

WHEN RECORDED MAIL TO:

D.R. Horton, Inc.  
12351 S. Gateway Park Place, Ste D100  
Draper, UT 84020  
Attn: Jonathan S. Thornley

File No.: 120304-TOD

13148546  
12/16/2019 4:55:00 PM \$40.00  
Book - 10873 Pg - 3665-3671  
RASHELLE HOBBS  
Recorder, Salt Lake County, UT  
COTTONWOOD TITLE  
BY: eCASH, DEPUTY - EF 7 P.

**SPECIAL WARRANTY DEED AND  
RESERVATION OF SURFACE RIGHTS  
(Minerals)**

In Reference to Tax ID Number(s):

14-32-300-012-4001, 14-32-300-012-4002, 14-32-152-001, 14-32-176-005, 14-31-400-007 and  
20-05-300-005-4001

**WHEN RECORDED, RETURN TO:**

D.R. Horton, Inc.  
12351 S. Gateway Park Place #D100  
Draper, UT 84020  
Attn: Jonathan S. Thornley

Tax Id No.: 14-31-400-005-0000; 14-32-300-008-4001; 14-32-300-008-4002;  
14-32-152-001-0000; 14-32-176-005-0000

**SPECIAL WARRANTY DEED AND RESERVATION OF SURFACE RIGHTS  
(Minerals)**

For the consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration received, **FORESTAR (USA) REAL ESTATE GROUP INC.**, a Delaware Corporation, ("Grantor"), does hereby convey and warrant against all who claim by, through, or under Grantor to **DRH ENERGY, INC.**, a Colorado corporation ("Grantee"), the following property rights, to the extent not previously reserved or conveyed:

All oil, gas, petroleum, natural gas, coal, lignite and other hydrocarbons by whatever name, uranium, metals (including, without limitation, copper), and all minerals, gases and geothermal energy and geothermal substances and rights, whatsoever (collectively, "Minerals"), already found or which may hereafter be found, under the real property legally described on Exhibit A attached hereto and incorporated herein by this reference (the "Real Property"), together with all ores thereof and other products or materials produced in association therewith and the right to prospect for, mine and remove the Minerals; provided, however, that Grantee may not employ mining methods that destroy the surface of the Real Property or endanger, impair or affect the support for the Real Property or any existing or future improvement thereon. This conveyance also includes all of Grantor's right, title and interest, if any, in and to the rights, rentals, royalties and other benefits accruing or to accrue under any lease or leases of the Minerals and rights to receive all bonuses, rents, royalties, production payments or monies of any nature accrued in the past or future with respect to the Minerals.

Grantor, for itself and its successors and assigns, hereby reserves and retains in perpetuity for its sole and exclusive use all rights to the surface and thirty feet (30') below finished grade (collectively, the "Surface") of all or any portion of the Real Property that is currently subject to a Plat Map (as defined below) for any purpose whatsoever in connection with the development, construction and installation of any existing or future improvements benefiting all or any portion of such property and the use and enjoyment of all or any portion of such property and such improvements. In the event that any portion of the remaining Real Property is ever conveyed by Grantor or its successor or assign to a bona fide third party retail purchaser, on the date Grantor executes a deed for such conveyance, the sole and exclusive use of the Surface of such portion

for any purpose whatsoever in connection with the development, construction and installation of any existing or future improvements benefiting all or any portion of such property and the use and enjoyment of all or any portion of such property and such improvements shall revert to Grantor, its successors and assigns. For purposes hereof, the term "Plat Map" means a final, government-approved subdivision map, plat or site plan for single-family residential or multi-family residential use and including, without limitation, condominium units, whether owner-occupied or held for rent or investment purposes, and apartment projects. Any portion of the Real Property that is made subject to a Plat Map, including any street, common area and any other land included in such map, whether currently or in the future, is referred to herein as a "Lot".

Provided, however, that nothing contained herein shall prevent Grantee from developing and removing any Minerals under the Surface of all or any portion of a Lot by slant drilling, subterranean entry or other means or operations conducted from the Surface of the Real Property which has not been subjected to a Plat Map or any other parcel as to which Grantee may then have rights of surface use or by any other suitable means or methods, provided that Grantee does not endanger, impair or affect the support of all or any portion of the Lots and any existing or future improvements thereon.

