

Return to
CLINTON J. FISCHER
LAW OFFICE P.C.
P.O. BOX 879
POLSON, MT 59860

565879 MISC Pages: 6
STATE OF MONTANA LAKE COUNTY
RECORDED: 10/17/2018 4:23 KOI: MISC
PAULA A HOLLE CLERK AND RECORDER
FEE: \$42.00 BY: *Janet Munn-dep*
TO: ,

ACKNOWLEDGMENT OF
ASSIGNMENT OF DECLARANT'S INTEREST

THIS Acknowledgment of Assignment of Declarant's Interest made and entered into on this 5th day of October, 2018, by and between **Lookback, LLC**, a Montana limited liability company, of P.O. Box 4848, Whitefish, MT 59937, hereinafter referred to as Assignor, and **the Soward Revocable Trust, dated the 4th day of April, 1991, as to an undivided 20% interest, Patricia A DiStefano as to an undivided 40% interest and Katherine M. Gayvert as to an undivided 40% interest**, of P.O. Box 1478, Marion, MT 59928, hereinafter collectively referred to as Assignee.

WITNESSETH:

WHEREAS, that real property located in Lake County, Montana described as Fairway Properties II, Phases I, II and III; Mission Bay, Phases I, II, III, IV, V, VI, VII, VIII and IX; Browns Lakeview Tracts, Lots 5-14 inclusive; and Mission Bay Village, Phases I, II and III, according to the respective maps or plats thereof on file and of record in the office of the Clerk and Recorder of Lake County, Montana, (hereinafter collectively referred to as Mission Bay) is subject to that First Amended Restated Declaration of Covenants, Conditions and Restrictions recorded under Microfile No. 509198, records of Lake County, Montana, as thereafter Amended or Restated from time to time, (First Amended Mission Bay Restated Declaration); and

WHEREAS, that real property located in Lake County, Montana described as Mission Bay Preserve, Phase I; Mission Preserve, Phase II-A; Mission Bay Preserve Phase II-B; Mission Bay Preserve, Phase II-C; Mission Bay Preserve Orchard Subdivision, Phase I; and Mission Bay Preserve Orchard Subdivision, Phase II, according to the respective maps or plats thereof on file and of record in the office of the Clerk and Recorder of Lake County, Montana (hereinafter collectively referred to as Mission Bay Preserve) is subject to that Declaration of Covenants, Conditions and Restrictions recorded under Microfile No. 420072, records of Lake County, Montana, as thereafter Amended or Restated from time to time, (Mission Bay Preserve Declaration); and

WHEREAS, by Assignment of the original Declarant, Assignor has been the holder of the original Declarant's rights and interests as set forth and described in the Mission Bay Restated Declaration and First Amended Mission Bay Restated Declaration pursuant to the Assignment of Buyer's Interest recorded June 18, 2014, under Microfile No. 535775, records of Lake County,

565879

Montana and Quit Claim Deed, recorded June 18, 2014, under Microfile No. 535776, records of Lake County, Montana; and

WHEREAS, by Assignment from the original Declarant, Assignor has been the holder of the original Declarant's rights and interest as set forth and described in the Mission Bay Preserve Declaration pursuant to that Quit Claim Deed recorded April 24, 2014, under Microfile No. 534767, records of Lake County, Montana, and that Quit Claim Deed recorded April 24, 2014, under Microfile No. 534770, records of Lake County, Montana; and

WHEREAS, Assignor transferred and conveyed title to its remaining Lots in Mission Bay and Mission Bay Preserve to Assignee by Quit Claim Deed, recorded on the 21st day of April, 2016, under Microfile No. 547700, records of Lake County, Montana. In conjunction therewith Assignor assigned to Assignee all rights and interest as Declarant as set forth in the First Amended Mission Bay Restated Declaration above referenced and the Mission Bay Preserve Declaration above referenced, respectively. A copy of the document assigning said rights from Assignor to Assignee dated April 10, 2016 is attached hereto as Exhibit "A" and by this reference made a part hereof as though fully set forth at this place; and

WHEREAS, Assignee is currently the record owner of Lots within both Mission Bay and Mission Bay Preserve; and

WHEREAS, Assignor and Assignee desire to reaffirm the Assignment of Declarant's rights as above referenced and place the same of record.

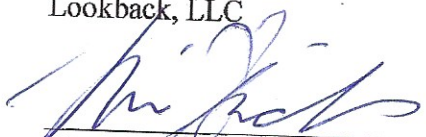
Now therefore, Assignor hereby restates and reaffirms its Assignment unto Assignee of its rights and interest as Declarant as set forth and described in the First Amended Mission Bay Restated Declaration and Mission Bay Preserve Declaration, respectively, as Amended or Restated from time to time, as above referenced, effective as of the 10th day of April, 2016.

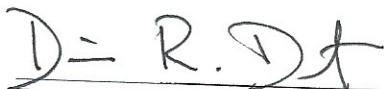
In witness hereof the parties hereto execute this document the year and date first above written.

