

When Recorded Return To:

Padre Mountain Properties, LLC
958 East Citadel Road
Ivins, UT 84738



ASSIGNMENT OF DECLARANT RIGHTS

This Assignment of Declarant Rights is entered into by and between, Rocky Canyon Properties, LLC, a Utah limited liability company (“Rocky Canyon”), and Padre Mountain Properties, LLC (“Padre Mountain”), (collectively the “Parties”) and is effective as of the date it is recorded in the Washington County Recorder’s Office (the “Effective Date”).

RECITALS

A. Under the Declaration of Covenants, Conditions, Easements and Protective Covenants of Palisades at Snow Canyon dated September 5, 2013, and recorded on November 19, 2013 with the Washington County Recorder as Document No. 20130043086 (the “Declaration”), Gardner Plumb Ivins, L.C. as Declarant under the Declaration established a planned unit development for single family homes to be known as “Palisades at Snow Canyon”.

B. The Declaration was subsequently amended on January 21, 2014, September 22, 2014, April 17, 2015, March 12, 2020, March 19, 2021, and April 8, 2021 (collectively the Amendments”).

C. Pursuant to Article 18 of the Declaration, and the Amendments, Gardner Plumb Ivins, L.C. assigned its rights as Declarant to Rocky Canyon on February 21, 2019. The assignment from Gardner Plum Ivins, L.C. to Rocky Canyon was recorded with the Washington County Recorder as Document No. 20190007298 on February 27, 2019.

D. On September 2, 2022, Rocky Canyon, as Declarant, executed and recorded an Amended and Restated Declaration as Document No. 20220041697 with the Washington County Recorder (the “Amended and Restated Declaration”) that relates to the property known as the Palisades at Snow Canyon which includes the real property identified as Exhibit “A” to this Assignment of Declarant Rights.

E. Pursuant to Article 17 of the Amended and Restated Declaration, Rocky Canyon, as Declarant, now desires to assign all of its rights, title, interests, claims, and benefits as Declarant related to the planned development known as the Palisades at Snow Canyon to Padre Mountain from and after the Effective Date.

ASSIGNMENT

NOW THEREFORE, in consideration of the premises, the mutual covenants and agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereto agree as follows:

1 Incorporation of Recitals. The Recitals above, including the defined terms, are hereby incorporated herein and made a part hereof by this reference.

2. Assignment. As of the Effective Date, Rocky Canyon, pursuant to Article 17 of the Amended and Restated Declaration, hereby assigns to Padre Mountain all of its rights, title, interests, claims, and benefits as Declarant as set forth in the Declaration, the Amendments, and the Amended and Restated Declaration, and any of its rights title, interests, claims and benefits related to the real property identified as Exhibit "A" to this Assignment of Declarant Rights, including any amendments, or extensions thereto, or any other real property related to the planned development known as the Palisades at Snow Canyon.

3. Declaration of Authority. As of the Effective Date, Rocky Canyon represents and warrants to Padre Mountain that it is the current Declarant under the Amended and Restated Declaration, and represents that it has the legal right and power to assign all of the Declarant rights under the Declaration, the Amendments, and the Amended and Restated Declaration, and that it does hereby assign and convey all Declarant rights under the Declaration, the Amendments, and the Amended and Restated Declaration to Padre Mountain and that it will indemnify and hold Padre Mountain harmless from any and all actions or liabilities in its role as Declarant prior to the Effective Date.

4. Assumption. Padre Mountain hereby accepts from Rocky Canyon the Assignment, and assumes all obligations relating thereto.

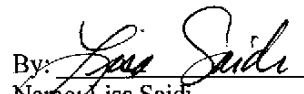
IN WITNESS WHEREOF, the Parties have caused this Assignment to be executed as of the Effective Date.

DATED the 20 day of June, 2023.

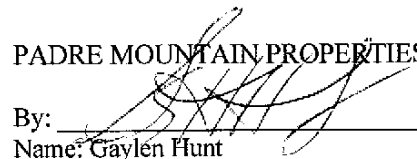
ROCKY CANYON PROPERTIES, LLC,
a Utah limited liability company

By: _____
Name: Justin Aucoin
Manager

By: _____
Name: Robyn Hutchison
Manager

By:  _____
Name: Lisa Saidi
Manager

PADRE MOUNTAIN PROPERTIES, LLC.

By:  _____
Name: Gaylen Hunt
Its: Manager

2. Assignment. As of the Effective Date, Rocky Canyon, pursuant to Article 17 of the Amended and Restated Declaration, hereby assigns to Padre Mountain all of its rights, title, interests, claims, and benefits as Declarant as set forth in the Declaration, the Amendments, and the Amended and Restated Declaration, and any of its rights title, interests, claims and benefits related to the real property identified as Exhibit "A" to this Assignment of Declarant Rights, including any amendments, or extensions thereto, or any other real property related to the planned development known as the Palisades at Snow Canyon.


