

For Registration Fredrick Smith
Register of Deeds
Mecklenburg County, NC
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Fredrick Smith

Drawn by and mail to:
Moore & Van Allen PLLC (JCO)
100 North Tryon Street, Suite 4700
Charlotte, North Carolina 28202
ROD Box # 74

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

**ASSIGNMENT OF DECLARANT RIGHTS UNDER
DECLARATION OF COVENANTS AND EASEMENTS FOR
MARVIN ROAD PROFESSIONAL CENTER**

NOTE TO REGISTER OF DEEDS: Please cross-index this instrument with the instrument recorded in Book 31867, Page 12 in the Mecklenburg County Public Registry

THIS ASSIGNMENT OF DECLARANT RIGHTS (this "Assignment") is executed as of the 1st day of February, 2019 (the "Effective Date"), by **MARVIN ROAD OFFICE, LLC**, a North Carolina limited liability company ("Assignor"), in favor of **MARVIN ROAD PROPERTY OWNERS ASSOCIATION, INC.**, a North Carolina non-profit corporation ("Assignee").

WITNESSETH:

WHEREAS, Assignor is the "Declarant" under that certain Declaration of Covenants and Easements for Marvin Road Professional Center recorded in Book 31867, Page 12 of the Mecklenburg County, North Carolina Public Registry, as amended and supplemented from time to time (hereinafter referred to as the "Declaration");

WHEREAS, Assignor desires to transfer and assign to Assignee, without any representation or warranty, from and after the Effective Date, all of the rights, powers, easements, reservations, duties and obligations of Assignor in its capacity as Declarant under the Declaration, including, without limitation, any special declarant's rights (collectively, the "Transferred Rights"); and

WHEREAS, Assignee desires to assume all of the Transferred Rights.

NOW, THEREFORE, for and in consideration of TEN Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor and Assignee, intending

Submitted electronically by "Moore & Van Allen, PLLC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Mecklenburg County Register of Deeds.

to be legally bound, hereby agree as follows:

1. All capitalized terms not otherwise defined herein shall have those meanings set forth in the Declaration.
2. From and after the Effective Date, Assignor hereby transfers and assigns the Transferred Rights to Assignee.
3. From and after the Effective Date, Assignee hereby assumes all of the Transferred Rights.
4. Assignor warrants and represents that (i) it has the right to execute and deliver this Assignment, (ii) it has made no prior assignments of any such rights, powers, easements or reservations, including but not limited to the Transferred Rights, except herein in favor of Assignee, and (iii) to the best of its knowledge and belief, after due inquiry, the Declaration is in full force and effect on the date hereof.
5. Each party agrees that it will without further consideration execute and deliver such other documents and take such other action, subsequent to date hereof, as may be reasonably requested by the other party to consummate more effectively the purposes or subject matter of this Assignment.
6. This Assignment shall be binding upon, and inure to the benefit of, successors and assigns of the rights and obligations of the parties hereto.
7. This Assignment may be executed in multiple counterparts, each of which shall constitute an original, but all of which taken together shall constitute one and the same.
8. Except as modified herein, the Declaration and all provisions therein remain in full force and effect.

[Remainder of page intentionally blank]

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

ASSIGNOR:

MARVIN ROAD OFFICE, LLC,
a North Carolina limited liability company

By: MPV Marvin Road, LLC, a North Carolina limited liability company, its Manager

By: *James E. Merrifield*
Name: James E. Merrifield
Title: Manager

STATE OF North Carolina

COUNTY OF Mecklenburg

I certify that the following person(s) personally appeared before me this day, acknowledging to me that he or she signed the foregoing document:

James E Merrifield
(Name of signatory)

Date: January 14, 2019
(Official Seal)

Kimberly B Young
Kimberly B Young, Notary Public
(Print Name)

My commission expires: 12/01/23

Kimberly B Young
NOTARY PUBLIC
Mecklenburg County, NC
My Commission Expires 12/01/23

[Signatures Continue Next Page]

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

ASSIGNEE:

MARVIN ROAD PROPERTY OWNERS ASSOCIATION, INC., a North Carolina non-profit corporation

By: *Ian Bruce*
Name: Ian Bruce
Title: Vice President

STATE OF North Carolina
COUNTY OF Mecklenburg

I certify that the following person(s) personally appeared before me this day, acknowledging to me that he or she signed the foregoing document:

Ian H Bruce
(Name of signatory)

Date: January 14, 2019

(Official Seal)

Kimberly B Young
Kimberly B Young, Notary Public
(Print Name)

My commission expires: 12/31/23

Kimberly B Young
NOTARY PUBLIC
Mecklenburg County, NC
My Commission Expires 12/31/23