

WHEN RECORDED, RETURN TO:

D.R. Horton, Inc.
12351 S. Gateway Park Place #D100
Draper, UT 84020
Attn: Jonathan S. Thornley

Tax Id No.: 00-0021-6813

**SPECIAL WARRANTY DEED AND RESERVATION OF SURFACE RIGHTS
(Minerals)**

For the consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration received, **D.R. HORTON, INC.**, a Delaware Corporation, (“Grantor”), does hereby convey and warrant against all who claim by, through, or under Grantor to **DRH ENERGY, INC.**, a Colorado corporation (“Grantee”), the following property rights, to the extent not previously reserved or conveyed:

All oil, gas, petroleum, natural gas, coal, lignite and other hydrocarbons by whatever name, uranium, metals (including, without limitation, copper), and all minerals, gases and geothermal energy and geothermal substances and rights, whatsoever (collectively, “Minerals”), already found or which may hereafter be found, under the real property legally described on Exhibit A attached hereto and incorporated herein by this reference (the “Real Property”), together with all ores thereof and other products or materials produced in association therewith and the right to prospect for, mine and remove the Minerals; provided, however, that Grantee may not employ mining methods that destroy the surface of the Real Property or endanger, impair or affect the support for the Real Property or any existing or future improvement thereon. This conveyance also includes all of Grantor’s right, title and interest, if any, in and to the rights, rentals, royalties and other benefits accruing or to accrue under any lease or leases of the Minerals and rights to receive all bonuses, rents, royalties, production payments or monies of any nature accrued in the past or future with respect to the Minerals.

Grantor, for itself and its successors and assigns, hereby reserves and retains in perpetuity for its sole and exclusive use all rights to the surface and thirty feet (30’) below finished grade (collectively, the “Surface”) of all or any portion of the Real Property that is currently subject to a Plat Map (as defined below) for any purpose whatsoever in connection with the development, construction and installation of any existing or future improvements benefiting all or any portion of such property and the use and enjoyment of all or any portion of such property and such improvements. For purposes hereof, the term “Plat Map” means a final, government-approved subdivision map, plat or site plan for single-family residential or multi-family residential use and including, without limitation, condominium units, whether owner-occupied or held for rent or investment purposes, and apartment projects. Any portion of the Real Property that is made

subject to a Plat Map, including any street, common area and any other land included in such map, whether currently or in the future, is referred to herein as a "Lot".

Provided, however, that nothing contained herein shall prevent Grantee from developing and removing any Minerals under the Surface of all or any portion of a Lot by slant drilling, subterranean entry or other means or operations conducted from the Surface of the Real Property which has not been subjected to a Plat Map or any other parcel as to which Grantee may then have rights of surface use or by any other suitable means or methods, provided that Grantee does not endanger, impair or affect the support of all or any portion of the Lots and any existing or future improvements thereon.

The reservation and reversion of the Surface of the Real Property contained in this Special Warranty Deed and the other covenants and agreements of Grantee contained in this Special Warranty Deed are for the benefit of the Grantor and its successors and assigns only. No successor or assign of Grantor shall have the right to enforce any of the terms of this Special Warranty Deed with respect to any portion of the Real Property except the portion of the Real Property owned by such successor or assign. No third party rights are intended to be conferred on any other person or entity and no third party shall have the right to enforce any of the terms of this Special Warranty Deed. The Grantor, or its successors or assigns only with respect to the portion of the Real Property owned by such successor or assign, may waive the reservation or reversion of the Surface or any or all of the covenants or agreements of Grantee contained herein by a written instrument signed by such party.

SUBJECT TO current taxes and assessments; reservations in patents and all easements, rights-of-way, encumbrances, liens, covenants, conditions, restrictions, reservations, declarations, obligations, liabilities and other matters as may appear of record, and any matters that would be disclosed by an inspection or accurate ALTA/ACSM survey of the Real Property, Grantor binds itself and its successors to warrant and defend title to the Minerals as against the acts of Grantor and none other.

IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed as of this 30 day of July, 2024.

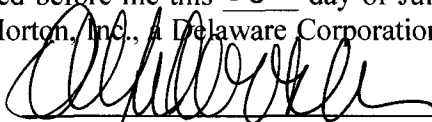
GRANTOR:

D.R. HORTON, INC.,
A Delaware Corporation

Name: Jonathan S. Thornley
Title: Division CFO

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

The foregoing instrument was acknowledged before me this 30 day of July, 2024, by Jonathan S. Thornley, the Division CFO of D.R. Horton, Inc., a Delaware Corporation, on behalf of the corporation.



Notary Public

My Commission Expires:
10/18/26

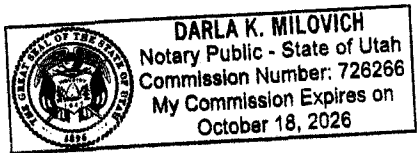


Exhibit A
to the Special Warranty Deed and Reservation of Surface Rights
Legal Description of the Property

That certain real property located in Wasatch County, Utah, more particularly described as follows:

PARCEL 1: (STACKED FLATS NORTH PARCEL)

A PARCEL OF LAND LOCATED IN THE WEST HALF OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, WASATCH COUNTY, UTAH DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF THE PROPOSED PHASE 1 OF THE HIGHLANDS RESIDENTIAL DEVELOPMENT, SAID POINT BEING NORTH 00°29'50" WEST 368.73 FEET ALONG THE SECTION LINE AND NORTH 90°00'00" EAST 1215.64 FEET FROM THE WASATCH COUNTY SURVEY ALUMINUM PIPE CAP MONUMENT MARKING THE WEST QUARTER CORNER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN; (BASIS OF BEARINGS FOR THIS DESCRIPTION IS SOUTH 04°04'03" EAST 2857.85 FEET ALONG A LINE DEFINED BY WASATCH COUNTY WATER SERVICE AREA NO. 1 SURVEY CONTROL MONUMENTS NO. 706 AND NO. 708 (BOTH ALUMINUM PIPE CAP MONUMENTS) (SEE THE SURVEY CONTROL SHEET FOR THE CENTRAL UTAH WATER CONSERVANCY DISTRICT, WASATCH COUNTY WATER EFFICIENCY PROJECT, DRAWING NO. G-8 AS RECORDED IN BOOK 630 AT PAGES 766-767 AND AS ENTRY NO. 259146 OF THE WASATCH COUNTY RECORDS), AND RUNNING THENCE SOUTH 41°48'01" EAST 64.48 FEET; THENCE SOUTH 70°50'04" EAST 357.18 FEET TO A POINT ON THE NORTHWESTERLY LINE OF A PROPOSED RIGHT-OF-WAY; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING SEVEN (7) COURSES AND DISTANCES: (1) SOUTHERLY 400.91 FEET ALONG THE ARC OF A 637.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THE CENTER OF WHICH BEARS SOUTH 72°01'17" EAST; (CHORD TO SAID CURVE BEARS SOUTH 00°03'07" EAST 394.33 FEET); (2) SOUTHWESTERLY 15.07 FEET ALONG THE ARC OF A 10.00 FOOT RADIUS REVERSE CURVE TO THE RIGHT; (CHORD TO SAID CURVE BEARS SOUTH 25°04'35" WEST 13.68 FEET); (3) SOUTH 21°45'54" EAST 3.00 FEET TO A POINT OF CURVATURE WITH A 441.50 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT; THE CENTER OF WHICH BEARS NORTH 21°45'54" WEST; (4) WESTERLY 167.73 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS SOUTH 79°07'07" WEST 166.73 FEET); (5) NORTH 89°59'51" WEST 195.43 FEET TO A POINT ON A 541.50 FOOT RADIUS CURVE TO THE RIGHT; (6) WESTERLY 459.88 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS NORTH 65°40'04" WEST 446.18 FEET); (7) NORTH 41°20'17" WEST 59.81 FEET; THENCE NORTH 48°39'40" EAST 571.61 FEET TO THE POINT OF BEGINNING.

