

WHEN RECORDED RETURN TO:
Daybreak Community Association
11274 South Kestrel Rise Road, Suite F
South Jordan, Utah 84009

14340424 B: 11546 P: 9388 Total Pages: 5
01/28/2025 01:54 PM By: csummers Fees: \$40.00
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: DAYBREAK COMMUNITY ASSOCIATION
CO JOHN DICKSON 11274 S KESTREL RISE RD STE F 84009



Tax Parcel ID Nos.: See Exhibit A

**FIRST AMENDMENT TO
SUPPLEMENT TO COMMUNITY CHARTER FOR DAYBREAK
ESTABLISHING A SERVICE AREA FOR
LEXINGTON TOWNS**

This FIRST AMENDMENT TO SUPPLEMENT TO COMMUNITY CHARTER FOR DAYBREAK ESTABLISHING A SERVICE AREA FOR LEXINGTON TOWNS (this “**Amendment**”) is made by **VP DAYBREAK OPERATIONS LLC**, a Delaware limited liability company (“**Founder**”), and is consented to by **DESTINATION CONSTRUCTION, LLC**, a Utah limited liability company (“**Builder**”), as of the date of the last-dated signature set forth on the signature pages below.

RECITALS

A. Founder and Builder executed that certain *Supplement to Community Charter for Daybreak Establishing a Service Area for Lexington Towns* (the “**Supplement**”) and Builder caused the same to be recorded in the real property records of the office of the Salt Lake County Recorder on January 7, 2025, as Entry No. 14333092, Book 11543, Page 4161.

B. The Supplement identified certain real property located in South Jordan City (“**City**”), Salt Lake County (“**County**”), State of Utah, and more particularly described on **Exhibit A** to the Supplement and referred to therein as the “**Builder Property**.”

C. Founder and Builder now wish to modify and amend the Supplement to expand the Service Area pursuant to Section 2.1 of the Supplement and Section 3.4 of the Charter. Pursuant to Section 8.2 of the Supplement, Founder and Builder may amend the Supplement without the consent of any other Owner under certain conditions, which conditions have been satisfied.

NOW, THEREFORE, Founder and Builder do hereby amend the Supplement as follows:

AMENDMENT

1. Incorporation of Defined Terms. Capitalized terms used herein but not otherwise defined herein shall have the same meaning set forth in the Supplement, if a meaning is provided in the Supplement.

2. Amendment to Service Area. Pursuant to Section 2.1 of the Supplement and Section 3.4 of the Charter, the Service Area is hereby expanded to include those certain Lots set forth on **Exhibit A-1** attached hereto.

3. Scope of Amendment. Except as specifically modified herein, all terms and conditions of the Supplement, as previously modified, shall remain unchanged and in full force and effect. In the event of a conflict between this Amendment and the Supplement, as previously modified, this Amendment shall control.

[End of Amendment. Signature Page(s) Follow.]

IN WITNESS WHEREOF, as of this January 27, 2025, Founder has executed this Supplement and Holmes DB Condos and DB Condos Association have consented to the same.

FOUNDER:

VP DAYBREAK OPERATIONS LLC,
a Delaware limited liability company

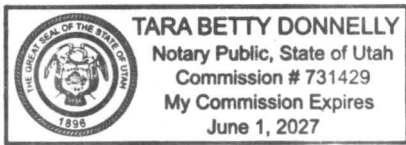
By: LHMRE, LLC,
a Utah limited liability company
Its: Operating Manager

By: [Signature]
Mike Kunkel, Treasurer

ACKNOWLEDGMENT

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

On January 27, 2025, personally appeared before me, a Notary Public, Mike Kunkel, the Treasurer of LHMRE, LLC, a Utah limited liability company, the Operating Manager of VP DAYBREAK OPERATIONS LLC, a Delaware limited liability company, 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 VP DAYBREAK OPERATIONS LLC, a Delaware limited liability company.



WITNESS my hand and official Seal.

[Signature]
Notary Public in and for said State

My commission expires: June 1 2027

[SEAL]

IN WITNESS WHEREOF, Builder consents to this Amendment on this 27 day of January, 2025.

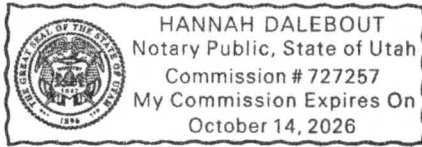
BUILDER:

**DESTINATION CONSTRUCTION,
LLC**, a Utah limited liability company

By: _____
Name: Courtney Palmer
Title: CFO

STATE OF UTAH)
 ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 27 day of January, 2025 by Courtney Palmer as the CFO of Destination Construction, LLC, a Utah limited liability company.



Hannah Dalebout
Notary Public

EXHIBIT A-1

(Builder Property Description and Parcel Numbers)

Lots 115 and 116 of that certain plat map entitled “DAYBREAK VILLAGE 15 PLAT 1 VACATING AND AMENDING LOT C-102 OF THE VILLAGE 8, VILLAGE 9 & VILLAGE 13 SCHOOL SITES SUBDIVISION, ALSO AMENDING A PORTION OF LOT Z101 OF THE DAYBREAK OPERATIONS-INVESTMENTS PLAT 1 SUBDIVISION”, recorded on March 15, 2024 as Entry No. 14216921, Book 2024P, at Page 061 of the Official Records of Salt Lake County, Utah.

Parcel Nos.: 26-22-401-024 and 26-22-401-025

Lots 365 – 382 (inclusive) and 391 – 394 (inclusive) of that certain plat map entitled “DAYBREAK VILLAGE 12A PLAT 4 AMENDED VACATING AND AMENDING LOTS 365-382 & LOTS 391-394 OF THE DAYBREAK VILLAGE 12A PLAT 4” Subdivision recorded September 19, 2024, as Entry No. 14290043, Book 2024P, at Page 207 of the Official Records of Salt Lake County, Utah.

Parcel Nos.: 26-22-134-011, 26-22-134-010, 26-22-134-009, 26-22-134-008, 26-22-134-007, 26-22-134-006, 26-22-134-005, 26-22-134-004, 26-22-134-003, 26-22-134-002, 26-22-134-001, 26-22-110-014, 26-22-110-015, 26-22-110-016, 26-22-110-012, 26-22-110-011, 26-22-110-010, 26-22-110-009, 26-22-103-013, 26-22-103-012, 26-22-103-011, and 26-22-103-010

Lots 330 – 333 (inclusive) of that certain plat map entitled “DAYBREAK VILLAGE 9 PLAT 4 AMENDED VACATING AND AMENDING LOTS 330-338, 345-350 & 402-414 OF THE DAYBREAK VILLAGE 9 PLAT 4” Subdivision, recorded on October 2, 2024 as Entry No. 14295528, Book 2024P, at Page 215 of the Official Records of Salt Lake County, Utah.

Parcel Nos.: 26-22-255-020, 26-22-255-021, 26-22-255-022, and 26-22-255-023