

173132-CPI

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

14198000 B: 11468 P: 2149 Total Pages: 4
01/26/2024 09:52 AM By: salvarado Fees: \$40.00
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: COTTONWOOD TITLE INSURANCE AGENCY, INC.
1996 EAST 6400 SOUTH SUITE 120SALT LAKE CITY, UT 84121

VP DAYBREAK DEVCO 2, INC.
9350 S. 150 E., Suite 900
Sandy, Utah 84070
Attention: Cameron Jackson

(Tax Parcel No.: 26-22-476-001)

(Space Above for Recorder's Use Only)

NOTICE OF RIGHT OF FIRST REFUSAL

NOTICE IS HEREBY GIVEN THAT **VP DAYBREAK DEVCO 2, INC.**, a Utah corporation ("**Devco**"), and **BOARD OF EDUCATION OF JORDAN SCHOOL DISTRICT**, a body corporate and politic of the State of Utah ("**JSD**"), have entered into that certain Land Exchange Agreement, dated November 29, 2023 (as amended or assigned, the "**Purchase Agreement**"), regarding that certain real property more particularly described on **Exhibit A** attached hereto and incorporated herein by reference (the "**Property**").

Pursuant to the terms of the Purchase Agreement, in the event JSD determines to sell the Property prior to the construction of the Elementary School (as defined in the Purchase Agreement), or receives an acceptable bona fide offer to purchase the Property prior to the construction of the Elementary School which JSD desires to accept (in both cases, an "**Offer**"), JSD, before making any agreement to sell, shall give written notice to Devco stating JSD's desire to sell and a copy of the Offer containing the material terms and conditions thereof. Devco shall have the exclusive right for forty-five (45) days after receiving such notice to elect to purchase the Property which is the subject of the Offer upon the terms and at the purchase price set forth in Section 15 of the Purchase Agreement. This Right of First Refusal shall automatically terminate and have no further force or effect on the date the Elementary School is constructed on the Property and opened to the public.

[Signatures on Following Pages]

VP DAYBREAK DEVCO 2, INC.,
a Utah corporation

By: Tara B. Donnelly
Name: Tara B. Donnelly
Its: Director of Residential Land Sales

ACKNOWLEDGMENT

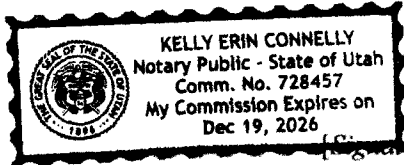
STATE OF UTAH)
) SS.
COUNTY OF SALT LAKE)

On September 23, 2024, personally appeared before me, a Notary Public, Tara Donnelly, the Director of Residential Land Sales of VP DAYBREAK DEVCO 2, INC., a Utah corporation, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that she executed the above instrument on behalf of VP DAYBREAK DEVCO 2, INC., a Utah corporation.

WITNESS my hand and official Seal.

[Signature]
Notary Public in and for said State
My commission expires: Dec 19, 24

[SEAL]



[Signatures Continue on Following Page]

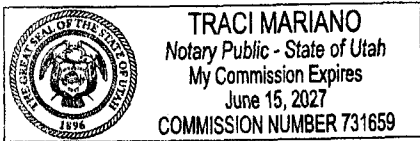
BOARD OF EDUCATION OF JORDAN SCHOOL DISTRICT, a body corporate and politic of the State of Utah

By: Tracy J. Miller
Name: Tracy J. Miller
Its: JSD Board President

ACKNOWLEDGMENT

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

On December 6, 2023, personally appeared before me, a Notary Public, Tracy Miller, the President for **BOARD OF EDUCATION OF JORDAN SCHOOL DISTRICT**, a body corporate and politic of the State of Utah, 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 **BOARD OF EDUCATION OF JORDAN SCHOOL DISTRICT**, a body corporate and politic of the State of Utah.



WITNESS my hand and official Seal.
Traci Mariano
Notary Public in and for said State

My commission expires: June 15, 2027

[SEAL]

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

V15P1 – Resultant JSD Parcel

Beginning at the Southwest Corner of Lot C-102 of the Daybreak Village 8, Village 9 & Village 13 School Sites Subdivision, said point lies South 89°56'37" East 3211.192 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 863.198 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 C-102 North 15°08'46" East 594.730 feet; thence South 74°51'14" East 125.941 feet to a point on a 230.000 foot radius tangent curve to the left, (radius bears North 15°08'46" East, Chord: South 78°13'42" East 27.075 feet); thence along the arc of said curve 27.091 feet through a central angle of 06°44'55"; thence South 81°36'09" East 332.197 feet to a point on a 530.000 foot radius tangent curve to the left, (radius bears North 08°23'51" East, Chord: South 82°46'50" East 21.794 feet); thence along the arc of said curve 21.795 feet through a central angle of 02°21'22"; thence South 83°57'31" East 289.379 feet; thence South 06°02'29" West 248.185 feet to a point on a 330.000 foot radius tangent curve to the left, (radius bears South 83°57'31" East, Chord: South 01°49'25" West 48.539 feet); thence along the arc of said curve 48.583 feet through a central angle of 08°26'06"; thence South 02°23'38" East 307.809 feet to the Northerly Right-of-Way Line of Meadow Grass Drive; thence along said Meadow Grass Drive the following (5) courses: 1) South 87°36'22" West 25.313 feet; 2) North 85°16'08" West 40.311 feet; 3) South 87°36'22" West 158.166 feet; 4) North 81°08'36" West 200.759 feet; 5) North 76°22'33" West 519.444 feet to the point of beginning.

Property contains 12.006 acres.