PARCEL 2: (STACKED FLATS SOUTH PARCEL)

A PARCEL OF LAND LOCATED IN THE WEST HALF OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, WASATCH COUNTY, UTAH DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF A PROPOSED ROAD, SAID POINT BEING NORTH 00°29'50" WEST 152.68 FEET ALONG THE SECTION LINE AND NORTH 90°00'00" EAST 503.57 FEET FROM THE WASATCH COUNTY SURVEY ALUMINUM PIPE CAP MONUMENT MARKING THE WEST QUARTER CORNER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN; (BASIS OF BEARINGS FOR THIS DESCRIPTION IS SOUTH 04°04'03" EAST 2857.85 FEET ALONG A LINE DEFINED BY WASATCH COUNTY WATER SERVICE AREA NO. 1 SURVEY CONTROL MONUMENTS NO. 706 AND NO. 708 (BOTH ALUMINUM PIPE CAP MONUMENTS) (SEE THE SURVEY CONTROL SHEET FOR THE CENTRAL UTAH WATER CONSERVANCY DISTRICT, WASATCH COUNTY WATER EFFICIENCY PROJECT, DRAWING NO. G-8 AS RECORDED IN BOOK 630 AT PAGES 766-767 AND AS ENTRY NO. 259146 OF THE WASATCH COUNTY RECORDS), AND RUNNING THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING TEN (10) COURSES AND DISTANCES: (1) SOUTHERLY

38.69 FEET ALONG THE ARC OF A 284.00 FOOT RADIUS CURVE TO THE LEFT, THE CENTER OF WHICH BEARS NORTH 44°12'02" EAST; (CHORD TO SAID CURVE BEARS SOUTH 49°42'09" EAST 38.66 FEET); (2) SOUTH 53°36'20" EAST 121.21 FEET TO A POINT ON A 216.00 FOOT RADIUS CURVE TO THE RIGHT; (3) SOUTHEASTERLY 46.25 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS SOUTH 47°28'19" EAST 46.16 FEET); (4) SOUTH 41°20'17" EAST 164.09 FEET TO A POINT ON A 609.50 FOOT RADIUS CURVE TO THE LEFT; (5) EASTERLY 517.63 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS SOUTH 65°40'04" EAST 502.21 FEET); (6) SOUTH 89°59'51" EAST 44.75 FEET TO A POINT ON A 13.00 FOOT RADIUS CURVE TO THE RIGHT; (7) SOUTHEASTERLY 20.42 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS SOUTH 44°59'51" EAST 18.38 FEET); (8) SOUTH 00°00'09" WEST 9.95 FEET TO A POINT ON A 518.00 FOOT RADIUS CURVE TO THE LEFT; (9) SOUTHERLY 214.66 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS SOUTH 11°52'09" EAST 213.12 FEET); (10) SOUTH 23°44'26" EAST 10.82 FEET TO A POINT ON A 180.47 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THE CENTER OF WHICH BEARS SOUTH 23°05'57" EAST; THENCE SOUTHWESTERLY 42.68 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS SOUTH 60°07'34" WEST 42.58 FEET); TO A POINT ON A 73.66 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT; THENCE NORTHERLY 39.69 FEET ALONG THE ARC OF SAID CURVE; THE CENTER OF WHICH BEARS NORTH 55°31'30" EAST; (CHORD TO SAID CURVE BEARS NORTH 19°02'25" WEST 39.21 FEET); THENCE NORTH 02°25'50" WEST 3.92 FEET TO A POINT ON A 37.44 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHWESTERLY 56.64 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS NORTH 42°02'21" WEST 51.39 FEET); THENCE NORTH 89°17'32" WEST 90.77 FEET TO A POINT ON A 100.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE WESTERLY 15.89 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS NORTH 84°44'24" WEST 15.87 FEET); THENCE NORTH 80°11'17" WEST 114.82 FEET TO A POINT ON A 100.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE WESTERLY 17.78 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS NORTH 75°05'39" WEST 17.76 FEET); THENCE NORTH 70°00'00" WEST 113.78 FEET TO A POINT ON A 100.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE WESTERLY 16.46 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS NORTH 65°17'05" WEST 16.44 FEET); THENCE NORTH 60°34'11" WEST 158.86 FEET TO A POINT ON A 100.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE WESTERLY 28.96 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS NORTH 52°16'24" WEST 28.86 FEET); THENCE NORTH 43°58'37" WEST 104.25 FEET; THENCE NORTH 40°49'41" WEST 239.61 FEET TO A POINT ON A 87.66 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THE CENTER OF WHICH BEARS NORTH 68°05'19" WEST; THENCE NORTHERLY 70.44 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS NORTH 01°06'41" WEST 68.56 FEET); THENCE NORTHERLY 63.22 FEET ALONG THE ARC OF A 90.00 FOOT RADIUS CURVE TO THE RIGHT; (CHORD TO SAID CURVE BEARS NORTH 02°12'38" WEST 61.93 FEET); THENCE NORTH 17°54'48" EAST 22.06 FEET TO A POINT ON A 96.08 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHERLY 67.19 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS NORTH 02°27'05" WEST 65.82 FEET) TO THE POINT OF BEGINNING.

