

WHEN RECORDED, RETURN TO:

VP Daybreak Operations LLC  
9350 South 150 East, Suite 800  
Sandy, Utah 84070  
Attn: Vagner Soares

14416395 B: 11589 P: 7498 Total Pages: 12  
07/31/2025 09:17 AM By: BGORDON Fees: \$40.00  
Rashelle Hobbs, Recorder, Salt Lake County, Utah  
Return To: VP DAYBREAK DEVCO LLC  
9350 S 150 E STE 800 SANDY, UT 84070



**SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS AND  
RESTRICTIONS FOR DOWNTOWN DAYBREAK SUBMITTING ADDITIONAL  
PROPERTY**

(DAYBREAK URBAN CENTER PLAT 1 AMENDED)

**AND**

**NOTICE OF REINVESTMENT FEE COVENANT**

**THIS SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS FOR DOWNTOWN DAYBREAK, SUBMITTING ADDITIONAL  
PROPERTY (DAYBREAK URBAN CENTER PLAT 1 AMENDED)** (this “**Supplement**”) is  
made this 4<sup>th</sup> day of June, 2025, by **DTDB OPERATIONS, LLC**, a Utah limited  
liability company as declarant (“**Declarant**”) under the Declaration of Covenants, Conditions  
and Restrictions for Downtown Daybreak, recorded on April 9, 2025, as Entry No. 14368656, in  
Book 11562, beginning at Page 4490 (as may hereafter be amended and supplemented from time  
to time, the “**Declaration**”), and is consented to by VP DAYBREAK DEVCO LLC, a Delaware  
limited liability company (“**Devco**”), DTDB 5, LLC, a Utah limited liability company (“**DTDB  
5**”), DTDB 6, LLC, a Utah limited liability company (“**DTDB 6**”), DTDB 8, LLC, a Utah  
limited liability company (“**DTDB 8**”), DTDB 10, LLC, a Utah limited liability company  
 (“**DTDB 10**”), DTDB 11, LLC, a Utah limited liability company (“**DTDB 11**”), DTDB 13, LLC,  
a Utah limited liability company (“**DTDB 13**”), and DTDB 14, LLC, a Utah limited liability  
company (“**DTDB 14**”).

**RECITALS:**

- A. Declarant and/or Devco, DTDB 5, DTDB 6, DTDB 8, DTDB 10, DTDB 11, DTDB 13,  
and DTDB 14 have previously recorded, or are concurrently herewith recording, that  
certain subdivision map entitled “DAYBREAK URBAN CENTER PLAT 1 AMENDED  
VACATING & AMENDING LOTS C-101 THROUGH C-116, P-101, AND PRIVATE  
RIGHTS-OF-WAY OF THE DAYBREAK URBAN CENTER PLAT 1”, which relates  
to the real property more particularly described on Exhibit A attached hereto  
(collectively, the “**Property**”). Devco and DTDB 5, DTDB 6, DTDB 8, DTDB 10,  
DTDB 11, DTDB 13, and DTDB 14 are the fee simple owners of the Property.

B. Declarant, Devco, DTDB 5, DTDB 6, DTDB 8, DTDB 10, DTDB 11, DTDB 13, and DTDB 14 desire to submit and subject the Property to the Declaration, including, without limitation, the terms, conditions, covenants and restrictions thereof as they now exist or may hereafter be amended or supplemented.

NOW, THEREFORE, Declarant hereby declares the following:

1. **Definitions.** Unless otherwise defined herein, all capitalized terms shall have the meaning assigned to them in the Declaration.
2. **Submission to Declaration.** Pursuant to Section 7.1 of the Declaration, Declarant hereby submits and subjects the Property to the Declaration, including, without limitation, all terms, conditions, covenants, easements, restrictions, liens, charges, and assessments contained therein. Devco, DTDB 5, DTDB 6, DTDB 8, DTDB 10, DTDB 11, DTDB 13, and DTDB 14, as the fee simple owners of the Property, hereby consent to the subjection of the Property to the Declaration, as herein provided. From and after the recordation of this Supplement, the Property shall be held, transferred, sold, conveyed and occupied subject to the Declaration. In addition, the Property shall be subject to the governance of the Downtown Daybreak Owners Association, Inc., a Utah nonprofit corporation (the “**Association**”), as more particularly described in the Declaration.
3. **Notice of Reinvestment Fee Covenant and Assessments.** Notice is hereby given that the Declaration provides, among other things, that certain assessments and fees will be charged against portions of the Property (and their respective owners), as further described in the Declaration, including a “Community Enhancement Fee” as more particularly defined and set forth in the Declaration. The Community Enhancement Fee is a “reinvestment fee covenant” under Utah law, and pursuant to Utah law, a separate Notice of Reinvestment Fee Covenant of even date herewith has been concurrently recorded against the Property.
4. **Full Force and Effect.** The Declaration, as supplemented hereby, shall remain in full force and effect.
5. **Incorporation by Reference.** The Recitals and Exhibit to this Supplement are hereby incorporated herein by this reference.

