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When Recorded Return to:
Mr. Craig L. White
South Valley Sewer District
P.O. Box 629
Riverton, UT 84065

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01/28/2021 09:33 AM \$0.00
Book - 11107 Pg - 4040-4049
RASHELLE HOBBS
RECORDER, SALT LAKE COUNTY, UTAH
SOUTH VALLEY SEWER DISTRICT
PO BOX 629
RIVERTON UT 84065
BY: NUA, DEPUTY - WI 10 P.

PARCEL I.D.# 26-22-103-001-0000
GRANTOR: VP DAYBREAK DEVCO LLC
(Daybreak Village 12A Plat 2)
Page 1 of 8

EASEMENTS

Twenty (20) foot wide sanitary sewer easements located in the Northwest Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey.

For the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned as GRANTORS hereby grant, convey, sell, and set over unto South Valley Sewer District, a body politic of the State of Utah, hereinafter referred to as GRANTEE, its successors and assigns, perpetual rights-of-way and easements to construct, maintain, operate, repair, inspect, protect, install, remove and replace sewer pipelines, valves, valve boxes and other sewer transmission and distribution structures and facilities, hereinafter called the FACILITIES, said rights-of-way and easements, being situate in Salt Lake County, State of Utah, over and through a parcel(s) of the GRANTORS' land lying within strips twenty (20) feet wide, said strip extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

See Exhibit "A" attached hereto and by this reference made a part hereof.

Contains: 106,832 square feet or 2.45 acres

TO HAVE AND HOLD the same unto the GRANTEE, its successors and assigns, with the right of ingress and egress in the GRANTEE, its officers, employees, agents and assigns to enter upon the above-described property with such equipment and vehicles as is necessary to construct, install, maintain, operate, repair, inspect, protect, remove and replace the FACILITIES. During construction periods, GRANTEE and its contractors may use such portion of GRANTORS' property along and adjacent to the rights-of-way and easements as may be reasonably necessary in connection with the construction or repair of the FACILITIES. The contractor performing the work shall restore all property, through which the work traverses, to as near its original condition as is reasonably possible. GRANTORS shall have the right to use the above-described property except for the purposes for which these rights-of-way and easements are granted to the GRANTEE, provided such use shall not interfere with the FACILITIES or with the discharge and conveyance of sewage through the FACILITIES, or any other rights granted to the GRANTEE hereunder.

GRANTORS shall not build or construct, or permit to be built or constructed, any building or other improvement over or across these rights-of-way and easements nor change the contour thereof without the written consent of GRANTEE. These rights-of-way and easement grants shall be binding upon, and inure to the benefit of, the successors and assigns of the GRANTORS and the successors and assigns of the GRANTEE, and may be assigned in whole or in part by GRANTEE.

IN WITNESS WHEREOF, the GRANTORS have executed these rights-of-way and Easements this 8 day of JANUARY, 2021.

GRANTOR(S)

VP DAYBREAK DEVCO LLC,
a Delaware limited liability company

By: Daybreak Communities LLC,
a Delaware limited liability company
Its: Project Manager

By: [Signature]

Its: PRESIDENT & CEO
Title

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

On the 8th day of January, 2021, personally appeared before me Ty McCutcheon who being by me duly sworn did say that he is the President & CEO of Daybreak Communities LLC, a Delaware limited liability company, the project manager of **VP DAYBREAK DEVCO LLC, a Delaware limited liability company** and that the within and foregoing instrument was duly authorized by the limited liability company at a lawful meeting held by authority of its operating agreement; and duly acknowledged to me that said limited liability company executed the same.

