENCE SOUTH 69°48'35" EAST 137.49 FEET; THENCE SOUTH 54°21'57" WEST 686.89 FEET; THENCE NORTH 89°58'21" WEST 535.86 FEET; THENCE SOUTH 15°34'44" WEST 320.49 FEET; THENCE SOUTH 4°43'52" WEST 403.75 FEET; THENCE SOUTH 0°52'42" EAST 550.18 FEET; THENCE SOUTH 12°20'34" EAST 653.73 FEET; THENCE SOUTH 7°07'05" WEST 475.22 FEET; THENCE SOUTH 5°15'38" WEST 701.74 FEET TO THE POINT OF BEGINNING.

CONTAINS 97.91 ACRES

[Continued on Following Page]

## WEST BOND PARCEL

A PARCEL OF LAND IN SECTIONS 2 AND 3, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT NORTH  $89^{\circ}51'50''$  WEST 313.31 FEET AND NORTH 82.84 FEET FROM THE SOUTHEAST CORNER OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING; THENCE SOUTH  $89^{\circ}41'55''$  WEST 146.10 FEET TO A POINT ON A NON-TANGENT CURVE; THENCE NORTHWESTERLY ALONG THE ARC OF A 275.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 368.77 FEET, CENTER BEARS  $N 00^{\circ}09'19'' W$ , AND HAVING A CENTRAL ANGLE OF  $76^{\circ}50'01''$  (CHORD BEARS  $N51^{\circ} 44' 18'' W$  341.76 FEET); THENCE NORTH  $13^{\circ}19'15''$  WEST 69.31 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG THE ARC OF A 1025.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 251.52 FEET, HAVING A CENTRAL ANGLE OF  $14^{\circ}03'35''$  (CHORD BEARS  $N20^{\circ} 21' 03'' W$  250.89 FEET); THENCE NORTH  $27^{\circ}22'49''$  WEST 330.46 FEET; THENCE NORTH  $62^{\circ}37'11''$  EAST 5.00 FEET; THENCE NORTH  $27^{\circ}22'49''$  WEST 50.00 FEET; THENCE SOUTH  $62^{\circ}37'11''$  WEST 230.00 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 225.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 38.86 FEET, HAVING A CENTRAL ANGLE OF  $9^{\circ}53'40''$  (CHORD BEARS  $S57^{\circ} 40' 21'' W$  38.81 FEET); THENCE NORTH  $27^{\circ}47'54''$  WEST 151.18 FEET; THENCE NORTH  $38^{\circ}55'22''$  WEST 196.03 FEET; THENCE NORTH  $54^{\circ}45'22''$  WEST 203.92 FEET; THENCE NORTH  $70^{\circ}07'32''$  WEST 203.02 FEET; THENCE NORTH  $85^{\circ}20'10''$  WEST 200.17 FEET; THENCE SOUTH  $78^{\circ}03'25''$  WEST 339.18 FEET; THENCE SOUTH  $86^{\circ}33'00''$  WEST 577.78 FEET; THENCE NORTH  $63^{\circ}42'13''$  WEST 662.23 FEET; THENCE NORTH  $79^{\circ}53'42''$  WEST 460.52 FEET; THENCE SOUTH  $13^{\circ}58'58''$  WEST 369.77 FEET; THENCE SOUTH  $56^{\circ}23'10''$  EAST 111.25 FEET; THENCE SOUTH  $33^{\circ}36'50''$  WEST 260.0 FEET; THENCE NORTH  $56^{\circ}23'10''$  WEST 1271.41 FEET; THENCE NORTH  $63^{\circ}40'11''$  WEST 92.69 FEET; THENCE NORTH  $70^{\circ}38'06''$  WEST 92.99 FEET; THENCE NORTH  $83^{\circ}34'32''$  WEST 800.73 FEET; THENCE NORTH  $71^{\circ}44'44''$  WEST 1138.46 FEET TO A POINT ON A NON-TANGENT CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 770.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 100.85 FEET, CENTER BEARS  $S 82^{\circ}29'13'' E$ , AND HAVING A CENTRAL ANGLE OF  $7^{\circ}30'16''$  (CHORD  $S03^{\circ} 45' 38'' W$  100.78 FEET); THENCE NORTH  $89^{\circ}59'30''$  WEST 60.00 FEET TO A POINT ON A NON-TANGENT CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF A 830.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 482.72 FEET, CENTER BEARS  $S 89^{\circ}59'30'' E$ , AND HAVING A CENTRAL ANGLE OF  $33^{\circ}19'22''$  (CHORD  $N16^{\circ} 40' 11'' E$  475.95 FEET) TO A POINT OF TANGENCY; THENCE NORTH  $33^{\circ}19'52''$  EAST 585.86 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG THE ARC OF A 270.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 36.60 FEET, HAVING A CENTRAL ANGLE OF  $7^{\circ}46'01''$  (CHORD BEARS  $N29^{\circ} 26' 52'' E$  36.57 FEET); THENCE NORTH  $28^{\circ}26'30''$  EAST 307.81 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG THE ARC OF A 770.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 184.27 FEET, HAVING A CENTRAL ANGLE OF

