

Johnson Bros.  
1270 East 8000 South  
Sandy, UT 84094

ENT 106609:2004 PG 1 of 3  
RANDALL A. COVINGTON  
UTAH COUNTY RECORDER  
2004 Sep 17 12:24 pm FEE 18.00 BY SDM  
RECORDED FOR FIRST AMERICAN TITLE CO

**SPECIAL WARRANTY DEED**

SUNCREST, L.L.C., a Delaware limited liability company, formerly known as DAE/WESTBROOK, L.L.C., a Delaware limited liability company ("Grantor"), whose address is 2021 East Village Green Circle, Draper, Utah 84020, hereby CONVEYS AND WARRANTS against all claiming by, through or under to JOHN BROTHERS BROS. DEVELOPMENT, L.C. ("Grantee") for the sum of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, that certain real property situated in Utah County, State of Utah, and more fully listed and described on Exhibit A attached hereto and by this reference is made a part hereof (the "Property").

BUT EXCEPTING AND RESERVING to Grantor all water, water rights, and rights to water, whether or not adjudicated and whether or not appropriated, including tributary, non-tributary, surface, underground, spring and seep waters on, arising on, underlying or used in connection with the Property, and all ditches and ditch rights, reservoir and reservoir rights, pipelines, wells, well permits, pumps, storage tanks, rights-of-way, easements and associated rights or privileges appurtenant to or used in connection with the Property.

The Property is subject to (i) the Declaration of Covenants, Conditions and Restrictions for SunCrest dated December 21, 1999 and recorded December 28, 1999, Volume 7543075, Book 8332, Page 4708 of the records of the Official Records of Real Property of Salt Lake County, Utah, and (ii) that certain Deed of Trust of even date herewith executed by Grantee in favor of Grantor to secure the payment of an obligation described therein and recorded in the Official Records of Real Property at Salt Lake County, Utah.

This conveyance is made and accepted subject to all matters of record duly recorded in the Real Property Records of Utah County.

WITNESS, the hands of said Grantor as of 16<sup>th</sup> day of September, 2004.

SUNCREST, L.L.C.  
a Delaware limited liability company fka DAE/  
Westbrook, L.L.C, a Delaware limited liability  
company

By: Westerra Management, L.L.C., a Delaware  
limited liability company, its authorized  
representative

By: Edward L. Grampp, Jr.  
Name: Edward L. Grampp, Jr.  
Title: Assistant Vice President

STATE OF Utah  
 COUNTY OF Salt Lake

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The foregoing instrument was acknowledged before me this 16th day of September, 2004, by Edward L. Grampp, Jr., Assistant Vice President of Westerra Management L.L.C., a Delaware limited liability company, authorized representative of Suncrest, L.L.C. a Delaware limited liability company fka DAE/Westbrook, L.L.C. a Delaware limited liability company.

WITNESS my hand and official seal.

My commission expires:

3-10-05  
 Notary Public

(SEAL)

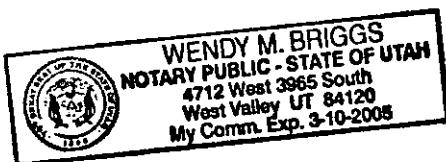


EXHIBIT A

Lots 47, 48, 56, 65 and 68 of EAGLE CREST NO. 1, at SUNCREST as shown on the Official Plat recorded February 7, 2003 as Entry No. 1949:2003 in Map No. 9890 of the Official Records of Utah County, Utah ("Property").

TAX Id # 38-334-0047  
38-334-0048  
38-334-0054  
38-334-0065  
38-334-0069