

WHEN RECORDED RETURN TO:

VP Daybreak Operations LLC  
Attn: Gary Langston  
11248 Kestrel Rise Road, Suite 201  
South Jordan, UT 84009

13171115  
1/15/2020 3:26:00 PM \$40.00  
Book - 10885 Pg - 4109-4112  
RASHELLE HOBBS  
Recorder, Salt Lake County, UT  
OLD REPUBLIC TITLE DRAPER/OREM  
BY: eCASH, DEPUTY - EF 4 P.

1939046JM  
Tax ID: 26-23-127-001, 26-23-126-001  
26-23-201-001

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Space above for County Recorder's Use

**NOTICE OF REINVESTMENT FEE COVENANT**  
**(Daybreak Master Planned Community)**  
[AMH DEVELOPMENT PROPERTY]

Pursuant to Utah Code Ann. 57-1-46 *et seq*, this NOTICE OF REINVESTMENT FEE COVENANT (Daybreak Master Planned Community) is hereby given for that certain real property located in Salt Lake County, Utah (the "**Property**") and more particularly described on Exhibit A attached hereto and incorporated herein, with respect to the following:

1. Pursuant to Daybreak's Covenant for Community (the "**Daybreak Covenant**") dated February 25, 2004, and recorded on February 27, 2004, as Entry No. 8989517, in Book 8950, beginning at Page 7722 in the Salt Lake County Recorder's Office, as amended and supplemented from time to time, as evidenced in the official records of Salt Lake County, the Daybreak Community Council, a Utah non-profit corporation (the "**Community Council**") imposes a community enhancement fee (the "**Reinvestment Fee**") upon certain transfers of portions of the Property except Exempt Transfers (as such term is defined in the Daybreak Covenant).

2. The Reinvestment Fee is payable to the Community Council at the closing of the transfer of the title of the affected portion of the Property.

3. The Reinvestment Fee shall be paid to the Community Council, at the following address:

Daybreak Community Council  
11248 Kestrel Rise Road, Suite 201  
South Jordan, UT 84009

4. The Community Council's authorized representative is Rich Sonntag.

5. The Reinvestment Fee runs with the land and binds all successors in interest and assigns of the Property.

6. Unless terminated pursuant to the Daybreak Covenant, the duration of the Reinvestment Fee is perpetual.

7. Pursuant to the Daybreak Covenant, the Reinvestment Fee shall be used for purposes consistent with the Community Council's mission and for purposes for which the Community Council was created, including payment for community planning, facilities and infrastructure; obligations arising from an environmental covenant, community programming, open space, recreation amenities, charitable purposes, and Community Council association expenses.

8. The Reinvestment Fees paid under the Daybreak Covenant are required to benefit the Property.

9. The Reinvestment Fee is the only reinvestment fee covenant to burden the Property, and no additional reinvestment fee covenant of any type or kind may be imposed on the Property.

10. The Daybreak Covenant contemplates that future phases may be added to the Daybreak Master Planned Community, and the Reinvestment Fee and any corresponding notices thereof will be recorded against and will apply to all newly added phases.

11. This Notice of Reinvestment Fee (Daybreak Master Planned Community) supersedes and replaces any previously recorded notices of transfer fee covenants recorded on any portions of the Property, provided that this Notice of Reinvestment Fee does not amend, replace, or supersede the Covenant or the Community Charter for Daybreak, dated February 25, 2004, and recorded in the official records of Salt Lake County on February 27, 2004 as Entry No. 8989518, Book 8950, beginning at Page 7784.

12. Each owner shall contact CCMC's Title Specialist for the Community Council, or designee, at least seven (7) days prior to the scheduled closing or transfer of title and provide the name of the buyer, the date of the transfer of title, and other information the Community Council may reasonably require.