*[Signatures on the Following Page]*

IN WITNESS WHEREOF, as of this 4<sup>th</sup> day of June, 2025, Declarant has executed this Supplement, and Devco, DTDB 5, DTDB 6, DTDB 8, DTDB 10, DTDB 11, DTDB 13, and DTDB 14 have consented to the same.

**FOUNDER:**

**DTDB OPERATIONS, LLC,**  
a Utah limited liability company

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

By: Mike Kunkel  
Mike Kunkel, Treasurer

**ACKNOWLEDGMENT**

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

On June 4, 2025, personally appeared before me, a Notary Public, Mike Kunkel, the Treasurer of LHMRE, LLC, a Utah limited liability company, the Operating Manager of DTDB OPERATIONS, LLC, a Utah 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 DTDB OPERATIONS, LLC, a Utah limited liability company.

WITNESS my hand and official Seal.

Julie Randall  
Notary Public in and for said State

My commission expires: April 29, 2027

[SEAL]



DEVCO:

**VP DAYBREAK DEVCO LLC,**  
a Delaware limited liability company

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

By:   
Mike Kunkel, Treasurer

## ACKNOWLEDGMENT

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

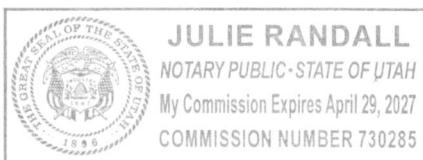
On June 4, 2025, personally appeared before me, a Notary Public, Mike Kunkel, the Treasurer of LHMRE, LLC, a Utah limited liability company, the Operating Manager of VP DAYBREAK DEVCO LLC, a Delaware limited liability company, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument on behalf of VP DAYBREAK DEVCO LLC, a Delaware limited liability company.

WITNESS my hand and official Seal.

Notary Public in and for said State

My commission expires: April 29, 2027

[SEAL]



**DTDB 5:**

**DTDB 5, LLC,**  
a Utah limited liability company

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

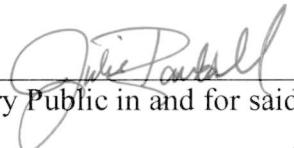
By:   
Mike Kunkel, Treasurer

**ACKNOWLEDGMENT**

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

On June 4, 2025, personally appeared before me, a Notary Public, Mike Kunkel, the Treasurer of LHMRE, LLC, a Utah limited liability company, the Operating Manager of DTDB 5, LLC, a Utah 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 DTDB 5, LLC, a Utah limited liability company.

WITNESS my hand and official Seal.

  
Notary Public in and for said State

My commission expires: April 29, 2027

[SEAL]



**DTDB 6:**

**DTDB 6, LLC,**  
a Utah limited liability company

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

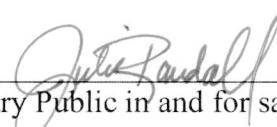
By:   
Mike Kunkel, Treasurer

**ACKNOWLEDGMENT**

STATE OF UTAH )  
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COUNTY OF SALT LAKE ) SS.  
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On June 4, 2025, personally appeared before me, a Notary Public, Mike Kunkel, the Treasurer of LHMRE, LLC, a Utah limited liability company, the Operating Manager of DTDB 6, LLC, a Utah 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 DTDB 6, LLC, a Utah limited liability company.

WITNESS my hand and official Seal.

  
\_\_\_\_\_  
Notary Public in and for said State

My commission expires: April 29, 2027

[SEAL]



**DTDB 8:**

**DTDB 8, LLC,**  
a Utah limited liability company

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

By: Mike Kunkel  
Mike Kunkel, Treasurer

#### **ACKNOWLEDGMENT**

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

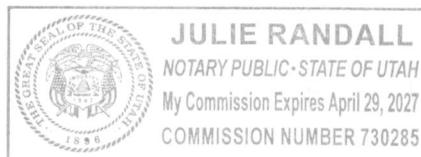
On June 4, 2025, personally appeared before me, a Notary Public, Mike Kunkel, the Treasurer of LHMRE, LLC, a Utah limited liability company, the Operating Manager of DTDB 8, LLC, a Utah limited liability company, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument on behalf of DTDB 8, LLC, a Utah limited liability company.

