

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

**Kennecott Land Company  
5295 South 300 West, Suite 475  
Murray, Utah 84107  
Attention: Senior Escrow Administrator**

Book - 9205 Pg - 4743-4773  
**GARY W. OTT**  
RECORDER, SALT LAKE COUNTY, UTAH  
TALON GROUP  
BY: ZJM, DEPUTY - WI 31 P.

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**AMENDMENT NO. 2  
TO COMMUNITY CHARTER FOR DAYBREAK**

**THIS AMENDMENT NO. 2 TO COMMUNITY CHARTER FOR DAYBREAK**  
(this "Amendment") dated September 16, 2005, is made and executed by **KENNECOTT  
LAND COMPANY**, a Delaware corporation, as "**Founder**" of Daybreak.

**RECITALS**

- A. Founder has previously established the Community Charter for Daybreak, recorded February 27, 2004, as Entry No. 8989518, in Book No. 8950, beginning at Page 7784, as amended by that certain Amendment No. 1 to Community Charter for Daybreak, recorded August 26, 2004, as Entry No. 9156782, in Book No. 9030, beginning at page 3767 (as amended, the "**Charter**") to govern the residential aspects of the community commonly known as "Daybreak" located in South Jordan, Utah. (Capitalized terms not otherwise defined herein shall have the meaning given them in the Charter). (Reference to Section numbers shall refer to sections of the Charter).
- B. In an effort to facilitate the continuing orderly development of Daybreak as a master planned community, the need has arisen to amend certain provisions of the Charter relating to, among other things: (i) modifying the definition of "Unit" to include apartment dwellings, (ii) the creation of a private water company to deliver secondary water to portions of Daybreak, (iii) the status of certain Units which had been or may be sold to non-resident investors, and (iv) the deletion of the following Units from the effect of the Charter:

See Exhibit A attached hereto

From and after the recording of this Amendment, The Charter shall remain in full force and effect with respect to the following property:

See Exhibit B attached hereto.

- C. Pursuant to Section 20.2(a) of the Charter, Founder has the right to unilaterally amend the Charter for any purpose during the "Founder Control Period" (as defined in the Charter). Accordingly, Founder desires to amend the Charter as set forth herein.

FIRST AMERICAN TITLE CO.  
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**NOW, THEREFORE**, Founder hereby declares as follows.

1. **Amendments Regarding the Definition of “Unit”**. The Charter shall be amended in the following particulars with respect to the definition of a “Unit.”

1.1 The first two paragraphs of Section 3.1 of the Charter are hereby amended and restated in their entirety to read as follows:

“*Units*. For the purposes of this charter, the term “Unit” or “Units” includes:

(a) a subdivided lot or condominium unit within Daybreak depicted as a separately identified parcel on a recorded subdivision plat, survey or condominium instrument, which may be independently owned and conveyed and is zoned or otherwise intended for development, use, and occupancy as an attached or detached residence for a single family and is sometimes referred to (along with individual residential apartments as set forth in (b) below), as a “**Residential Unit**”;

(b) in the case of an apartment building containing multiple individual apartment dwellings (or other structure containing multiple dwellings), each apartment or dwelling shall be deemed to be a separate “Unit”;

(c) a parcel of land is considered a single Unit until (i) a subdivision plat, survey or condominium instrument is recorded subdividing it into more than one Unit, or (ii) an apartment building containing multiple residential apartment dwellings is constructed and ready for occupancy; and

(d) the land, if any, which is part of the Unit, as well as any structures or other improvements of the Unit.

The term “Unit” does not include Common Areas, as defined below, common property of any Neighborhood Association, or property dedicated to the public.”

1.2 The first sentence of Section 2.4 of the Charter is hereby amended and restated in its entirety to read as follows: “Each Person that holds record title to a Unit, as defined in Section 3.1, is referred to in the Governing Documents as an “**Owner**” (with respect to a Unit that is an apartment dwelling, the Person who holds record title to the apartment building of which the apartment is a part, shall be referred to as the “Owner”).”

1.3 The first sentence of Section 4.2 of the Charter is hereby amended and restated in its entirety to read as follows: “Each Unit, including any Unit that is an apartment dwelling within an apartment building, is assigned one equal vote, subject to the limitations on voting set forth in the Charter and the other Governing Documents.”

1.4 Section 7.1(a) of the Charter is hereby amended by adding the following sentence at the end of the last paragraph of Section 7.1(a): “Notwithstanding anything in this Section 7(a) which may be construed to the contrary, the Owner of any Units that are also apartments within an apartment building, may rent or lease any such Unit(s) for residential purposes, provided, however, that such leasing arrangements are otherwise in compliance with the provisions of the Charter.”

1.5 Section 12.2(b) of the Charter is hereby amended by adding the following sentence at the end of such Section 12.2(b): “Notwithstanding the foregoing, the Founder may, in the exercise of its sole discretion, increase or decrease the allocation of the Base Assessment to any Units that are also apartment dwellings (e.g. Units that are also apartment dwellings may pay Base Assessments that are less than or greater than other Units as determined in the Founder’s sole discretion). In the event the Founder does increase or decrease the allocation of the Base Assessments, the Founder shall cause to be made all amendments and modifications to this Charter as are necessary or desirable to properly reflect such changed allocation, including, without limitation, the first sentence of Section 4.2 of this Charter relating to voting rights and modifications providing for an increase in the Base Assessments paid by all other Units.”

