

After Recording Return To:  
Karna R. Gustafson  
Vial Fotheringham LLP  
17355 SW Boones Ferry Rd., Suite A  
Lake Oswego, OR 97035

## **ASSIGNMENT OF DECLARANT RIGHTS**

**THIS ASSIGNMENT OF DECLARANT RIGHTS** is entered into this 3rd day of August, 2023 by **BROOKS RESOURCES CORPORATION**, an Oregon corporation (“Assignor”) and **THE WAGON TRAIL RANCH PROPERTY OWNERS ASSOCIATION**, an Oregon nonprofit corporation (“Assignee”).

### **RECITALS**

A. Assignor is the Declarant under the Declarations, Restrictions, Protective Covenants and Conditions for Wagon Trail Ranch recorded August 30, 1972 in the Deed Records of Klamath County, Oregon, in Volume M72, Page 9766; the Declaration Subjecting Wagon Trail Acreages Number I, Second Addition to the Declarations, Restrictions, Protective Covenants and Conditions of Wagon Trail Ranch recorded July 30, 1975 in the Deed Records of Klamath County, Oregon, in Volume M75, Page 8741; the Brooks Resources Corporation Declaration Establishing Wagon Trail Acreages No. I Third Addition, Tract No. 1136 and Annexing it to Wagon Trail Ranch recorded December 11, 1979 in the Deed Records of Klamath County, Oregon, in Volume M79, Page 28494; the Amendment of the Declarations, Restrictions, Protective Covenants and Conditions for Wagon Trail Ranch recorded January 5, 1977 in the Deed Records of Klamath County, Oregon, in Volume M77, Page 207; and the Amendment of the Declarations, Restrictions, Protective Covenants and Conditions for Wagon Trail Ranch recorded January 5, 1977 in the Deed Records of Klamath County, Oregon, in Volume M77, Page 210 (collectively, the “Declaration”). The Bylaws of the Wagon Trail Ranch Property Owners Association were adopted by the Membership on August 14, 1993; revised to provide for an address correction and adopted by the Membership on August 7, 1999 (collectively, the “Bylaws”).

B. The Declaration grants to the Declarant certain rights which are collectively referred to herein as “Declarant Rights.”

C. Assignor wishes to assign the Declarant Rights under the Declaration to Assignee.

### **AGREEMENTS**

1. **Assignment.** Effective as of the recordation of this Assignment (“Transfer Date”), Assignor hereby assigns any and all of its right, title and interest as Declarant under the Declaration to Assignee, including, without limitation, Declarant’s Annexation Rights as described in Article II, Section 3, of the Declaration. From and after the Transfer Date, Assignee shall be deemed the

Declarant under the Declaration and shall have all of the rights of the Declarant under the Declaration. It is the intention of Assignor and Assignee that Assignor transfer and assign to Assignee, and fully vest in Assignee, all of Assignor's right, title and interest in Wagon Trail Ranch as Declarant under the Declaration.

2. **Representations.** Assignor represents that it holds the current Declarant rights and has the full authority to enter this Assignment and convey said Declarant rights to Assignee.

3. **Amendment.** Any amendments to this Agreement shall be in writing, signed by Assignor and Assignee and shall be recorded in the official records of Klamath County, Oregon.

**ASSIGNOR:** **BROOKS RESOURCES CORPORATION**, an Oregon corporation

By: [Signature]

Its: CEO

Date of Execution: 8/3/23

**ASSIGNEE:** **THE WAGON TRAIL RANCH PROPERTY OWNERS ASSOCIATION**, an Oregon nonprofit corporation

By: [Signature]  
President

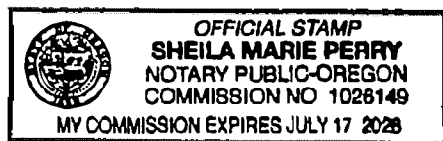
By: [Signature]  
Secretary

Date of Execution: 8/30/23

STATE OF OREGON )  
 ) ss.  
County of Deschutes )

August 3, 2023

Personally appeared before me Jade Mayer who, being duly sworn, did say that he is the CFO of Brooks Resources Corporation, an Oregon corporation, and that the foregoing instrument was signed on behalf of said corporation by authority of its board of directors; and acknowledged said instrument to be its voluntary act and deed.

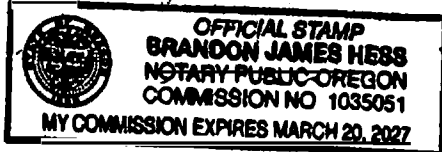


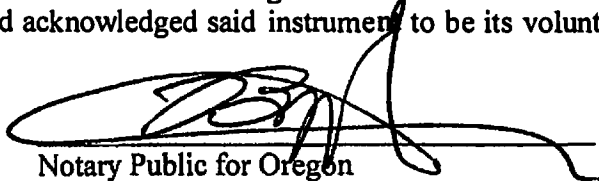
[Signature]  
Notary Public for Oregon

STATE OF OREGON )  
 ) ss.  
County of Deschutes )

Aug 30<sup>th</sup>, 2023

Personally appeared before me the above-named Timothy Murry who, being duly sworn, did say that he is the President of The Wagon Trail Ranch Property Owners Association, an Oregon nonprofit corporation, and that said instrument was signed in behalf of said Association by authority of its Board of Directors, and acknowledged said instrument to be its voluntary act and deed.

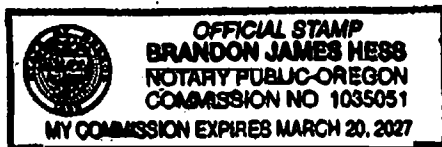


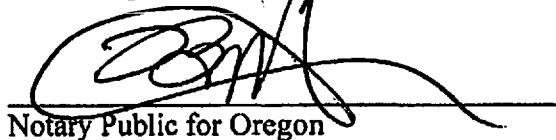
  
Notary Public for Oregon

STATE OF OREGON )  
 ) ss.  
County of Deschutes )

Aug 30<sup>th</sup>, 2023

Personally appeared before me the above-named Linda Schaefer who, being duly sworn, did say that she is the Secretary of The Wagon Trail Ranch Property Owners Association, an Oregon nonprofit corporation, and that said instrument was signed in behalf of said Association by authority of its Board of Directors, and acknowledged said instrument to be its voluntary act and deed.



  
Notary Public for Oregon