

WHEN RECORDED, RETURN TO:

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

14457220 B: 11613 P: 2503 Total Pages: 5
10/30/2025 03:33 PM By: aallen Fees: \$40.00
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: VP DAYBREAK OPERATION LLC
9350 SOUTH 150 EAST, SUITE 800 SANDY, UT 84070



SUPPLEMENT TO COVENANT FOR COMMUNITY FOR DAYBREAK,

AND

**SUPPLEMENT TO AMENDED AND RESTATED DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR DAYBREAK VILLAGE,
SUBMITTING ADDITIONAL PROPERTY
(DAYBREAK PLAT 3F SUBDIVISION)**

AND

NOTICE OF REINVESTMENT FEE COVENANT

**THIS SUPPLEMENT TO COVENANT FOR COMMUNITY FOR DAYBREAK,
AND SUPPLEMENT TO AMENDED AND RESTATED DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS FOR DAYBREAK VILLAGE,
SUBMITTING ADDITIONAL PROPERTY (DAYBREAK PLAT 3F SUBDIVISION)** (this
“**Supplement**”) is made this 30 day of October, 2025, by **VP DAYBREAK
OPERATIONS LLC**, a Delaware limited liability company (as successor-in-interest to
Kennecott Land Company, a Delaware corporation) as founder (“**Founder**”), under the
Covenant for Community for Daybreak, recorded February 27, 2004, as Entry No. 8989517, in
Book 8950, beginning at Page 7722 (as amended and supplemented from time to time, the
“**Covenant**”), and as declarant (“**Declarant**”) under the Amended and Restated Declaration of
Covenants, Conditions and Restrictions for Daybreak Village, recorded on December 30, 2005,
as Entry No. 9598233, in Book 9237, beginning at Page 5395 (as amended and supplemented
from time to time, the “**Declaration**”), and is consented to by **VP DAYBREAK DEVCO LLC**, a
Delaware limited liability company (“**Devco**”).

RECITALS:

- A. Founder’s predecessor executed and recorded the Covenant and the Declaration, which documents collectively govern certain aspects and uses of a portion of the master planned community development commonly known as “*Daybreak*” located in South Jordan, Utah.
- B. Founder and/or Devco have previously recorded, or are concurrently herewith recording, that certain subdivision map entitled “DAYBREAK PLAT 3F SUBDIVISION

AMENDING PARCEL B OF THE KENNECOTT DAYBREAK PLAT 3E SUBDIVISION", which relates to the real property more particularly described on Exhibit A attached hereto (collectively, the "**Property**"). Founder and Devco are the fee simple owners of the Property.

- C. Founder and Devco desire to submit and subject the Property to the Covenant and 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, Founder 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 and Covenant.** Pursuant to Section 5.2 of the Covenant and Section 15.1 of the Declaration, Founder (as successor Founder and as successor Declarant) hereby submits and subjects the Property to the Covenant and the Declaration, including, without limitation, all terms, conditions, covenants, easements, restrictions, liens, charges, and assessments contained therein. Founder and Devco, as the fee simple owners of the Property, hereby consent to the subjection of the Property to the Covenant and 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 Daybreak Village 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 Covenant and the Declaration provide, 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 Covenant and the Declaration, including a "Community Enhancement Fee" as more particularly defined and set forth in the Covenant and 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 Covenant and 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 30 day of October, 2025, Founder has executed this Supplement, and Devco has 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)

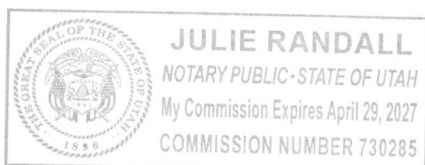
On October 30, 2025, personally appeared before me, a Notary Public, Mike Kunkel, the Treasurer of LHMRE, LLC, a Utah limited liability company, the Operating Manager of VP DAYBREAK OPERATIONS LLC, a Delaware limited liability company, personally known or proved to me to be the person whose name is subscribed 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: 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: [Signature]
Mike Kunkel, Treasurer

ACKNOWLEDGMENT

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

On October 30, 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.

[Signature]
Notary Public in and for said State

My commission expires: April 29, 2027

[SEAL]

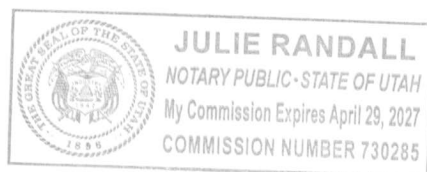


EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

All of the real property described on that certain plat entitled "DAYBREAK PLAT 3F SUBDIVISION AMENDING PARCEL B OF THE KENNECOTT DAYBREAK PLAT 3E SUBDIVISION", recorded on _____, 2025, as Entry No. _____, Book ____ P, at Page ____ of the Official Records of Salt Lake County, Utah.

[TO BE FILLED IN UPON NEW PLAT RECORDING]