13. The current, total amount of the Reinvestment Fee and/or any unpaid assessments, including principal, interest, and costs with respect to a particular portion of the Property may be obtained by contacting the Community Council's CCMC Title Specialist at 8360 E. Via de Ventura, Bldg. L, Suite 100, Scottsdale, AZ., 85258 or 480-921-7500 or [www.ccmcnet.com](http://www.ccmcnet.com).

*[Signature on Following Page]*


IN WITNESS WHEREOF, Rich Sonntag, as the authorized representative for the Daybreak Community Council, has executed this Notice of Reinvestment Fee (Daybreak Master Planned Community) as of Oct 29, 2019.

**DAYBREAK COMMUNITY COUNCIL,**  
a Utah non-profit corporation

By: \_\_\_\_\_  
Name: Rich Sonntag  
Title: President

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

The foregoing instrument was acknowledged before me this 29 day of October, 2019 by Rich Sonntag, the President of DAYBREAK COMMUNITY COUNCIL, a Utah non-profit corporation.

 TARA BETTY DONNELLY  
Notary Public, State of Utah  
Commission # 706235  
My Commission Expires On  
May 10, 2023

Tara Betty Donnelly  
NOTARY PUBLIC  
Residing at: SLC, Utah

My Commission Expires:

May 10, 2023

**EXHIBIT A  
TO  
NOTICE OF REINVESTMENT FEE COVENANT**

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**Daybreak South Mixed Use Plat 1**

Beginning at the North Quarter Corner of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian, said point being South 89°56'03" East 7936.067 feet along the Daybreak Baseline South (Being South 89°56'03" East 21225.293 feet between the Southwest Corner of Section 22, T3S, R2W and the Southeast Corner of Section 19, T3S, R1W) and North 5281.288 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 89°58'54" East 25.862 feet along the North Line of the Northeast Quarter of said Section 23 to the West right-of-way line of Trocadero Avenue; thence along said West right-of-way line the following (3) courses: 1) South 211.912 feet to a point on a 532.000 foot radius tangent curve to the left, (radius bears East, Chord: South 16°46'44" East 307.157 feet); 2) along the arc of said curve 311.591 feet through a central angle of 33°33'29"; 3) South 33°33'29" East 150.281 feet to the Northerly right-of-way line of South Jordan Parkway; thence along said Northerly right-of-way line South 54°38'21" West 1002.300 feet to the Easterly right-of-way line of Kitty Hawk Road and a point on a 1170.000 foot radius non tangent curve to the right, (radius bears North 57°29'24" East, Chord: North 16°15'18" West 654.998 feet); thence along said Easterly right-of-way line the following (2) courses: 1) along the arc of said curve 663.868 feet through a central angle of 32°30'36"; 2) North 455.648 feet to the North right-of-way line of Copperhawk Drive; thence along said Copperhawk Drive West 11.500 feet to the West Line of Lot Z107 of the VP Daybreak Operations-Investments Plat 1; thence along said West Line North 126.510 feet to the North Line of the Northwest Quarter of said Section 23; thence along said North Line North 89°58'44" East 814.638 feet to the point of beginning.

Property contains **19.641 acres**.

**Daybreak South Mixed Use Plat 1**

Beginning at a point on the North Line of the Northwest Quarter of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian, said point also being the Northeast Corner of Lot Z106 of the VP Daybreak Operations-Investments Plat 1, said point lies South 89°58'44" West 814.638 feet along the Section Line from the North Quarter Corner of Section 23 of said Township and Range and running thence along said Lot Z106 South 126.510 feet to a Northerly Line of Daybreak Village 8 Plat 6 subdivision; thence along said Daybreak Village 8 Plat 6 subdivision the following (2) courses: 1) West 36.500 feet; 2) North 126.496 feet to said North Line of the Northwest Quarter of Section 23; thence along said North Line of the Northwest Quarter of Section 23 North 89°58'44" East 36.500 feet to the point of beginning.

Property contains **0.106 acres**, 4617 square feet.