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4. Assumption. Padre Mountain hereby accepts from Rocky Canyon the Assignment, and assumes all obligations relating thereto.


IN WITNESS WHEREOF, the Parties have caused this Assignment to be executed as of the Effective Date.

DATED the 20 day of June, 2023.

ROCKY CANYON PROPERTIES, LLC,
a Utah limited liability company

By: 
Name: Justin Aucoin
Manager

By: 
Name: Robyn Hutchison
Manager

By: 
Name: Lisa Saidi
Manager

PADRE MOUNTAIN PROPERTIES, LLC.

By: _____
Name: Gaylen Hunt
Its: Manager

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

Palisades at Snow Canyon Phase 1 Second Amended, more particularly described as:

Lots 101 through 105, 107, 109 through 112, 114 through 126, together with all Common Area, the Palisades at Snow Canyon Phase 1, Second Amended, according to the Official Plat thereof, on file in the Office of the Washington County Recorder, State of Utah.

Tax ID No's: 1-PSC-1-101 through I-PSC-1-105; I-PSC-1-107; I-PSC-1-109 through I-PSC-1-112; and I-PSC-1-114 through I-PSC-1-126.

Lot 113, together with all Common Area, the Palisades at Snow Canyon Phase 1 Second Amended, according to the Official Plat thereof, on file in the Office of the Washington County Recorder, State of Utah.

ALSO:

Portion of Lot 341 of The Palisades at Snow Canyon Phase 2 Amended and Extended to be added to Lot 113 of The Palisades at Snow Canyon Phase 1, Second Amendment:

Beginning at Southwesterly corner of Lot 341 of Palisades at Snow Canyon Phase 2 Amended and Extended, filed as Document No. 20180004794 in the Office of the Recorder of Washington County, State of Utah, running thence North 0°33'44" West, 3.83 feet along the Westerly line of Lot 341 to a point on the Center Line of an existing block wall; thence South 84°24'01" East, 50.44 feet along the existing block wall to a point on the Southerly line of Lot 341; thence North 88°45'19" West, 50.17 feet along the Southerly line of Lot 341 to the point of beginning.

Tax ID No: I-PSC-1-113

Amended Lot 108, the Palisades at Snow Canyon Phase 1 Second Amended; more Particularly described as:

Lot 108, of the Amended Lot 108 the Palisades at Snow Canyon Phase 1 Second Amended Subdivision, according to the Official Plat thereof on file in the Office of the Washington County Recorder, State of Utah.

Tax ID No: I-PSCA-1-108

Palisades at Snow Canyon Phase 2 Amended and Extended more particularly described as:

Lots 320 through 340, 342 through 348, 357, 358, and 364 through 367, together with all Common Area, the Palisades at Snow Canyon Phase 2 Amended and Extended, according to the Official Plat thereof, on file in the Office of the Washington County Recorder, State of Utah.

Tax ID No's: I-PSC-2-320 through I-PSC-2-340; I-PSC-2-342 through I-PSC-2-348; I-PSC-2-357, I-PSC-2-358; and I-PSC-2-364 through I-PSC-2-367.

Lot 341, together with all Common Area, the Palisades at Snow Canyon Phase 2 Amended and Extended, according to the Official Plat thereof, on file in the Office of the Washington County Recorder, State of Utah.

LESS AND EXCEPTING THEREFROM the following described property:

Portion of Lot 341 of The Palisades at Snow Canyon Phase 2 Amended and Extended to be added to Lot 113 of The Palisades at Snow Canyon Phase 1, Second Amendment:

Beginning at Southwesterly corner of Lot 341 of Palisades at Snow Canyon Phase 2 Amended and Extended, filed as Document No. 20180004794 in the Office of the Recorder of Washington County, State of Utah, running thence North 0°33'44" West, 3.83 feet along the Westerly line of Lot 341 to a point on the Center Line of an existing block wall; thence South 84°24'01" East, 50.44 feet along the existing block wall to a point on the Southerly line of Lot 341; thence North 88°45'19" West, 50.17 feet along the Southerly line of Lot 341 to the point of beginning.

Tax ID No: I-PSC-2-341-A

Amended Lot 363, Palisades at Snow Canyon Phase 2 Partially Amended and Extended "A" more particularly described as:

All of Lot 363, together with all Common Area, the Palisades at Snow Canyon Phase 2 Partially Amended and Extended "A" (Lot 363), according to the Official Plat thereof, on file in the Office of the Washington County Recorder, State of Utah.

