RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:

VP DAYBREAK OPERATIONS LLC 11248 Kestrel Rise Road, Suite 201 South Jordan, UT 84009 Attention: Ty McCutcheon

(Tax Identification No. 26-22-401-002-0000)

12737849 3/21/2018 8:40:00 AM \$17.00 Book - 10657 Pg - 3885-3887 ADAM GARDINER Recorder, Salt Lake County, UT FIRST AMERICAN TITLE BY: eCASH, DEPUTY - EF 3 P.

## NOTICE OF APPLICATION OF DAYBREAK COMMUNITY DOCUMENTS

NOTICE IS HERBY GIVEN of the following. The Board of Education of Jordan School District ("District") is owner of the certain real property located in South Jordan, Utah, more particularly described on <a href="Exhibit A">Exhibit A</a> attached hereto and incorporated herein (the "Property"), upon which it plans to construct and operate an elementary school (the "Elementary School"). The Property is located within a community commonly known as Daybreak, which is governed by the certain Community Charter For Daybreak (the "Charter") and that certain Covenant for Community For Daybreak (the "Covenant"). VP DAYBREAK OPERATIONS LLC, a Delaware limited liability company, is the successor "Founder" of Daybreak under the Charter and Covenant.

Founder hereby exempts District from the payment of Base Assessments, Service Area Assessments, Special Assessments, and Specific Assessments as set forth on Chapter 12 of the Charter, for so long as District owns the Property and operates the Elementary School on the Property. Further, Founder hereby exempts District from participating in the dispute resolution process set forth in Chapter 18 of the Charter, for as long as District owns the Property and operates the Elementary School on the Property.

Founder hereby exempts District from the payment of the Community Enhancement Fee as set forth in Section 2.3 of the Covenant, for transfers to and by the District. In furtherance of the foregoing, Founder hereby exempts District from payment of the Community Enhancement Fee in connection with the transfer of the Property to the District. Founder also hereby exempts District from payment of any Annual Assessment, for as long as District owns the Property and operates the Elementary School on the Property. Further, Founder hereby exempts District from participating in the dispute resolution process set forth in Chapter 3 of the Covenant, for as long as District owns the Property and operates the Elementary School on the Property.

[Signatures on Following Pages]

[Jordan School District – C-102 Notice of Application of Community Documents – Founder's Signature Page]

#### **FOUNDER:**

**VP DAYBREAK OPERATIONS LLC**, a Delaware limited liability company

Name: Brendan N. Bosman

Title: President

#### **ACKNOWLEDGMENT**

STATE OF MINNESOTA	)
	) SS
COUNTY OF HENNEPIN	)

On March , 2018, personally appeared before me, a Notary Public, Brendan N. Bosman, the President of 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 executed the above instrument on behalf of VP DAYBREAK OPERATIONS LLC, a Delaware limited liability company.

WITNESS my hand and official Seal.

ANDREA J. BEACK
Notary Public-Minnesota
My Commission Expires Jan 31, 2020

Moder J. Black

Notary Public in and for said State

My commission expires: Jan 31, 2020

[SEAL]

# EXHIBIT A TO NOTICE OF APPLICATION

### LEGAL DESCRIPTION

LOT C-102, DAYBREAK VILLAGE 8, VILLAGE 9 & VILLAGE 13 SCHOOL SITE SUBDIVISION AMENDING LOT V5 OF THE KENNECOTT MASTER SUBDIVISION #1 AMENDED & LOTS Z101 & Z105 OF THE VP DAYBREAK OPERATIONS-INVESTMENTS PLAT 1, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SALT LAKE COUNTY RECORDER'S OFFICE.

Tax Identification No.: 26-22-401-002-0000