

When recorded return to:

D.R. Horton, Inc.  
12351 South Gateway Park Place, Suite D-100  
Draper, UT 84020  
Attention: Boyd A. Martin

Tax Parcel Nos. 00-0021-6813

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### **SPECIAL WARRANTY DEED**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, THACKERAY FAMILY HOLDINGS II, LLC, a Utah limited liability company and JOHANSEN FAMILY HOLDINGS II, LLC, a Utah limited liability company (collectively, "Grantors"), whose address is 1165 E. Wilmington Ave., Salt Lake City, Utah 84106, hereby conveys and warrants against all who claim by, through, or under Grantor, to D.R. HORTON, INC., a Delaware corporation ("Grantee"), whose business address is 12351 South Gateway Park Place, Suite D-100, Draper, UT, 804020, the real property located in Wasatch County, Utah described on Exhibit A attached hereto and made a part hereof (the "Real Property"), subject to the matters set forth on Exhibit B attached hereto and made a part hereof, and together with all appurtenances.

Dated to be effective as of July 30, 2024.

[Signature and Acknowledgment Page Follows]

**GRANTOR:**

THACKERAY FAMILY HOLDINGS II, LLC,  
a Utah limited liability company

By: [Signature]  
Name: JOHN R THACKERAY  
Title: MANAGER

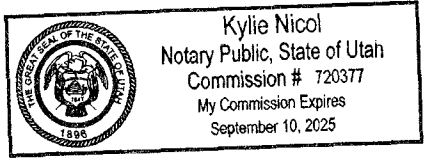
State of Utah )

:SS

County of SALT LAKE )

The foregoing instrument was acknowledged before me this 25 day of JULY, 2024, by JOHN R. THACKERAY, as Authorized Signatory of Thackeray Family Holdings II, LLC, a Utah limited liability company.

[Signature]  
Notary Public  
Residing at: SALT LAKE, UT



My commission expires: 09/10/2025

**GRANTOR:**

JOHANSEN FAMILY HOLDINGS II, LLC,  
a Utah limited liability company

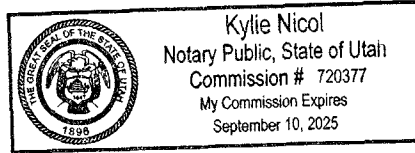
By: *Armand D. Johansen*  
Name: Armand D. Johansen  
Title: Manager

State of UTAH )

:SS

County of SALT LAKE )

The foregoing instrument was acknowledged before me this 25 day of JULY, 2024, by Armand Johansen, as Authorized Signatory of Johansen Family Holdings II, LLC, a Utah limited liability company.