[Signature]
Notary Public

My Commission Expires: 2/24/23

Residing in: Salt Lake County

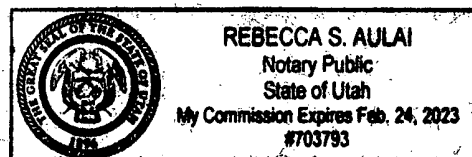


Exhibit 'A'

**DAYBREAK VILLAGE 12A PLAT 2
SEWER EASEMENTS**

(Line 1)

A twenty (20) foot wide sanitary sewer easement, located in the Northwest Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies South 89°56'37" East 676.780 feet along the Daybreak Baseline Southwest (Being South 89°56'37" East 10583.405 feet between the Southwest Corner of Section 22, T3S, R2W and the Southeast Corner of Section 23, T3S, R2W) and North 4387.045 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 20°00'00" East 331.464 feet; thence South 78°40'38" East 59.614 feet; thence South 76°19'49" East 98.806 feet; thence South 66°28'22" East 211.811 feet; thence South 43°20'29" East 45.310 feet to the point of terminus.

Contains: (approx. 747 L.F.)

(Line 2)

A twenty (20) foot wide sanitary sewer easement, located in the Northwest Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies South 89°56'37" East 753.100 feet along the Daybreak Baseline Southwest (Being South 89°56'37" East 10583.405 feet between the Southwest Corner of Section 22, T3S, R2W and the Southeast Corner of Section 23, T3S, R2W) and North 4403.835 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence South 70°00'00" East 83.000 feet; thence North 20°43'54" East 150.901 feet; thence South 66°32'27" East 181.621 feet; thence South 67°07'27" East 65.622 feet; thence South 65°22'40" East 296.223 feet; thence South 65°22'40" East 131.460 feet to the point of terminus.

Contains: (approx. 909 L.F.)

(Line 3)

A twenty (20) foot wide sanitary sewer easement, located in the Northwest Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies South 89°56'37" East 771.661 feet along the Daybreak Baseline Southwest (Being South 89°56'37" East 10583.405 feet between the Southwest Corner of Section

22, T3S, R2W and the Southeast Corner of Section 23, T3S, R2W) and North 4171.318 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence South 04°12'21" West 47.085 feet; thence South 80°46'43" East 125.502 feet; thence South 70°00'00" East 252.587 feet; thence North 20°00'00" East 117.411 feet; thence South 65°22'40" East 115.183 feet; thence South 66°31'38" East 249.197 feet; thence South 65°22'40" East 75.845 feet to the point of terminus.

Contains: (approx. 983 L.F.)

(Line 4)

A twenty (20) foot wide sanitary sewer easement, located in the Northwest Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies South 89°56'37" East 868.918 feet along the Daybreak Baseline Southwest (Being South 89°56'37" East 10583.405 feet between the Southwest Corner of Section 22, T3S, R2W and the Southeast Corner of Section 23, T3S, R2W) and North 3780.534 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 04°05'35" East 324.638 feet to the point of terminus.

Contains: (approx. 325 L.F.)

(Line 5)

A twenty (20) foot wide sanitary sewer easement, located in the Northwest Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies South 89°56'37" East 986.263 feet along the Daybreak Baseline Southwest (Being South 89°56'37" East 10583.405 feet between the Southwest Corner of Section 22, T3S, R2W and the Southeast Corner of Section 23, T3S, R2W) and North 4302.986 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 24°37'20" East 155.672 feet to the point of terminus.

Contains: (approx. 156 L.F.)

(Line 6)

A twenty (20) foot wide sanitary sewer easement, located in the Northwest Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies South 89°56'37" East 996.288 feet along the Daybreak Baseline Southwest (Being South 89°56'37" East 10583.405 feet between the Southwest Corner of Section 22, T3S, R2W and the Southeast Corner of Section 23, T3S, R2W) and North 3767.002 feet from

the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence South 89°34'40" East 336.544 feet; thence North 69°52'37" East 60.764 feet; thence North 30°00'00" East 226.015 feet to the point of terminus.

Contains: (approx. 623 L.F.)

(Line 7)

A twenty (20) foot wide sanitary sewer easement, located in the Northwest Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies South 89°56'37" East 1111.582 feet along the Daybreak Baseline Southwest (Being South 89°56'37" East 10583.405 feet between the Southwest Corner of Section 22, T3S, R2W and the Southeast Corner of Section 23, T3S, R2W) and North 4419.118 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 24°37'20" East 140.000 feet; thence North 36°38'02" East 58.052 feet to the point of terminus.

