

172834-DMP

WHEN RECORDED MAIL TO:

D.R. Horton, Inc.

12351 S. Gateway Park Place #D100

Draper, UT 84020

01-065-0-0079 and 01-065-0-0027

MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT ("Memorandum") is made as of the 5 day of December, 2023, between CG Grantsville LLC, a Utah limited liability company ("Seller") and D.R. Horton, Inc., a Delaware corporation ("Horton"), who agree as follows:

RECITALS

- A. Seller is the owner of certain real property in Tooele County, Utah, which is more particularly described in Exhibit 1 ("Property").
- B. Seller and Horton have entered into that certain Purchase and Sale Agreement dated for reference October 19, 2023 ("Contract"), with respect to the sale of the Property. The Contract is incorporated in this Memorandum by this reference.

AGREEMENT

1. Seller has agreed to sell to Horton, and Horton has agreed to purchase from Seller, the Property, upon and subject to the provisions and conditions set forth in the Contract, as the same may be amended from time to time.

2. This Memorandum is being recorded to provide notice to any and all subsequent interests in the property of the rights and obligations of the parties to the Contract. All subsequent interests in the Property shall take subject to the Contract. This Memorandum is not intended to modify or change the provisions of the Contract. To the extent of any inconsistency between the Contract and this Memorandum, the Contract shall control.

3. This Memorandum may be executed in counterparts. This memorandum shall inure to the benefit of and shall be binding upon Horton and Seller and their respective successors and assigns.

SELLER:

CG Grantsville LLC, a Utah limited liability company

By: _____

Shawn Holste
Manager

HORTON:

D.R. Horton, Inc., a Delaware corporation

By: _____

Jonathan S. Thornley
Division CFO

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SELLER: CG Grantsville LLC, a Utah limited liability company

By: _____
Shawn Holste
Manager

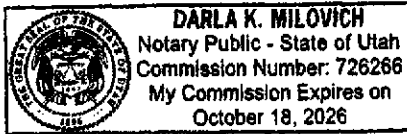
HORTON: D.R. Horton, Inc., a Delaware corporation

By: _____
Jonathan S. Thornley
Division CFO

STATE OF UTAH

COUNTY OF SALT LAKE

The foregoing instrument was acknowledged before me this 4 day of December, 2023, by Shawn Holste, the Manager of CG Grantsville, a Utah limited liability company, on behalf of the limited liability company.

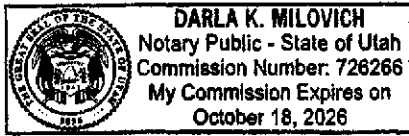


[Handwritten Signature]
NOTARY PUBLIC

STATE OF UTAH

COUNTY OF SALT LAKE

The foregoing instrument was acknowledged before me this 5 day of December, 2023 by Jonathan S. Thornley, the Division CFO of D.R. Horton, Inc., a Delaware corporation, on behalf of the corporation.



[Handwritten Signature]
NOTARY PUBLIC

EXHIBIT 1
to the Memorandum of Agreement

Parcel 1:

A part of the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base & Meridian, being more particularly described as follows:

Beginning at a point located S89°43'42"W 1264.80 feet along the Section line and N0°16'12"W 740.39 feet from the Southeast Corner of Section 35, Township 2 South, Range 6 West, Salt Lake Base & Meridian; thence N00°22'32"W 183.21 feet; thence N89°42'29"E 349.02 feet; thence S00°22'43"E 183.18 feet; thence Southwesterly along the arc of a curve to the right having a radius of 15.00 feet a distance of 23.59 feet through a central angle of 90°05'24" Chord: S44°39'59"W 21.23 feet; thence S89°42'41"W 319.03 feet; thence Northwesterly along the arc of a curve to the right having a radius of 15.00 feet a distance of 23.54 feet through a central angle of 89°54'46" Chord: N45°19'56"W 21.20 feet to the point of beginning.

Parcel 2:

A part of the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base & Meridian, being more particularly described as follows:

Beginning at a point located S89°43'42"W 850.09 feet along the Section line and N0°16'12"W 923.74 feet from the Southeast Corner of Section 35, Township 2 South, Range 6 West, Salt Lake Base & Meridian; thence N89°42'29"E 666.51 feet; thence Southwesterly along the arc of a non-tangent curve to the left having a radius of 433.00 feet (radius bears: S22°41'52"E) a distance of 97.00 feet through a central angle of 12°50'05" Chord: S60°53'06"W 96.79 feet; thence S54°28'04"W 60.78 feet; thence Southwesterly along the arc of a non-tangent curve to the left having a radius of 70.00 feet (radius bears: S02°37'22"E) a distance of 76.60 feet through a central angle of 62°42'01" Chord: S56°01'38"W 72.84 feet to a point of reverse curvature; thence along the arc of a curve to the right having a radius of 15.00 feet a distance of 7.80 feet through a central angle of 29°47'26" Chord: S39°34'20"W 7.71 feet; thence S54°28'04"W 5.05 feet; thence Westerly along the arc of a curve to the right having a radius of 367.00 feet a distance of 225.75 feet through a central angle of 35°14'37" Chord: S72°05'22"W 222.21 feet; thence S89°42'41"W 235.33 feet; thence Northwesterly along the arc of a curve to the right having a radius of 15.00 feet a distance of 23.54 feet through a central angle of 89°54'36" Chord: N45°20'01"W 21.20 feet; thence N00°22'43"W 183.23 feet to the point of beginning.