*Kylie Nicol*

Notary Public

Residing at: SALT LAKE, UT

My commission expires: 09/10/2025

**EXHIBIT A  
TO  
SPECIAL WARRANTY DEED**

**LEGAL DESCRIPTION OF THE REAL PROPERTY**

**HIGHLANDS STACKED FLATS PARCELS LEGAL DESCRIPTION**

**NORTH PARCEL**

A PARCEL OF LAND LOCATED IN THE WEST HALF OF SECTION 20, IN TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, WASATCH COUNTY, UTAH DESCRIBED AS FOLLOWS:  
BEGINNING AT A POINT ON THE NORTH LINE OF THE PROPOSED PHASE 1 OF THE HIGHLANDS RESIDENTIAL DEVELOPMENT;  
SAID POINT BEING NORTH 00°29'50" WEST 368.73 FEET ALONG THE SECTION LINE AND NORTH 90°00'00" EAST 1215.64 FEET FROM THE WASATCH COUNTY SURVEY ALUMINUM PIPE CAP MONUMENT MARKING THE WEST QUARTER CORNER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN; (BASIS OF BEARINGS FOR THIS DESCRIPTION IS SOUTH 04°04'03" EAST 2857.85 FEET ALONG A LINE DEFINED BY WASATCH COUNTY WATER SERVICE AREA NO. 1 SURVEY CONTROL MONUMENTS NO. 706 AND NO. 708 (BOTH ALUMINUM PIPE CAP MONUMENTS) (SEE THE SURVEY CONTROL SHEET FOR THE CENTRAL UTAH WATER CONSERVANCY DISTRICT, WASATCH COUNTY WATER EFFICIENCY PROJECT, DRAWING NO. G-8 AS RECORDED IN BOOK 630 AT PAGES 766-767 AND AS ENTRY NO. 259146 OF THE WASATCH COUNTY RECORDS); AND RUNNING THENCE SOUTH 41°48'01" EAST 64.48 FEET; THENCE SOUTH 70°50'04" EAST 357.18 FEET TO A POINT ON THE NORTHWESTERLY LINE OF A PROPOSED RIGHT-OF-WAY; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING SEVEN (7) COURSES & DISTANCES:  
(1) SOUTHERLY 400.91 FEET ALONG THE ARC OF A 637.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THE CENTER OF WHICH BEARS SOUTH 72°01'17" EAST; (CHORD TO SAID CURVE BEARS SOUTH 00°03'07" EAST 394.33 FEET);  
(2) SOUTHWESTERLY 15.07 FEET ALONG THE ARC OF A 10.00 FOOT RADIUS REVERSE CURVE TO THE RIGHT; (CHORD TO SAID CURVE BEARS SOUTH 25°04'35" WEST 13.68 FEET);  
(3) SOUTH 21°45'54" EAST 3.00 FEET TO A POINT OF CURVATURE WITH A 441.50 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT; THE CENTER OF WHICH BEARS NORTH 21°45'54" WEST  
(4) WESTERLY 167.73 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS SOUTH 79°07'07" WEST 166.73 FEET)  
(5) NORTH 89°59'51" WEST 195.43 FEET TO A POINT ON A 541.50 FOOT RADIUS CURVE TO THE RIGHT;  
(6) WESTERLY 459.88 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO

SAID CURVE BEARS NORTH 65°40'04" WEST 446.18 FEET);  
 (7) NORTH 41°20'17" WEST 59.81 FEET;  
 THENCE NORTH 48°39'40" EAST 571.61 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS: 331,648 SQUARE FEET, OR 7.614 ACRES

**SOUTH PARCEL**

A PARCEL OF LAND LOCATED IN THE WEST HALF OF SECTION 20, IN TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, WASATCH COUNTY, UTAH DESCRIBED AS FOLLOWS:  
 BEGINNING AT A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF A PROPOSED ROAD;  
 SAID POINT BEING NORTH 00°29'50" WEST 152.68 FEET ALONG THE SECTION LINE AND NORTH 90°00'00" EAST 503.57 FEET FROM THE WASATCH COUNTY SURVEY ALUMINUM PIPE CAP MONUMENT MARKING THE WEST QUARTER CORNER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN; (BASIS OF BEARINGS FOR THIS DESCRIPTION IS SOUTH 04°04'03" EAST 2857.85 FEET ALONG A LINE DEFINED BY WASATCH COUNTY WATER SERVICE AREA NO. 1 SURVEY CONTROL MONUMENTS NO. 706 AND NO. 708 (BOTH ALUMINUM PIPE CAP MONUMENTS) (SEE THE SURVEY CONTROL SHEET FOR THE CENTRAL UTAH WATER CONSERVANCY DISTRICT, WASATCH COUNTY WATER EFFICIENCY PROJECT, DRAWING NO. G-8 AS RECORDED IN BOOK 630 AT PAGES 766-767 AND AS ENTRY NO. 259146 OF THE WASATCH COUNTY RECORDS);  
 AND RUNNING THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING TEN (10) COURSES & DISTANCES:  
 (1) SOUTHERLY 38.69 FEET ALONG THE ARC OF A 284.00 FOOT RADIUS CURVE TO THE LEFT; THE CENTER OF WHICH BEARS NORTH 44°12'02" EAST; (CHORD TO SAID CURVE BEARS SOUTH 49°42'09" EAST 38.66 FEET);  
 (2) SOUTH 53°36'20" EAST 121.21 FEET TO A POINT ON A 216.00 FOOT RADIUS CURVE TO THE RIGHT;  
 (3) SOUTHEASTERLY 46.25 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS SOUTH 47°28'19" EAST 46.16 FEET);  
 (4) SOUTH 41°20'17" EAST 164.09 FEET TO A POINT ON A 609.50 FOOT RADIUS CURVE TO THE LEFT;  
 (5) EASTERLY 517.63 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS SOUTH 65°40'04" EAST 502.21 FEET);  
 (6) SOUTH 89°59'51" EAST 44.75 FEET TO A POINT ON A 13.00 FOOT RADIUS CURVE TO THE RIGHT;  
 (7) SOUTHEASTERLY 20.42 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS SOUTH 44°59'51" EAST 18.38 FEET);  
 (8) SOUTH 00°00'09" WEST 9.95 FEET TO A POINT ON A 518.00 FOOT RADIUS CURVE TO THE LEFT;  
 (9) SOUTHERLY 214.66 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO

SAID CURVE BEARS SOUTH 11°52'09" EAST 213.12 FEET);  
(10) SOUTH 23°44'26" EAST 10.82 FEET TO A POINT ON A 180.47 FOOT RADIUS  
NON-TANGENT CURVE TO THE LEFT; THE CENTER OF WHICH BEARS SOUTH  
23°05'57" EAST; THENCE SOUTHWESTERLY 42.68 FEET ALONG THE ARC OF  
SAID CURVE; (CHORD TO SAID CURVE BEARS SOUTH 60°07'34" WEST 42.58  
FEET); TO A POINT ON A 73.66 FOOT RADIUS NON-TANGENT CURVE TO THE  
RIGHT; THENCE NORTHERLY 39.69 FEET ALONG THE ARC OF SAID CURVE; THE  
CENTER OF WHICH BEARS NORTH 55°31'30" EAST; (CHORD TO SAID CURVE  
BEARS NORTH 19°02'25" WEST 39.21 FEET) THENCE NORTH 02°25'50" WEST  
3.92 FEET TO A POINT ON A 37.44 FOOT RADIUS CURVE TO THE LEFT; THENCE  
NORTHWESTERLY 56.64 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO  
SAID CURVE BEARS NORTH 42°02'21" WEST 51.39 FEET); THENCE NORTH  
89°17'32" WEST 90.77 FEET TO A POINT ON A 100.00 FOOT RADIUS CURVE TO  
THE RIGHT; THENCE WESTERLY 15.89 FEET ALONG THE ARC OF SAID CURVE;  
(CHORD TO SAID CURVE BEARS NORTH 84°44'24" WEST 15.87 FEET; THENCE  
NORTH 80°11'17" WEST 114.82 FEET TO A POINT ON A 100.00 FOOT RADIUS  
CURVE TO THE RIGHT; THENCE WESTERLY 17.78 FEET ALONG THE ARC OF  
SAID CURVE; (CHORD TO SAID CURVE BEARS NORTH 75°05'39" WEST 17.76  
FEET); THENCE NORTH 70°00'00" WEST 113.78 FEET TO A POINT ON A 100.00  
FOOT RADIUS CURVE TO THE RIGHT; THENCE WESTERLY 16.46 FEET ALONG  
THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS NORTH 65°17'05"  
WEST 16.44 FEET); THENCE NORTH 60°34'11" WEST 158.86 FEET TO A POINT ON  
A 100.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE WESTERLY 28.96 FEET  
ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS NORTH  
52°16'24" WEST 28.86 FEET); THENCE NORTH 43°58'37" WEST 104.25 FEET;  
THENCE NORTH 40°49'41" WEST 239.61 FEET TO A POINT ON A 87.66 FOOT  
RADIUS NON-TANGENT CURVE TO THE LEFT; THE CENTER OF WHICH BEARS  
NORTH 68°05'19" WEST; THENCE NORTHERLY 70.44 FEET ALONG THE ARC OF  
SAID CURVE; (CHORD TO SAID CURVE BEARS NORTH 01°06'41" WEST 68.56  
FEET) THENCE NORTHERLY 63.22 FEET ALONG THE ARC OF A 90.00 FOOT  
RADIUS CURVE TO THE RIGHT; (CHORD TO SAID CURVE BEARS NORTH  
02°12'38" WEST 61.93 FEET); THENCE NORTH 17°54'48" EAST 22.06 FEET TO A  
POINT ON A 96.08 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHERLY  
67.19 FEET ALONG THE ARC OF SAID CURVE; (CHORD TO SAID CURVE BEARS  
NORTH 02°27'05" WEST 65.82 FEET) TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS: 175,915 SQUARE FEET, OR 4.038  
ACRES

