

FORM OF SPECIAL WARRANTY DEED

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

14072678 B: 11401 P: 1740 Total Pages: 5
02/15/2023 02:03 PM By: tpham Fees: \$40.00
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: FIRST AMERICAN - SOUTH JORDAN
10808 S RIVER FRONT PKWY STE 1 SOUTH JORDAN, UT 840955961

SENT TAX NOTICES TO: *Freeport West Daybreak LLC*
5080 N 40th St #420, Phoenix AZ 85018
(Tax Identification No. 26-15-126-001-0000)

SPECIAL WARRANTY DEED

RICK AND MARIA URSO, Joint tenants, 4416 East Cortez Street, Phoenix, Arizona, County of Maricopa, State of Arizona 85028 (“**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 all who claim by, through, or under the Grantor a 6.1117% undivided interest to **FREEPORT WEST – DAYBREAK LLC**, a Nevada limited liability company, with its principal office at 1505 South Redwood Road, Salt Lake City, Utah 84104, (“**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, (ii) any and all rights, privileges and easements appurtenant to the Land, and (iii) 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.

Pursuant to that certain Special Warranty Deed dated December 23, 2016, and recorded in the records of the Salt Lake County Recorder’s office on December 23, 2016, as Entry No. 12441130 in Book No. 10514 at page 5323-5327, the Land is subject to a prior reservation of (i) all oil, gas and minerals under or appurtenant to the Land, together with all rights to use or extract the same, except that the holder of said mineral estate does 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; together with all rights to use or extract the same, except that the holder of such rights 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, nor does the holder have the right to use the surface of the Land in connection with the rights reserved herein.

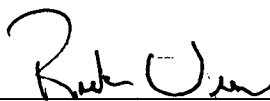
Grantor and Grantee agree that the provisions of Paragraph 10 of Exhibit B to that certain Deed dated October 16, 2002 from Kennecott Utah Copper Corporation, as grantor, to OM Enterprises Company, as grantee, recorded in the Official Records of Salt Lake County as Instrument No. 8442505, including, 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.

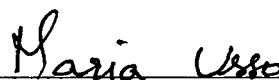
IN WITNESS WHEREOF, Grantor has caused its duly authorized representative to execute this instrument as of the date hereinafter written.

DATED: 2/13/23

GRANTOR:

RICK AND MARIA URSO, Joint tenants

By: 
Name: Rick Urso

By: 
Name: Maria Urso

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ACKNOWLEDGMENT

STATE OF Arizona)
) SS.
COUNTY OF Maricopa)

On Feb. 13th, 2023, personally appeared before me, a Notary Public, RICK URSO, 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 RICK AND MARIA URSO, Joint Tenants.

WITNESS my hand and official Seal.



Shelley Kowaliski
Notary Public in and for said State
My commission expires: 3/14/26

[SEAL]

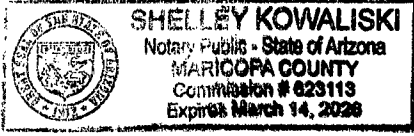
ACKNOWLEDGMENT

STATE OF Arizona)
) SS.
COUNTY OF Maricopa)

On Feb. 13th, 2023, personally appeared before me, a Notary Public, MARIA URSO, 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 RICK AND MARIA URSO, Joint Tenants.

WITNESS my hand and official Seal.

Shelley Kowaliski
Notary Public in and for said State



[SEAL]

My commission expires: 3/14/26

**EXHIBIT A
TO SPECIAL WARRANTY DEED**

LOT C-119, DAYBREAK COMMERCE PARK PLAT 4 AMENDING PARCEL A OF THE
KENNECOTT DAYBREAK PARK PLAT 2 AND LOT B1 AND DRGRR PARCEL OF THE
KENNECOTT MASTER SUBDIVISION #1, ACCORDING TO THE OFFICIAL PLAT THEREOF
RECORD IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER ON DECEMBER 23, 2016
AS ENTRY NO. 12440459 IN BOOK 2016P AT PAGE 340

Tax Parcel No.: 26-15-126-001-0000