Parcel 3:

A part of the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base & Meridian, being more particularly described as follows:

Beginning at a point located N0°22'33"W 430.24 feet along the Section line from the Southeast Corner of Section 35, Township 2 South, Range 6 West, Salt Lake Base & Meridian; thence S89°37'27"W 201.00 feet; thence N00°22'33"W 214.98 feet; thence Northerly along the arc of a curve to the left having a radius of 233.00 feet a distance of 140.48 feet through a central angle of 34°32'38" Chord: N17°38'52"W 138.36 feet to a point of reverse curvature; thence along the arc of a curve to the right having a radius of 15.00 feet a distance of 6.74 feet through a central angle of 25°43'59" Chord: N22°03'11"W 6.68 feet to a

point of reverse curvature; thence along the arc of a curve to the left having a radius of 70.00 feet a distance of 24.36 feet through a central angle of 19°56'20" Chord: N19°09'22"W 24.24 feet; thence Northeasterly along the arc of a non-tangent curve to the right having a radius of 15.00 feet (radius bears: S51°29'25"E) a distance of 4.18 feet through a central angle of 15°57'28" Chord: N46°29'19"E 4.16 feet; thence N54°28'04"E 25.13 feet; thence Easterly along the arc of a curve to the right having a radius of 367.00 feet a distance of 225.73 feet through a central angle of 35°14'25" Chord: N72°05'16"E 222.19 feet; thence N89°42'29"E 16.91 feet to said Section line; thence along said Section line S00°22'33"E 460.49 feet to the point of beginning.

Parcel 4:

A part of the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base & Meridian, being more particularly described as follows:

Beginning at the Southeast Corner of Section 35, Township 2 South, Range 6 West, Salt Lake Base & Meridian; running thence S89°43'42"W 1,263.43 feet along the Section line; thence N00°22'33"W 182.64 feet; thence Northeasterly along the arc of a curve to the right having a radius of 15.00 feet a distance of 23.59 feet through a central angle of 90°05'37" Chord: N44°40'15"E 21.23 feet; thence N89°43'04"E 946.30 feet; thence Easterly along the arc of a curve to the right having a radius of 15.00 feet a distance of 7.81 feet through a central angle of 29°49'17" Chord: S75°22'18"E 7.72 feet to a point of reverse curvature; thence along the arc of a curve to the left having a radius of 70.00 feet a distance of 182.94 feet through a central angle of 149°44'10" Chord: N44°40'15"E 135.15 feet to a point of reverse curvature; thence along the arc of a curve to the right having a radius of 15.00 feet a distance of 7.81 feet through a central angle of 29°49'17" Chord: N15°17'11"W 7.72 feet; thence N00°22'33"W 22.33 feet; thence N89°37'27"E 201.00 feet; thence S00°22'33"E 321.68 feet to the point of beginning.

Parcel 5:

A part of the Southeast Quarter of Section 35, Township 2 South, Range 6 West, Salt Lake Base & Meridian, being more particularly described as follows:

Beginning at a point located S89°43'42"W 1263.95 feet along the Section line and N0°16'12"W 278.64 feet from the Southeast Corner of Section 35, Township 2 South, Range 6 West, Salt Lake Base & Meridian; thence N00°22'33"W 365.74 feet; thence Northeasterly along the arc of a curve to the right having a radius of 15.00 feet a distance of 23.58 feet through a central angle of 90°05'14" Chord: N44°40'04"E 21.23 feet; thence N89°42'41"E 650.21 feet; thence Easterly along the arc of a curve to the left having a radius of 433.00 feet a distance of 266.35 feet through a central angle of 35°14'37" Chord: N72°05'22"E 262.17 feet; thence N54°28'04"E 27.47 feet; thence Easterly along the arc of a curve to the right having a radius of 15.00 feet a distance of 23.56 feet through a central angle of 90°00'00" Chord: S80°31'56"E 21.21 feet; thence S35°31'56"E 12.84 feet; thence Southerly along the arc of a curve to the right having a radius of 167.00 feet a distance of 102.47 feet through a central angle of 35°09'23" Chord: S17°57'15"E 100.87 feet; thence S00°22'33"E 365.85 feet; thence Southwesterly along the arc of a curve to the right having a radius of 15.00 feet a distance of 23.59 feet through a central angle of 90°05'37" Chord: S44°40'15"W 21.23 feet; thence S89°43'04"W 966.43 feet; thence Northwesterly along the arc of a curve to the right having a radius of 15.00 feet a distance of 23.54 feet through a central angle of 89°54'23" Chord: N45°19'45"W 21.20 feet to the point of beginning.

Tax Id No.: 01-065-0-0079 and 01-065-0-0027 (for reference purposes only)