PARCEL 3: (CHURCH PARCEL)

A PARCEL OF LAND LOCATED IN THE WEST HALF OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, WASATCH COUNTY, UTAH DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF THE PROPOSED HIGHLANDS DEVELOPMENT, SAID POINT BEING NORTH 00°29'50" WEST 197.93 FEET ALONG THE SECTION LINE AND NORTH 90°00'00" EAST 555.06 FEET FROM THE WASATCH COUNTY SURVEY ALUMINUM PIPE CAP MONUMENT MARKING THE WEST QUARTER CORNER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN; (BASIS OF BEARINGS FOR THIS DESCRIPTION IS SOUTH 04°04'03" EAST 2857.85 FEET ALONG A LINE DEFINED BY WASATCH COUNTY WATER SERVICE AREA NO. 1 SURVEY CONTROL MONUMENTS NO. 706 AND NO. 708 (BOTH ALUMINUM PIPE CAP MONUMENTS) (SEE THE SURVEY CONTROL SHEET FOR THE CENTRAL UTAH WATER CONSERVANCY DISTRICT, WASATCH COUNTY WATER EFFICIENCY PROJECT, DRAWING NO. G-

8 AS RECORDED IN BOOK 630 AT PAGES 766-767 AND AS ENTRY NO. 259146 OF THE WASATCH COUNTY RECORDS), AND RUNNING THENCE NORTHEASTERLY ALONG THE NORTH BOUNDARY LINE OF THE PROPOSED HIGHLANDS DEVELOPMENT THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) NORTH 58°00'22" EAST 52.53 FEET; (2) NORTH 48°11'59" EAST 553.42 FEET; THENCE SOUTH 41°48'01" EAST 303.04 FEET; THENCE SOUTH 48°39'40" WEST 571.61 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF A PROPOSED ROAD; THENCE NORTHWESTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) COURSES AND DISTANCES: (1) NORTH 41°20'17" WEST 104.29 FEET TO A POINT OF CURVATURE ON A 284.00 FOOT RADIUS CURVE TO THE LEFT; (2) NORTHWESTERLY 60.81 FEET ALONG THE ARC OF SAID CURVE (CHORD TO SAID CURVE BEARS NORTH 47°28'19" WEST 60.69 FEET); (3) NORTH 53°36'20" WEST 121.21 FEET TO A POINT OF CURVATURE ON A 216.00 FOOT RADIUS CURVE TO THE RIGHT; (4) NORTHWESTERLY 24.35 FEET ALONG THE ARC OF SAID CURVE (CHORD TO SAID CURVE BEARS NORTH 50°22'35" WEST 24.34 FEET) TO THE POINT OF BEGINNING.