2. **Amendments Regarding Private Water Company(ies).**

2.1 Chapter 6 of the Charter is hereby amended to reflect that in addition to the City, the SSD, the Council or the Association’s irrigation system, a private water company or companies created by Founder may also be responsible for the maintenance duties set forth in such sections with respect to secondary water, irrigation, or irrigation lines.

2.2 Chapter 10 of the Charter is hereby amended to reflect that in addition to any SSD that may be formed, Founder may create one or more private water companies to provide secondary water to certain real property within Daybreak and/or own a secondary water distribution system within Daybreak. The owners of such private water companies, the real property served by any such secondary water system, and the costs and terms of such service shall be determined in Founder’s sole discretion.

3. **Amendment Regarding Leasing of Residential Units.** Those Units (the “Investor Units”) set forth and legally described on Exhibit C attached hereto and incorporated herein, as such Investor Units are owned or under contract to be purchased by the corresponding owner also set forth on Exhibit C (each, a “Current Investor Owner”), may (subject to this provisions of this Section 3) be leased for residential purposes by such Current Investor Owner notwithstanding the provisions of Section 7.1 of the Charter regarding the leasing of Units for residential purposes; provided, however, that such lease arrangement(s) is in accordance with the other provisions of the Charter. Notwithstanding anything above that may be construed to the contrary, the provisions of this Section 3 (with respect to any given Investor Unit) shall only apply during the period that such Investor Unit is owned by the corresponding Current Investor Owner as set forth on Exhibit C. In the event any such Investor Unit is sold, transferred, conveyed or otherwise ceases to be owned by such Current Investor Owner, the provisions of Section 7.1 of the Charter shall fully apply to such Investor Unit from and after the date that such Investor Unit is sold, transferred, conveyed, or otherwise ceased to be owned by its Current Investor Owner, and this Section 3 shall no longer apply or have any legal effect with respect to such Investor Unit. For purposes of this Section 3, the term “Current Investor Owner” shall also apply to the purchaser of an Investor Unit who has (as of the date of the recording of this Amendment) entered into a contract to purchase an Investor Unit directly from a Builder but has not yet taken title to such Investor Unit, but if, and only if, such Current Investor Owner and corresponding Investor Unit are set forth on Exhibit C. Any Unit not set forth as an Investor Unit on Exhibit C shall be governed by all of the provisions of Section 7.1 of the Charter, including, without limitation, the prohibiting of the leasing of more than one Unit for residential purposes.

**4. Amendment Regarding Easement for Lake and Pond Maintenance and Flood Water.** The last paragraph of Section 13.6 of the Charter is hereby amended in its entirety to read as follows:

The Founder further reserves for itself, the Association, and their respective successors, assigns, and designees, a perpetual nonexclusive right and easement, but not the obligation, to enter upon the Area of Common Responsibility and such other areas within Daybreak as hereafter may be dedicated to the City, the SSD, or any other governmental entity, to install, construct, upgrade, enlarge, operate, maintain, repair, or replace pumps, pipelines, structures or related equipment for the pumping, treating, cleansing, testing or transportation of groundwater, irrigation, and/or culinary water.

**5. Amendment Regarding Control Periods.**

**5.1** Section 2.1 of the Charter is hereby amended to reflect that Founder may, in the exercise of its sole and absolute discretion, terminate the Development and Sale Period at any time by delivery of written notice to the Association.

**5.2** Section 2.1 of the Charter is hereby amended by adding the following at the end of Section 2.1:

Notwithstanding anything in this Charter or the Governing Documents that may be construed to the contrary with respect to Founder's ability to voluntarily terminate the Development and Sale Period and/or Founder Control Period, Founder may (in the exercise of its sole and absolute discretion) voluntarily terminate the Development and Sale Period and/or Founder Control Period in whole or in part, with respect to all or any portion of any Unit, any Common Area, any Area of Common Responsibility, any Limited Common Area, any Service Area, or with respect to any issue, matter or subject whatsoever. Founder's decision to voluntarily terminate the Development and Sale Period and/or Founder Control Period with respect to all or any portion of any Unit, Common Area, Area of Common Responsibility, Limited Common Area, Service Area, or with respect to any issue, matter or subject whatsoever shall in no event affect, modify, or act to waive its authority under the Development and Sale Period and/or Founder Control Period except with respect to such Unit, Common Area, Area of Common Responsibility, Limited Common Area, Service Area, or such issue, matter or subject.

**6. Property Subject to Charter.** As set forth in the Recitals to this Amendment and notwithstanding anything in the Charter that may be construed to the contrary, from and after the date of the recording of this Amendment, the Charter (as amended hereby) (i) shall have no force or effect against the property more particularly described on Exhibit A attached hereto and incorporated herein and (ii) shall have full force and effect against the property more particularly described on Exhibit B attached hereto and incorporated herein by reference.

