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12/22/2017 11:43:00 AM \$23.00
Book - 10632 Pg - 5200-5203
ADAM GARDINER
Recorder, Salt Lake County, UT
FIRST AMERICAN TITLE
BY: eCASH, DEPUTY - EF 4 P.

RECORDING REQUESTED BY:

WEEKLEY HOMES, LLC.

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

WEEKLY HOMES LLC
1111 North Post Oak Road
Houston, TX 77055

SPECIAL WARRANTY DEED

VP DAYBREAK OPERATIONS LLC, a Delaware limited liability company, with its principal office at 4700 Daybreak Parkway, South Jordan, Utah 84095, 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 **WEEKLEY HOMES, LLC.**, a Delaware 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.

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]

FIRST AMERICAN TITLE
CV# 05-5855507

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

DATED: _____, 2017 **GRANTOR:**

VP DAYBREAK OPERATIONS LLC, a
Delaware limited liability company

By: Daybreak Communities, a Delaware limited
liability company
Its: Project Manager

By: 

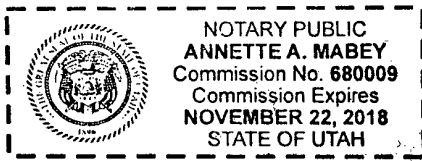
Name: Ty McCutcheon
Its: President & CEO

ACKNOWLEDGMENT

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

On December 18th, 2017, personally appeared before me, a Notary Public, Ty McCutcheon the President and CEO of VP Daybreak Communities LLC, a Delaware limited liability company the Project Manager for **VP DAYBREAK OPERATIONS LLC**, a **Delaware limited liability 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 **said entity(ies)**

WITNESS my hand and official Seal.



Annette A. Mabe
Notary Public in and for said State

My commission expires: 11/22/2018

[SEAL]

Exhibit A to Deed

Legal Description

LOTS 550 AND 551, DAYBREAK VILLAGE 5 PLAT 9 SUBDIVISION AMENDING LOTS T3 & V3 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.

LOTS 453 THROUGH 456, INCLUSIVE, KENNECOTT DAYBREAK VILLAGE 5 PLAT 7 SUBDIVISION AMENDING LOT V3 OF THE KENNECOTT MASTER SUBDIVISION #1 AMENDED, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SALT LAKE COUNTY RECORDER'S OFFICE.

LOTS 488 AND 564, KENNECOTT DAYBREAK PLAT 10I SUBDIVISION AMENDING LOTS V2 AND V3 OF THE KENNECOTT MASTER SUBDIVISION #1 AMENDED, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SALT LAKE COUNTY RECORDER'S OFFICE.

Tax Parcel Nos. 26-24-214-005-0000, 26-24-214-004-0000, 26-13-420-003-0000, 26-13-420-004-0000, 26-13-420-005-0000, 26-13-420-006-0000, 26-13-442-003-0000, 26-13-436-001-0000