The reservation and reversion of the Surface of the Real Property contained in this Special Warranty Deed and the other covenants and agreements of Grantee contained in this Special Warranty Deed are for the benefit of the Grantor and its successors and assigns only. No successor or assign of Grantor shall have the right to enforce any of the terms of this Special Warranty Deed with respect to any portion of the Real Property except the portion of the Real Property owned by such successor or assign. No third party rights are intended to be conferred on any other person or entity and no third party shall have the right to enforce any of the terms of this Special Warranty Deed. The Grantor, or its successors or assigns only with respect to the portion of the Real Property owned by such successor or assign, may waive the reservation or reversion of the Surface or any or all of the covenants or agreements of Grantee contained herein by a written instrument signed by such party.

SUBJECT TO current taxes and assessments; reservations in patents and all easements, rights-of-way, encumbrances, liens, covenants, conditions, restrictions, reservations, declarations, obligations, liabilities and other matters as may appear of record, and any matters that would be disclosed by an inspection or accurate ALTA/ACSM survey of the Real Property, Grantor binds itself and its successors to warrant and defend title to the Minerals as against the acts of Grantor and none other.

IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed as of this 20 day of November, 2019.

**GRANTOR:**

FORESTAR (USA) REAL ESTATE GROUP INC.,  
a Delaware Corporation

Thomas H. Burlison

Name: Thomas H. Burlison

Title: Senior Vice President

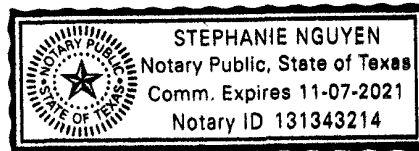
STATE OF TEXAS )  
 ) ss.  
COUNTY OF TARRANT )

The foregoing instrument was acknowledged before me this 20 day of November, 2019, by Thomas H. Burlison, the Senior Vice President of Forestar (USA) Real Estate Group Inc., a Delaware Corporation, on behalf of the corporation.

Stephanie Nguyen  
Notary Public

My Commission Expires:

11/20/19



**Exhibit A**  
to the Special Warranty Deed and Reservation of Surface Rights  
**Legal Description of the Property**

**The real property in Salt Lake County, Utah legally described as:**

A parcel of land situate in the Northeast and Southeast Quarters of Section 31, and the Southwest and Northwest Quarters of Section 32, Township 1 South, Range 2 West, Salt Lake Base and Meridian and the Northwest Quarter of Section 5, Township 2 South, Range 2 West, Salt Lake Base and Meridian, being more particularly described as follows:

(PARCEL A)

