

When recorded return to
Rainey Homes
520 N. 900 W
Kaysville, UT 84037

9186522
09/30/2004 03:52 PM \$34.00
Book - 9043 Pg - 6682-6684
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
FIRST AMERICAN TITLE
BY: SBM, DEPUTY - WI 3 P.

SPECIAL WARRANTY DEED

SUNCREST, L.L.C., a Delaware limited liability company, formerly known as DAE/WESTBROOK, L.L.C., a Delaware limited liability company ("Grantor"), whose address is 2021 East Village Green Circle, Draper, Utah 84020, hereby CONVEYS AND WARRANTS against all claiming by, through or under to JMR LAND AND DEVELOPMENT, LLC AND RAINEY HOMES INC. ("Grantee") for the sum of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, that certain real property situated in ~~Utah~~ Utah County, State of Utah, and more fully listed and described on Exhibit A attached hereto and by this reference is made a part hereof (the "Property").

BUT EXCEPTING AND RESERVING to Grantor all water, water rights, and rights to water, whether or not adjudicated and whether or not appropriated, including tributary, non-tributary, surface, underground, spring and seep waters on, arising on, underlying or used in connection with the Property, and all ditches and ditch rights, reservoir and reservoir rights, pipelines, wells, well permits, pumps, storage tanks, rights-of-way, easements and associated rights or privileges appurtenant to or used in connection with the Property.

The Property is subject to (i) the Declaration of Covenants, Conditions and Restrictions for SunCrest dated December 21, 1999 and recorded December 28, 1999, Volume 7543075, Book 8332, Page 4708 of the records of the Official Records of Real Property of Salt Lake County, Utah, and (ii) that certain Deed of Trust of even date herewith executed by Grantee in favor of Grantor to secure the payment of an obligation described therein and recorded in the Official Records of Real Property at Salt Lake County, Utah.

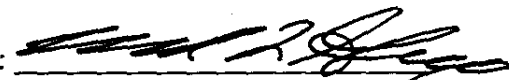
114187VW

This conveyance is made and accepted subject to all matters of record duly recorded in the Real Property Records of Utah County.

WITNESS, the hands of said Grantor as of 30th day of September, 2004.

SUNCREST, L.L.C.
a Delaware limited liability company fka DAE/
Westbrook, L.L.C, a Delaware limited liability
company

By: Westerra Management, L.L.C., a Delaware
limited liability company, its authorized
representative

By: 
Name: Edward L. Grampp, Jr.
Title: Assistant Vice President

STATE OF Utah

§
§
§

COUNTY OF Salt Lake

The foregoing instrument was acknowledged before me this 30th day of September, 2004, by Edward L. Grampp, Jr., Assistant Vice President of Westerra Management L.L.C., a Delaware limited liability company, authorized representative of Suncrest, L.L.C. a Delaware limited liability company fka DAE/Westbrook, L.L.C. a Delaware limited liability company.

WITNESS my hand and official seal.

My commission expires: 3-10-05
Wendy M. Briggs
Notary Public

(SEAL)

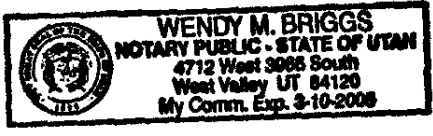


EXHIBIT A

Lots 1 – 21, OAK VISTA NO. 7A AT SUNCREST as shown on the Official Plat recorded September 27, 2004, as Entry No. 9183294 in Book 2004P and Page 281 of the Official Records of Salt Lake County, Utah (the "Property").

Part of 34-09-300-006
Part of 34-09-400-012