Contains: (approx. 198 L.F.)

(Line 8)

A twenty (20) foot wide sanitary sewer easement, located in the Northwest Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies South 89°56'37" East 1246.044 feet along the Daybreak Baseline Southwest (Being South 89°56'37" East 10583.405 feet between the Southwest Corner of Section 22, T3S, R2W and the Southeast Corner of Section 23, T3S, R2W) and North 3840.714 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 02°10'29" East 194.525 feet; thence North 24°37'20" East 50.125 feet to the point of terminus.

Contains: (approx. 245 L.F.)

(Line 9)

A twenty (20) foot wide sanitary sewer easement, located in the Northwest Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies South 89°56'37" East 1326.708 feet along the Daybreak Baseline Southwest (Being South 89°56'37" East 10583.405 feet between the Southwest Corner of Section 22, T3S, R2W and the Southeast Corner of Section 23, T3S, R2W) and North 4177.734 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and

Meridian and running thence North 24°37'20" East 130.000 feet to the point of terminus.

Contains: (approx. 130 L.F.)

(Line 10)

A twenty (20) foot wide sanitary sewer easement, located in the Northwest Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies South 89°56'37" East 1368.756 feet along the Daybreak Baseline Southwest (Being South 89°56'37" East 10583.405 feet between the Southwest Corner of Section 22, T3S, R2W and the Southeast Corner of Section 23, T3S, R2W) and North 4518.211 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence South 24°37'20" West 40.000 feet; thence South 65°22'40" East 249.851 feet to the point of terminus.

Contains: (approx. 290 L.F.)

(Line 11)

A twenty (20) foot wide sanitary sewer easement, located in the Northwest Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies South 89°56'37" East 1460.184 feet along the Daybreak Baseline Southwest (Being South 89°56'37" East 10583.405 feet between the Southwest Corner of Section 22, T3S, R2W and the Southeast Corner of Section 23, T3S, R2W) and North 4171.657 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 30°00'00" East 80.386 feet; thence North 30°00'00" East 91.894 feet; thence North 30°00'00" East 65.800 feet; thence North 30°00'00" East 71.429 feet to the point of terminus.

Contains: (approx. 310 L.F.)

(Line 12)

A twenty (20) foot wide sanitary sewer easement, located in the Northwest Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies South 89°56'37" East 1558.783 feet along the Daybreak Baseline Southwest (Being South 89°56'37" East 10583.405 feet between the Southwest Corner of Section 22, T3S, R2W and the Southeast Corner of Section 23, T3S, R2W) and North 4040.533 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 30°00'00" East 236.621 feet; thence North 60°00'00" West

151.000 feet to the point of terminus.

Contains: (approx. 388 L.F.)