Beginning at a point on the Westerly Right-of-Way Line of 8400 West Street (SR-111), said point being South 00°01'06" West 154.23 feet along the section line and North 89°58'54" West 71.00 feet from the Center of said Section 32, Township 1 South, Range 2 West, Salt Lake Base and Meridian; and running thence South 00°01'06" West 1,287.05 feet along said Westerly Right-of-Way Line of 8400 West Street; thence South 89°35'58" West 281.95 feet; thence South 143.24 feet; thence West 469.91 feet; thence South 216.06 feet; thence South 89°52'32" West 181.22 feet; thence Northwesterly 148.55 feet along the arc of a 175.00 foot radius curve to the left (center bears South 82°29'28" West and the chord bears North 31°49'39" West 144.13 feet with a central angle of 48°38'13"); thence Northwesterly 22.47 feet along the arc of a 15.00 foot radius curve to the right (center bears North 33°51'14" East and the chord bears North 13°14'06" West 20.43 feet with a central angle of 85°49'20"); thence Southwesterly 339.86 feet along the arc of a 1,180.00 foot radius curve to the right (center bears North 60°19'26" West and the chord bears South 37°55'38" West 338.69 feet with a central angle of 16°30'08"); thence South 46°10'42" West 260.64 feet; thence Southwesterly 23.56 feet along the arc of a 15.00 foot radius curve to the left (center bears South 43°49'18" East and the chord bears South 01°11'08" West 21.21 feet with a central angle of 89°59'07"); thence South 43°48'25" East 458.49 feet; thence Southeasterly 295.70 feet along the arc of a 500.00 foot radius curve to the left (center bears North 46°11'35" East and the chord bears South 60°44'58" East 291.41 feet with a central angle of 33°53'06"); thence South 77°41'31" East 351.81 feet; thence Southeasterly 111.57 feet along the arc of a 300.00 foot radius curve to the left (center bears North 12°18'29" East and the chord bears South 88°20'45" East 110.93 feet with a central angle of 21°18'29"); thence North 81°00'00" East 10.61 feet; thence South 00°01'06" West 19.69 feet to a Boundary Line Agreement recorded as Entry No. 8034507, in Book 8513, on Page 2145 in the Salt Lake County Recorder's Office; thence South 81°35'00" West 184.04 feet along said Boundary Line Agreement; thence North 77°41'31" West 302.77 feet; thence Northwesterly 94.22 feet along the arc of a 560.00 foot radius curve to the right (center bears North 12°18'29" East and the chord bears North 72°52'19" West 94.11 feet with a central angle of 09°38'24"); thence North 89°40'50" West 712.44 feet; thence North 43°48'26" West 237.27 feet; thence North 46°10'42" East 797.63 feet; thence Northeasterly 636.53 feet along the arc of a 1,150.00 foot radius curve to the left (center bears North 43°49'18" West and the chord bears North 30°19'18" East 628.44 feet with a central angle of 31°42'49"); thence North 14°27'53" East 204.34 feet; thence Northwesterly 1,095.56 feet along the arc of a 2,833.00 foot radius curve to the right (center bears North 14°27'53" East and the chord bears North 64°27'25" West 1,088.75 feet with a central angle of 22°09'25"); thence North 53°22'42" West 895.56 feet; thence South 36°37'18" West 946.68 feet; thence North 21°56'38" West 29.63 feet; thence North 11°38'14" West 184.92 feet; thence North 75°59'26" East 138.87 feet; thence Northwesterly 33.28 feet along the arc of a 30.00 foot radius curve to the left (center bears North 65°26'38" West and the chord bears North 07°13'16" West 31.60 feet with a central angle of 63°33'16"); thence North 44°35'40" East 50.44 feet; thence Northwesterly 21.94 feet along the arc of a 125.00 foot radius curve to the right (center bears North 53°34'57" East and the chord bears North 31°23'22" West 21.91 feet with a central angle of 10°03'21"); thence North 36°39'44" East 579.81 feet; thence South 53°22'42" East 69.97 feet; thence North 36°37'18" East 70.00 feet; thence South 53°22'42" East 338.71 feet; thence Northeasterly 23.56 feet along the arc of a 15.00 foot radius curve to the left (center bears North 36°37'18" East and the chord bears North 81°37'18" East 21.21 feet with a central angle of 90°00'00"); thence North 36°37'18" East 230.97 feet; thence North 53°22'42" West 75.90 feet; thence North 36°35'13" East 446.02 feet; thence North 54°37'03" West 381.14 feet; thence South 36°35'46" West 85.11 feet; thence North 57°07'26" West 50.11 feet; thence Southwesterly 5.42 feet along the arc of a 15.00 foot radius curve to the right (center bears North 53°24'14" West and the chord bears South 46°56'40" West 5.39 feet with a central angle of 20°41'48"); thence North 52°10'42" West 32.17 feet; thence Northwesterly 269.73 feet along the arc of a 4,484.74 foot radius curve to the right (center bears North 37°52'25" East and the chord bears North 50°24'12" West 269.69 feet with a central angle of

03°26'45"); thence Northwesterly 65.80 feet along the arc of a 115.00 foot radius curve to the right (center bears North 41°18'59" East and the chord bears North 32°17'27" West 64.91 feet with a central angle of 32°47'06"); thence Northwesterly 397.89 feet along the arc of a 936.00 foot radius curve to the left (center bears South 74°06'06" West and the chord bears North 28°04'36" West 394.90 feet with a central angle of 24°21'23"); thence North 54°27'12" East 90.28 feet; thence North 39°56'43" West 301.93 feet; thence North 89°44'49" East 151.88 feet; thence Southeasterly 3,229.51 feet along the arc of a 4,347.28 foot radius curve to the left (center bears North 49°21'37" East and the chord bears South 61°55'18" East 3,155.76 feet with a central angle of 42°33'50") to the point of beginning.

