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3/25/2010 11:57:00 AM \$20.00  
Book - 9812 Pg - 9257-9260  
Gary W. Ott  
Recorder, Salt Lake County, UT  
HICKMAN LAND TITLE CO  
BY: eCASH, DEPUTY - EF 4 P.

After recording return to:  
MDC Holdings  
4350 S. Monaco St., Suite 500  
Denver, CO 80237  
Attn: Paula J. Williams, Esq.  
T- 57393

**PARTIAL ASSIGNMENT OF DECLARANT RIGHTS**

THIS PARTIAL ASSIGNMENT OF DECLARANT RIGHTS is made effective as of March 24<sup>th</sup>, 2010 (the "Effective Date") by and between HERRIMAN SPRINGS DEVELOPERS, LLC, a Utah limited liability company ("Assignor") and RICHMOND AMERICAN HOMES OF UTAH, INC., a Colorado corporation, ("Assignee").

**RECITALS:**

A. Assignor is the "Declarant" as defined in the Declaration of Covenants, Conditions and Restrictions for The Cove at Herriman Springs recorded as Entry No. 9962929 in Book 9405 at Page 1316 in the Official Records of Salt Lake County, Utah (the "Declaration").

B. Assignor is selling to Assignee those certain Lots more particularly described on **Exhibit A** attached hereto and incorporated herein (the "Transferred Lots"), which Lots are subject to the Declaration.

C. The parties desire that Assignor partially assign to Assignee certain of the Assignor's rights and obligations created and reserved unto Declarant in the Declaration with respect to the Transferred Lots.

**AGREEMENT**

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. **Capitalized Terms.** Capitalized terms used but not defined herein shall have the same meaning set forth for such terms in the Declaration.

2. **Assignment.** Assignor hereby designates Assignee as an assign of Assignor as Declarant under the Declaration with respect to, but only with respect to, the Transferred Lots and only with respect to the rights and interests of Declarant set forth in the following provisions of the Declaration: (i) Recital B, Paragraph 3, Declarants Reserved Rights, (1), (2) and (3), and (ii) Article II, Section 2.3. Assignor hereby represents and warrants that it is the sole legal and beneficial owner of the rights it is assigning hereby, that it has the complete power and authority

to convey and assign, and that all such rights assigned by it are not subject to any lien or claim by any other person or entity.

3. Assumption. Assignee hereby accepts and agrees to be bound by and to comply with the provisions of this Assignment.

4. Successors and Assigns. This Assignment shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns, if any.

5. Governing Law. This Assignment shall be governed by and construed in accordance with the laws of the State of Utah.

6. Counterparts. This Assignment may be executed simultaneously or in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same agreement.

IN WITNESS WHEREOF, Assignor and Assignee have executed this Assignment as of the day and year first above written.

ASSIGNOR:

HERRIMAN SPRINGS DEVELOPERS, LLC,  
a Utah limited liability company

By: Oakridge Development, Inc., Manager

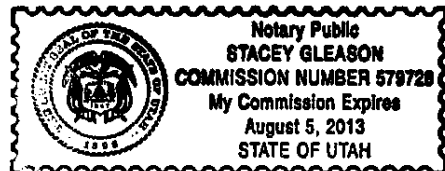
By: [Signature]  
Stan T. Rowlan, Authorized Designated Signer

STATE OF UTAH,  
COUNTY OF Salt Lake, to-wit:

The foregoing instrument was acknowledged before me this 24th day of March 2010 by Stan T. Rowlan, Authorized Designated Signer for Oakridge Development, Inc., as Manager of Herriman Springs Developers, LLC, a Utah limited liability company.

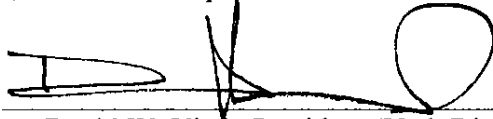
[Signature]  
Notary Public

My commission expires:  
August 5, 2013



ASSIGNEE:

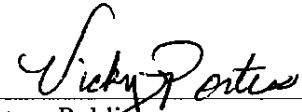
RICHMOND AMERICAN HOMES OF UTAH,  
INC., a Colorado corporation

By:   
David W. Vitek, President (Utah Division)

STATE OF UTAH,  
COUNTY OF Salt Lake, to-wit:

The foregoing instrument was acknowledged before me this 24 day of March, 2010 by David W. Vitek as President of Richmond American Homes of Utah Inc., a Colorado corporation.