565879

ASSIGNOR:

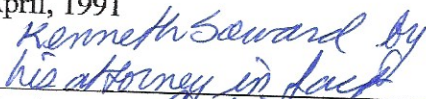
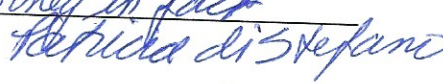
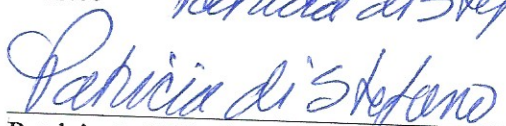
Lookback, LLC

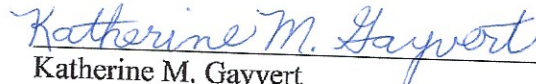

Tim Hinderman, Managing Member


Dennis R. Duty, Managing Member

ASSIGNEE:

Soward Revocable Trust, dated the 4th day of April, 1991

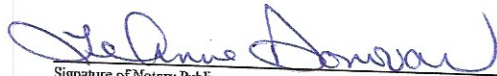

Trustee 

Patricia A. DiStefano


Katherine M. Gayvert

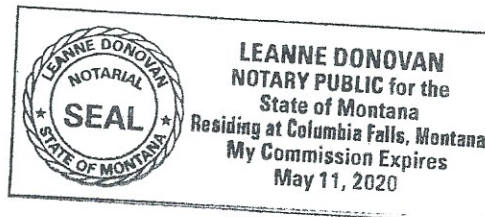
STATE OF MONTANA)
: SS
County of Flathead)

On this 2nd day of October, 2018, before me, the undersigned, personally appeared, Tim Hinderman, known to me to be the Managing Member of Lookback, LLC and the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.


Signature of Notary Public
(Seal)

STATE OF MONTANA)
: SS
County of Lake)

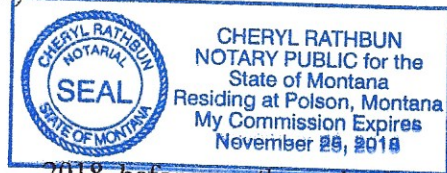


On this 5 day of Oct, 2018, before me, the undersigned, personally appeared, Dennis R. Duty, known to me to be the Managing Member of Lookback, LLC and the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

STATE OF)
County of) ss

Signature of Notary Public Cheryl Rothstein
(Seal)




On this 24 day of September, 2018, before me, the undersigned, personally appeared, Patricia A. Distefano #, known to me to be the Trustee of the Soward Revocable Trust, dated the 4th day of April, 1991 and the person whose name is subscribed to the within instrument, and acknowledged to me that She executed the same.
* as Kenneth Soward's Attorney in Fact

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.



KORAL HAGGARD
NOTARY PUBLIC for the
State of Montana
Residing at Polson, MT
My Commission Expires
December 22, 2021.

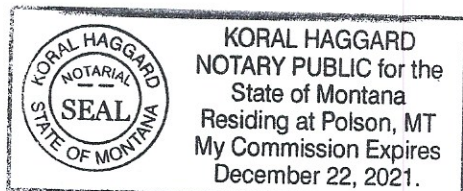
Signature of Notary Public
(Seal)

STATE OF  My Commission
December 22, _____ : ss
County of _____)

On this 24th day of September, 2018, before me, the undersigned, personally appeared, Patricia A. DiStefano, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

565879



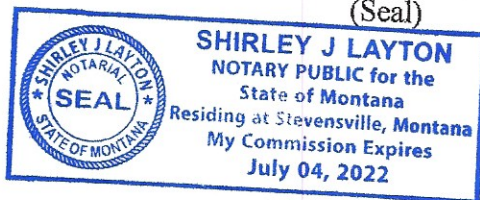
Korall Haggard
Signature of Notary Public
(Seal)

STATE OF Montana)
County of Missoula) : SS

On this 20 day of September, 2018, before me, the undersigned, personally appeared, Katherine M. Gayvert, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

Shirley J Layton
Signature of Notary Public
(Seal)



Acknowledgment of
Assignment of Declarant's Interest

565879

Exhibit "A"

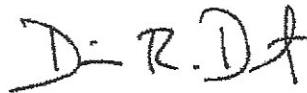
LOOKBACK, LLC
P.O. BOX 4848
WHITEFISH, MT 59937

April 10, 2016

As Managing Partners of Lookback, LLC and owners of more than 1 lot in both the Mission Bay Homeowners Association and the Mission Bay Preserve Homeowners Association, we hereby assign our interest as "The Declarant" in both associations to Soward Revocable Trust, dated the 4th day of April, 1991 as an undivided 20% therein, Patricia A. diStefano as to an undivided 40% therein and Katherine M. Gayvert as to an undivided 40%.



Tim Hinderman
Managing Member



Dennis R. Duty
Managing Member