LESS AND EXCEPTING the following:

(PARCEL B)

Beginning at a point being South 00°01'06" West 278.19 feet along the section line and West 298.48 feet from the Center of said Section 32, Township 1 South, Range 2 West, Salt Lake Base and Meridian and running thence South 00°01'05" West 222.17 feet; thence East 61.00 feet; thence South 01°47'14" West 50.03 feet; thence Southeasterly 23.57 feet along the arc of a 15.00 foot radius curve to the right (center bears South and the chord bears South 44°59'27" East 21.22 feet with a central angle of 90°01'06"); thence South 00°01'06" West 126.00 feet; thence Southwesterly 23.56 feet along the arc of a 15.00 foot radius curve to the right (center bears North 89°58'45" West and the chord bears South 45°00'33" West 21.21 feet with a central angle of 89°58'36"); thence West 4.01 feet; thence South 42.00 feet; thence East 3.99 feet; thence Southeasterly 23.57 feet along the arc of a 15.00 foot radius curve to the right (center bears South and the chord bears South 44°59'27" East 21.22 feet with a central angle of 90°01'06"); thence South 00°01'06" West 157.02 feet; thence Southwesterly 23.56 feet along the arc of a 15.00 foot radius curve to the right (center bears North 89°58'54" West and the chord bears South 45°01'06" West 21.21 feet with a central angle of 90°00'00"); thence North 89°58'54" West 125.99 feet; thence Northwesterly 23.56 feet along the arc of a 15.00 foot radius curve to the right (center bears North 00°01'06" East and the chord bears North 44°58'54" West 21.21 feet with a central angle of 90°00'00"); thence North 89°58'55" West 42.00 feet; thence Southwesterly 23.56 feet along the arc of a 15.00 foot radius curve to the right (center bears North 89°58'54" West and the chord bears South 45°01'06" West 21.21 feet with a central angle of 90°00'00"); thence North 89°58'54" West 27.78 feet; thence Northwesterly 99.16 feet along the arc of a 1,680.00 foot radius curve to the right (center bears North 00°01'06" East and the chord bears North 88°17'27" West 99.15 feet with a central angle of 03°22'55"); thence Northwesterly 22.68 feet along the arc of a 15.00 foot radius curve to the right (center bears North 03°24'01" East and the chord bears North 43°17'27" West 20.58 feet with a central angle of 86°37'05"); thence North 00°01'06" East 5.82 feet; thence North 89°58'54" West 42.00 feet; thence Southwesterly 25.10 feet along the arc of a 15.00 foot radius curve to the right (center bears North 89°58'54" West and the chord bears South 47°57'08" West 22.27 feet with a central angle of 95°52'04"); thence Northwesterly 58.63 feet along the arc of a 1,680.00 foot radius curve to the right (center bears North 05°53'10" East and the chord bears North 83°06'51" West 58.62 feet with a central angle of 01°59'58"); thence Northwesterly 28.67 feet along the arc of a 20.00 foot radius curve to the right (center bears North 07°53'08" East and the chord bears North 41°02'53" West 26.28 feet with a central angle of 82°07'58"); thence North 00°01'06" East 10.48 feet; thence North 89°58'54" West 26.00 feet; thence Southwesterly 34.97 feet along the arc of a 20.00 foot radius curve to the right (center bears North 89°58'54" West and the chord bears South 50°06'19" West 30.68 feet with a central angle of 100°10'26"); thence Northwesterly 73.93 feet along the arc of a 1,680.00 foot radius curve to the right (center bears North 10°11'32" East and the chord bears North 78°32'49" West 73.92 feet with a central angle of 02°31'17"); thence Northwesterly 24.01 feet along the arc of a 15.00 foot radius curve to the right (center bears North 12°42'49" East and the chord bears North 31°26'04" West 21.53 feet with a central angle of 91°42'14"); thence North 14°25'03" East 306.84 feet; thence Northeasterly 51.52 feet along the arc of a 205.00 foot radius curve to the left (center bears North 75°34'57" West and the chord bears North 07°13'04" East 51.38 feet with a central angle of 14°23'58"); thence North 00°01'05" East 42.25 feet; thence Southeasterly 23.57 feet along the arc of a 15.00 foot radius curve to the left (center bears South 89°58'55" East and the chord bears South 44°59'29" East 21.22 feet with a central angle of 90°01'08"); thence North 89°59'57" East 61.00 feet; thence North 00°01'01" East 304.71 feet; thence Southeasterly 396.79 feet along the arc of a 4,504.70 foot radius curve to the left (center bears North 14°32'02" East and the chord bears South 77°59'22" East 396.66 feet with a central angle of 05°02'48") to the point of beginning.

