

After Recording, Please Return To:

D.R. Horton, Inc.  
12351 S. Gateway Park Place #D100  
Draper, UT 84020  
Attn: Jonathan S. Thornley

Tax Id No.: 39-356-0363, 39-358-0398 and 39-358-0399

### **SPECIAL WARRANTY DEED**

**Forestar (USA) Real Estate Group, Inc.**, a Delaware corporation ("Grantor"), for the consideration hereinafter stated, does GRANT, SELL, AND CONVEY unto **D.R. Horton, Inc.**, a Delaware corporation with offices in the State of Utah ("Grantee"), the real property described on Exhibit "A" attached to and incorporated in this Deed, together with all improvements thereon, situated in Utah County, Utah (the "Property"):

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, Grantee's successors and assigns, forever.

And Grantor does hereby bind Grantor, Grantor's heirs, executors, administrators, and successors, to WARRANT AND FOREVER DEFEND, all and singular, the Property unto Grantee, Grantee's successors and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof, by, through, or under Grantor, but not otherwise, subject however, to the Permitted Exceptions set forth on Exhibit "B" attached to and incorporated in this Deed by reference.

The consideration for this conveyance, receipt of which Grantor acknowledges, is \$10.00 and other valuable consideration paid to Grantor for which no lien either express or implied is retained.

For the same consideration, Grantor hereby GRANTS, SELLS, CONVEYS, ASSIGNS, AND DELIVERS to Grantee, all right, title, and interest, if any, of Grantor, as owner of the Property but not as owner of any property, in and to (i) strips or gores, if any, between the Property and abutting properties, (ii) any land lying in or under the bed of any street, alley, road, or right-of-way, opened or proposed, abutting or adjacent to the Property, (iii) any easements, rights of way, rights of ingress and egress or other interests in, on, or to, any land, highway, street, road, or avenue, open or proposed, in, on, across from, in front of, abutting, adjoining, or otherwise appurtenant to the Property, as well as other rights, privileges, and appurtenances owned by Grantor and in any way related to the Property and other rights and interest of Grantor hereunder conveyed, and (iv) all oil, gas, hydrocarbons, and minerals in, on, under, or that may be produced from the property.

Executed this 20 day of September, 2022.

GRANTOR:

**Forestar (USA) Real Estate Group, Inc.,**  
a Delaware corporation

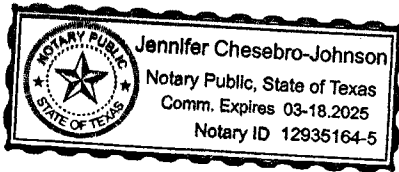
By: *Andrew D. Harris*

Name: Andrew D. Harris

Title: Vice President

STATE OF TEXAS            )  
  )ss.  
COUNTY OF WILLIAMSON

This instrument was acknowledged before me, the undersigned authority, this 20 day of September, 2022, by Andrew D. Harris in his/her capacity as Vice President of Forestar (USA) Real Estate Group, Inc., a Delaware corporation.



*Jennifer Chesebro-Johnson*  
Notary Public, State of Texas

**EXHIBIT "A"**  
**To the Special Warranty Deed**  
Property Legal Description

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Lot 363, FOOTHILL VILLAGE SUBDIVISION PLAT "M", according to the official plat thereof as recorded in the office of the Utah County Recorder on March 9, 2022 as Entry No. 29700:2022.

ALSO:

Lots 398 and 399, FOOTHILL VILLAGE SUBDIVISION PLAT "Q", according to the official plat thereof as recorded in the office of the Utah County Recorder on March 9, 2022 as Entry No. 29702:2022.

**EXHIBIT "B"**  
**To the Special Warranty Deed**  
 Permitted Exceptions

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1. Taxes for the year 2022 are accruing as a lien not yet due and payable under previous Parcel Nos. 32-017-0245, 32-017-0247 and 32-017-0248. Taxes for the year 2021 have been paid with other land.

NOTE: Taxes for the year 2023 will be assessed under Parcel Nos. 39-356-0363, 39-358-0398 and 39-358-0399.

2. The herein described Land is located within the boundaries of Santaquin City, Central Utah Water Conservancy, Wasatch Mental Health Special Service District, South Utah Valley Animal Special Service District, Utah Valley Dispatch Special Service District, and is subject to any and all charges and assessments levied thereunder.

3. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records or listed herein. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.

4. Claim, right, title or interest to water or water rights whether or not shown by the Public Records.

5. Easements, notes and restrictions as shown on the recorded plat for Foothill Village Subdivision Plat "M", recorded March 9, 2022 as Entry No. 29700:2022.

Easements, notes and restrictions as shown on the recorded plat for Foothill Village Subdivision Plat "Q", recorded March 9, 2022 as Entry No. 29702:2022.

6. Annexation and Development Agreement, dated October 18, 2000 and recorded December 11, 2000 as Entry No. 97996:2000.

Resolution 03-03-2014 Approving an Amendment to the Ahlin Property Development Agreement Regarding the Phasing of Required Development Infrastructure Improvements Between Santaquin City, Rich Barton, and Irewood Nevada, LLC, recorded March 6, 2014 as Entry No. 15215:2014.

Resolution 02-03-2019 Approving a Second Amendment to the Ahlin Property Development Agreement Regarding the Clarification and Modification of Certain Development Parameters Between Santaquin City and Salisbury Land Development LLC, Salisbury Land LLC, and Salisbury Developers Inc., recorded February 15, 2019 as Entry No. 12603:2019.

Amended March 13, 2020 as Entry No. 32698:2020.

Scrivener's Error Affidavit for the purpose of correcting the exhibits contained within the aforementioned document recorded October 15, 2021 as Entry No. 176685:2021.

7. Terms, provisions, covenants, conditions, restrictions, easements, charges, assessments and liens provided for in that certain Declaration of Covenants, Conditions, and Restrictions recorded May 28, 2020 as Entry No. 72730:2020, but omitting any covenant, condition or restriction, if any, based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap, but does not discriminate against handicapped persons.

8. Terms, provisions, covenants, conditions, restrictions, easements, charges, assessments and liens provided

for in that certain Declaration of Covenants, Conditions, and Restrictions for Foothill Village Subdivision Plat M - Lots 257 to 267, Plat N - Lots 343 to 356, Plat Q - Lots 388 to 405, Plat S - Lots 558 to 577 and Plat T - Lots 578 to 593 recorded March 17, 2022 as Entry No. 33617:2022, but omitting any covenant, condition or restriction, if any, based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap, but does not discriminate against handicapped persons.

9. Notice of Reinvestment Fee Covenant in favor of Foothill Alta Owners Association, Inc., a Utah nonprofit corporation, recorded June 25, 2020 as Entry No. 88493:2020.
10. The recitals, reservations, mineral rights and the terms and conditions set forth in that certain Special Warranty Deed and Reservation of Surface Rights (Minerals) recorded November 26, 2019 as Entry No. 124659:2019.
11. Intentionally Deleted by Title Company