

188029-CPI

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

14364298 B: 11559 P: 9753 Total Pages: 3  
03/28/2025 04:25 PM By: BGORDON Fees: \$40.00  
Rashelle Hobbs, Recorder, Salt Lake County, Utah  
Return To: COTTONWOOD TITLE INSURANCE AGENCY, INC.  
1996 EAST 6400 SOUTH SUITE 120 SALT LAKE CITY, UT 84121

Holmes Homes, Inc.  
126 West Sego Lily Drive, Suite 250  
Sandy, UT 84070  
Attn: Patrick H. Holmes

**Tax IDs: 26-22-243-005, 26-22-243-006, 26-22-243-007 and 26-22-243-008**

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**SPECIAL WARRANTY DEED**

**VP DAYBREAK DEVCO 2, INC.**, a Utah corporation, with its principal office at 9350 South 150 East, Suite 140, Sandy, Utah 84070-2721, 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 **HOLMES HOMES, INC.** a Utah corporation ("**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: March 24 2025 GRANTOR:

VP DAYBREAK DEVCO 2, INC.,  
a Utah corporation

By: Tara B. Donnelly  
Name: Tara B. Donnelly  
Its: Director of Operations

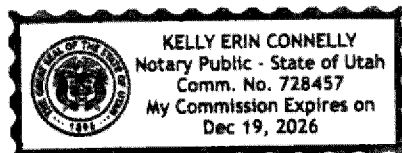
#### ACKNOWLEDGMENT

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

On March 24, 2025, personally appeared before me, a Notary Public, Tara B. Donnelly, the Director of Operations for 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 he executed the above instrument on behalf of VP DAYBREAK DEVCO 2, INC., a Utah corporation.

[Signature]  
NOTARY PUBLIC

[SEAL]



**EXHIBIT A**  
**PROPERTY DESCRIPTION**

Lots 130, 131, 132 and 133, DAYBREAK VILLAGE 15 PLAT 2, Amending a Portion of Lot Z101 of the VP Daybreak Operations-Investments Plat 1 Subdivision, also a Portion of Daybreak Village 8 Plat 4D Subdivision, also a Portion of Daybreak West Villages Roadway Dedication Plat in Lieu of Condemnation, according to the official plat thereof as recorded in the office of the Salt Lake County Recorder on September 10, 2024 as Entry No. 14286202 in Book 2024P at Page 201.

Tax Id No.: 26-22-243-005, 26-22-243-006, 26-22-243-007 and 26-22-243-008