**7. Full Force and Effect.** The Charter, as amended by this Amendment, shall continue in full force and effect. Any reference to the Charter in any document shall be deemed to include this Amendment, unless the context clearly requires otherwise.

IN WITNESS WHEREOF, the Founder has executed this Amendment as of the Effective Date.

**FOUNDER:**

**KENNECOTT LAND COMPANY,**  
a Delaware corporation

By: *M. Bruce Snyder*  
M. Bruce Snyder  
Vice President, Residential and  
Commercial Development

STATE OF UTAH )  
 ) SS  
COUNTY OF SALT LAKE )

On September <sup>7<sup>th</sup></sup> 16, 2005 personally appeared before me, a Notary Public, M. Bruce Snyder, the Vice President, Residential and Commercial Development of KENNECOTT LAND 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 KENNECOTT LAND COMPANY.

WITNESS my hand and official Seal.

Tina M. Marler

Notary Public in and for said State

My commission expires: 03/04/2008

[SEAL]



**EXHIBIT A  
TO AMENDMENT NO. 2  
TO COMMUNITY CHARTER FOR DAYBREAK**

**LEGAL DESCRIPTION OF LAND *NOT* SUBJECT TO CHARTER**

**Note to recorder, clerk and title examiners:** The Charter, as amended by this Amendment, shall no longer have any force or effect against the following property:

Lots C-101 through C-102 (inclusive) and Lots M-101 through M-105 (inclusive) of that certain map entitled "Kennecott Daybreak Phase I Subdivision" recorded on October 9, 2003 as Entry No. 8847908 in Book 2003P, beginning at Page 325 of the Official Records of Salt Lake County.

Lots C-101 and C-103 through C-105 (inclusive) of that certain map entitled "Amended Kennecott Daybreak Phase I Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County.

**EXHIBIT B  
TO AMENDMENT NO. 2  
TO COMMUNITY CHARTER FOR DAYBREAK  
LEGAL DESCRIPTION OF LAND SUBJECT TO CHARTER**

**Note to recorder, clerk and title examiners:** From and after the date of the recording of this Amendment, the following property shall be subject to the Charter, as amended by this Amendment:

Lots 101 through 367 (inclusive), Lots O-101 through O-111 (inclusive), Lots P-101 through P-113 (inclusive), of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" Vacating Lots M-101, M-102, M1-3, and M-105 and Amending Lots 321, C-102, O-101, O-102, O-104, O-108, O-109, O-110 recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County.

Lots 1 through 7 (inclusive), AMENDING LOT M-104 OF KENNECOTT DAYBREAK PHASE 1 SUBDIVISION AMENDING LOTS OS2, V1, V2 & V4 OF THE KENNECOTT MASTER SUBDIVISION #1, recorded on April 12, 2004 as Entry No. 9030715, in Book 2004P, at Page 85 of the Official Records of Salt Lake County.

Lots 1 through 64 (inclusive), DAYBREAK TOWNHOME 1 SUBDIVISION BEING PARCEL A&B AMENDED KENNECOTT DAYBREAK PHASE 1 SUBDIVISION, recorded on July 21, 2004 as Entry No. 9125568, Book 2004P, at Page 198 of the Official Records of Salt Lake County.

All of the real property described on and subdivided by the "KENNECOTT DAYBREAK PHASE II SUBDIVISION" Amending Lots V1, V2, V4, T2 and T4 of the Kennecott Master Subdivision #1 according to the official plat recorded September 14, 2004, as Entry No. 9172069 in Book 2004P beginning at Page 264 in the Official Records of Salt Lake County, Utah, which plat was amended solely with respect to Lots 213-217, 227-256, 300-309, P-101, P-102, P-104, P-105, P-106, P-113, and adding Lots 310-316 pursuant to that certain amendment entitled "AMENDED KENNECOTT DAYBREAK PHASE II SUBDIVISION" according to the official plat recorded December 22, 2004, as Entry No. 9256554 in Book 2004P beginning at Page 382 in the Official Records of Salt Lake County, Utah.

All of the real property described on and subdivided by the "KENNECOTT DAYBREAK PHASE II PLAT 3 SUBDIVISION" Amending Lots T2, T4, V4 and V4A of the Kennecott Master Subdivision # 1, according to the official plat recorded March 25, 2005, as Entry No. 9331480 in Book 2005P beginning at Page 83 in the Official Records of Salt Lake County, Utah, LESS AND EXCEPTING Lot C-201 thereof.

All of the real property described on and subdivided by the map entitled "KENNECOTT DAYBREAK PLAT 4 SUBDIVISION AMENDING LOTS T4 AND V4A OF THE KENNECOTT MASTER SUBDIVISION #1", according to the official plat recorded on May 20, 2005 as Entry No. 9383110 in Book 2005P beginning at Page 160 in the Official Records of Salt Lake County, Utah.



