

RESOLUTION 04-10-2020

A RESOLUTION RATIFYING THE EXECUTION OF THE SECOND AMENDMENT TO THE ANNEXATION AND DEVELOPMENT AGREEMENT FOR SUMMIT RIDGE RELATED TO OPEN SPACE REQUIREMENTS AND PARK DEDICATION, WITH UPDATED TERMS FROM RESOLUTION 04-07-2020, PREVIOUSLY APPROVED ON APRIL 7, 2020.

WHEREAS, the Santaquin City Council Approved “Resolution 04-07-2020, a Resolution Approving the Second Amendment to the Summit Ridge Annexation and Development Agreement Related to Open Space Requirements and Park Dedication” conditional upon approval of Santaquin City Legal Counsel, Mr. Brett B. Rich; and

WHEREAS, pursuant to said condition, the language and terms of the Agreement were updated by the legal counsels of all participating parties until they met the approval of Mr. Rich (see attached); and

WHEREAS, one or more of the updates to the language may be considered substantive in nature and thus would be most appropriately reviewed and ratified by the Santaquin City Council;

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE SANTAQUIN CITY COUNCIL TO RATIFY THE MAYOR’S EXECUTION OF THE ATTACHED UPDATED VERSION OF THE SECOND AMENDMENT TO THE ANNEXATION AND DEVELOPMENT AGREEMENT FOR SUMMIT RIDGE RELATED TO OPEN SPACE REQUIREMENTS AND PARK DEDICATION AS FOLLOWS:


SECTION 1: The Santaquin City Council hereby ratifies the Mayor’s execution of the Second Amendment to the Annexation and Development Agreement for Summit Ridge, which was previously authorized by Santaquin City Resolution 04-07-2020 (See Attached).

SECTION 2: This Resolution shall become effective upon passage.

Approved and Passed this 21st day of April 2020.


Kirk F. Hunsaker, Mayor

Attest:


K. Aaron Shirley, City Recorder



ENT 52340:2020 PG 1 of 25
JEFFERY SMITH
UTAH COUNTY RECORDER
2020 Apr 21 2:16 pm FEE 40.00 BY MA
RECORDED FOR SANTAQUIN CITY CORPORATION

After Recording Mail To:
HG Utah 1, LLC
Attn: Robb Horlacher
1 Summit Ridge Parkway
Santaquin, UT 84655

Affects Parcel Nos.:

32:021:0061

SECOND AMENDMENT TO
ANNEXATION AND DEVELOPMENT AGREEMENT
FOR SUMMIT RIDGE

This Second Amendment to Annexation and Development Agreement (“**Second Amendment**”) is entered into as of the _____ day of April, 2020 by and between, on the one hand, HG-Utah 1, LLC, a Utah limited liability company (“**Developer**”), Utah Summit Partners, LLC, a Utah limited liability company (“**USP**”), and on the other hand, Santaquin City, a Utah municipality (“**City**”). The Developer, USP and City are sometimes referred to individually as a “**Party**” or collectively, as the “**Parties**.”

RECITALS

A. WHEREAS, that certain Annexation and Development Agreement for the Summit Ridge Project Area was entered into December 6, 2000 and recorded in the official records of the Utah County Recorder, December 28, 2000 as Entry No. 102458:2000 and the official records of the Juab County Recorder, December 28, 2000 as Entry No. 00222421 (the “**Original Development Agreement**”).

B. WHEREAS, that certain First Amendment to Annexation and Development Agreement dated October 25, 2006 was recorded in the official records of the Utah County Recorder on October 31, 2006 as Entry No. 144933:2006, and the official records of the Juab County Recorder, October 31, 2006 as Entry No. 00245622 (the “**First Amendment**” and together with the Original Development Agreement, the “**Development Agreement**”). The First Amendment covered a portion of the property under the Original Development Agreement, described in the First Amendment as the “**Land**.”

C. WHEREAS, after the effective date of the First Amendment, Developer purchased the Land and then conveyed certain portions of the Land to USP, as described in Exhibit A (the “**USP Property**”).

D. WHEREAS, Developer and USP desire to amend certain terms and provisions of the

Development Agreement with respect to the improvement and dedication of parks, open space and public facility sites upon the Land to which this Agreement applies, as defined in Exhibit B. The Parties find that the terms and conditions set forth in this Second Amendment are consistent with the planning objectives and goals of the approved Planned Community Program for the Summit Ridge Project Area approved pursuant to Ordinance No. 5-2-2000, and with the Santaquin City General Plan. The remaining terms and provisions of the Development Agreement that are not specifically amended in the Second Amendment shall continue in full force and effect.

NOW, THEREFORE, for good and valuable consideration, the Parties agree as follows:

1. Section 2.12 of the First Amendment (amending Section 4.5.1.1 of the Original Development) is replaced with the following:

4.5.1.1 Park Sites and Open Area. Developer shall include park sites and open space within the Land to which this Agreement applies sufficient to satisfy the acreage and improvement requirements set forth under this Subsection. “**Parks**” shall meet the definition of and be similar in nature to the “**Community**”, “**Neighborhood**” or “**Pocket Parks**” as set forth in that certain Parks, Recreation, Trails and Open Space Master Plan prepared and adopted in November 2016 (the “**Santaquin Parks Plan**”) or other areas platted as Parks and mutually agreed upon by the applicable Parties. Parks that are dedicated to the City upon the recording of the applicable plat are referred to as “**City Parks**” whereas Parks that are privately owned and privately maintained are referred to as “**Private Parks.**” “**City Open Space**” is defined as areas within the Land to which this agreement applies as mutually agreed upon by the applicable Parties, which may include natural open space and may be comprised of hillside, wetlands, hazard areas, or other areas. City Open Space shall be minimally improved in accordance with the Santaquin City Trail Standards and requirements specified in the First Amendment with appropriate connectivity. City Open Spaces shall be improved by the Developer and maintained by a Homeowners Sub-Association. City Open Space shall be dedicated by Special Warranty Deed to the City upon the recording of the applicable plat.

The Homeowners Sub-Associations to be formed that will govern certain aspects of the subdivisions created within the Land to which this Agreement applies, shall be responsible for the maintenance and repair of the Private Parks and City Open Space included within any such Homeowners Sub-Association’s plat. Neither the City nor the Master Homeowner Association shall have any responsibility for costs associated with such maintenance or repairs.