**AND**

**HIGHLANDS CHURCH PARCEL LEGAL DESCRIPTION**

A PARCEL OF LAND LOCATED IN THE WEST HALF OF SECTION 20, IN TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, WASATCH COUNTY, UTAH DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF THE PROPOSED HIGHLANDS DEVELOPMENT; SAID POINT BEING NORTH 00°29'50" WEST 197.93 FEET ALONG THE SECTION LINE AND NORTH 90°00'00" EAST 555.06 FEET FROM THE WASATCH COUNTY SURVEY ALUMINUM PIPE CAP MONUMENT MARKING THE WEST QUARTER CORNER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN; (BASIS OF BEARINGS FOR THIS DESCRIPTION IS SOUTH 04°04'03" EAST 2857.85 FEET ALONG A LINE DEFINED BY WASATCH COUNTY WATER SERVICE AREA NO. 1 SURVEY CONTROL MONUMENTS NO. 706 AND NO. 708 (BOTH ALUMINUM PIPE CAP MONUMENTS) (SEE THE SURVEY CONTROL SHEET FOR THE CENTRAL UTAH WATER CONSERVANCY DISTRICT, WASATCH COUNTY WATER EFFICIENCY PROJECT, DRAWING NO. G-8 AS RECORDED IN BOOK 630 AT PAGES 766-767 AND AS ENTRY NO. 259146 OF THE WASATCH COUNTY RECORDS); AND RUNNING THENCE NORTHEASTERLY ALONG THE NORTH BOUNDARY LINE OF THE PROPOSED HIGHLANDS DEVELOPMENT THE FOLLOWING TWO (2) COURSES & DISTANCES:

(1) NORTH 58°00'22" EAST 52.53 FEET;  
 (2) NORTH 48°11'59" EAST 553.42 FEET;  
 THENCE SOUTH 41°48'01" EAST 303.04 FEET; THENCE SOUTH 48°39'40" WEST 571.61 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF A PROPOSED ROAD; THENCE NORTHWESTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) COURSES & DISTANCES:  
 (1) NORTH 41°20'17" WEST 104.29 FEET TO A POINT OF CURVATURE ON A 284.00 FOOT RADIUS CURVE TO THE LEFT;  
 (2) NORTHWESTERLY 60.81 FEET ALONG THE ARC OF SAID CURVE (CHORD TO SAID CURVE BEARS NORTH 47°28'19" WEST 60.69 FEET);  
 (3) NORTH 53°36'20" WEST 121.21 FEET TO A POINT OF CURVATURE ON A 216.00 FOOT RADIUS CURVE TO THE RIGHT;  
 (4) NORTHWESTERLY 24.35 FEET ALONG THE ARC OF SAID CURVE (CHORD TO SAID CURVE BEARS NORTH 50°22'35" WEST 24.34 FEET) TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS: 174,707 SQUARE FEET, OR 4.011 ACRES