B FLG	BLK/BLDG	IND FLG	LOT/QUAR	PARCEL NUMBER
		L	101	27-19-383-008-0000
		L	102	27-19-383-007-0000
		L	103	27-19-383-006-0000
		L	104	27-19-383-005-0000
		L	105	27-19-383-004-0000
		L	106	27-19-379-007-0000
		L	107	27-19-379-006-0000
		L	108	27-19-379-005-0000
		L	109	27-19-379-004-0000
		L	110	27-19-379-003-0000
		L	111	27-19-379-002-0000
		L	112	27-19-379-001-0000
		L	113	27-19-337-005-0000
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		L	133	27-19-257-012-0000
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		L	135	27-19-257-014-0000
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B FLG    BLK/BLDG    IND FLG    LOT/QUAR

PARCEL    NUMBER

L			137	27-19-257-016-0000
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B FLG	BLK/BLDG	IND FLG	LOT/QUAR	PARCEL NUMBER
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		L	215	27-19-333-010-0000
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B FLG	BLK/BLDG	IND FLG	LOT/QUAR	PARCEL NUMBER
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		L	301	27-19-332-038-0000
		L	301	27-19-332-048-0000
		L	301	27-19-332-049-0000
		L	301	27-19-332-057-0000
		L	302	27-19-332-037-0000
		L	302	27-19-332-055-0000
		L	302	27-19-332-056-0000
		L	302	27-19-332-057-0000
		L	303	27-19-332-036-0000
		L	303	27-19-332-050-0000
		L	303	27-19-332-051-0000
		L	303	27-19-332-055-0000
		L	304	27-19-184-013-0000
		L	305	27-19-184-012-0000
		L	306	27-19-184-011-0000
		L	307	27-19-184-010-0000

B FLG	BLK/BLDG	IND FLG	LOT/QUAR	PARCEL NUMBER
		L	308	27-19-184-009-0000
		L	309	27-19-184-004-0000
		L	310	27-19-184-005-0000
		L	311	27-19-184-006-0000
		L	312	27-19-184-007-0000
		L	313	27-19-326-006-0000
		L	314	27-19-326-005-0000
		L	315	27-19-326-004-0000
		L	316	27-19-326-003-0000
		L	317	27-19-326-001-0000
		L	318	27-19-326-002-0000
		L	319	27-19-184-003-0000
		L	319	27-19-184-030-0000
		L	319	27-19-184-031-0000
		L	320	27-19-184-002-0000
		L	320	27-19-184-030-0000
		L	321	27-19-330-003-0000
		L	321	27-19-330-015-0000
		L	322	27-19-330-002-0000
		L	323	27-19-330-001-0000
		L	324	27-19-329-003-0000
		L	325	27-19-329-002-0000
		L	326	27-19-329-001-0000
		L	327	27-19-328-003-0000
		L	328	27-19-328-002-0000
		L	329	27-19-328-001-0000
		L	330	27-19-152-007-0000
		L	331	27-19-152-008-0000
		L	332	27-19-152-009-0000
		L	333	27-19-178-005-0000
		L	334	27-19-178-006-0000
		L	335	27-19-178-007-0000
		L	336	27-19-178-004-0000
		L	337	27-19-178-003-0000
		L	338	27-19-178-002-0000
		L	339	27-19-152-006-0000



B FLG    BLK/BLDG    IND FLG    LOT/QUAR

PARCEL    NUMBER

L			340	27-19-152-005-0000
L			341	27-19-152-002-0000
L			342	27-19-152-003-0000
L			343	27-19-152-004-0000
L			344	27-19-179-002-0000
L			345	27-19-179-003-0000
L			346	27-19-179-004-0000
L			347	27-19-179-005-0000
L			348	27-19-179-010-0000
L			349	27-19-179-011-0000
L			350	27-19-179-009-0000
L			351	27-19-179-008-0000
L			352	27-19-179-007-0000
L			353	27-19-179-006-0000
L			354	27-19-176-001-0000
L			355	27-19-176-005-0000
L			356	27-19-176-006-0000
L			357	27-19-176-007-0000
L			358	27-19-253-002-0000
L			359	27-19-253-001-0000
L			360	27-19-176-004-0000
L			361	27-19-176-003-0000
L			362	27-19-176-002-0000
L			363	27-19-251-001-0000
L			364	27-19-251-002-0000
L			365	27-19-251-003-0000
L			366	27-19-252-001-0000
L			367	27-19-252-002-0000
L			C101	27-19-381-001-0000
L			C102	27-19-376-001-0000
L			C103	27-19-376-004-0000
L			C104	27-19-376-002-0000
L			C104	27-19-376-006-0000
L			C104	27-19-376-007-0000
L			C105	27-19-376-003-0000
L			M101	27-19-383-001-0000