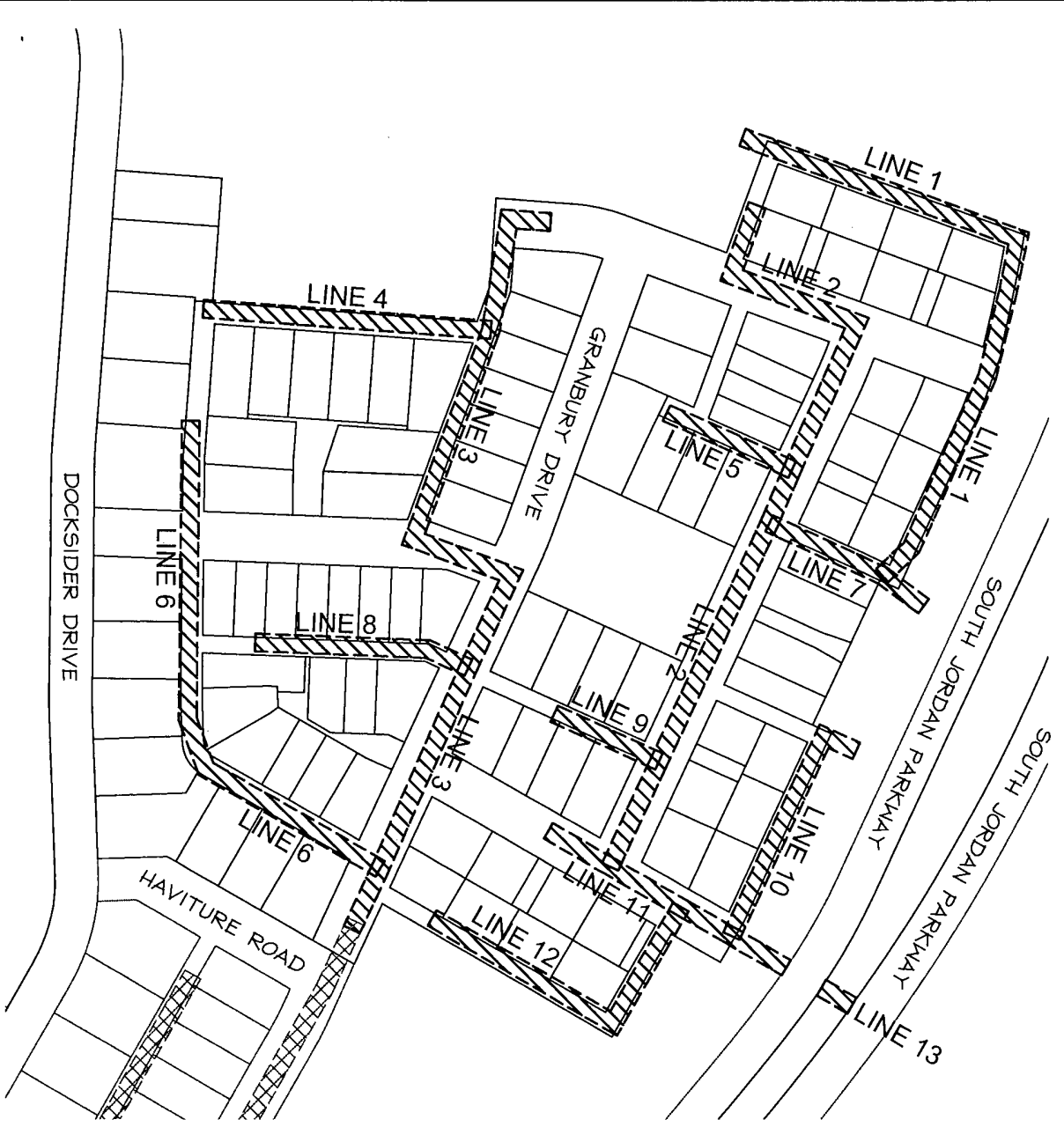
(Line 13)



A twenty (20) foot wide sanitary sewer easement, located in the Northwest Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

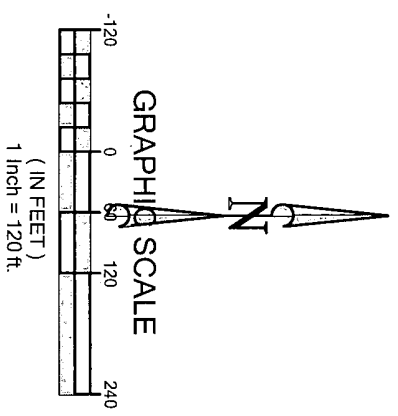
Beginning at a point that lies South $89^{\circ}56'37''$ East 1637.747 feet along the Daybreak Baseline Southwest (Being South $89^{\circ}56'37''$ East 10583.405 feet between the Southwest Corner of Section 22, T3S, R2W and the Southeast Corner of Section 23, T3S, R2W) and North 4479.381 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North $30^{\circ}00'00''$ East 39.715 feet to the point of terminus.

Contains: (approx. 40 L.F.)