WITNESS my hand and official Seal.

Julie Randall  
Notary Public in and for said State

My commission expires: April 29, 2027

[SEAL]



## DTDB 10:

**DTDB 10, LLC,**  
a Utah limited liability company

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

By: Michelle Smith  
Michelle Smith, President

## ACKNOWLEDGMENT

STATE OF UTAH )  
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COUNTY OF SALT LAKE )

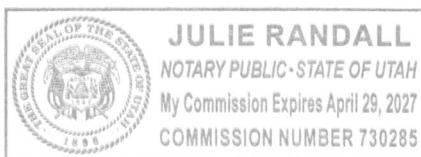
On June 4, 2025, personally appeared before me, a Notary Public, Michelle Smith, the President of LHMSE, LLC, a Utah limited liability company, the Operating Manager of DTDB 10, LLC, a Utah limited liability company, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument on behalf of DTDB 10, LLC, a Utah limited liability company.

WITNESS my hand and official Seal.

Notary Public in and for said State

My commission expires: April 29, 2027

[SEAL]



**DTDB 11:**

**DTDB 11, LLC,**  
a Utah limited liability company

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

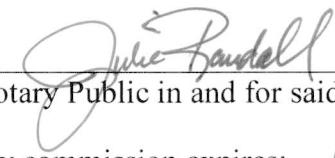
By:   
Mike Kunkel, Treasurer

**ACKNOWLEDGMENT**

STATE OF UTAH )  
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COUNTY OF SALT LAKE ) SS.  
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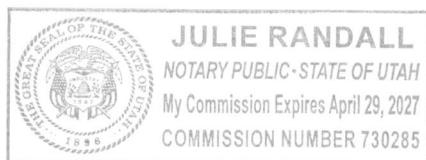
On June 4, 2025, personally appeared before me, a Notary Public, Mike Kunkel, the Treasurer of LHMRE, LLC, a Utah limited liability company, the Operating Manager of DTDB 11, LLC, a Utah limited liability company, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument on behalf of DTDB 11, LLC, a Utah limited liability company.

WITNESS my hand and official Seal.

  
Notary Public in and for said State

My commission expires: April 29, 2027

[SEAL]



**DTDB 13:**

**DTDB 13, LLC,**  
a Utah limited liability company

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

By: Mike Kunkel  
Mike Kunkel, Treasurer

**ACKNOWLEDGMENT**

STATE OF UTAH )  
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COUNTY OF SALT LAKE )

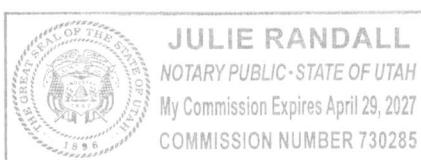
On June 4, 2025, personally appeared before me, a Notary Public, Mike Kunkel, the Treasurer of LHMRE, LLC, a Utah limited liability company, the Operating Manager of DTDB 13, LLC, a Utah limited liability company, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument on behalf of DTDB 13, LLC, a Utah limited liability company.

WITNESS my hand and official Seal.

Julie Randall  
Notary Public in and for said State

My commission expires: April 29, 2027

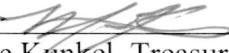
[SEAL]



**DTDB 14:**

**DTDB 14, LLC,**  
a Utah limited liability company

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

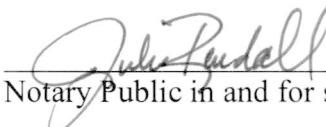
By:   
Mike Kunkel, Treasurer

**ACKNOWLEDGMENT**

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

On June 4, 2025, personally appeared before me, a Notary Public, Mike Kunkel, the Treasurer of LHMRE, LLC, a Utah limited liability company, the Operating Manager of DTDB 14, LLC, a Utah 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 DTDB 14, LLC, a Utah limited liability company.

WITNESS my hand and official Seal.

  
\_\_\_\_\_  
Notary Public in and for said State

My commission expires: April 29, 2027

[SEAL]



**EXHIBIT A**

**LEGAL DESCRIPTION OF THE PROPERTY**

All of the real property described on that certain plat entitled "DAYBREAK URBAN CENTER PLAT 1 AMENDED VACATING & AMENDING LOTS C-101 THROUGH C-116, P-101, AND PRIVATE RIGHTS-OF-WAY OF THE DAYBREAK URBAN CENTER PLAT 1", recorded on \_\_\_\_\_, 2025, as Entry No. \_\_\_\_\_, Book \_\_\_\_\_, at Page \_\_\_\_\_ of the Official Records of Salt Lake County, Utah.

[TO BE FILLED IN UPON NEW PLAT RECORDING]