## RXLP KENNECOTT DAYBREAK PH 1 AMD

BLK, LOT-QUAR

B FLG	BLK/BLDG	IND FLG	LOT/QUAR	PARCEL NUMBER
		L	M102	27-19-382-001-0000
		L	M103	27-19-152-001-0000
		L	M104	27-19-179-001-0000
		L	M105	27-19-180-001-0000
		L	M106	27-19-376-005-0000
		L	O101	27-19-382-002-0000
		L	O101	27-19-382-003-0000
		L	O102	27-19-383-002-0000
		L	O102	27-19-383-009-0000
		L	O103	27-19-383-003-0000
		L	O104	27-19-256-001-0000
		L	O104	27-19-256-002-0000
		L	O105	27-19-254-001-0000
		L	O106	27-19-255-001-0000
		L	O107	27-19-182-001-0000
		L	O108	27-19-181-001-0000
		L	O108	27-19-181-002-0000
		L	O109	27-19-126-001-0000
		L	O109	27-19-126-002-0000
		L	O110	27-19-177-001-0000
		L	O110	27-19-177-002-0000
		L	O111	27-19-253-003-0000
		L	P101	27-19-380-001-0000
		L	P102	27-19-377-020-0000
		L	P103	27-19-335-020-0000
		L	P104	27-19-332-035-0000
		L	P105	27-19-332-026-0000
		L	P106	27-19-331-001-0000
		L	P107	27-19-184-001-0000
		L	P108	27-19-184-008-0000
		L	P109	27-19-334-001-0000
		L	P110	27-19-151-001-0000
		L	P111	27-19-178-001-0000
		L	P112	27-19-183-001-0000
		L	P113	27-19-183-002-0000
		P	C	27-19-152-010-0000
		P	C	27-19-152-010-0000
		P	D	27-19-180-002-0000

## RXLP KENNECOTT DAYBREAK PH 1 AMD M104

BLK, LOT-QUAR

B FLG	BLK/BLDG	IND FLG	LOT/QUAR	PARCEL NUMBER
		L	1	27-19-179-012-0000
		L	2	27-19-179-013-0000
		L	3	27-19-179-014-0000
		L	4	27-19-179-015-0000
		L	5	27-19-179-016-0000
		L	6	27-19-179-017-0000
		L	7	27-19-179-018-0000

B FLG	BLK/BLDG	IND FLG	LOT/QUAR	PARCEL NUMBER
		L	101	27-19-354-012-0000
		L	102	27-19-354-013-0000
		L	103	27-19-354-011-0000
		L	104	27-19-354-010-0000
		L	105	27-19-354-007-0000
		L	106	27-19-354-008-0000
		L	107	27-19-354-009-0000
		L	108	27-19-354-005-0000
		L	109	27-19-354-004-0000
		L	110	27-19-354-003-0000
		L	111	27-19-354-001-0000
		L	112	27-19-354-002-0000
		L	113	27-19-352-005-0000
		L	114	27-19-352-004-0000
		L	115	27-19-352-003-0000
		L	116	27-19-352-002-0000
		L	117	27-19-352-001-0000
		L	118	27-19-351-002-0000
		L	119	27-19-351-001-0000
		L	120	27-19-307-005-0000
		L	121	27-19-307-004-0000
		L	122	27-19-307-003-0000
		L	123	27-19-307-002-0000
		L	124	27-19-307-001-0000
		L	125	27-19-308-003-0000
		L	126	27-19-308-002-0000
		L	127	27-19-308-001-0000
		L	128	27-19-308-004-0000
		L	129	27-19-308-005-0000
		L	130	27-19-308-006-0000
		L	131	27-19-308-007-0000
		L	132	27-19-308-008-0000
		L	133	27-19-308-009-0000
		L	134	27-19-308-010-0000
		L	135	27-19-308-011-0000
		L	136	27-19-308-012-0000

B FLG    BLK/BLDG    IND FLG    LOT/QUAR

PARCEL    NUMBER

L			137	27-19-308-013-0000
L			138	27-19-308-014-0000
L			139	27-19-308-032-0000
L			140	27-19-308-031-0000
L			141	27-19-308-030-0000
L			142	27-19-308-028-0000
L			143	27-19-308-027-0000
L			144	27-19-308-024-0000
L			145	27-19-308-025-0000
L			146	27-19-308-026-0000
L			147	27-19-308-023-0000
L			148	27-19-308-022-0000
L			149	27-19-308-021-0000
L			150	27-19-308-019-0000
L			151	27-19-308-018-0000
L			152	27-19-308-015-0000
L			153	27-19-308-016-0000
L			154	27-19-308-017-0000
L			155	27-19-309-001-0000
L			156	27-19-309-002-0000
L			157	27-19-309-003-0000
L			158	27-19-309-004-0000
L			159	27-19-309-005-0000
L			160	27-19-309-006-0000
L			161	27-19-309-007-0000
L			162	27-19-309-008-0000
L			163	27-19-309-009-0000
L			164	27-19-309-010-0000
L			165	27-19-309-014-0000
L			166	27-19-309-013-0000
L			167	27-19-309-012-0000
L			168	27-19-309-011-0000
L			169	27-19-309-030-0000
L			170	27-19-309-031-0000
L			171	27-19-309-032-0000
L			172	27-19-309-029-0000

