

HORTON D R INC /DE/
Form 4
September 21, 2012

FORM 4

UNITED STATES SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

Check this box
if no longer
subject to
Section 16.
Form 4 or
Form 5
obligations
may continue.
See Instruction
1(b).

**STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF
SECURITIES**

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934,
Section 17(a) of the Public Utility Holding Company Act of 1935 or Section
30(h) of the Investment Company Act of 1940

OMB APPROVAL

OMB
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(Print or Type Responses)

1. Name and Address of Reporting Person *
TOMNITZ DONALD J

(Last) (First) (Middle)

301 COMMERCE STREET, SUITE
500

(Street)

FORT WORTH,, TX 76102

(City) (State) (Zip)

2. Issuer Name **and** Ticker or Trading
Symbol
HORTON D R INC /DE/ [DHI]

3. Date of Earliest Transaction
(Month/Day/Year)

09/19/2012

4. If Amendment, Date Original
Filed(Month/Day/Year)

5. Relationship of Reporting Person(s) to
Issuer

(Check all applicable)

☒ Director ☐ 10% Owner
☒ Officer (give title below) ☐ Other (specify below)

President and CEO

6. Individual or Joint/Group Filing(Check
Applicable Line)
☒ Form filed by One Reporting Person
☐ Form filed by More than One Reporting
Person

Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned

1. Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. Transaction Code (Instr. 8)	4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)			5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Indirect Beneficial Ownership (Instr. 4)
			Code	V	Amount	(A) or (D)	Price		
Common Stock	09/19/2012	09/19/2012	M		160,000	A	\$ 14.5	1,229,739	D
Common Stock	09/19/2012	09/19/2012	M		120,000	A	\$ 9.03	1,349,739	D
Common Stock	09/19/2012	09/19/2012	M		66,667	A	\$ 9.97	1,416,406	D
Common Stock	09/19/2012	09/19/2012	S		346,667	D	\$ 22.006 <u>(1)</u>	1,069,739	D
Common Stock								20,568 <u>(2)</u>	I
									Held by IRA of

Mr.
Tomnitz's
spouse.

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

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(9-02)

Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned
(e.g., puts, calls, warrants, options, convertible securities)

1. Title of Derivative Security (Instr. 3)	2. Conversion or Exercise Price of Derivative Security	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transaction Code (Instr. 8)	5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)	6. Date Exercisable and Expiration Date (Month/Day/Year)	7. Title and Amount Underlying Security (Instr. 3 and 4)
				Code	V (A) (D)	Date Exercisable Expiration Date	Title Amount Number of Shares
Employee Stock Option (right to buy)	\$ 14.5	09/19/2012	09/19/2012	M	160,000	02/11/2009 ⁽³⁾ 02/11/2018	Common Stock 160
Employee Stock Option (right to buy)	\$ 9.03	09/19/2012	09/19/2012	M	120,000	02/09/2010 ⁽⁴⁾ 02/09/2019	Common Stock 120
Employee Stock Option (right to buy)	\$ 9.97	09/19/2012	09/19/2012	M	66,667	09/02/2012 ⁽⁵⁾ 09/02/2021	Common Stock 66

Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
TOMNITZ DONALD J 301 COMMERCE STREET SUITE 500 FORT WORTH,, TX 76102	X		President and CEO	

Signatures

/s/ Donald J.
Tomnitz

09/21/2012

 Signature of
Reporting Person

Date

Explanation of Responses:

* If the form is filed by more than one reporting person, *see* Instruction 4(b)(v).

** Intentional misstatements or omissions of facts constitute Federal Criminal Violations. *See* 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

- The price reported in Column 4 is a weighted average price. The prices actually ranged from \$22.00 to \$22.05. The reporting person has
- (1) provided to the issuer and will provide any security holder of the issuer, or the SEC staff, upon request, information regarding the number of shares sold at each price withing the range.
 - (2) Following all transactions listed on this Form 4, Mr. Tomnitz owns directly 1,069,739 shares of DHI common stock and owns indirectly 20,568 shares of DHI common stock.
 - (3) Stock option has a 10-year term, vested as to 20% of the option grant amount on each of the first five anniversary dates of February 11. February 11, 2009 reflects the one-year anniversary date from the date of the stock option grant.
 - (4) Stock option has a 10-year term, vested as to 20% of the option grant amount on each of the first five anniversary dates of February 9. February 9, 2010 reflects the one-year anniversary date from the date of the stock option grant.
 - (5) Stock option has a 10-year term, vested as to 33 1/3% of the option grant amount on each of the first three anniversary dates of September 2. September 2, 2012 reflects the one-year anniversary date from the date of the stock option grant.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure.

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