Tax ID No: I-PSC-2-363-PT-A

Palisades at Snow Canyon Phase 3 more particularly described as:

Lots 301, 349, 350 and 351, together with all Common Area, the Palisades at Snow Canyon Phase 3, according to the Official Plat thereof, on file in the Office of the Washington County Recorder, State of Utah.

Tax ID No's: I-PSC-3-301, I-PSC-3-349 through I-PSC-3-351

Palisades at Snow Canyon Phase 4 more particularly described as:

Lots 302 through 310, together with all Common Area, the Palisades at Snow Canyon Phase 4, according to the Official Plat thereof, on file in the Office of the Washington County Recorder, State of Utah.

Tax ID No's: I-PSC-4-302 through I-PSC-4-310

Palisades at Snow Canyon Phase 5 more particularly described as:

Lots 311 through 319; Lots 352 through 356, and Lots 359 through 361, together with all Common Area, the Palisades at Snow Canyon Phase 5, according to the Official Plat thereof, on file in the Office of the Washington County Recorder, State of Utah.

Tax ID No's: I-PSC-5-311 through I-PSC-5-319; I-PSC-5-352 through I-PSC-5-356 and I-PSC-5-359 through I-PSC-5-361

Amended Lot 362, Palisades at Snow Canyon Phase 5 Partially Amended and Extended "A" more particularly described as:

All of Lot 362, together with all Common Area, the Palisades at Snow Canyon Phase 5 Partially Amended and Extended "A" (Lot 362), according to the Official Plat thereof, on file in the Office of the Washington County Recorder, State of Utah.

Tax ID No: I-PSC-5-362-PT-A

Palisades at Snow Canyon Phase 6 Amended, more particularly described as:

Lots 201 through 207, Lots 210 through 220; and Lots 222, and 224, together with all Common Area, the Palisades at Snow Canyon Phase 6 Amended, according to the Official Plat thereof, on file in the Office of the Washington County Recorder, State of Utah.

Tax ID No's: I-PSC-6-201 through I-PSC-6-207; I-PSC-6-210 through I-PSC-6-220; I-PSC-6-222; and I-PSC-6-224

Palisades at Snow Canyon Phase 6 Amended Lot 208 Amended, more particularly described as:

Lot 208, the Palisades at Snow Canyon Phase 6 Amended, Lot 208 Amended, according to the Official Plat thereof, on file in the Office of the Washington County Recorder, State of Utah.

Tax ID No: I-PSCB-6-208

Amended Lot 226, Palisades at Snow Canyon Phase 6 Partially Amended and Extended "A" more particularly described as:

Lot 226, the Palisades at Snow Canyon Phase 6 Partially Amended and Extended "A", according to the Official Plat thereof, on file in the Office of the Washington County Recorder, State of Utah.

Tax ID No: I-PSC-6-226-PT-A

Palisades at Snow Canyon Phase 7 more particularly described as:

Lots 227 through 233, and 238 together with all Common Area, the Palisades at Snow Canyon Phase 7, according to the Official Plat thereof, on file in the Office of the Washington County Recorder, State of Utah.

Tax ID No's: I-PSC-7-227 through I-PSC-7-233; and I-PSC-7-238

Palisades at Snow Canyon Phase 7 Amended Lots 235 & 237 Amended, more particularly described as:

Lot 235 and 237 together with all Common Area, the Palisades at Snow Canyon Phase 7 Lots 235 & 237 Amended, according to the Official Plat thereof, on file in the Office of the Washington County Recorder, State of Utah.

Tax ID No's: I-PSS-7-235; I-PSS-7-237

Palisades at Snow Canyon Phase 8 more particularly described as:

Lots 1 through 17, Lots 21-31 and Lot AM, together with all Common Area, the Palisades at Snow Canyon Phase 8, according to the Official Plat thereof, on file in the Office of the Washington County Recorder, State of Utah.

Tax ID No's: I-PSC-8-1 through I-PSC-8-17; I-PSC-8-21 through I-PSC-8-31; I-PSC-8-AM

Amended Lots 18, 19 and 20, Palisades at Snow Canyon Phase 8 Partially Amended and Extended "A" more particularly described as:

Lots 18, 19 and 20, the Palisades at Snow Canyon Phase 8 Partially Amended and Extended "A", according to the Official Plat thereof, on file in the Office of the Washington County Recorder, State of Utah.

Tax ID No's: I-PSC-8-18-PT-A; I-PSC-8-19-PT-A; and I-PSC-8-20-PT-A