

14482989 B: 11628 P: 5071 Total Pages: 4  
12/31/2025 10:09 AM By: dsalazar 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

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

c/o LHMRE, LLC  
VP Daybreak Devco 2, Inc.  
9350 South 150 East, Suite 800  
Sandy, Utah 84070  
Attention: Julie Randall

(Assessor Parcel No.: 26-23-203-001 and 26-23-276-003)

File No. 192220-CPI

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**NOTICE OF APPLICATION OF  
DAYBREAK COMMUNITY DOCUMENTS**

NOTICE IS HERBY GIVEN of the following: **CATHOLIC DIOCESE OF SALT LAKE CITY REAL ESTATE CORPORATION**, a Utah non-profit corporation (the “**Catholic Diocese**”) is owner of the certain real property located in South Jordan, Utah, more particularly described on **Exhibit A** attached hereto and incorporated herein (the “**Property**”), upon which it plans to obtain funding to construct and operate a church and related improvements (the “**Church**”). The Property is located within a community commonly known as Daybreak, which is governed by the certain Community Charter for Daybreak, recorded February 27, 2004, as Entry No. 8989518, in Book 8950, Page 7784, in the Salt Lake County Recorder’s Office (the “**Charter**”), that certain Amended and Restated Declaration of Covenants, Conditions and Restrictions for Daybreak Village, recorded December 30, 2005, as Entry No. 9598233, in Book 9237, Page 5395, in the Salt Lake County Recorder’s Office (the “**Declaration**”), and that certain Covenant for Community for Daybreak, recorded February 27, 2004, as Entry No. 8989517, in Book 8950, Page 7722 (the “**Covenant**”). VP DAYBREAK OPERATIONS LLC, a Delaware limited liability company, is the successor “Founder” of Daybreak under the Charter and Covenant.

Founder hereby exempts the Catholic Diocese from the payment of Base Assessments, Service Area Assessments, Special Assessments, and Specific Assessments as set forth on Chapter 12 of the Charter and the Declaration, for so long as the Catholic Diocese owns the Property and operates a Church on the Property. Further, Founder hereby exempts the Catholic Diocese from participating in the dispute resolution process set forth in Chapter 18 of the Charter, for as long as the Catholic Diocese owns the Property and operates the Church on the Property.

Founder hereby exempts Catholic Diocese from the payment of the Community Enhancement Fee as set forth in Section 2.3 of the Covenant, for transfers to and by the Catholic Diocese. In furtherance of the foregoing, Founder hereby exempts the Catholic Diocese from payment of the Community Enhancement Fee in connection with the transfer of the Property to the Catholic Diocese. Founder also hereby exempts the Catholic Diocese from payment of any Annual Assessment, for as long as the Catholic Diocese owns the Property and operates the Church on the Property. Further, Founder hereby exempts the Catholic Diocese from participating in the dispute resolution process set forth in Chapter 3 of the Covenant, for as long as the Catholic Diocese owns the Property and operates the Church on the Property.

*[Signatures Appear on Following Page]*

**FOUNDER:**

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

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

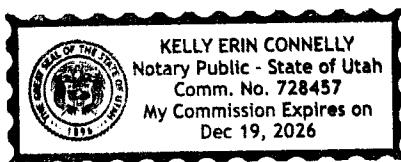
By:   
Name: Brad Holmes  
Its: President

**ACKNOWLEDGMENT**

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

On 12/30/25, personally appeared before me, a Notary Public, Brad Holmes, the President 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.



Notary Public in and for said State

My commission expires: 12/11/26

[Catholic Diocese of Salt Lake Land Sale – Notice of Application – Founder’s Signature Page]

**BUYER:**

**CATHOLIC DIOCESE OF SALT LAKE CITY  
REAL ESTATE CORPORATION,  
a Utah nonprofit corporation**

By: Very Rev. John S. Evans  
Name: Very Rev. John S. Evans  
Title: Vicar General

## ACKNOWLEDGMENT

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

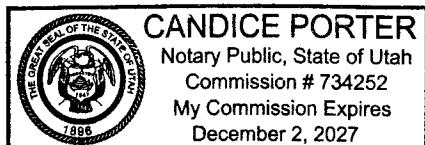
On Dec 30, 2025 personally appeared before me, a Notary Public, Johns. Evans, the Vicar General of the CATHOLIC DIOCESE OF SALT LAKE CITY REAL ESTATE CORPORATION, a Utah nonprofit corporation, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument on behalf of the CATHOLIC DIOCESE OF SALT LAKE CITY REAL ESTATE CORPORATION, a Utah nonprofit corporation.

WITNESS my hand and official Seal.

Notary Public in and for said State

My commission expires: 12/2/2027

My commission expires: 12/2/2027



[SEAL]

**EXHIBIT A**  
**TO NOTICE OF APPLICATION**

**LEGAL DESCRIPTION**

**PARCEL 1:**

Beginning at the intersection of the Northwest Right-of-Way Line of Electric Avenue and the Easterly Right-of-Way Line of Kitty Hawk Road, said point also being a point on a 1033.000 foot radius non tangent curve to the left, (radius bears South 58°42'52" West, Chord: North 32°25'18" West 40.969 feet), said point lies South 89°56'37" East 7984.870 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 3064.447 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence along said Kitty Hawk Road and the arc of said curve 40.972 feet through a central angle of 02°16'21"; thence North 33°33'29" West 169.442 feet; thence North 56°26'31" East 280.850 feet to a point on a 368.000 foot radius tangent curve to the right, (radius bears South 33°33'29" East, Chord: North 74°29'22" East 228.016 feet); thence along the arc of said curve 231.830 feet through a central angle of 36°05'41"; thence South 87°27'47" East 237.239 feet to said Northwest Right-of-Way Line of Electric Avenue; thence along said Electric Avenue South 56°26'31" West 690.159 feet to the point of beginning.

**PARCEL 2:**

Beginning at the intersection of the North Right-of-Way Line of Lake Avenue and the Easterly Right-of-Way Line of Kitty Hawk Road, said point also being a point on a 1033.000 foot radius non tangent curve to the left, (radius bears South 75°11'24" West, Chord: North 21°12'45" West 230.379 feet), said point lies South 89°56'37" East 8100.761 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 2792.172 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence along said Kitty Hawk Road and the arc of said curve 230.860 feet through a central angle of 12°48'17" to the Southeast Right-of-Way Line of Electric Avenue; thence along said Electric Avenue North 56°26'31" East 785.425 feet; thence South 87°27'47" East 40.939 feet; thence South 02°32'13" West 597.193 feet to a point on a 1071.000 foot radius non tangent curve to the left, (radius bears South 00°38'44" East, Chord: South 87°02'32" West 86.425 feet) to said North Right-of-Way Line of Lake Avenue; thence along said Lake Avenue the following (2) courses: 1) along the arc of said curve 86.449 feet through a central angle of 04°37'29"; 2) South 84°43'47" West 501.434 feet to the point of beginning.