ALSO LESS AND EXCEPTING the following:

(PARCEL C)

Beginning at a point being South 00°01'06" West 138.37 feet along the section line and West 888.03 feet from the Center of said Section 32, Township 1 South, Range 2 West, Salt Lake Base and Meridian and running thence South 17°11'57" West 31.98 feet; thence South 00°01'05" West 347.48 feet; thence South 14°27'53" West 149.96 feet; thence Northwesterly 71.34 feet along the arc of a 2,345.00 foot radius curve to the right (center bears North 17°16'32" East and the chord bears North 71°51'10" West 71.34 feet with a central angle of 01°44'35"); thence Northwesterly 22.37 feet along the arc of a 15.00 foot radius curve to the right (center bears North 19°01'07" East and the chord bears North 28°15'30" West 20.35 feet with a central angle of 85°26'45"); thence North 66°42'37" West 50.60 feet; thence Southwesterly 25.27 feet along the arc of a 15.00 foot radius curve to the right (center bears North 75°32'07" West and the chord bears South 62°43'48" West 22.39 feet with a central angle of 96°31'50"); thence Northwesterly 174.07 feet along the arc of a 2,345.00 foot radius curve to the right (center bears North 20°59'43" East and the chord bears North 66°52'42" West 174.03 feet with a central angle of 04°15'11"); thence Northwesterly 23.80 feet along the arc of a 15.00 foot radius curve to the right (center bears North 25°14'54" East and the chord bears North 19°17'26" West 21.38 feet with a central angle of 90°55'20"); thence North 63°43'52" West 50.00 feet; thence Southwesterly 23.84 feet along the arc of a 15.00 foot radius curve to the right (center bears North 63°49'46" West and the chord bears South 71°41'35" West 21.41 feet with a central angle of 91°02'43"); thence Northwesterly 147.41 feet along the arc of a 2,345.00 foot radius curve to the right (center bears North 27°12'56" East and the chord bears North 60°59'01" West 147.39 feet with a central angle of 03°36'06"); thence Northwesterly 25.08 feet along the arc of a 15.00 foot radius curve to the right (center bears North 30°49'03" East and the chord bears North 11°16'50" West 22.26 feet with a central angle of 95°48'15"); thence North 36°37'18" East 20.48 feet; thence North 53°22'42" West 202.00 feet; thence South 36°37'18" West 282.80 feet; thence South 53°22'42" East 76.14 feet; thence South 36°10'08" West 220.82 feet; thence Northwesterly 96.06 feet along the arc of a 2,803.00 foot radius curve to the right (center bears North 34°39'29" East and the chord bears North 54°21'36" West 96.05 feet with a central angle of 01°57'49"); thence North 53°22'42" West 516.85 feet; thence Northwesterly 23.56 feet along the arc of a 15.00 foot radius curve to the right (center bears North 36°37'18" East and the chord bears North 08°22'42" West 21.21 feet with a central angle of 90°00'00"); thence North 36°37'18" East 777.35 feet; thence Northeasterly 21.97 feet along the arc of a 15.00 foot radius curve to the right (center bears South 53°22'42" East and the chord bears North 78°34'44" East 20.06 feet with a central angle of 83°54'52"); thence Southeasterly 1,048.59 feet along the arc of a 4,504.70 foot radius curve to the left (center bears North 30°32'10" East and the chord bears South 66°07'56" East 1,046.23 feet with a central angle of 13°20'14") to the point of beginning.

Tax Id No.: 14-32-300-012-4001, 14-32-300-012-4002, 14-32-152-001, 14-32-176-005, 14-31-400-007 and  
20-05-300-005-4001