The amount of required acreage for Parks and Open Space within the Summit Ridge Project Area shall be calculated using the rate of 5 acres of land dedication per thousand residents, utilizing an average density of 3.7 residents per household, adjusted for the type of Park/Open Space identified in the table below as follows:

$((\text{number of lots} \times 3.7) / 1,000 \text{ residents}) \times 5 \text{ acres} \times \text{Credit Percentage} = \text{the "Required Park/Open Space Acreage."}$

Category of Park Site/ Open Area	Credit Toward Required Park Acreage
Private Parks	80.0%
City Open Space	20.0%
City Parks	100%

By way of example, if 2,600 lots are platted within the Summit Ridge Project Area at full build-out, the Required Park/Open Space Acreage would equal 48.1 acre credits. The City acknowledges having previously accepted the fee title land dedication of: (a) Sunset Trails Park, 2.8 acres; and (b) Stone Hollow I Park, 12.5 acres, which, with a 100% credit for these areas as City Parks, comprise 15.3 acres of the Required Park/Open Space Acreage. The City further acknowledges that the following acreages shall be included with a 100% credit in the Required Park/Open Space Acreage upon the recording of the applicable final plat: (i) The Hills Dog Park, 0.7 acres; and (ii) The Hills Park, 3.66 acres.

Except as specifically set forth below, if a shortfall of dedication is created all shortfalls in the Required Park / Open Space Acreage of this section shall be resolved, at the election of Developer, by: (A) the dedication of real property located within the same final plat; (B) the purchase and installation of park improvements having a value in the amount of the shortfall acreage on dedicated property, but only if mutually agreed upon by the applicable Parties; or (C) payment in lieu of either of the foregoing in an amount equivalent to the value of such shortfall acreage, but only if mutually agreed upon by the applicable Parties. Developer shall not seek reimbursement from the City in the form of impact fee reimbursement for any such improvements made to compensate for the shortfall, as would otherwise be allowed under the Development Agreement. Developer shall continue to be entitled to seek reimbursement from the City in the form of impact fee reimbursements for other Park improvements, as set forth in the Development Agreement.

2. The Summit Ridge Townhomes Development. On January 21, 2020, D.R. Horton and the Developer jointly filed an application with the City for the Summit Ridge Townhome Development ("Town Development"). The application outlines the development of approximately 8-acres of Private Park and Private Open Space. Utilizing the Required Park/Open Space Dedication calculation methodology outlined in paragraph 1, this results in a shortfall of 1.6 acres of land dedicated for Parks and Open Space. In lieu of said dedication, and if D.R. Horton closes upon the purchase of the applicable phases, the applicable Parties agree to the following:

2.1 Phase 1 – Prior to the completion of Phase 1 of the Town Development, Developer shall, at its sole expense, cause to be constructed a playground, the design of which is

mutually agreed upon by the applicable Parties, at the Harvest View Sports Complex. In addition, Developer shall cause to be installed additional road-base to provide additional parking at the Harvest View Sports Complex of a quantity and design substantially as set forth in Exhibit C to this Amendment.

2.2 Phases 2-4 – In conjunction with the construction and installation of the eastern portion of Harvest View Drive during the development of Phases 2-4 of the Town Development, Developer shall, at its sole expense, cause to be constructed the structural fill, road base, asphalt and curb and gutter for the incremental western portion of Harvest View Drive (the “**Reimbursable Work**”), the design of which is mutually agreed upon by the applicable Parties while also meeting Santaquin City Construction Standards and applicable geotechnical report recommendations. As consideration for Developer’s performance of the Reimbursable Work, the City and Developer shall enter into a connector’s agreement, such that the owners of that portion of real property identified in the Utah County Recorder’s Office as parcel number 32:021:0061, which may benefit from the installation of Harvest View Drive shall be required to pay their proportionate share of such Reimbursable Work prior to the City’s authorization of such property owner connecting to Harvest View Drive. The City and Developer shall execute the connector’s agreement prior to Developer’s commencement of the Reimbursable Work and shall remain in effect for a period of ten (10) years.

3. Section 2.14 of the First Amendment (amending Section 4.6.1.4 of the Original Development Agreement) is deleted in its entirety and replaced with the following:

4.6.1.4 Public Facility Site. Also in lieu of the construction of any golf course as provided in section 4.5.1.2, Developer has now dedicated to the City, free and clear of liens and encumbrances, by special warranty deed, a specific portion of real property consisting of thirty-five acres as a Public Facility Site, which is more particularly described in Exhibit D hereto. Developer and USP hereby agree and acknowledge the City has complied with the terms and conditions previously imposed on such dedication and in partial consideration of the execution of this Second Amendment, hereby release all options and first rights of refusal contained in the First Amendment of the Development Agreement, except as outlined in this paragraph. City is free to continue development of all or part of the Public Facility Site and to sell any portion of the Public Facility Site to governmental or quasi-governmental entities for development, so long as the City requires that any such development does not compete with the business and development of Developer for a period of ten years from the execution of this Second Amendment and is a complementary part of the municipality’s master plan for the site. In addition, the City may develop or sell the Public Facility Site for commercial purposes, provided that Developer shall be given the right of first offer to work with the City as a joint venture partner in developing such land. Each right of first offer shall expire, unless accepted by Developer within sixty days of the City’s extension of the offer. This general right of first offer shall expire ten years after the execution of this Second Amendment. If Developer fails to exercise a right of first offer to participate with the City as a joint venture partner, the City may sell that portion of the acreage for commercial development

purposes provided that the City requires that transferee's use of the property will not compete with the business and development of the Developer for a period of ten years from the execution of this Second Amendment, and is a complementary part of the municipality's master plan for the site. The City acknowledges that under the Development Agreement, Developer has the right to approve any development of the Public Facility Site for compliance with this Amendment and consistency with the Development Agreement, including meeting the aesthetics and development standards of the overall Summit Ridge Project Area, which approval shall not be unreasonably withheld or delayed.

4. Section 4.6.1.1 of the Original Development Agreement is amended as follows:

Section 4.6.1.1 Developer's Obligations. As indicated in section 1, developer shall donate to the City a three and sixty-six/one-hundredths (3.66) acre site, known as The Hills Park, as designated on the Summit Ridge Development Plan. The Original Agreement intended this property would be used to construct a Fire Station. The Parties hereby agree that in lieu of a Fire Station, the City may use this property for any public purpose so long as the City constructs a Fire Station on any portion of the Public Facility Site established pursuant to Section 4.6.1.4.

5. Notification. Developer shall provide an executed copy of this Second Amendment to D.R. Horton, Inc., an applicant for development of a portion of the Land, and shall return to the City an acknowledgement from D.R. Horton that it has received and reviewed said copy and understands and agrees that the Second Amendment will apply to D. R. Horton's application for development of the Land, which is pending.

6. Recitals. The Recitals to this Agreement are fully incorporated herein.

7. Acknowledgement. By signing below, each of the Parties acknowledges that all of the property described in Exhibit B, shall be subject to the terms of this Second Amendment.

8. Counterparts. This Second Amendment may be executed in duplicate counterparts, each of which is deemed to be an original.