13°42'41" (CHORD BEARS N21° 35' 10"E 183.83 FEET) TO A POINT OF TANGENCY; THENCE NORTH 14°43'50" EAST 442.97 FEET; THENCE NORTH 17°07'14" EAST 333.99 FEET TO A NON-TANGENT CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF A 330.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 481.13 FEET, CENTER BEARS S 71°44'07" E, AND HAVING A CENTRAL ANGLE OF 83°32'05" (CHORD BEARS N60° 01' 55"E 439.63 FEET) TO A POINT OF TANGENCY; THENCE SOUTH 78°12'02" EAST 148.58 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 330.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 244.65 FEET, HAVING A CENTRAL ANGLE OF 42°28'40" (CHORD S56° 57' 42"E 239.09 FEET); THENCE SOUTH 35°43'22" EAST 234.50 FEET; THENCE SOUTH 37°16'02" EAST 487.87 FEET; THENCE SOUTH 53°48'40" WEST 58.57 FEET; THENCE SOUTH 62°51'42" WEST 265.60 FEET; THENCE SOUTH 23°24'22" WEST 224.02 FEET; THENCE SOUTH 12°53'17" EAST 224.48 FEET; THENCE SOUTH 53°32'36" EAST 222.67 FEET; THENCE SOUTH 69°00'37" EAST 137.42 FEET; THENCE SOUTH 78°06'15" EAST 167.29 FEET; THENCE NORTH 86°15'56" EAST 172.83 FEET; THENCE NORTH 67°25'39" EAST 174.12 FEET; THENCE NORTH 48°35'21" EAST 172.83 FEET; THENCE NORTH 29°49'19" EAST 172.83 FEET; THENCE NORTH 17°17'32" EAST 97.61 FEET; THENCE NORTH 113.04 FEET TO A POINT ON A NON-TANGENT CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF A 1117.22 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 246.34 FEET, CENTER BEARS N 01°37'12"W, AND HAVING A CENTRAL ANGLE OF 12°38'00" (CHORD BEARS N82° 03' 48"E 245.84 FEET) TO A POINT OF TANGENCY; THENCE NORTH 75°44'48" EAST 29.13 FEET; THENCE SOUTH 12°34'50" EAST 76.97 FEET; THENCE SOUTH 26°58'51" EAST 76.04 FEET; THENCE SOUTH 36°10'33" EAST 176.90 FEET; THENCE SOUTH 55°36'39" EAST 115.81 FEET; THENCE SOUTH 69°54'02" EAST 98.11 FEET; THENCE SOUTH 79°18'30" EAST 268.60 FEET; THENCE SOUTH 86°55'42" EAST 136.73 FEET; THENCE NORTH 81°18'32" EAST 146.05 FEET; THENCE NORTH 68°58'46" EAST 146.05 FEET; THENCE NORTH 56°38'59" EAST 146.05 FEET; THENCE NORTH 44°19'13" EAST 146.05 FEET; THENCE NORTH 31°59'27" EAST 146.05 FEET; THENCE NORTH 26°59'52" EAST 118.24 FEET; THENCE EAST 1627.12 FEET; THENCE SOUTH 14°22'39" EAST 25.61 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A 510.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 239.90 FEET, HAVING A CENTRAL ANGLE OF 26°57'05" (CHORD BEARS S00° 54' 07"E 237.69 FEET) TO A POINT OF TANGENCY; THENCE SOUTH 12°34'26" WEST 171.17 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 620.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 209.61 FEET, HAVING A CENTRAL ANGLE OF 19°22'16" (CHORD S02° 53' 18"W 208.62 FEET) TO A POINT OF TANGENCY; THENCE SOUTH 6°47'49" EAST 169.83 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 510.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 200.45 FEET, HAVING A CENTRAL ANGLE OF 22°31'11" (CHORD BEARS S04° 27' 47"W 199.16 FEET); THENCE SOUTH 15°43'24" WEST 422.48 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A 620.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 573.89 FEET, HAVING A CENTRAL ANGLE OF 53°02'05" (CHORD BEARS S10° 47'



38"E 553.62 FEET) TO A POINT OF TANGENCY; THENCE SOUTH 37°18'41" EAST 1338.30 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A 545.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 350.64 FEET, HAVING A CENTRAL ANGLE OF 36°51'44" (CHORD BEARS S18° 52' 49"E 344.62 FEET) TO A POINT OF TANGENCY; THENCE SOUTH 0°26'57" EAST 110.74 FEET TO THE POINT OF BEGINNING.  
CONTAINS 276.38 ACRES

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Parcel ID Nos:

00-0007-6872, 00-0007-6880, 00-0007-6898, 00-0015-5338,  
00-0020-2698, 00-0020-4218, 00-0020-4219, 00-0020-9040,  
00-0020-9370, 00-0020-9372, 00-0021-5551, 00-0021-5558,  
and 00-0021-5559 (for reference purposes only)