REFS: 100182 Daybreak\Cadd\Survey\Master\172AP2\Exhibit\2020-10-30\172AP2 sewer easements.dwg, 10/30/2020 11:33:51 AM, DWG To PDF.pc3



LEGEND
 PROPOSED 20' WIDE SEWER EASEMENT
 EXISTING 20' WIDE SEWER EASEMENT RECORDED IN BOOK 11024 PAGE 3800



BK 11107 PG 4047

DATE: _____ TIME: _____
 NETWORK: _____
 PATH: _____
 DWG NAME: _____
 LAYOUT: _____
 DESIGNER: _____ MGR: _____
 SHEET NUMBER
 JOB NUMBER
 00748

PERIGEE CONSULTING
 CIVIL • STRUCTURAL • SURVEY

6000 SOUTH 500 WEST, SUITE 800
 RYLEIGH, OHIO 43084 TEL: 614.884.8400 FAX: 614.884.8401
 WEST JORDAN, UT 84088
 WWW.PERIGEECVL.COM

EXHIBIT A
 SEWER EASEMENTS
 DAYBREAK VILLAGE 12A PLAT 2

PREPARED FOR: DAYBREAK COMMUNITIES DATE SUBMITTED: 10-30-2020

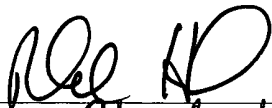
LENDER'S CONSENT AND SUBORDINATION

EASEMENT – PARCEL I.D. # 26-22-103-001-0000
DAYBREAK VILLAGE 12A PLAT 2
(TO SOUTH VALLEY SEWER DISTRICT)

THE UNDERSIGNED, THE BENEFICIARY UNDER THAT CERTAIN DEED OF TRUST, DATED DECEMBER 19, 2019, ENCUMBERING THE HEREIN DESCRIBED REAL PROPERTY (THE "DEED OF TRUST"), HEREBY EXPRESSLY CONSENTS TO AND JOINS IN THE EXECUTION AND RECORDING OF THAT CERTAIN SEWER EASEMENT, DATED AS OF JANUARY 8, 2020, FROM VP DAYBREAK DEVCO LLC, A DELAWARE LIMITED LIABILITY COMPANY, TO SOUTH VALLEY SEWER DISTRICT, A BODY POLITIC OF THE STATE OF UTAH (THE "EASEMENT"), TO WHICH THIS LENDER'S CONSENT AND SUBORDINATION IS ATTACHED.

THE UNDERSIGNED LENDER HEREBY CONSENTS TO THE EASEMENT AND MAKES THE LIEN OF THE DEED OF TRUST SUBORDINATE THERETO. THIS LENDER'S CONSENT AND SUBORDINATION SHALL NOT OTHERWISE AFFECT THE PRIORITY OF MORTGAGES AND/OR LIENS AGAINST THE REAL PROPERTY DESCRIBED HEREIN, BUT SHALL SOLELY EVIDENCE THE LENDER'S INTENT TO SUBORDINATE ITS LIEN OF THE DEED OF TRUST TO THE EASEMENT. THE UNDERSIGNED REPRESENTS THAT HE OR SHE HAS FULL POWER AND AUTHORITY TO EXECUTE THIS LENDER'S CONSENT AND SUBORDINATION ON BEHALF OF THE LENDER.

U.S. BANK NATIONAL ASSOCIATION
d/b/a Housing Capital Company

By: 
Name: Rhonda Harold
Title: Vice President

[SIGNATURE MUST BE NOTARIZED]
[Notary acknowledgement on following page]

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

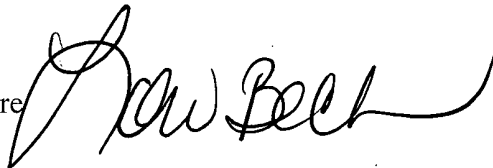
COUNTY OF FRESNO

On January 11, 2021, before me, **Lori Beckman, a Notary Public**, personally appeared **Rhonda Harold** who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



[SEAL]