[Signatures on following pages]

SANTAQUIN CITY


Kirk E. Hunsaker, Mayor

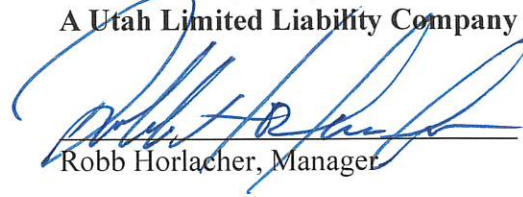
ATTEST:


K. Aaron Shirley, City Recorder

APPROVED AS TO FORM:


Brett B. Rich, City Attorney

**HG-UTAH-1, LLC,
A Utah Limited Liability Company**



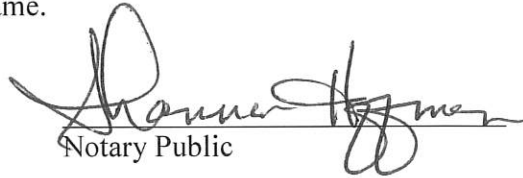
Robb Horlacher, Manager

STATE OF UTAH

ss:

COUNTY OF UTAH

On this 21st day of April, 2020, personally appeared before me Robb Horlacher, who is personally known to me and after being duly sworn stated that he is the Manager of HG-UTAH-1, LLC; that he is authorized to execute this Agreement on behalf of HG-UTAH-1, LLC; and that he executed the same.



Notary Public



**As to the USP Property:
UTAH SUMMIT PARTNERS, LLC,
A Utah Limited Liability Company**




Kevin Anglesey

STATE OF UTAH

SS:

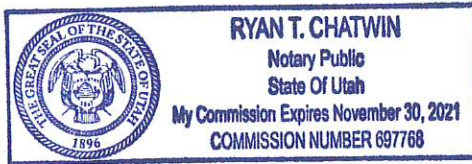
COUNTY OF UTAH

On this 17 day of April, 2020, personally appeared before me Clark Ivory, who is personally known to me and after being duly sworn stated that he is the Manager of Utah Summit Partners, LLC; that he is authorized to execute this Agreement on behalf of Utah Summit Partners, LLC; and that he executed the same.



Notary Public

And



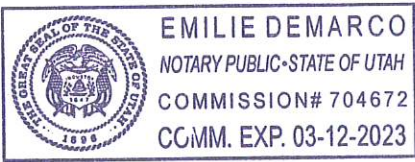
Rick Salisbury
Rick Salisbury

STATE OF UTAH

SS:

COUNTY OF UTAH

On this 21 day of April, 2020, personally appeared before me Rick Salisbury, who is personally known to me and after being duly sworn stated that he is the Manager of Utah Summit Partners, LLC; that he is authorized to execute this Agreement on behalf of Utah Summit Partners; and that he executed the same.



Emilie Demarco
Notary Public

EXHIBIT A

(Legal Description of Utah Summit Partners, LLC Property)

UTAH SUMMIT PARTNERS PROPERTY

PARCEL 1:

Beginning at a point on a curve located South 00°02'54" East along the section line 206.15 feet and West 145.79 feet from the Northwest corner of Section 15, Township 10 South, Range 1 East, Salt Lake Base and Meridian, said curve turning to the right through an angle of 62°55'17", having a radius of 261.50 feet, and whose long chord bears North 71°00'40" East 272.96 feet to a point of intersection with a non-tangential line; thence South 71°03'09" East for a distance of 74.59 feet to a point on a line; thence South 77°12'35" East for a distance of 91.06 feet to the beginning of a curve, said curve turning to the right through 86°13'06", having a radius of 15.00 feet, and whose long chord bears South 34°06'02" East for a distance of 20.50 feet to the beginning of a non-tangential curve, said curve turning to the left through an angle of 97°34'07", having a radius of 948.56 feet, and whose long chord bears South 39°45'39" East for a distance of 1427.08 feet to a point of intersection with a non-tangential line; thence South 88°35'00" East for a distance of 1.27 feet to a point on a line; thence South 88°35'00" East for a distance of 550.77 feet to a point on a line; thence South 01°26'00" West for a distance of 2681.18 feet to a point on a line; thence North 62°24'35" West for a distance of 177.75 feet to a point on a line; thence North 67°55'10" West for a distance of 213.52 feet to a point on a line; thence North 67°55'10" West for a distance of 74.45 feet to a point on a line; thence North 76°39'17" West for a distance of 140.80 feet to a point on a line; thence South 87°08'15" West for a distance of 80.10 feet to a point on a line; thence North 68°32'14" West for a distance of 55.56 feet to a point on a line; thence North 12°06'53" West for a distance of 146.72 feet to a point on a line; thence North 32°47'13" West for a distance of 140.18 feet to a point on a line; thence North 64°18'15" West for a distance of 130.80 feet to a point on a line; thence North 32°10'55" West for a distance of 195.51 feet to a point on a line; thence North 00°50'37" East for a distance of 71.19 feet to a point on a line; thence North 10°32'32" West for a distance of 207.29 feet to a point on a line; thence North 25°30'53" West for a distance of 194.41 feet to a point on a line; thence North 43°45'53" West for a distance of 161.23 feet to a point on a line; thence North 86°52'37" West for a distance of 172.50 feet to a point on a line; thence North 44°26'25" West for a distance of 65.73 feet to a point on a line; thence North 06°29'53" East for a distance of 189.47 feet to a point on a line; thence North 20°54'54" West for a distance of 202.99 feet to a point on a line; thence North 59°09'39" East for a distance of 79.92 feet to a point on a line; thence North 20°11'13" East for a distance of 147.65 feet to a point on a line; thence North 08°22'00" West for a distance of 260.62 feet to a point on a line; thence North 10°49'12" West for a distance of 204.25 feet to a point on a line; thence North 38°10'30" West for a distance of 335.17 feet to a point on a line; thence North 50°20'10" East for a distance of 195.48 feet to a point on a line; thence North 16°50'29" East for a distance of 60.45 feet to a point on a line; thence North 51°45'17" East for a distance of 105.00 feet to the beginning of a non-tangential curve, said curve turning to the right through an angle of 20°21'33", having a radius of 1242.56 feet, and whose long chord bears North 28°03'56" West for a distance of 439.21 feet; thence North 17°53'09" West for a distance of 84.36 feet to a point on a line; thence North 19°39'19" West for a distance of 50.03 feet to a point on a line; thence North 15°12'24" West for a distance of 204.31 feet to a point on a line; thence North 09°28'37" West for a distance of 76.34 feet to a point on a line; thence North 03°04'44" West for a distance of 66.48 feet to a point on a line; thence North 00°00'00" East for a distance of 48.91 feet to a point on a line; thence South 80°12'46" West a distance of 71.83 feet to the point of beginning.

