

12898277
12/6/2018 8:09:00 AM \$17.00
Book - 10736 Pg - 2873-2876
ADAM GARDINER
Recorder, Salt Lake County, UT
OLD REPUBLIC TITLE DRAPER/OREM
BY: eCASH, DEPUTY - EF 4 P.

RECORDING REQUESTED BY:

OLD REPUBLIC NATIONAL
TITLE INSURANCE COMPANY

AND WHEN RECORDED MAIL TO:

VP Daybreak Investments LLC
11248 Kestrel Rise Road, Suite 201
South Jordan, UT 84009
Attention: Scott R. Kaufmann

(Tax Parcel # ~~26-15-276-004, 26-15-276-003,~~
~~26-14-100-025~~) *SR*

18315514M

(Space Above for Recorder's Use Only)

NOTICE OF RIGHT TO FIRST REFUSAL

NOTICE IS HEREBY GIVEN THAT VP DAYBREAK INVESTMENTS LLC, a Delaware limited liability company ("Seller"), and SHORT DAYBREAK HOLDINGS 1, LLC, a Utah limited liability company ("Buyer"), have entered into that certain Purchase and Sale Agreement and Joint Escrow Instructions, dated August 20, 2018 (the "Purchase Agreement"), regarding that certain real property more particularly described on **Exhibit A** attached hereto and incorporated herein by reference (the "Property").

Pursuant to the terms of the Purchase Agreement, Section 13, Seller has certain rights to purchase the Property in the event, Buyer determines to sell all or any portion of the Property. This Notice of Purchase Rights shall automatically terminate and have no further force or effect on the date that is thirty-one (31) years after the date this Notice of Purchase Rights is recorded in the Official Records of Salt Lake County.

[Signatures on Following Pages]

[Commerce Park/Short Daybreak Holdings 1, LLC – Notice of Right of First Refusal – Seller’s
Signature Page]

DATED this 5th day of December, 2018.

VP DAYBREAK INVESTMENTS LLC,
a Delaware limited liability company

By: DAYBREAK COMMUNITIES LLC,
a Delaware limited liability company
Its: Project Manager

By: [Signature]
Name: Ty McCutcheon
Title: President & CEO

ACKNOWLEDGMENT

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

On December 4, 2018, personally appeared before me, a Notary Public, Ty McCutcheon, as President & CEO of **VP DAYBREAK INVESTMENTS 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 **DAYBREAK INVESTMENTS LLC**, a Delaware limited liability company.

WITNESS my hand and official Seal.




[Signature]
Notary Public in and for said State

My commission expires: Feb 24, 2019

[SEAL]

[Signatures Continue on Following Page]

SHORT DAYBREAK HOLDINGS 1, LLC,
a Utah limited liability company


By: 
Name: Alex Short
Its: member

ACKNOWLEDGMENT

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

On December 04, 2018, personally appeared before me, a Notary Public, Alex Short, as member of **SHORT DAYBREAK HOLDINGS 1, LLC**, a Utah 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 **SHORT DAYBREAK HOLDINGS 1, LLC**, a Utah limited liability company.

WITNESS my hand and official Seal.


Notary Public in and for said State

My commission expires:

[SEAL]

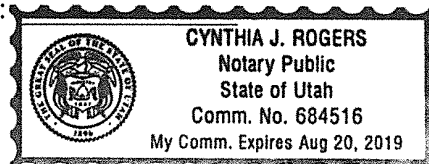


EXHIBIT A

Legal Description

Lots C-121 and C-122, DAYBREAK COMMERCE PARK PLAT 5 SUBDIVISION, Amending Lots B2, OS1, and The DRGRR Parcel Kennecott Master Subdivision #1 Amended, according to the official plat thereof recorded on November 16, 2018 as Entry No. 12887764 in Book 2018P of Plats at Page 395 in the office of the Recorder, Salt Lake County, Utah.

(The following is for informational purposes only: Tax ID Nos. 26-14-152-001 and 26-15-153-001)