

WHEN RECORDED, RETURN TO:

RFTP, LLC
Attn: Tyler Horan
42 E. 1100 S. Suite 1B
American Fork, Utah 84003

ENT 36888:2024 PG 1 of 3
ANDREA ALLEN
UTAH COUNTY RECORDER
2024 Jun 04 04:44 PM FEE 230.00 BY AC
RECORDED FOR Invictus Title
ELECTRONICALLY RECORDED

ASSIGNMENT OF DECLARANT RIGHTS

This *Assignment of Declarant Rights* (“**Assignment**”) is made effective as of the date set forth below by JACK WILLIAM HOMES, LLC, a Utah limited liability company (“**Assignor**”) in favor of RFTP, LLC, a Utah limited liability company (“**Assignee**”).

Whereas, Assignor is the “Declarant” as that term is used in that certain *Declaration of Covenants, Conditions, Easements and Restrictions for Rooftops Subdivision* (“**Declaration**”) dated January 20, 2022 and recorded in the Utah County Recorder’s Office on January 21, 2022, as Entry No. 8990:2022, as the same may be amended from time to time.

Whereas, the Declaration encumbers certain property located in Salem, Utah County, State of Utah within The Rooftops subdivision (“**Property**”), and which is more particularly described on **Exhibit A** hereto.

Whereas, Assignor desires to transfer to Assignee all rights of Declarant under the Declaration now held by Assignor.

NOW THEREFORE, for good and valuable consideration acknowledged and received:

1. **Assignment.** Assignor does hereby assign, transfer, and convey to Assignee all right, title, and interest which Assignor holds as Declarant under the Declaration as of the date of this Assignment.

2. **Warranties.** Assignor represents and warrants to Assignee as follows: (a) that Assignor was the owner of the Property when the Declaration was recorded; (b) that Assignor had full power and authority to encumber the Property with the Declaration when it was executed and recorded; (c) that Assignor has full power and authority to execute this Assignment; (d) that Assignor has not previously assigned, conveyed, or otherwise transferred any portion of the rights of Declarant under the Declaration; and (e) that Assignor is not in breach of any obligations of Declarant under the Declaration and, to Assignor’s knowledge, there are no claims threatened or made for breaches of the Declaration.


3. **Successors and Assigns.** This Assignment shall be binding upon and inure to the benefit of Assignor and Assignee and their respective successors and assigns.

4. **Governing Law.** This Assignment, and any claim, controversy or dispute arising under or related to this Assignment or the rights, duties and relationship of the Assignor and Assignee, shall be governed by and construed in accordance with the laws of the State of Utah. In the event of any action enforcing or interpreting any provision of this Assignment, the prevailing party shall be entitled to an award of reasonable attorney fees.

WHEREFORE, Assignor has executed this Assignment.

ASSIGNOR

JACK WILLIAM HOMES, LLC,
a Utah limited liability company

By: 


Name: GREG BIRD

Title: MANAGER

Date: 6/3/24

STATE OF UTAH)
) ss
COUNTY OF UTAH)

The foregoing instrument was acknowledged before me this 3 day of JUNE, 2024, by Greg Bird as manager of JACK WILLIAM HOMES, LLC, a Utah limited liability company.


Notary Public

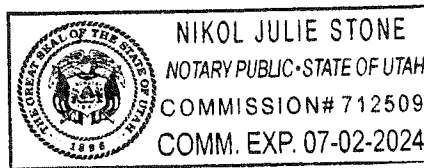


Exhibit A

(Legal Description)

THE REAL PROPERTY LOCATED IN UTAH COUNTY AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

LOTS 1 THROUGH 28, ROOFTOPS, PHASE I, AS DESCRIBED IN SUBDIVISION PLAT AS RECORDED WITH THE UTAH COUNTY RECORDER AS ENTRY NO. 4147-2021 AT MAP BOOK 51, MAP PAGE 675 ON MARCH 4, 2021.

Parcel Nos. 51-675-0001 through 51-675-0028

LOTS 29 THROUGH 103, INCLUSIVE, AS PROPOSED WITHIN THE ROOFTOPS PHASE 2 SUBDIVISION IN SALEM, UTAH, ALSO KNOWN AS:

BEGINNING AT A POINT WHICH LIES SOUTH 01°27'10" EAST 1252.52 FEET ALONG THE SECTION LINE AND WEST 207.99 FEET FROM THE NORTH 1/4 CORNER OF SECTION 35, TOWNSHIP 8 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE ALONG THE EXISTING BOUNDARY OF THE ROOFTOPS. PHASE 1 THE FOLLOWING FOUR (4) COURSES TO WIT: (1) SOUTH 77.23 FEET, (2) SOUTHWESTERLY 12.57 FEET ALONG THE ARC OF A 8.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH THE CENTRAL ANGLE OF 90°00'00", THE CHORD BEARS SOUTH 45°00'00" WEST 11.31 FEET, (3) WEST 29.24 FEET, (4) SOUTH 129.67 FEET; THENCE WEST 476.87 FEET; THENCE NORTH 347.45 FEET; THENCE NORTH 01°14'08" WEST 407.14 FEET; THENCE NORTH 89°40'35" EAST 253.12 FEET; THENCE NORTH 88°48'03" EAST 100.36 FEET; THENCE NORTH 89°33'01" EAST 201.44 FEET; THENCE SOUTH 90.01 FEET; THENCE WEST 42.00 FEET; THENCE SOUTH 44.00 FEET; THENCE SOUTHEASTERLY 15.71 FEET ALONG THE ARC OF A 10.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH TO CENTRAL ANGLE 90°00'00" THE CHORD BEARS SOUTH 45°00'00" EAST 14.14 FEET; THENCE SOUTH 75.23 FEET; THENCE WEST 176.49 FEET; THENCE SOUTH 325.46 FEET ALONG THE PARTIAL BOUNDARY OF THE ROOFTOPS PHASE 1; THENCE EAST 176.49 FEET ALONG THE EXISTING BOUNDARY OF THE ROOFTOPS PHASE 1 TO THE POINT OF BEGINNING.

Parcel No. 25-063-0039

COMMON AREA, ROOFTOPS, PHASE 1, AS DESCRIBED IN SUBDIVISION PLAT AS RECORDED WITH THE UTAH COUNTY RECORDER AS ENTRY NO. 4147-2021 AT MAP BOOK 51, MAP PAGE 675 ON MARCH 4, 2021.

Parcel No. 51-675-0030