Contains: ±85.13 Acres

PARCEL 2:

Commencing North 2,623.5 feet and East 1,213.22 feet from the Southwest corner of Section 10, Township 10 South, Range 1 East, Salt Lake Base and Meridian; thence South 00°56'09" East 1,351.37 feet; thence South 89°50'00" West 94.78 feet; thence South 89°50'00" West 75.18 feet; thence along a curve to the left (chord bears: North 06°52'21" East 726.05 feet, radius = 2,790 feet) arc length = 728.11 feet; thence North 00°36'15" West 632.48 feet; thence South 88°39'17" East 67.7 feet to the point of beginning.

LESS AND EXCEPTING from Parcel 2 any portion of said land lying East of the following line:

Commencing South 89°29'08" East 1,220.71 feet along the quarter section line from the West 1/4 corner of Section 10, Township 10 South, Range 1 East, Salt Lake Base and Meridian; thence South 0°19'30" East 169.20 feet; thence South 2°37'00" East 91.00 feet; thence South 0°38'00" East 1,020.00 feet; thence South 1°26'00" East 90.31 feet to the point of beginning.

Remainder Contains: ±0.81 Acres

PARCEL 3:

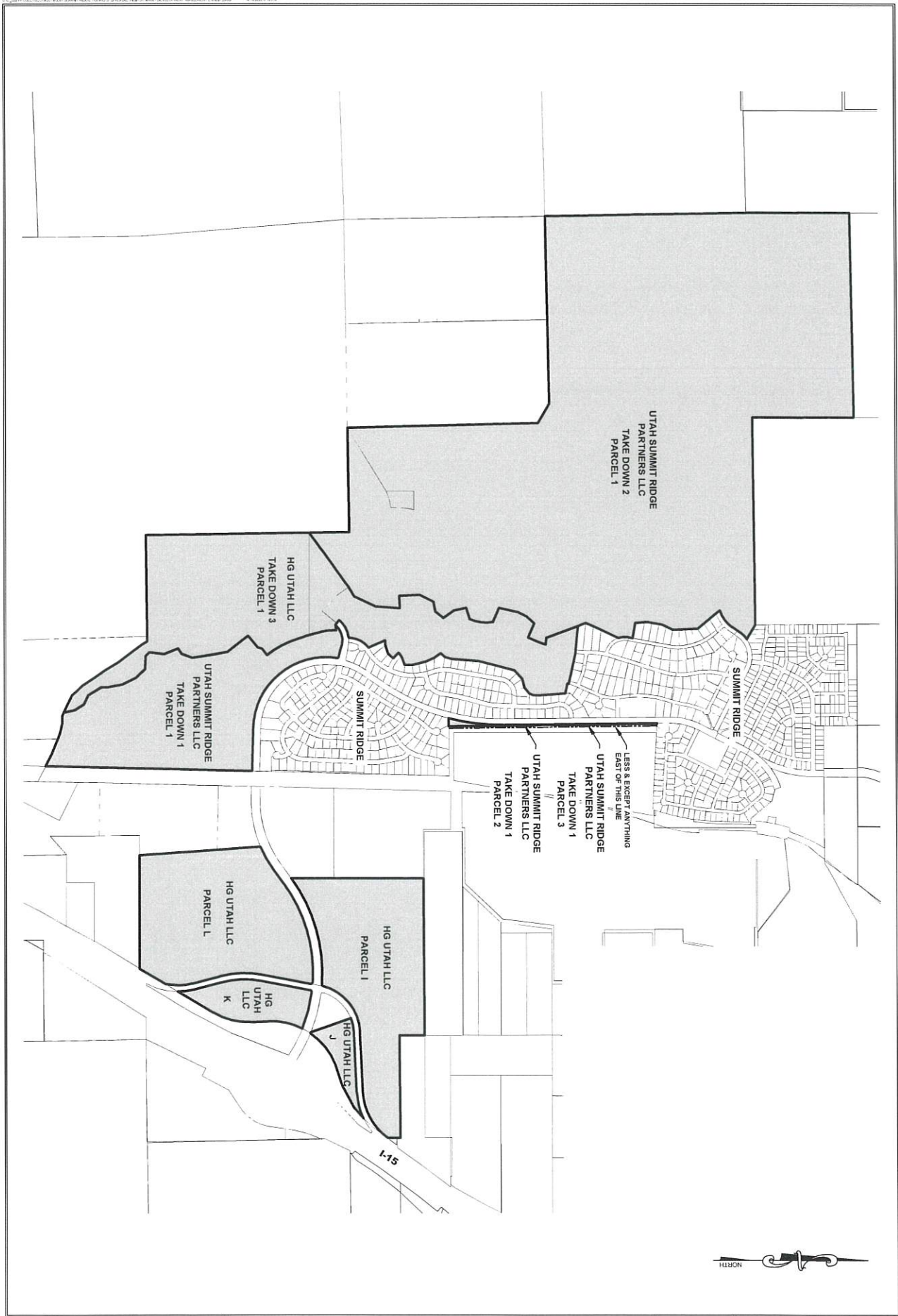
Commencing North 2,623.6 feet and East 1,213.27 feet from the Southwest corner of Section 10, Township 10 South, Range 1 East, Salt Lake Base and Meridian; thence North 00°56'09" West 1,369.42 feet; thence North 87°02'00" West 59.86 feet; thence South 00°36'15" East 1,370.83 feet; thence South 88°39'17" East 67.71 feet to the point of beginning.

LESS AND EXCEPTING from Parcel 3 any portion of said land lying East of the following line:

Commencing South 89°55'46" East 1314.64 feet along the Section line and South 01°00'24" East 1281.58 feet and North 87°02'00" West 51.46 feet from the Northwest Corner of Section 10, Township 10 South, Range 1 East, Salt Lake Base and Meridian; thence South 0°01'00" West 410.00 feet; thence South 01°34'00" East 103.00 feet; thence South 1°08'30" East 201.00 feet; thence South 0°19'30" East 364.40 feet to the point of beginning.

