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2/22/2021 3:08:00 PM \$40.00
Book - 11122 Pg - 9556-9559
RASHELLE HOBBS
Recorder, Salt Lake County, UT
OLD REPUBLIC TITLE DRAPER/OREM
BY: eCASH, DEPUTY - EF 4 P.

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL
DEED AND TAX STATEMENTS TO:**

Chocolate Daybreak Towns, LLC
c/o Chocolate Homes, LLC
14051 Sage Hollow Drive
Draper, UT 84020
Attn: Ross Holliday

SPECIAL WARRANTY DEED

VP DAYBREAK OPERATIONS LLC, a Delaware limited liability company, with its principal office at 11248 Kestrel Rise Rd, Suite 201, South Jordan, Utah 84009, 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 Chocolate Daybreak Towns, 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.

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.

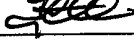
[SIGNATURES ON NEXT PAGE]

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


DATED: February 11 2021 GRANTOR:

VP DAYBREAK OPERATIONS LLC,
a Delaware limited liability company

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

By: 
Name: Ty McCutcheon
Its: President & CEO

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

 TARA BETTY DONNELLY
Notary Public, State of Utah
Commission # 706235
My Commission Expires On
May 10, 2023

Tara Batty Donnelly
NOTARY PUBLIC

BK 11122 PG 9558

EXHIBIT A

File No.: 2153659JM

LEGAL DESCRIPTION

Lots 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274 and 275, DAYBREAK VILLAGE 8 PLAT 9 Vacating & Amending Lots M-103 through M-110 of The Daybreak Village 8 Plat 8, Also Vacating & Amending Lot M-101 of the Daybreak Village 8 Plat 5A Subdivision according to the official plat which recorded October 21, 2020 as Entry No. 13434437 in Book 2020P at Page 255 on file and of record in the office of the Salt Lake County Recorder, State of Utah.

The following is for informational purposes only:

Tax ID No. 26-23-163-035
Tax ID No. 26-23-163-036
Tax ID No. 26-23-163-037
Tax ID No. 26-23-163-038
Tax ID No. 26-23-163-039
Tax ID No. 26-23-163-040
Tax ID No. 26-23-163-041
Tax ID No. 26-23-163-042
Tax ID No. 26-23-163-043
Tax ID No. 26-23-163-044
Tax ID No. 26-23-163-045
Tax ID No. 26-23-163-053
Tax ID No. 26-23-163-051
Tax ID No. 26-23-163-050
Tax ID No. 26-23-163-049
Tax ID No. 26-23-163-048
Tax ID No. 26-23-163-047
Tax ID No. 26-23-163-046