

WHEN RECORDED, RETURN TO:

Ted Harbour, Esq.
DRH Energy, Inc.
D.R. Horton Tower
301 Commerce Street, Suite 500
Fort Worth, TX 76102

Tax Id No.: 58-023-0044, 58-023-0025, 58-024-0014, 58-023-0233, 58-024-0004, 58-024-0001,
58-024-0013, 58-024-0005 (for reference purposes only)

**SPECIAL WARRANTY DEED AND RESERVATION OF SURFACE RIGHTS
(Minerals)**

For the consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration received, **D.R. HORTON, INC.**, a Delaware Corporation, (“Grantor”), does hereby convey and warrant against all who claim by, through, or under Grantor to **DRH ENERGY, INC.**, a Colorado corporation (“Grantee”), the following property rights, to the extent not previously reserved or conveyed:

All oil, gas, petroleum, natural gas, coal, lignite and other hydrocarbons by whatever name, uranium, metals (including, without limitation, copper), and all minerals, gases and geothermal energy and geothermal substances and rights, whatsoever (collectively, “Minerals”), already found or which may hereafter be found, under the real property legally described on Exhibit A attached hereto and incorporated herein by this reference (the “Real Property”), together with all ores thereof and other products or materials produced in association therewith and the right to prospect for, mine and remove the Minerals; provided, however, that Grantee may not employ mining methods that destroy the surface of the Real Property or endanger, impair or affect the support for the Real Property or any existing or future improvement thereon. This conveyance also includes all of Grantor’s right, title and interest, if any, in and to the rights, rentals, royalties and other benefits accruing or to accrue under any lease or leases of the Minerals and rights to receive all bonuses, rents, royalties, production payments or monies of any nature accrued in the past or future with respect to the Minerals.

Grantor, for itself and its successors and assigns, hereby reserves and retains in perpetuity for its sole and exclusive use all rights to the surface and thirty feet (30’) below finished grade (collectively, the “Surface”) of all or any portion of the Real Property that is currently subject to a Plat Map (as defined below) for any purpose whatsoever in connection with the development, construction and installation of any existing or future improvements benefiting all or any portion of such property and the use and enjoyment of all or any portion of such property and such improvements. In the event that any portion of the remaining Real Property is ever conveyed by Grantor or its successor or assign to a bona fide third party retail purchaser, on the date Grantor executes a deed for such conveyance, the sole and exclusive use of the Surface of such portion for any purpose whatsoever in connection with the development, construction and installation of

any existing or future improvements benefiting all or any portion of such property and the use and enjoyment of all or any portion of such property and such improvements shall revert to Grantor, its successors and assigns. For purposes hereof, the term "Plat Map" means a final, government-approved subdivision map, plat or site plan for single-family residential or multi-family residential use and including, without limitation, condominium units, whether owner-occupied or held for rent or investment purposes, and apartment projects. Any portion of the Real Property that is made subject to a Plat Map, including any street, common area and any other land included in such map, whether currently or in the future, is referred to herein as a "Lot".

Provided, however, that nothing contained herein shall prevent Grantee from developing and removing any Minerals under the Surface of all or any portion of a Lot by slant drilling, subterranean entry or other means or operations conducted from the Surface of the Real Property which has not been subjected to a Plat Map or any other parcel as to which Grantee may then have rights of surface use or by any other suitable means or methods, provided that Grantee does not endanger, impair or affect the support of all or any portion of the Lots and any existing or future improvements thereon.

The reservation and reversion of the Surface of the Real Property contained in this Special Warranty Deed and the other covenants and agreements of Grantee contained in this Special Warranty Deed are for the benefit of the Grantor and its successors and assigns only. No successor or assign of Grantor shall have the right to enforce any of the terms of this Special Warranty Deed with respect to any portion of the Real Property except the portion of the Real Property owned by such successor or assign. No third party rights are intended to be conferred on any other person or entity and no third party shall have the right to enforce any of the terms of this Special Warranty Deed. The Grantor, or its successors or assigns only with respect to the portion of the Real Property owned by such successor or assign, may waive the reservation or reversion of the Surface or any or all of the covenants or agreements of Grantee contained herein by a written instrument signed by such party.

SUBJECT TO current taxes and assessments; reservations in patents and all easements, rights-of-way, encumbrances, liens, covenants, conditions, restrictions, reservations, declarations, obligations, liabilities and other matters as may appear of record, and any matters that would be disclosed by an inspection or accurate ALTA/ACSM survey of the Real Property, Grantor binds itself and its successors to warrant and defend title to the Minerals as against the acts of Grantor and none other.

IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed as of this 19 day of April, 2018.