Remainder Contains: ±0.25 Acres

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SUMMIT RIDGE
SANTAQUIN, UTAH

DEVELOPMENT AGREEMENT AREA EXHIBIT



ENT
A Utah Corporation
ENGINEERS
SURVEYORS
PLANNERS
3802 N. Main Street
Salt Lake City, Utah 84143
Tel: 801.786.9292
Fax: 801.786.9293
www.entr.com

REVISIONS	DATE	BY	DESCRIPTION

1

EXHIBIT B

**(Property subject to the Second Amendment to Annexation and Development Agreement
for Summit Ridge)**

OVERALL PROPERTY LEGAL DESCRIPTION

TAKE DOWN 1**PARCEL 1:**

Beginning at a point on a curve located South 00°02'54" East along the section line 206.15 feet and West 145.79 feet from the Northwest corner of Section 15, Township 10 South, Range 1 East, Salt Lake Base and Meridian, said curve turning to the right through an angle of 62°55'17", having a radius of 261.50 feet, and whose long chord bears North 71°00'40" East 272.96 feet to a point of intersection with a non-tangential line; thence South 71°03'09" East for a distance of 74.59 feet to a point on a line; thence South 77°12'35" East for a distance of 91.06 feet to the beginning of a curve, said curve turning to the right through 86°13'06", having a radius of 15.00 feet, and whose long chord bears South 34°06'02" East for a distance of 20.50 feet to the beginning of a non-tangential curve, said curve turning to the left through an angle of 97°34'07", having a radius of 948.56 feet, and whose long chord bears South 39°45'39" East for a distance of 1427.08 feet to a point of intersection with a non-tangential line; thence South 88°35'00" East for a distance of 1.27 feet to a point on a line; thence South 88°35'00" East for a distance of 550.77 feet to a point on a line; thence South 01°26'00" West for a distance of 2681.18 feet to a point on a line; thence North 62°24'35" West for a distance of 177.75 feet to a point on a line; thence North 67°55'10" West for a distance of 213.52 feet to a point on a line; thence North 67°55'10" West for a distance of 74.45 feet to a point on a line; thence North 76°39'17" West for a distance of 140.80 feet to a point on a line; thence South 87°08'15" West for a distance of 80.10 feet to a point on a line; thence North 68°32'14" West for a distance of 55.56 feet to a point on a line; thence North 12°06'53" West for a distance of 146.72 feet to a point on a line; thence North 32°47'13" West for a distance of 140.18 feet to a point on a line; thence North 64°18'15" West for a distance of 130.80 feet to a point on a line; thence North 32°10'55" West for a distance of 195.51 feet to a point on a line; thence North 00°50'37" East for a distance of 71.19 feet to a point on a line; thence North 10°32'32" West for a distance of 207.29 feet to a point on a line; thence North 25°30'53" West for a distance of 194.41 feet to a point on a line; thence North 43°45'53" West for a distance of 161.23 feet to a point on a line; thence North 86°52'37" West for a distance of 172.50 feet to a point on a line; thence North 44°26'25" West for a distance of 65.73 feet to a point on a line; thence North 06°29'53" East for a distance of 189.47 feet to a point on a line; thence North 20°54'54" West for a distance of 202.99 feet to a point on a line; thence North 59°09'39" East for a distance of 79.92 feet to a point on a line; thence North 20°11'13" East for a distance of 147.65 feet to a point on a line; thence North 08°22'00" West for a distance of 260.62 feet to a point on a line; thence North 10°49'12" West for a distance of 204.25 feet to a point on a line; thence North 38°10'30" West for a distance of 335.17 feet to a point on a line; thence North 50°20'10" East for a distance of 195.48 feet to a point on a line; thence North 16°50'29" East for a distance of 60.45 feet to a point on a line; thence North 51°45'17" East for a distance of 105.00 feet to the beginning of a non-tangential curve, said curve turning to the right through an angle of 20°21'33", having a radius of 1242.56 feet, and whose long chord bears North 28°03'56" West for a distance of 439.21 feet; thence North 17°53'09" West for a distance of 84.36 feet to a point on a line; thence North 19°39'19" West for a distance of 50.03 feet to a point on a line; thence North 15°12'24" West for a distance of 204.31 feet to a point on a line; thence North 09°28'37" West for a distance of 76.34 feet to a point on a line; thence North 03°04'44" West for a distance of 66.48 feet to a point on a line; thence North 00°00'00" East for a distance of 48.91 feet to a point on a line; thence South 80°12'46" West a distance of 71.83 feet to the point of beginning.

Contains: ±85.13 Acres

PARCEL 2:

Commencing North 2,623.5 feet and East 1,213.22 feet from the Southwest corner of Section 10, Township 10 South, Range 1 East, Salt Lake Base and Meridian; thence South 00°56'09" East 1,351.37 feet; thence South 89°50'00" West 94.78 feet; thence South 89°50'00" West 75.18 feet; thence along a curve to the left (chord bears: North 06°52'21" East 726.05 feet, radius = 2,790 feet) arc length = 728.11 feet; thence North 00°36'15" West 632.48 feet; thence South 88°39'17" East 67.7 feet to the point of beginning.

LESS AND EXCEPTING from Parcel 2 any portion of said land lying East of the following line:

Commencing South 89°29'08" East 1,220.71 feet along the quarter section line from the West 1/4 corner of Section 10, Township 10 South, Range 1 East, Salt Lake Base and Meridian; thence South 0°19'30" East 169.20 feet; thence South 2°37'00" East 91.00 feet; thence South 0°38'00" East 1,020.00 feet; thence South 1°26'00" East 90.31 feet to the point of beginning.

Remainder Contains: ±0.81 Acres

PARCEL 3:

Commencing North 2,623.6 feet and East 1,213.27 feet from the Southwest corner of Section 10, Township 10 South, Range 1 East, Salt Lake Base and Meridian; thence North 00°56'09" West 1,369.42 feet; thence North 87°02'00" West 59.86 feet; thence South 00°36'15" East 1,370.83 feet; thence South 88°39'17" East 67.71 feet to the point of beginning.

LESS AND EXCEPTING from Parcel 3 any portion of said land lying East of the following line:

Commencing South 89°55'46" East 1314.64 feet along the Section line and South 01°00'24" East 1281.58 feet and North 87°02'00" West 51.46 feet from the Northwest Corner of Section 10, Township 10 South, Range 1 East, Salt Lake Base and Meridian; thence South 0°01'00" West 410.00 feet; thence South 01°34'00" East 103.00 feet; thence South 1°08'30" East 201.00 feet; thence South 0°19'30" East 364.40 feet to the point of beginning.