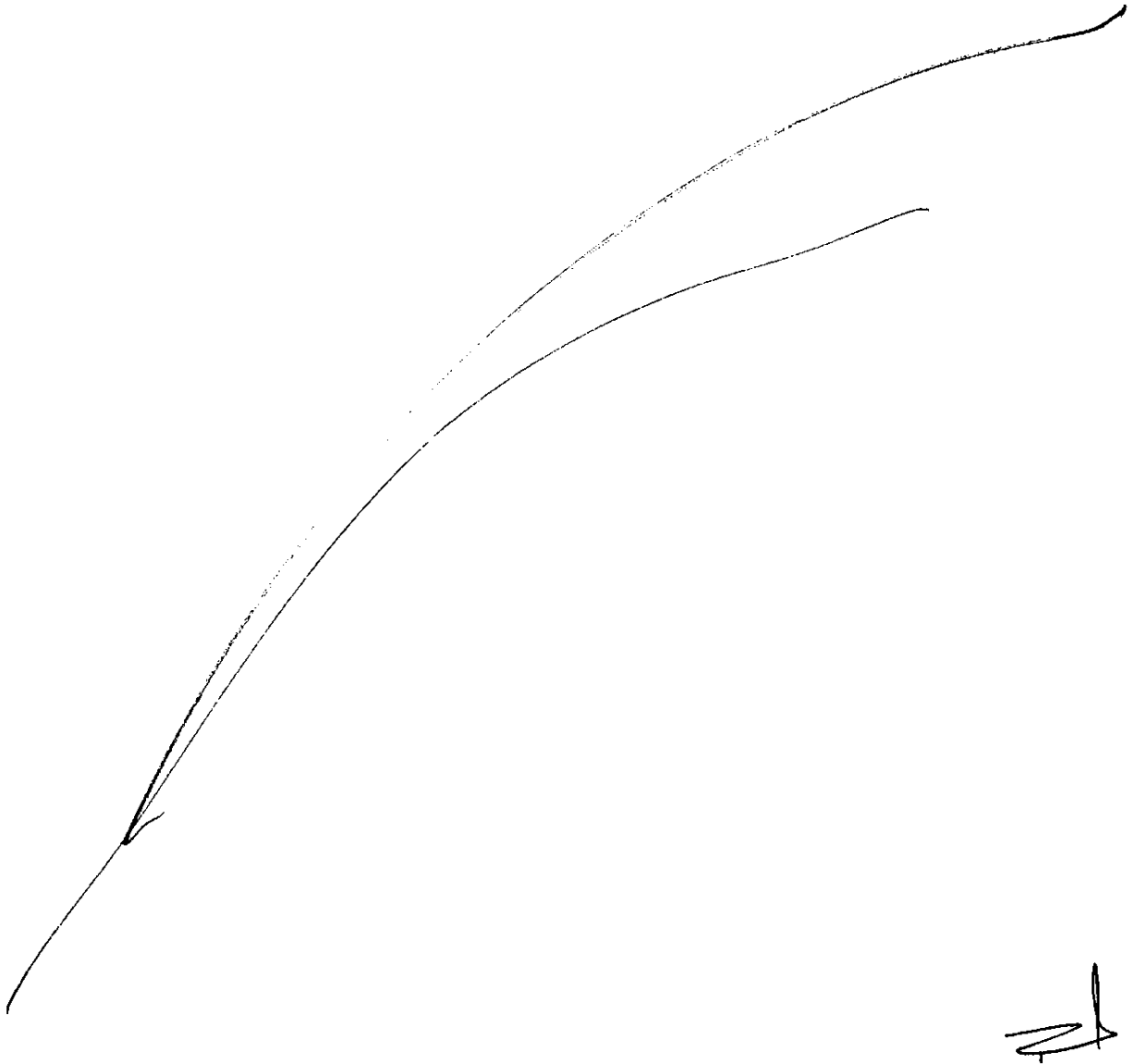


  
Notary Public

My Commission Expires: 2/20/12

**EXHIBIT A**  
**TRANSFERRED LOTS**

**Lots 534, 535, 537, 540 and 541, The Cove at Herriman Springs Phase 5C, according to the Official Plat thereof on file and of record in the office of the Salt Lake County Recorder.**



Parcel Identification Nos. 32-10-377-004; 32-10-377-005; 32-10-377-007; 32-10-376-010; 32-10-376-009.

Cove at Herriman – Assignment of Declarant Rights  
03/24/10