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JULIE DOLE  
RECORDER, SALT LAKE COUNTY, UTAH  
FIRST AMERICAN TITLE  
BY: DCA, DEPUTY - WI 5 P.

WHEN RECORDED, RETURN TO:

VP Daybreak Operations LLC  
4700 Daybreak Parkway  
South Jordan, UT 84009  
Attention: Gary Langston

**SUPPLEMENT TO COMMUNITY CHARTER FOR DAYBREAK**

and

**SUPPLEMENT TO COVENANT FOR COMMUNITY FOR DAYBREAK,  
SUBMITTING ADDITIONAL PROPERTY**

(VILLAGE 5 MULTI FAMILY #2)

and

**NOTICE OF REINVESTMENT FEE COVENANT**

and

**EXPANSION OF TELECOMMUNICATIONS SERVICE AREA NO. 1**

**THIS SUPPLEMENT TO COMMUNITY CHARTER FOR DAYBREAK AND SUPPLEMENT TO COVENANT FOR COMMUNITY FOR DAYBREAK, SUBMITTING ADDITIONAL PROPERTY (VILLAGE 5 MULTI FAMILY #2) AND NOTICE OF REINVESTMENT FEE COVENANT AND EXPANSION OF TELECOMMUNICATIONS SERVICE AREA NO. 1 (this "Supplement") is made this August 8, 2017, by VP DAYBREAK OPERATIONS LLC, a Delaware limited liability company (as successor-in-interest to Kennecott Land Company), as founder ("Founder") under the Community Charter for Daybreak, recorded on February 27, 2004, as Entry No. 8989518, in Book 8950, beginning at Page 7784, as amended by that certain Amendment No. 1 to Community Charter for Daybreak, recorded on August 26, 2004, as Entry No. 9156782, in Book 9030, beginning at Page 3767, in the Official Records of Salt Lake County, and as amended by that certain Amendment No. 2 to Community Charter for Daybreak, recorded on October 19, 2005, as Entry No. 9528104, in Book 9205, beginning at Page 4743, in the Official Records of Salt Lake County, and as amended by that certain Amendment No. 3 to Community-Charter for Daybreak, recorded on March 13, 2007, as Entry No. 10031889, in Book 9434, beginning at Page 6476, in the Official Records of Salt Lake County (as amended from time to time, the "Charter") and under the Covenant for Community for Daybreak, recorded on February 27, 2004, as Entry No. 8989517, in Book 8950, beginning at page 7722 (as amended from time to time, the "Covenant").**

**RECITALS:**

- A. Pursuant to the Charter, Founder is the "Founder" of the community commonly known as "Daybreak" located in South Jordan, Utah.

- B. Founder has recorded or is concurrently recording that certain subdivision map entitled "DAYBREAK VILLAGE 5 MULTI FAMILY #2 SUBDIVISION AMENDING LOTS 148-163, P-LOTS P-102-P-104, PARCEL A & A PUBLIC LANE OF THE KENNECOTT DAYBREAK VILLAGE 5 PLAT 2 SUBDIVISION AMENDING LOT V3 OF THE KENNECOTT MASTER SUBDIVISION #1 AMENDED" (the "Plat") which relates to the real property more particularly described on Exhibit A attached hereto (the "Property"). Founder is the owner of the Property.
- C. Pursuant to that certain Supplement to Community Charter for Daybreak Creating Service Area (Telecommunications Service Area No. 1), recorded on March 23, 2006, as Entry No. 9671594, in Book 9270, beginning at Page 4287 (the "Telecommunications Service Area Supplement"), Founder created the Telecommunications Service Area No. 1 (the "Telecommunications Service Area").
- D. Founder desires to (i) submit and subject the Property to the Charter and Covenant, including, without limitation, the terms, conditions, covenants and restrictions thereof as they now exist or may hereafter be amended, and (ii) expand the boundaries of the Telecommunications Service Area to include the Property.