Remainder Contains: ±0.25 Acres

TAKE DOWN 2

PARCEL 1:

Beginning at a point that is South 00°01'14" East 30.60 feet and West 637.49 feet from the Southeast corner of Section 9, Township 10 South, Range 1 East, Salt Lake Base and Meridian; thence South 53°53'32" West 875.69 feet; thence North 00°47'43" West 525.18 feet to the South section line of said Section 9; thence South 89°05'28" West along the section line 1352.28 feet to the South quarter corner of said Section 9; thence North 01°27'20" West along the quarter section line 2489.75 feet; thence North 59°43'07" West 256.57 feet to the beginning of a curve; thence along said curve turning to the right through an angle of 09°05'15", having a radius of 200.00 feet, and whose long chord bears North 55°10'31" West 31.69 feet to a point of intersection with a non-tangential line, said line also being the quarter section line; thence South 88°50'00" West along said quarter section line 2439.71 feet to the West quarter corner of said Section 9; thence North 00°54'40" West along the section line 2629.63 feet to the Northwest corner of said Section 9; thence North 00°11'42" West along the section line 1342.38 feet; thence North 88°55'18" East along the North line of the South half of the Southwest quarter of Section 4 of said Township and Range 2657.70 feet; thence South 00°12'32" East along the quarter section line 1320.39 feet to the North quarter corner of said Section 9; thence North 89°20'24" East along the section line 2692.62 feet to the Northeast corner of said Section 9; thence South 58°02'53" East along the Stone Hollow at Summit Ridge Plat E Subdivision 218.36 feet to the beginning of a non-tangential curve; thence along the Sunset Trails at Summit Ridge Plat A the following 4 courses: along said curve turning to the left through an angle of 18°58'48", having a radius of 380.00 feet, and whose long chord bears South 44°30'43" West 125.31 feet; thence South 35°01'20" West 116.41 feet to the beginning of a curve; thence along said curve turning to the right through an angle of 37°37'32", having a radius of 420.00 feet, and whose long chord bears South 53°50'07" West 270.88 feet to a point of intersection with a non-tangential line; thence South 39°17'00" East 64.04 feet; thence along the Sunset Trails at Summit Ridge Plat B the following 7 courses: South 39°16'54" East 310.34 feet; thence South 02°42'00" East 320.81 feet; thence South 25°16'50" West 155.29 feet; thence South 10°16'50" West 200.00 feet; thence South 04°43'10" East 155.30 feet; thence South 79°42'46" East 73.41 feet; thence South 79°43'09" East 126.59 feet; thence along the Sunset Trails at Summit Ridge Plat A the following 4 courses: South 10°16'50" West 55.86 feet to the beginning of a curve; thence along said curve turning to the left through an angle of 27°56'49", having a radius of 271.50 feet, and whose long chord bears South 03°41'34" East 131.12 feet to a point of intersection with a non-tangential line; thence South 24°44'00" West 467.31 feet; thence South 20°21'00" East 111.19 feet; thence South 20°18'46" East 331.37 feet; thence South 20°21'00" East 113.74 feet; thence South 84°25'20" East 87.88 feet to the beginning of a non-tangential curve; thence along said curve turning to the right through an angle of 06°25'59", having a radius of 1195.50 feet, and whose long chord bears South 20°32'00" West 134.16 feet; thence South 23°45'00" West 110.52 feet; thence North 66°15'00" West 200.80 feet; thence South 41°38'48" West 136.61 feet; thence South 27°19'22" West 120.23 feet; thence South 12°19'23" West 255.06 feet; thence South 66°15'00" East 199.74 feet to the beginning of a non-tangential curve; thence along said curve turning to the right through an angle of 33°52'20", having a radius of 524.50 feet, and whose long chord bears South 06°48'51" West 305.58 feet to a point of intersection with a non-tangential line; thence South 72°16'35" West 153.76 feet; thence South 11°13'00" East 167.42 feet; thence South 35°29'00" East 168.34 feet; thence South 39°45'10" West 132.00 feet; thence South 79°31'09" West 130.22 feet; thence South 26°32'16" West 199.53 feet; thence South 03°13'00" East 268.44 feet; thence North 86°47'00" East 159.30 feet; thence South 03°56'17" West 315.48 feet; thence South 24°39'11" West 311.58 feet; thence South 59°36'08" West 99.33 feet; thence South 59°36'07" West 42.10 feet to the point of beginning.

Contains: ±558.32 Acres

TAKE DOWN 3

PARCEL 1:

Beginning at a point located N89°05'23"E along the section line 1390.29 feet and South 2646.68 feet from the South 1/4 corner of Section 9, Township 10 South, Range 1 East, Salt Lake Base and Meridian; Thence N00° 49' 27" W 2121.28 feet; Thence N53° 53' 32" E 875.35 feet; Thence N59° 36' 08" E 141.50 feet; Thence N24° 39' 11" E 311.58 feet; Thence N03° 56' 17" E 315.48 feet; Thence S86° 47' 00" W 159.30 feet; Thence N03° 13' 00" W 268.44 feet; Thence N26° 32' 16" E 199.53 feet; Thence N79° 31' 09" E 130.22 feet; Thence N39° 45' 10" E 132.00 feet; Thence N35° 29' 00" W 168.34 feet; Thence N11° 13' 00" W 167.42 feet; Thence N72° 16' 35" E 153.76 feet to the beginning of a non-tangential curve, Said curve turning to the left through an angle of 33° 52' 20.4", having a radius of 524.50 feet, and whose long chord bears N06° 48' 51" E for a distance of 305.58 feet to a point of intersection with a non-tangential line. Thence N66° 15' 00" W 199.74 feet; Thence N12° 19' 23" E 255.06 feet; Thence N27° 19' 22" E 120.23 feet; Thence N41° 38' 48" E 136.61 feet; Thence S66° 15' 00" E 200.80 feet; Thence N23° 45' 00" E 110.52 feet to the beginning of a curve, Said curve turning to the left through an angle of 06° 25' 59.4", having a radius of 1195.50 feet, and whose long chord bears N20° 32' 00" E for a distance of 134.16 feet to a point of intersection with a non-tangential line. Thence N84° 25' 20" W 87.88 feet; Thence N20° 21' 00" W 444.77 feet; Thence S84° 25' 20" E 310.67 feet; Thence S87° 58' 56" E 49.07 feet; Thence S76° 51' 00" E 405.30 feet to the beginning of a non-tangential curve, Said curve turning to the left through an angle of 01° 00' 44.7", having a radius of 1000.00 feet, and whose long chord bears S 15° 22' 01" W 17.67 feet to a point of intersection with a non-tangential line; Thence S 78° 25' 46" E 128.86 feet; Thence S 04° 26' 00" E 366.03 feet to the beginning of a curve, Said curve turning to the right through an angle of 37° 41' 57.4", having a radius of 175.00 feet, and whose long chord bears S 14° 25' 02" W 113.08 feet to a point of intersection with a non-tangential line; Thence S 50° 11' 00" W 98.31 feet; Thence S 77° 04' 00" W 115.22 feet; Thence S 47° 28' 27" W 151.76 feet; Thence S 14° 32' 00" W 483.46 feet; Thence S 04° 00' 00" W 349.19 feet; Thence S 15° 39' 00" W 95.30 feet; Thence S 43° 02' 20" W 72.26 feet; Thence S 36° 14' 25" E 103.37 feet; Thence S 23° 32' 07" E 122.67 feet; Thence S 13° 56' 44" E 182.42 feet; Thence S 00° 19' 24" E 95.97 feet; Thence, S 69° 30' 14" W 118.52 feet; Thence S 51° 58' 00" W 60.00 feet to the beginning of a non-tangential curve, Said curve turning to the left through an angle of 12° 55' 17.7", having a radius of 430.00 feet, and whose long chord bears S 44° 29' 39" E 96.77 feet to a point of intersection with a non-tangential line; Thence S 39° 56' 39" W 87.60 feet; Thence S 70° 43' 21" W 116.32 feet; Thence S 89° 50' 37" W 62.79 feet; Thence S 23° 07' 06" E 238.31 feet to the beginning of a non-tangential curve, Said curve turning to the left through an angle of 43° 18' 21.8", having a radius of 330.00 feet, and whose long chord bears S 30° 11' 59" W 243.53 feet; Thence S 08° 32' 47" W 39.91 feet to the beginning of a non-tangential curve, Said curve turning to the right through 73° 41' 31.4", having a radius of 15.00 feet, and whose long chord bears S 45° 22' 54" W 17.99 feet to the beginning of a non-tangential curve. Said curve turning to the left through an angle of 42° 35' 10.9", having a radius of 340.00 feet, and whose long chord bears S 60° 55' 25" W 246.94 feet to a point of intersection with a non-tangential line. Thence S 49° 47' 49" E 80.21 feet; Thence N 80° 14' 31" E 71.83 feet; Thence S 00° 01' 45" W 48.91 feet; Thence S 03° 02' 58" E 66.48 feet; Thence S 09° 26' 50" E 76.34 feet; Thence S 15° 10' 38" E 168.64 feet; Thence S 15° 29' 15" E 35.44 feet; Thence S 19° 39' 19" E 50.03 feet; Thence S 17° 53' 09" E 84.36 feet to the beginning of a curve, Said curve turning to the left through an angle of 20° 21' 33.1", having a radius of 1242.56 feet, and whose long chord bears S 28° 03' 56" E 439.21 feet to a point of intersection with a non-tangential line. Thence S 51° 45' 17" W 105.00 feet; Thence S 16° 50' 29" W 60.45 feet; Thence S 50° 20' 10" W 195.48 feet; Thence S 38° 10' 30" E 335.17 feet; Thence S 10° 49' 12" E 204.25 feet; Thence S 08° 22' 00" E 260.62 feet; Thence S 20° 11' 13" W 147.65 feet; Thence S 59° 09' 39" W 79.92 feet; Thence S 20° 54' 54" E 202.99 feet; Thence S 06° 29' 53" W 189.47 feet; Thence S 44° 26' 25" E 65.73 feet; Thence S 86° 52' 37" E 172.50 feet; Thence S 43° 45' 53" E 161.23 feet; Thence S 25° 30' 53" E 194.41 feet; Thence S 10° 32' 32" E 207.29 feet; Thence S 00° 50' 37" W 71.19 feet; Thence S 32° 10' 55" E 195.51 feet; Thence S 64° 18' 15" E 130.80 feet; Thence S 32° 47' 13" E 140.18 feet; Thence S 12° 06' 53" E 146.72 feet; Thence N 68° 32' 14" W 57.53 feet; Thence N 63° 13' 55" W 190.69 feet; Thence N 41° 02' 50" W 90.99 feet; Thence N 45° 34' 02" W 89.28 feet; Thence N 33° 21' 12" W 200.53 feet; Thence N 35° 51' 49" W 155.33 feet; Thence N 31° 19' 11" W 201.03 feet; Thence N 36° 31' 35" W 396.51 feet; Thence N 31° 23' 47" W 67.52 feet; Thence N 89° 42' 15" W 62.48 feet; Thence S 76° 54' 21" W 0.04 feet; Thence S 89° 15' 02" W 1315.16 feet to the POINT OF BEGINNING.

Contains: ±135.20 Acres

AREA EAST OF RAILROAD TRACKS

PARCEL "I"

A portion of Sections 10,11,14,&15, Township 10 South, Range 1 East, Salt Lake Base & Meridian, more particularly described as follows:

Beginning at a point located N0°05'18"W along the Section line 662.03 feet from the Southeast Corner of Section 10, T10S, R1E, S.L.B. & M.; thence N89°23'55"E 1,322.56 feet; thence S0°22'12"E 164.02 feet to the northerly right-of-way line of South Ridge Farms Road; thence along said roadway the following 4 (four) courses: Southwesterly along the arc of a 760.00 foot radius non-tangent curve (radius bears: N55°25'59"W) to the right 699.48 feet through a central angle of 52°43'59" (chord: S60°56'01"W 675.05 feet); thence S87°18'00"W 779.00 feet; thence along the arc of a 640.00 foot radius curve to the left 811.53 feet through a central angle of 72°39'06" (chord: S50°58'27"W 758.24 feet) to a point of reverse curvature; thence along the arc of a 25.00 foot radius curve to the right 34.70 feet through a central angle of 79°32'16" (chord: S54°25'02"W 31.99 feet) to a point of reverse curvature on the northerly right-of-way line of Summit Ridge Parkway; thence along said roadway the following 4 (four) courses: thence along the arc of a 2,060.00 foot radius curve to the left 1,455.33 feet through a central angle of 40°28'40" (chord: S73°56'50"W 1,425.25 feet); thence North 1723.41 feet; thence N89°43'53"E 2,028.87 feet; thence S0°05'18"E 327.97 feet to the point of beginning.

Contains: ±73.72 Acres

PARCEL "J"

A portion of Sections 10,11,14,&15, Township 10 South, Range 1 East, Salt Lake Base & Meridian, more particularly described as follows:

Beginning at a point on the southerly right-of-way line of South Ridge Farms Road located N0°05'18"W along the Section line 69.30 feet from the Southeast Corner of Section 10, T10S, R1E, S.L.B. & M.; thence along said roadway the following 2 (two) courses: N87°18'00"E 737.19 feet; thence along the arc of an 840.00 foot radius curve to the left 347.83 feet through a central angle of 23°43'30" (chord: N75°26'15"E 345.35 feet) to the westerly right-of-way line of Interstate 15; thence along said right-of-way the following 4 (four) courses: Southwesterly along the arc of an 1,800.00 foot radius curve to the right (radius bears: N45°12'35"W) 174.57 feet through a central angle of 5°33'24" (chord: S47°34'07"W 174.50 feet); thence S61°59'00"W 337.00 feet; thence S71°41'52"W 286.24 feet; thence Southwesterly along the arc of an 897.72 foot radius non-tangent curve to the left (radius bears: S22°17'42"E) 521.45 feet through a central angle of 33°16'50" (chord: S51°03'53"W 514.15 feet) to the northerly right-of-way line of Summit Ridge Parkway; thence Northwesterly along the arc of a 2,060.00 foot radius non-tangent curve to the left (radius bears: S22°21'28"W) 15.12 feet through a central angle of 0°25'14" (chord: N67°51'09"W 15.12 feet); thence N19°16'56"W 551.28 feet to the southerly right-of-way line of South Ridge Farms Road; thence along said roadway: Northeasterly along the arc of a 560.00 foot radius non-tangent curve to the right (radius bears: S21°48'26"E) 186.75 feet through a central angle of 19°06'26" (chord: N77°44'47"E 185.89 feet); thence N87°18'00"E 41.81 feet to the point of beginning.