B FLG	BLK/BLDG	IND FLG	LOT/QUAR	PARCEL NUMBER
		L	173	27-19-309-028-0000
		L	174	27-19-309-026-0000
		L	175	27-19-309-025-0000
		L	176	27-19-309-024-0000
		L	177	27-19-309-021-0000
		L	178	27-19-309-022-0000
		L	179	27-19-309-023-0000
		L	180	27-19-309-020-0000
		L	181	27-19-309-019-0000
		L	182	27-19-309-017-0000
		L	183	27-19-309-016-0000
		L	184	27-19-309-015-0000
		L	185	27-19-305-001-0000
		L	186	27-19-305-002-0000
		L	187	27-19-305-003-0000
		L	188	27-19-305-004-0000
		L	189	27-19-328-004-0000
		L	190	27-19-305-008-0000
		L	191	27-19-305-007-0000
		L	192	27-19-305-006-0000
		L	193	27-19-305-005-0000
		L	194	27-19-306-001-0000
		L	195	27-19-306-002-0000
		L	196	27-19-306-003-0000
		L	197	27-19-306-004-0000
		L	198	27-19-329-004-0000
		L	199	27-19-329-005-0000
		L	200	27-19-329-009-0000
		L	201	27-19-329-008-0000
		L	202	27-19-329-007-0000
		L	203	27-19-329-006-0000
		L	204	27-19-306-007-0000
		L	205	27-19-306-006-0000
		L	206	27-19-306-005-0000
		L	207	27-19-330-004-0000
		L	208	27-19-330-005-0000

B FLG    BLK/BLDG    IND FLG    LOT/QUAR

PARCEL    NUMBER

L			209	27-19-330-006-0000
L			210	27-19-330-007-0000
L			211	27-19-330-008-0000
L			212	27-19-330-009-0000
L			213	27-19-330-014-0000
L			214	27-19-330-013-0000
L			215	27-19-330-012-0000
L			216	27-19-330-011-0000
L			217	27-19-330-010-0000
L			218	27-19-353-004-0000
L			219	27-19-353-003-0000
L			220	27-19-353-002-0000
L			221	27-19-353-001-0000
L			222	27-19-353-005-0000
L			223	27-19-353-006-0000
L			224	27-19-353-007-0000
L			225	27-19-353-008-0000
L			226	27-19-353-009-0000
L			227	27-19-353-025-0000
L			228	27-19-353-021-0000
L			229	27-19-353-022-0000
L			230	27-19-353-023-0000
L			231	27-19-353-020-0000
L			232	27-19-353-019-0000
L			233	27-19-353-018-0000
L			234	27-19-353-015-0000
L			235	27-19-353-013-0000
L			236	27-19-353-010-0000
L			237	27-19-353-011-0000
L			238	27-19-353-012-0000
L			239	27-19-355-011-0000
L			240	27-19-355-012-0000
L			241	27-19-355-014-0000
L			242	27-19-355-015-0000
L			243	27-19-355-016-0000
L			244	27-19-355-019-0000

B FLG    BLK/BLDG    IND FLG    LOT/QUAR

PARCEL    NUMBER

L			245	27-19-355-018-0000
L			246	27-19-355-017-0000
L			247	27-19-355-021-0000
L			248	27-19-355-023-0000
L			249	27-19-355-025-0000
L			250	27-19-355-026-0000
L			251	27-19-355-027-0000
L			252	27-19-355-030-0000
L			253	27-19-355-029-0000
L			254	27-19-355-028-0000
L			255	27-19-355-032-0000
L			256	27-19-355-034-0000
L			257	27-19-355-009-0000
L			258	27-19-355-008-0000
L			259	27-19-355-007-0000
L			260	27-19-355-006-0000
L			261	27-19-355-005-0000
L			262	27-19-355-004-0000
L			263	27-19-355-003-0000
L			264	27-19-355-002-0000
L			265	27-19-355-001-0000
L			266	27-19-301-003-0000
L			267	27-19-301-004-0000
L			268	27-19-301-005-0000
L			269	27-19-302-007-0000
L			270	27-19-302-008-0000
L			271	27-19-302-009-0000
L			272	27-19-302-010-0000
L			273	27-19-302-006-0000
L			274	27-19-302-005-0000
L			275	27-19-302-004-0000
L			276	27-19-302-003-0000
L			277	27-19-155-004-0000
L			278	27-19-155-003-0000
L			279	27-19-155-002-0000
L			280	27-19-156-002-0000