**EXHIBIT B  
TO  
SPECIAL WARRANTY DEED**

**PERMITTED EXCEPTIONS**

1. Intentionally Deleted by Title Company.
2. Intentionally Deleted by Title Company.
3. Intentionally Deleted by Title Company.
4. Intentionally Deleted by Title Company.
5. Intentionally Deleted by Title Company.
6. Intentionally Deleted by Title Company.
7. Intentionally Deleted by Title Company.
8. Intentionally Deleted by Title Company.
9. Taxes for the year 2024 are accruing as a lien not yet due and payable under Parcel No. 00-0021-6813. Taxes for the year 2023 have been paid in the amount of \$59,976.67 under Parcel No. 00-0021-6813. (affects this and other land)
10. The herein described Land is located within the boundaries of Wasatch County School District, Central Utah Water Conservancy District, Jordanelle Special Service District, Wasatch County Park and Recreation Special Service District No. 2, Wasatch County Fire Protection Special Service District, Heber City, and is subject to any and all charges and assessments levied thereunder.
11. 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.
12. Claim, right, title or interest to water or water rights whether or not shown by the Public Records.
13. Intentionally Deleted by Title Company.
14. Intentionally Deleted by Title Company
15. Notice of Interest wherein Wasatch County Special Service Area No. 1 has an easement across said Land by virtue of an Easement Agreement dated September 8, 1999. Said Notice of Interest recorded September 28, 1999 as Entry No. 218182 in Book 438 at Page 443.

Pipeline Easements, recorded June 13, 2003 as Entry No. 259146 in Book 630 at Page 752.

Notice of Location of Easement, recorded August 19, 2005 as Entry No. 287390 in Book 778 at Page 402.



Assignment of Notice of Location of Easements and Related Easements and Rights-of-Way in favor of Central Utah Water Conservancy District, a body corporate and politic of the State of Utah, recorded April 28, 2015 as Entry No. 411327 in Book 1128 at Page 164.

16. Intentionally Deleted by Title Company
17. Right of Way for Wasatch Canal, and any facilities appurtenant thereto, including but not limited to, water pipelines and ditches, as the same may be found to intersect the herein described Land, together with any rights or asserted rights in and to said Canal or pertaining to the use and maintenance of said Canal. The Company further excepts any adverse claim based on (i) the assertion that some of the boundaries of the herein described Land have been affected by a change in the course of said Canal; (ii) the uncertainty of the boundaries of said Canal; and (iii) the assertion that the Land is subject to water rights, claims or title to water and to any law or governmental regulation pertaining to wetlands.
18. Intentionally Deleted by Title Company
19. Wasatch Commons Supplemental Development Agreement by and between Cardinal Funding, L.C., a Utah limited liability company and Wasatch County, a political subdivision of the State of Utah, recorded September 10, 2010 as Entry No. 362480 in Book 1021 at Page 247.  
  
Notice of Compliance Wasatch Commons Supplemental Development Agreement, recorded March 26, 2015 as Entry No. 410361 in Book 1125 at Page 1783.
20. Notice of Approval of Reconfiguration of Real Property Parcels, recorded October 1, 2013 as Entry No. 394389 in Book 1091 at Page 1005.  
  
Corrected Notice of Approval of Reconfiguration of Real Property Parcels, recorded December 13, 2013 as Entry No. 396882 in Book 1096 at Page 729.
21. North Village Special Service District Culinary Water and Sanitary Sewer Development and Service Agreement by and between North Village Special Service District, a political subdivision of the State of Utah and Cardinal Funding, L.C., a Utah limited liability company, dated September 11, 2017 and recorded September 13, 2017 as Entry No. 442686 in Book 1201 at Page 503.
22. Ordinance No. 2021-38 Approving the Highlands Annexation Located at Approximately 3000 North Highway 40, recorded April 14, 2022 as Entry No. 518203 in Book 1405 at Page 1517.  
  
Third Amendment to Development Agreement for the Highlands Master Planned Community recorded March 6, 2024 as Entry No. 542653 in Book 1468 at Page 234.  
  
Ordinance No. 2024-01 Approving the Third Amendment to Development Agreement for the Highlands Master Planned Community recorded March 6, 2024 as Entry No. 542654 in Book 1468 at Page 287.
23. There is currently no recorded means of access from a publicly dedicated roadway to said Land, but it is assumed that there exists a valid and subsisting easement over and across adjoining land for that purpose. The Company does not insure against any loss, damage, claims or rights based on a contrary state of facts.
24. Intentionally Deleted by Title Company
25. Intentionally Deleted by Title Company.
26. Intentionally Deleted by Title Company

27. The following matters disclosed on that certain survey prepared by Ward Engineering Group, dated February 27, 2023, as Job No. 1305-CIT026-15, by Sattar N. Tabriz, a Professional Land Surveyor holding License No. 155100:

- a. Wasatch Canal along Southwesterly boundary.

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