NOW, THEREFORE, Founder hereby declares the following:

1. **Definitions.** Unless otherwise defined herein, all capitalized terms shall have the meaning assigned to them in the Covenant and/or Charter.
2. **Submission to Charter and Covenant.** Pursuant to Section 16.1 of the Charter and Section 5.2 of the Covenant, Founder hereby submits and subjects the Property to the Charter and the Covenant, including, without limitation, all terms, conditions, covenants, easements, restrictions, liens, charges, and assessments contained therein.
3. **Notice of Reinvestment Fee.** Notice is hereby given that the Covenant and the Charter provide, among other things, that certain assessments and fees will be charged against the Property (and their respective owners), as further described in the Covenant and Charter including a "Community Enhancement Fee", as more particularly defined and set forth in the Covenant. The Community Enhancement Fee is a "reinvestment fee covenant" under Utah law, and pursuant to Utah law, a separate Notice of Reinvestment Fee Covenant of even date herewith has been concurrently recorded against the Property.
4. **Expansion of Telecommunications Service Area.** Pursuant to the Telecommunications Service Area Supplement and Section 3.4 of the Charter, Founder hereby expands the boundaries of the Telecommunications Service Area to include the Property and hereby designates the Residential Units located within the Property, or that may in the future be located within the Property, to the Telecommunications Service Area, including all applicable terms, conditions, rules, assessments, liens, charges, and regulations associated with such Telecommunications Service Area (in accordance with the terms of the Charter).
5. **Full Force and Effect.** The Charter and the Covenant, as supplemented hereby, shall remain in full force and effect.

6. **Incorporation by Reference.** The Recitals and Exhibit to this Supplement are hereby incorporated herein by this reference.

*[Signatures on the Following Page]*

IN WITNESS WHEREOF, as of this August 14, 2017, Founder has executed this Supplement.

**Founder:**

**VP DAYBREAK OPERATIONS LLC,**  
a Delaware limited liability company

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

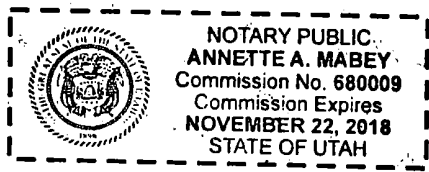
By: *Ty McCutcheon*  
Ty McCutcheon, President & CEO

ACKNOWLEDGMENT

STATE OF UTAH )  
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COUNTY OF SALT LAKE )

On August 14, 2017 personally appeared before me, a Notary Public, Ty McCutcheon, President & CEO of Daybreak Communities LLC, the Project Manager of VP Daybreak Operations 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 VP Daybreak Operations LLC, a Delaware limited liability company.

WITNESS my hand and official Seal.



[SEAL]

*Annette A Mabey*  
Notary Public in and for said State

My commission expires: 11/22/2018

**EXHIBIT A**

**LEGAL DESCRIPTION OF THE PROPERTY**

All of the real property described on that certain plat entitled "DAYBREAK VILLAGE 5 MULTI FAMILY #2 SUBDIVISION AMENDING LOTS 148-163, P-LOTS P-102-P-104, PARCEL A & A PUBLIC LANE OF THE KENNECOTT DAYBREAK VILLAGE 5 PLAT 2 SUBDIVISION AMENDING LOT V3 OF THE KENNECOTT MASTER SUBDIVISION #1 AMENDED", recorded on August 16, 2017, as Entry No. 12597263, Book 2017P, at Page 211 of the Official Records of Salt Lake County, Utah.

[TO BE FILLED IN UPON PLAT RECORDING]

Boundary Description:

Beginning at a the Northwest Corner of Lot 148 of the Kennecott Daybreak Village 5 Plat 2 Subdivision Amending Lot V3 of the Kennecott Master Subdivision #1 Amended, also being the intersection of the East right-of-way line of Redknife Drive and the South right-of-way line of Bowstring Way said point lies North 00°02'50" East 317.434 feet along the Section Line and East 2015.714 feet from the West Quarter Corner of Section 13, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence along said South right-of-way line North 53°27'06" East 547.856 feet to the Northeast Corner of Lot 155 of said Kennecott Daybreak Village 5 Plat 2 Subdivision, also being the intersection of said South right-of-way line and the West right-of-way line of Kestrel Rise Road; thence along said West right-of-way line South 36°32'54" East 327.000 feet to the Southeast Corner of Parcel A of said Kennecott Daybreak Village 5 Plat 2 Subdivision also being the intersection of said West right-of-way line and the North right-of-way line of South Jordan Parkway; thence along said North right-of-way line South 53°27'06" West 548.000 feet to the Southwest Corner of said Parcel A also being the intersection of said North right-of-way line and the said East right-of-way line of Redknife Drive; thence along said East right-of-way the following (2) courses: 1) North 36°32'54" West 315.047 feet to a point on a 497.000 foot radius tangent curve to the right, (radius bears North 53°27'06" East); 2) along the arc of said curve 11.954 feet through a central angle of 01°22'41" to the point of beginning.

Property contains 4.114 acres, 179195 square feet.