

DECLARATION OF EASEMENTS

WEEKLEY HOMES, LLC, a Delaware limited liability company (“**Declarant**”), as the Owner of certain real property situated in South Jordan City, Salt Lake County, State of Utah being legally described as Lots 400, 401, 402 and 403 of Daybreak Village 11A Plat 5 Amending Lot Z101 of the VP Daybreak Operations-Investments Plat 1, recorded in Book 2021P at Page 146, in the office of the Salt Lake County Recorder (the “**Property**”) hereby declares that the Property shall be held, encumbered, used, occupied, sold and conveyed subject to the following easements, conditions, restrictions and obligations, which shall run with such property in perpetuity and shall be binding upon, and inure to the benefit of, all parties having or acquiring any right, title or interest, fee or otherwise, in the Property or any part thereof:

1. Lots 400, 401, 402 and 403 (each an “**Encumbered Lot**”) shall be subject to a perpetual easement and right-of-way for the benefit of Lots 401 and 402 and their owners, occupants, invitees and visitors, all police, fire protection, ambulance, garbage and trash collector vehicles and all similar persons for ingress and egress over, across and through those portions of such lots more particularly shown and described as follows:

SEE ACCESS EASEMENTS
ON EXHIBIT “A” ATTACHED HERETO AND INCORPORATED HEREIN
for the legal description of all such easements

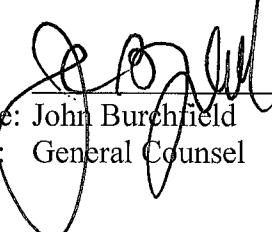
The owner of an Encumbered Lot shall have the right to use its Encumbered Lot so long as such use does not unreasonably interfere with the rights of access established by Declarant hereunder. In that connection, the owner of an Encumbered Lot shall not build or construct, or permit to be built or constructed, any building or other improvement over or across said rights-of-way nor change the contour thereof without the written consent of the Property owner who is benefitted by the easement(s) established by Declarant hereunder.

[Signature page follows.]

PARCEL NO. 26-22-451-009, 26-22-451-002, 26-22-451-003 and
26-22-451-010.

In witness whereof, Declarant has executed this Declaration of Easements this 20th day of October, 2022.

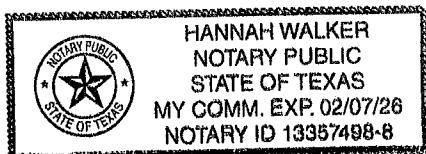
WEEKLEY HOMES, LLC,
a Delaware limited liability company

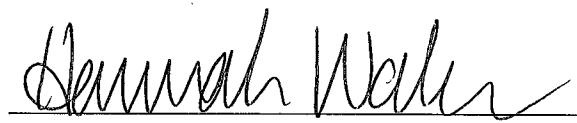
By: 
Name: John Burchfield
Title: General Counsel

State of Texas §
 §
County of Harris §

On the 20th day of October, 2022, personally appeared before me John Burchfield who being duly sworn, did say that he is the General Counsel of WEEKLEY HOMES, LLC, a Delaware limited liability company, and that said instrument was signed on behalf of said company by authority of a resolution of its Board of Directors and said person acknowledged to me that said company executed the same.

Seal:




Hannah Walker
Notary Public

After Recording Return to:

Weekley Homes, LLC
Attn: Nicole Kosareff
392 E. 6400 South, #200
Murray, UT 84107

EXHIBIT A
KENNECOTT DAYBREAK VILLAGE 11A PLAT 5
NEW ACCESS EASEMENTS

(New Access Easement over Lot 400)

New Access Easement over Lot 400 as shown on the Kennecott Daybreak Village 11A Plat 5, located in the Southeast Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement more particularly described as follows:

Beginning at a point on the Northerly Line of Lot 400 of Daybreak Village 11A Plat 5, said point lies South $89^{\circ}56'37''$ East 2776.775 feet along the Daybreak Baseline Southwest (Being South $89^{\circ}56'37''$ East 10583.405 feet between the Southwest Corner of Section 22, T3S, R2W and the Southeast Corner of Section 23, T3S, R2W) and North 875.039 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, said point also being North $71^{\circ}45'46''$ West 10.000 feet from the Northeast Corner of said Lot 400, said point also being a point on an existing Access Easement as shown on said Daybreak Village 11A Plat 5 and running thence along said existing Access Easement South $18^{\circ}14'14''$ West 23.162 feet to a point on a 5.000 foot radius tangent curve to the left, (radius bears North $71^{\circ}45'46''$ West, Chord: North $26^{\circ}45'46''$ West 7.071 feet); thence along the arc of said curve 7.854 feet through a central angle of $90^{\circ}00'00''$; thence North $71^{\circ}45'46''$ West 4.500 feet to a point on a 5.000 foot radius tangent curve to the right, (radius bears North $18^{\circ}14'14''$ East, Chord: North $26^{\circ}45'46''$ West 7.071 feet); thence along the arc of said curve 7.854 feet through a central angle of $90^{\circ}00'00''$; thence North $18^{\circ}14'14''$ East 13.162 feet to said Northerly Line of Lot 400; thence along said Lot 400 South $71^{\circ}45'46''$ East 14.500 feet to the point of beginning.

Property contains 0.006 acres, 263 square feet.

(New Access Easement over Lot 401)

New Access Easement over Lot 401 as shown on the Kennecott Daybreak Village 11A Plat 5, located in the Southeast Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement more particularly described as follows:

Beginning at the Southeasterly Corner of Lot 401 of Daybreak Village 11A Plat 5, said point lies South 89°56'37" East 2786.273 feet along the Daybreak Baseline Southwest (Being South 89°56'37" East 10583.405 feet between the Southwest Corner of Section 22, T3S, R2W and the Southeast Corner of Section 23, T3S, R2W) and North 871.919 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence along said Lot 401 North 71°45'46" West 24.500 feet; thence North 18°14'14" East 5.838 feet; thence South 71°45'46" East 18.000 feet; thence South 18°14'14" West 0.500 feet to a point on a 6.626 foot radius non tangent curve to the left, (radius bears South 82°58'20" East, Chord: South 32°22'03" East 8.411 feet); thence along the arc of said curve 9.112 feet through a central angle of 78°47'27" to the point of beginning.

Property contains 0.003 acres, 114 square feet.

(New Access Easement over Lot 402)

New Access Easement over Lot 402 as shown on the Kennecott Daybreak Village 11A Plat 5, located in the Southeast Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement more particularly described as follows:

Beginning at the Southwesterly Corner of Lot 402 of Daybreak Village 11A Plat 5, said point also being a point on a 6.626 foot radius non tangent curve to the left, (radius bears North 18°14'14" East, Chord: North 68°50'30" East 8.411 feet), said point lies South 89°56'37" East 2786.273 feet along the Daybreak Baseline Southwest (Being South 89°56'37" East 10583.405 feet between the Southwest Corner of Section 22, T3S, R2W and the Southeast Corner of Section 23, T3S, R2W) and North 871.919 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence along the arc of said curve 9.112 feet through a central angle of 78°47'27"; thence South 71°45'46" East 18.083 feet; thence South 18°14'14" West 5.338 feet to the Southerly Line of said Lot 402; thence along said Lot 402 North 71°45'46" West 24.583 feet to the point of beginning.

Property contains 0.002 acres, 105 square feet.

(New Access Easement over Lot 403)

New Access Easement over Lot 403 as shown on the Kennecott Daybreak Village 11A Plat 5, located in the Southeast Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement more particularly described as follows:

Beginning at a point on the Northerly Line of Lot 403 of Daybreak Village 11A Plat 5, said point lies South 89°56'37" East 2795.770 feet along the Daybreak Baseline Southwest (Being South 89°56'37" East 10583.405 feet between the Southwest Corner of Section 22, T3S, R2W and the Southeast Corner of Section 23, T3S, R2W) and North 868.799 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, said point also being South 71°45'46" East 10.000 feet from the Northwest Corner of said Lot 403, said point also being a point on an existing Access Easement as shown on said Daybreak Village 11A Plat 5 and running thence along said Lot 403 South 71°45'46" East 14.583 feet; thence South 18°14'14" West 13.162 feet to a point on a 5.000 foot radius tangent curve to the right, (radius

bears North 71°45'46" West, Chord: South 63°14'14" West 7.071 feet); thence along the arc of said curve 7.854 feet through a central angle of 90°00'00"; thence North 71°45'46" West 4.583 feet to a point on a 5.000 foot radius tangent curve to the left, (radius bears South 18°14'14" West, Chord: South 63°14'14" West 7.071 feet); thence along the arc of said curve 7.854 feet through a central angle of 90°00'00" to said existing Access Easement; thence along said existing Access Easement North 18°14'14" East 23.162 feet to the point of beginning.

Property contains 0.006 acres, 265 square feet.