GRANTOR:

D.R. HORTON, INC.,
A Delaware Corporation

BA Martin

Name: Boyd A. Martin
Title: Division President

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

The foregoing instrument was acknowledged before me this 20 day of April, 2018, by Boyd A. Martin, the Division President of D.R. Horton, Inc., a Delaware Corporation, on behalf of the corporation.

[Signature]

Notary Public

My Commission Expires:

10/18/18

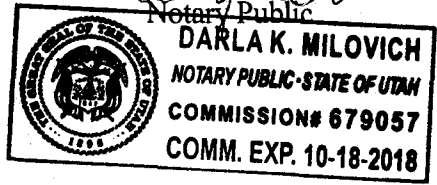


Exhibit A
to the Special Warranty Deed and Reservation of Surface Rights
Legal Description of the Property

That certain real property located in Utah County, Utah, more particularly described as follows:

PARCEL 1:

Proposed COLD SPRING RANCH - HD1 PHASE 1, being more particularly described as follows:

A portion of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian, located in Lehi, Utah, more particularly described as follows:

Beginning at a point located South 89°51'47" West along the section line 205.98 feet and North 2293.36 feet from the Southeast corner of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian; thence West 551.06 feet; thence North 232.52 feet; thence East 486.20 feet; thence North 28°04'38" East 49.79 feet; thence along the arc of a 113.35 foot radius curve to the left 55.55 feet through a central angle of 28°04'38" (chord: North 14°02'19" East 54.99 feet); thence North 146.68 feet; thence North 06°25'53" East 16.54 feet; thence North 88°30'38" East 194.42 feet; thence along the arc of a 1154.00 foot radius non-tangent curve (radius bears: North 83°32'15" West) to the right 426.87 feet through a central angle of 21°11'38" (chord: South 17°03'33" West 424.44 feet); thence along the arc of a 1246.00 foot radius curve to the left 102.02 feet through a central angle of 04°41'29" (chord: South 25°18'38" West 101.99 feet) to the point of beginning.

PARCEL 2:

Proposed COLD SPRING RANCH - HD4, being more particularly described as follows:

A portion of Sections 11 and 12, Township 5 South, Range 1 West, Salt Lake Base and Meridian, located in Lehi, Utah, more particularly described as follows:

Beginning at the Southeast corner of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian; thence South 89°51'47" West along the section line 129.03 feet; thence North 10°04'41" West 141.81 feet; thence along the arc of a 250.75 foot radius curve to the right 24.56 feet through a central angle of 05°36'41" (chord: North 07°16'21" West 24.55 feet); thence North 04°28'00" West 301.92 feet; thence along the arc of a 1237.00 foot radius curve to the left 109.04 feet through a central angle of 05°03'01" (chord: North 06°59'31" West 109.00 feet); thence East 955.34 feet; thence South 22°40'03" East 182.97 feet; thence South 40°06'13" West 55.08 feet; thence South 29°50'43" West 45.33 feet; thence South 36°48'20" West 111.34 feet; thence South 41°44'07" West 129.89 feet; thence South 45°16'15" West 92.68 feet; thence South 59°14'33" West 137.52 feet; thence South 89°52'38" West 436.89 feet to the point of beginning.

PARCEL 3:

Proposed COLD SPRING PRELIMINARY - MD1, being more particularly described as follows:

A portion of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian, located in Lehi, Utah, more particularly described as follows:

Beginning at a point located South 89°51'47" West along the section line 350.19 feet and North 1679.71 feet from the Southeast corner of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian; thence West 351.84 feet; thence North 00°00'08" West 614.00 feet; thence East 496.08 feet; thence along the arc of a 1246.00 foot radius non-tangent curve (radius bears: South 67°02'07" East) to the left 492.77 feet through a central angle of 22°39'35" (chord South 11°38'06" West 489.57 feet);

thence South 00°18'19" West 89.73 feet; thence along the arc of a 45.00 foot radius curve to the right 70.45 feet through a central angle of 89°41'41" (chord: South 45°09'09" West 63.47 feet) to the point of beginning.

PARCEL 4:

Proposed COLD SPRING RANCH - MD5 PHASE 1, being more particularly described as follows:

A portion of Sections 11 and 12, Township 5 South, Range 1 West, Salt Lake Base and Meridian, located in Lehi, Utah, more particularly described as follows:

Beginning at a point located South 89°51'47" West along the section line 244.96 feet and North 966.48 feet from the Southeast corner of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian; thence along the arc of a 1163.00 foot radius non-tangent curve to the right 76.04 feet (radius bears: South 88°37'29" East) through a central angle of 03°44'46" (chord: North 03°14'54" East 76.03 feet); thence North 05°07'17" East 124.56 feet; thence along the arc of a 1237.00 foot radius curve to the left 103.98 feet through a central angle of 04°48'59" (chord: North 02°42'48" East 103.95 feet); thence North 00°18'19" East 543.23 feet; thence along the arc of a 1163.00 foot radius curve to the right 63.92 feet through a central angle of 03°08'57" 63.92 feet (chord: North 01°52'47" East 63.91 feet); thence South 65°22'05" East 392.60 feet; thence North 89°57'25" East 1090.78 feet; thence South 18°09'00" East 126.25 feet; thence South 89°57'25" West 285.29 feet; thence South 123.00 feet; thence South 89°57'25" West 51.72 feet; thence South 302.00 feet; thence South 30°18'04" East 93.92 feet; thence along the arc of a 1500.00 foot radius non-tangent curve (radius bears: South 30°18'04" East) to the left 305.86 feet through a central angle of 11°40'59" (chord: South 53°51'26" West 305.33 feet); thence South 48°00'57" West 91.17 feet; thence along the arc of a 303.00 foot radius curve to the right 365.43 feet through a central angle of 69°06'03" (chord: South 82°33'58" West 343.68 feet); thence North 62°53'01" West 196.64 feet; thence along the arc of a 1050.00 foot radius curve to the left 293.53 feet through a central angle of 16°01'01" (chord: North 70°53'31" West 292.57 feet); thence North 78°54'02" West 92.40 feet; thence along the arc of a 45.00 foot radius non-tangent curve (radius bears: South 25°46'13" East) to the left 49.37 feet through a central angle of 62°51'15" (chord: South 32°48'09" West 46.93 feet) to the point of beginning.

PARCEL 5:

Proposed BACKBONE ROADS - 3600 WEST PORTION, being more particularly described as follows:

A portion of Sections 11 and 12, Township 5 South, Range 1 West, Salt Lake Base and Meridian, located in Lehi, Utah, more particularly described as follows:

Beginning at a point located South 89°51'47" West along the section line 129.03 feet from the Southeast corner of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian; thence South 89°51'47" West along the section line 62.47 feet; thence North 379.96 feet; thence North 08°00'00" West 323.25 feet; thence West 98.66 feet; thence North 19°53'29" West 61.68 feet; thence along the arc of a 36.00 foot radius non-tangent curve (radius bears: North) to the left 60.61 feet through a central angle of 96°27'59" (chord: North 41°46'01" East 53.70 feet); thence along the arc of a 1246.00 foot radius curve to the right 252.00 feet through a central angle of 11°35'16" (chord: North 00°40'21" West 251.57 feet); thence North 05°07'17" East 124.56 feet; thence along the arc of a 1154.00 foot radius curve to the left 97.01 feet through a central angle of 04°48'59" (chord: North 02°42'48" East 96.98 feet); thence North 00°18'19" East 302.50 feet; thence South 89°41'41" East 29.81 feet; thence North 00°18'19" East 151.00 feet; thence North 89°41'41" West 29.8 feet; thence North 00°18'19" East 89.73 feet; thence along the arc of a 1246.00 foot radius curve to the right 594.80 feet through a central angle of 27°21'03" (chord: North 13°58'51" East 589.16 feet); thence along the arc of a 1154.00 foot radius curve to the left 426.87 feet through a central angle of 21°11'38" (chord: North 17°03'33" East 424.44 feet) to the South line of that real property described as Entry No. 36374:1981 of the official records of Utah County; thence along said South line the following two (2) courses: North 88°30'38" East 46.48 feet; thence North 81°49'32" East 18.78 feet to the South line of that real property described as Entry No. 32373:1977 of the official records

of Utah County; thence North 89°48'41" East along said line 18.85 feet; thence along the arc of a 1237.00 foot radius non-tangent curve (radius bears: North 84°09'23" West) to the right 470.93 feet through a central angle of 21°48'45" (chord: South 16°45'00" West 468.09 feet); thence along the arc of a 1163.00 foot radius curve to the left 555.17 feet through a central angle of 27°21'03" (chord: South 13°58'51" West 549.92 feet); thence South 00°18'19" West 543.23 feet; thence along the arc of a 1237.00 foot radius curve to the right 103.98 feet through a central angle of 04°48'59" (chord: South 02°42'48" West 103.95 feet); thence South 05°07'17" West 124.56 feet; thence along the arc of a 1163.00 foot radius curve to the left 382.66 feet through a central angle of 18°51'07" (chord: South 04°18'16" East 380.94 feet); thence along the arc of a 1237.00 foot radius curve to the right 200.00 feet through a central angle of 09°15'49" (chord: South 09°05'55" East 199.78 feet); thence South 04°28'00" East 301.92 feet; thence along the arc of a 250.75 foot radius curve to the left 24.56 feet through a central angle of 05°36'41" (chord: South 07°16'21" East 24.55 feet); thence South 10°04'41" East 141.81 feet to the point of beginning.

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