

**pmcnevin@cox.net**

---

**From:** pmcnevin@cox.net  
**Sent:** Monday, August 22, 2005 4:05 PM  
**To:** janwallace@att.net  
**Subject:** Jomax Crossing Assignment Document  
**Attachments:** Assignment Kikkio to WIP.doc

---

Dear Jan,

Please review the attached Assignment doc between Kikkio, LLC and Western Investment Partners to your hard drive. Note that this is a first draft... and that we need to add a signature line and title for you.

Best regards,

Patrick

## Full Message Headers

Received: from fed1rmmtao07.cox.net ([68.230.241.32])  
by worldnet.att.net (mtiwmxc15) with ESMTP  
id <20050822200524015005uhlhe>; Mon, 22 Aug 2005 20:05:25 +0000  
X-Originating-IP: [68.230.241.32]  
Received: from smtp.west.cox.net ([172.18.180.54]) by fed1rmmtao07.cox.net  
(InterMail vM.6.01.04.00 201-2131-118-20041027) with SMTP  
id <20050822200524.UBUJ25443.fed1rmmtao07.cox.net@smtp.west.cox.net>  
for <janwallace@att.net>; Mon, 22 Aug 2005 16:05:24 -0400  
X-Mailer: Openwave WebEngine, version 2.8.15 (webedge20-101-1103-20040528)  
From: <pmcnevin@cox.net>  
To: <janwallace@att.net>  
Subject: Jomax Crossing Assignment Document  
Date: Mon, 22 Aug 2005 16:05:24 -0400  
Message-Id: <20050822200524.UBUJ25443.fed1rmmtao07.cox.net@smtp.west.cox.net>  
MIME-Version: 1.0  
Content-Type: multipart/mixed;  
boundary="--boundary-LibPST-iamunique-786748001\_-\_-"

Recording Requested by  
Western Investment Partners  
After Recordation Mail to:

---

### ASSIGNMENT OF RIGHTS

This Assignment of Dollar Proceeds is made on \_\_\_\_\_, 2005, Kikkio, LLC, Mark Hughes, ("Assignor") whose address is \_\_\_\_\_ and Western Investment Partners ("Assignee") whose address is \_\_\_\_\_ who agree as follows:

Assignor is the Seller under the certain Agreement dated \_\_\_\_\_ with \_\_\_\_\_ Buyer ("Exhibit A") for the purchase and sale of a property and project commonly known as Jomax Crossing.

Upon payment on or before \_\_\_\_\_, 2005 of Ten Million Eight Hundred Thousand Dollars (\$10,800,000.00) from Buyer to Seller, Seller will assign Dollar Proceeds of Five Hundred Fifty Thousand Dollars (\$550,000.00) at the close of Escrow and Six Million Dollars (\$6,000,000.00) in differed proceeds in and to the property know as Jomax Crossing and will assign all rights in the Agreement listed above as Exhibit "A" a copy of which is attached hereto and by this reference made a part hereof. Assignee shall undertake and perform the obligations of Assignor under said Exhibit "A" and Assignee agrees to execute any documents necessary to Assignee's acquisition of and ability to exercise the rights granted in Exhibit "A".

This Agreement supersedes any and all other agreements, either oral or in writing, between Assignor and Assignee with respect to the suspect to Exhibit "A" described above, and each party to this Agreement acknowledges that no representation, inducements, promises or agreements have been made by or on behalf of any party except those covenants and agreements embodied in this Agreement. No agreement, statement or promise not contained in this Agreement shall be valid or binding.

If any legal action is brought to enforce the provisions of this Agreement, the prevailing party shall be entitled to recover reasonable attorney's fees and costs from the other party.

The validity of this Agreement and of any of its terms or provisions, as well as the rights and duties of the parties under this Agreement, shall be construed pursuant to and in accordance with the laws of the state of Arizona, the County of Maricopa.

Dated: \_\_\_\_\_

ASSIGNOR

ASSINGEE

\_\_\_\_\_  
Mark Hughes  
Kikkio, LLC  
Managing Member

\_\_\_\_\_  
Patrick McNevin  
President  
Western Investments Partners

STATE OF ARIZONA       )  
                                          ) ss.  
County of Maricopa       )

On \_\_\_\_\_, 2005, before me, \_\_\_\_\_, Notary  
Public       certified       in       Arizona,       personally       appeared  
\_\_\_\_\_, personally known to me or proved to me on  
the basis of satisfactory evidence to be the person whose name is subscribed to the  
within instrument and acknowledged to me that he executed the same in his  
authorized capacity and that by his signature on the instrument the person, or the  
entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

---

NOTARY PUBLIC

Page 2