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Book - 9464 Pg - 5237-5240
Gary W. Ott
Recorder, Salt Lake County, UT
TALON GROUP
BY: eCASH, DEPUTY - EF 4 P.

RECORDING REQUESTED BY:

DESTINATION HOMES AT DAYBREAK, LLC

**AND WHEN RECORDED MAIL
DEED AND TAX STATEMENTS TO:**

DESTINATION HOMES AT DAYBREAK, LLC
67 South Main, #300
Layton, Utah 84041

SPECIAL WARRANTY DEED

KENNECOTT LAND RESIDENTIAL DEVELOPMENT COMPANY, a Delaware corporation, with its principal office at 5295 South 300 West, Suite 475, Murray, County of Salt Lake, State of Utah ("**Grantor**"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) paid to Grantor and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby **CONVEY** and **WARRANT** against the acts of Grantor only to **DESTINATION HOMES AT DAYBREAK, LLC**, a Utah limited liability company ("**Grantee**"), certain land being more particularly described in Exhibit A attached hereto and incorporated herein by reference (the "**Land**"), together with (i) all improvements, if any, located thereon, and (ii) all right, title and interest of Grantor (if any) in, to and under adjoining streets, rights of way and easements, **SUBJECT TO** all reservations contained in this Deed and all encumbrances of record, all building codes and other applicable laws, ordinances and governmental regulations affecting the Land and all other matters reasonably identifiable from an inspection or survey of the Land.

THE TALON GROUP
CV# 294632

Grantor hereby retains and reserves (i) all oil, gas and minerals under or appurtenant to the Land, together with all rights to use or extract the same, except that Grantor shall not have the right to enter upon or disturb the first 500 feet below the surface of the Land to use or extract the same, and (ii) all water flowing or located under, within, or over, and all water rights or water shares in any way connected or associated with or appurtenant to, the Land.

Grantor and Grantee agree that the provisions of Paragraph 10 of Exhibit B to that certain Deed dated October 16, 2002 from Kennecott Utah Copper Corporation, as grantor, to OM Enterprises Company, as grantee, recorded in the Official Records of Salt Lake County as Instrument No. 8442505, including, without limitation, the "Well Prohibition Covenant" [which prohibits drilling of water wells on the land] and the "Subsequent Transfer Covenant" [which requires that the Well Prohibition Covenant be inserted in all future deeds for such land] (as such terms are defined in such Paragraph 10), are hereby incorporated into this Deed and shall be binding on Grantee, its successors and assigns.


[SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF, Grantor has caused its duly authorized representative to execute this instrument as of the date hereinafter written.

DATED: May 15, 2007

GRANTOR:

**KENNECOTT LAND RESIDENTIAL
DEVELOPMENT COMPANY**
a Delaware corporation

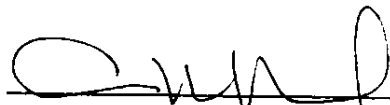
By: 
Name: M. Bruce Snyder
Its: Vice President Residential and Commercial
Development

ACKNOWLEDGMENT

STATE OF UTAH)
) SS.
COUNTY OF SALT LAKE)

On May 15, 2007, personally appeared before me, a Notary Public, M Bruce Snyder, the ~~Vice~~ President Residential and Commercial Development of **KENNECOTT LAND RESIDENTIAL DEVELOPMENT COMPANY** personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he she executed the above instrument on behalf of **KENNECOTT LAND RESIDENTIAL DEVELOPMENT COMPANY**.

WITNESS my hand and official Seal.



Notary Public in and for said State

My commission expires: 6.22.08

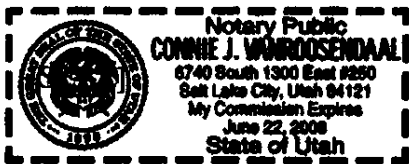


EXHIBIT A TO DEED

Legal Description

LOT 311, KENNECOTT DAYBREAK PLAT 6 SUBDIVISION, AMENDING LOTS OS2 & VI OF THE KENNECOTT MASTER SUBDIVISION # 1, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SALT LAKE COUNTY RECORDER'S OFFICE.

Tax Parcel No. 27-18-429-002-0000

LOTS 108 AND 116 KENNECOTT DAYBREAK PLAT 7 SUBDIVISION, AMENDING LOTS OS2 & VI OF THE KENNECOTT MASTER SUBDIVISION #1 AND ADDING A PORTION OF QUITCLAIM DEED BOOK 9277 PAGE 2603 THRU 2605, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SALT LAKE COUNTY RECORDER'S OFFICE.

Tax Parcel No. 27-18-379-017-0000 & 27-18-379-003-0000