B FLG	BLK/BLDG	IND FLG	LOT/QUAR	PARCEL NUMBER
		L	281	27-19-156-003-0000
		L	282	27-19-156-004-0000
		L	283	27-19-156-005-0000
		L	284	27-19-303-001-0000
		L	285	27-19-303-002-0000
		L	286	27-19-303-003-0000
		L	287	27-19-303-004-0000
		L	288	27-19-156-010-0000
		L	289	27-19-156-009-0000
		L	290	27-19-156-008-0000
		L	291	27-19-156-007-0000
		L	292	27-19-156-006-0000
		L	293	27-19-157-002-0000
		L	294	27-19-157-003-0000
		L	295	27-19-157-004-0000
		L	296	27-19-157-005-0000
		L	297	27-19-157-006-0000
		L	298	27-19-157-008-0000
		L	299	27-19-157-007-0000
		L	300	27-19-157-018-0000
		L	301	27-19-157-017-0000
		L	302	27-19-157-016-0000
		L	303	27-19-157-015-0000
		L	304	27-19-157-014-0000
		L	305	27-19-157-013-0000
		L	306	27-19-157-009-0000
		L	307	27-19-157-010-0000
		L	308	27-19-157-011-0000
		L	309	27-19-353-014-0000
		L	310	27-19-353-016-0000
		L	311	27-19-353-024-0000
		L	312	27-19-355-013-0000
		L	313	27-19-355-022-0000
		L	314	27-19-355-024-0000
		L	315	27-19-355-031-0000
		L	316	27-19-355-033-0000
		L	0101	27-19-356-001-0000

Plat 3 - 26-24-400-004  
 26-24-400-005  
 27-19-300-002  
 27-19-300-005

Plat 4 - 26-24-400-006



**Exhibit C**  
**To AMENDMENT NO. 2**  
**TO COMMUNITY CHARTER FOR DAYBREAK**

**Schedule of Investor Units and Current Investor Owners**

<u>Legal Description of Investor Units</u>	<u>Investor Owners</u>
Lots 235 and 257 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County	Myron Brown
Lots 41 and 230 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County	Que Hansen
Lot 207 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County.	Sean Segal and Anthony Bannon
Lots 253 and M-103 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County.	Mark Minor and Lorelie Villarete
Lots 25 and 299 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County	Sean Clark
Lots 1, 2, 3 and 4 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County	Richard Hunsaker
Lots 59 and 60 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County	Odill Ojukwu
Lots 55, 56 and 61 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at	Kingsley Agba

Page 164 of the Official Records of Salt Lake County	
Lots 47 and 48 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County	Folarin Da Silva
Lot 57 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County	Kelechi Charles Emeziem
Lot 58 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County	Samuel Ogburiwoboob
Lots 9 and 12 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County	Scott and Sheri Pritchett
Lots 50 and 51 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County  Lots 623, 624, 625, 626 and 627 of that certain map entitled "KENNECOTT DAYBREAK PHASE II PLAT 3 SUBDIVISION", according to the official plat recorded March 25, 2005, as Entry No. 9331480 in Book 2005P beginning at Page 83 in the Official Records of Salt Lake County, Utah.	Teslim Oladunjoye
Lots 628 and 629 of that certain map entitled "KENNECOTT DAYBREAK PHASE II PLAT 3 SUBDIVISION", according to the official plat recorded March 25, 2005, as Entry No. 9331480 in Book 2005P beginning at Page 83 in the Official Records of Salt Lake County, Utah.	Iyabade Adebayo
Lots 632 and 633 of that certain map entitled "KENNECOTT DAYBREAK PHASE II PLAT 3 SUBDIVISION", according to the official plat recorded March 25, 2005, as Entry No. 9331480 in Book 2005P beginning at Page 83 in the Official Records of Salt Lake County, Utah.	Rudy Docanto

<p>Lots 160, 196 and 330M of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County</p> <p>Lots 215, 216 and 217 of that certain map entitled "KENNECOTT DAYBREAK PHASE II SUBDIVISION" according to the official plat recorded September 14, 2004, as Entry No. 9172069 in Book 2004P beginning at Page 264 in the Official Records of Salt Lake County, Utah, which plat was amended solely with respect to Lots 213-217, 227-256, 300-309, P-101, P-102, P-104, P-105, P-106, P-113, and adding Lots 310-316 pursuant to that certain amendment entitled "AMENDED KENNECOTT DAYBREAK PHASE II SUBDIVISION" according to the official plat recorded December 22, 2004, as Entry No. 9256554 in Book 2004P beginning at Page 382 in the Official Records of Salt Lake County, Utah</p>	<p>Sean Segal</p>
<p>Lot 267 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County</p> <p>Lots 645, 646 of that certain map entitled "KENNECOTT DAYBREAK PHASE II PLAT 3 SUBDIVISION", according to the official plat recorded March 25, 2005, as Entry No. 9331480 in Book 2005P beginning at Page 83 in the Official Records of Salt Lake County, Utah.</p>	<p>John and Claudette Farrell</p>
<p>Lot 43 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County</p>	<p>Serena Betts</p>
<p>Lot 42 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County</p>	<p>Ron Matthews</p>
<p>Lot 8 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County</p>	<p>Wanda Matthews</p>

Lot 295 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County	Que Hansen and Sean Segal
Lot 294 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County	Jeff Hansen and Janene Hansen
Lot 313 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County	Jared Riddle
Lot 311 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County	Wood/Coulter
Lot 319 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County	Ben Gillen
Lot 212 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County	Susan Billings
Lots 103, 113, 114, and 223 of that certain map entitled "KENNECOTT DAYBREAK PHASE II SUBDIVISION" according to the official plat recorded September 14, 2004, as Entry No. 9172069 in Book 2004P beginning at Page 264 in the Official Records of Salt Lake County, Utah, which plat was amended solely with respect to Lots 213-217, 227-256, 300-309, P-101, P-102, P-104, P-105, P-106, P-113, and adding Lots 310-316 pursuant to that certain amendment entitled "AMENDED KENNECOTT DAYBREAK PHASE II SUBDIVISION" according to the official plat recorded December 22, 2004, as Entry No. 9256554 in Book 2004P beginning at Page 382 in the Official Records of Salt Lake County, Utah	Jose Magalde
Lot 211 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the	Ogden Family Trust

