

177744-CPI

When recorded, return to:
M.D.C. Holdings, Inc.
4350 South Monaco Street, #500
Denver, Colorado 80237
Attn: Donna Prete

Tax Id No.:02-095-0023 through 02-095-0032

PARTIAL ASSIGNMENT OF DECLARANT'S RIGHTS

THIS PARTIAL ASSIGNMENT OF DECLARANT'S RIGHTS ("Assignment") is executed as of June 21, 2024, by **WBC HOLDINGS, LLC**, a Utah limited liability company (the "Assignor"), and **RICHMOND AMERICAN HOMES OF UTAH, INC.**, a Colorado corporation ("Assignee").

RECITALS

A. Assignor is the Declarant under that certain Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Deer Run at Willar Bay, recorded with the Box Elder County Recorder on May 12, 2023, under Entry No. 463483, in Book 1554 at Page 429 (the "Declaration").

B. Assignee has entered into a contract to purchase the real property more particularly described in **Exhibit A** attached hereto and incorporated herein by this reference (the "Property"), which property is subject to the Declaration.

C. As provided for under Section 12.7 of the Declaration, Declarant may transfer, convey, or assign its rights created or reserved under this Declaration to any Person in whole or in part.

D. As a condition to its agreement to proceed with the purchase of the Property, Assignee has requested a partial assignment of certain of Declarant's rights under the Declaration pertaining to the Property, as authorized in the Declaration, and Assignor has agreed to make such partial assignment upon and subject to the terms set forth in this Assignment.

E. All capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Declaration.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged and affirmed, Assignor and Assignee agree as follows solely with respect to the Property:

1. The above Recitals are incorporated into and are made a part of this Assignment by this reference.

2. Assignor hereby designates Assignee as a "Builder" within the meaning of the Declaration as to the Property.

3. Assignor hereby assigns and transfers to Assignee Assignor's rights, protections, and authority as Declarant under Sections 9.18, 10.4, 12.3(1), (2), and (5).

4. Assignor, as Declarant, hereby grants to Assignee an exemption from the Transfer of Lots from Declarant to a Builder from the Reinvestment Fee under Section 5.20(5) of the Declaration.

5. The rights and exemptions granted to Assignee herein may not be amended, modified, or revoked without the written consent of Assignee.

6. In accordance with the definition of the term "Declarant" in the Declaration, Assignee shall not be deemed to be the Declarant under the Declaration, but may exercise only those rights of the Declarant that have been assigned to it as such rights pertain to the Property. Accordingly, Assignor expressly retains all of its rights as the Declarant and Assignee shall not be deemed to have assumed any of the duties or obligations of the Declarant in accordance with the Declaration.

7. This Assignment shall be binding upon and shall inure to the benefit of the parties hereto and their respective assigns; provided, however, Assignee shall have no right hereunder to assign all or a portion of the assigned Declarant rights to any third-party purchaser(s).

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

9. This Assignment may be executed in counterparts and the signature pages combined to constitute one document.

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

[Signatures follow on subsequent pages]

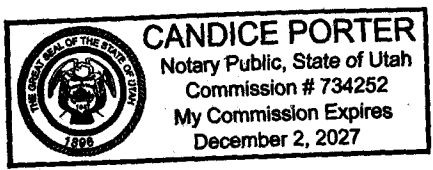
ASSIGNOR:

WBC HOLDINGS, LLC, a Utah
limited liability company

By: [Signature]
Name: KIRK YOUNG
Its: MANAGER

STATE OF UTAH)
) ss.
County of Salt Lake

The foregoing instrument was acknowledged before me this 20 day of
June, 2024, by Kirk Young, the Manager
of WBC Holdings, LLC a Utah limited liability company, on behalf of
such company.



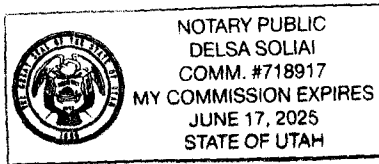
ASSIGNEE:

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

By: *Paul J. Peterson*
Name: PAUL J. PETERSON
Its: REGIONAL PRESIDENT

STATE OF UTAH)
County of Wasatch) ss.

The foregoing instrument was acknowledged before me this 20 day of June,
20 24, by Paul J. Peterson, the Regional President of
RICHMOND AMERICAN HOMES OF UTAH, INC., a Colorado corporation, on
behalf of such company.



Delisa Soltau
Delisa Soltau

EXHIBIT A
TO PARTIAL ASSIGNMENT OF DECLARANT'S RIGHTS

Lots 323 through 332, inclusive, DEER RUN AT WILLARD BAY PHASE 1 PART 3 AMENDED, according to the official plat thereof recorded September 28, 2022 as Entry No. 456968 in Book 1538 at Page 208 in the office of the Box Elder County Recorder, State of Utah.