Official Records of Salt Lake County.	
Lots 229, 231 and 285 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County.	Peter Fay and Laura Fay
Lot 5 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County.	Virgil Oakden and Luann Oakden
Lot 7 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County.	Brenda Daurelle
Lot 10 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County.	Michael Carter and Shawn Dunn
Lot 16 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County.	Azuka Onyemelukwe and Debra Onyemelukwe
Lot 17 Lot 211 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County.	Tracy Thornwall
Lot 22 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County.	John Cadwallader and Barbara Cadwallader
Lot 49 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County.	Tony Bannon and Kennon Bannon
Lot 53 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County.	Abubakar Amedo Okolo

<p>Lot 54 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County.</p>	<p>Charles Amangbo</p>
<p>Lot 62 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County.</p>	<p>Terry Agba</p>
<p>Lot 63 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County.</p>	<p>Kimberlee Pitman</p>
<p>Lot M-102 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County.</p>	<p>Justin Bingham</p>
<p>Lot 178 of that certain map entitled "KENNECOTT DAYBREAK PHASE II SUBDIVISION" according to the official plat recorded September 14, 2004, as Entry No. 9172069 in Book 2004P beginning at Page 264 in the Official Records of Salt Lake County, Utah, which plat was amended solely with respect to Lots 213-217, 227-256, 300-309, P-101, P-102, P-104, P-105, P-106, P-113, and adding Lots 310-316 pursuant to that certain amendment entitled "AMENDED KENNECOTT DAYBREAK PHASE II SUBDIVISION" according to the official plat recorded December 22, 2004, as Entry No. 9256554 in Book 2004P beginning at Page 382 in the Official Records of Salt Lake County, Utah</p>	<p>Robert Dizenzo</p>
<p>Lot 183 of that certain map entitled "KENNECOTT DAYBREAK PHASE II SUBDIVISION" according to the official plat recorded September 14, 2004, as Entry No. 9172069 in Book 2004P beginning at Page 264 in the Official Records of Salt Lake County, Utah, which plat was amended solely with respect to Lots 213-217, 227-256, 300-309, P-101, P-102, P-104, P-105, P-106, P-113, and adding Lots 310-316 pursuant to that certain amendment entitled "AMENDED KENNECOTT DAYBREAK PHASE II SUBDIVISION" according to the official plat recorded December 22, 2004, as Entry No. 9256554 in Book 2004P beginning at Page 382 in the Official Records of Salt Lake County, Utah</p>	<p>Richard Welch and Kristie Welch</p>

<p>Lot 184 of that certain map entitled "KENNECOTT DAYBREAK PHASE II SUBDIVISION" according to the official plat recorded September 14, 2004, as Entry No. 9172069 in Book 2004P beginning at Page 264 in the Official Records of Salt Lake County, Utah, which plat was amended solely with respect to Lots 213-217, 227-256, 300-309, P-101, P-102, P-104, P-105, P-106, P-113, and adding Lots 310-316 pursuant to that certain amendment entitled "AMENDED KENNECOTT DAYBREAK PHASE II SUBDIVISION" according to the official plat recorded December 22, 2004, as Entry No. 9256554 in Book 2004P beginning at Page 382 in the Official Records of Salt Lake County, Utah</p>	<p>Dean Inmon</p>
<p>Lot 296 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County.</p>	<p>Mario Sanchez and Marnie Sanchez</p>
<p>Lot 297 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County.</p>	<p>Alicia Robertson</p>
<p>Lot 308 of that certain map entitled "Amended Kennecott Daybreak Phase 1 Subdivision" recorded on June 18, 2004 as Entry No. 9095385, in Book 2004P, at Page 164 of the Official Records of Salt Lake County.</p>	<p>Jeff Keyes and Nicole Keys</p>
<p>Lot 268 of that certain map entitled "KENNECOTT DAYBREAK PHASE II SUBDIVISION" according to the official plat recorded September 14, 2004, as Entry No. 9172069 in Book 2004P beginning at Page 264 in the Official Records of Salt Lake County, Utah, which plat was amended solely with respect to Lots 213-217, 227-256, 300-309, P-101, P-102, P-104, P-105, P-106, P-113, and adding Lots 310-316 pursuant to that certain amendment entitled "AMENDED KENNECOTT DAYBREAK PHASE II SUBDIVISION" according to the official plat recorded December 22, 2004, as Entry No. 9256554 in Book 2004P beginning at Page 382 in the Official Records of Salt Lake County, Utah</p>	<p>Ben Lasrich and Jodi Lasrich</p>