Contains: ±7.18 Acres

PARCEL "K"

A portion of the NE1/4 of Section 15, Township 10 South, Range 1 East, Salt Lake Base & Meridian, more particularly described as follows:

Beginning at a point on the southerly right-of-way line of Summit Ridge Parkway and the westerly right-of-way line of Interstate 15, located S1°04'18"E along the Section line 602.76 feet and West 100.41 feet from the Northeast Corner of Section 15, T10S, R1E, S.L.B. & M.; thence along said I-15 right-of-way the following 4 (four) courses: Southwesterly along the arc of an 897.72 foot radius non-tangent curve to the left (radius bears: S63°19'27"E) 453.92 feet through a central angle of 28°58'15" (chord: S12°11'26"W 449.10 feet); thence S2°17'42"E 234.82 feet; thence along the arc of an 874.16 foot radius curve to the right 503.48 feet through a central angle of 33°00'00" (chord: S14°12'18"W 496.55 feet); thence S30°42'18"W 535.25 feet to the easterly right-of-way line of South Ridge Farms Road; thence along said roadway the following 5 (five) courses: Northwesterly along the arc of an 840.00 foot radius non-tangent curve to the left (radius bears: S89°42'09"W) 209.93 feet through a central angle of 14°19'09" (chord: N7°27'26"W 209.38 feet); thence N14°37'00"W 373.78 feet; thence along the arc of a 1,160.00 foot radius curve to the right 513.57 feet through a central angle of 25°22'00" (chord: N1°56'00"W 509.38 feet); thence N10°45'00"E 651.01 feet; thence along the arc of a 25.00 foot radius curve to the right 37.84 feet through a central angle of 86°42'38" (chord: N54°06'19"E 34.33 feet) to a point of compound curvature at the southerly right-of-way line of Summit Ridge Parkway; thence along the arc of a 1,940.00 foot radius curve to the right 487.12 feet through a central angle of 14°23'11" (chord: S75°20'46"E 485.84 feet) to the point of beginning.

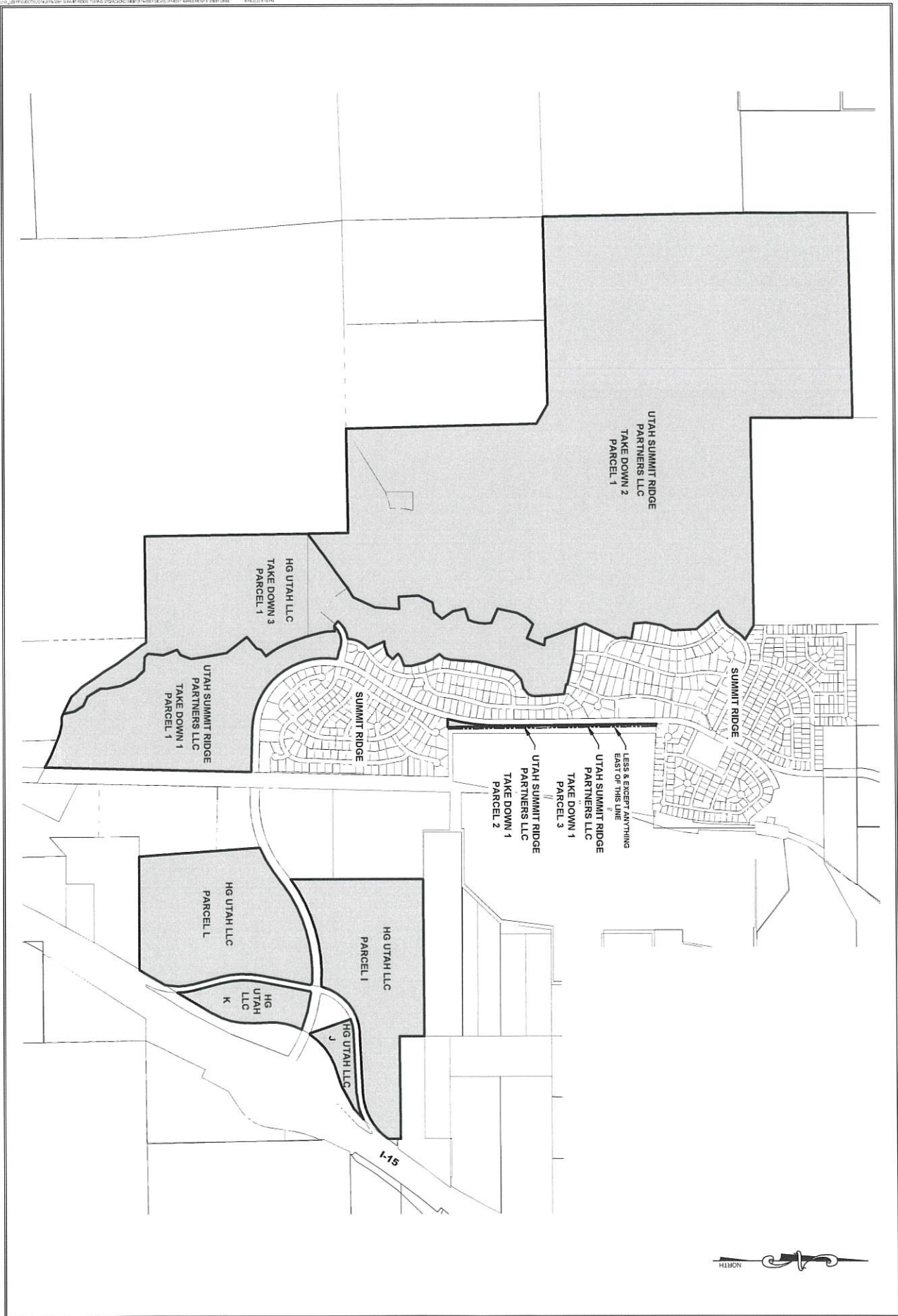
Contains: ±16.04 Acres

PARCEL "L"

A portion of Section 15, Township 10 South, Range 1 East, Salt Lake Base & Meridian, more particularly described as follows:

Beginning at a point on the westerly right-of-way line of a frontage road incident to Interstate 15, located N89°42'18"W along the 1/4 Section line 912.41 feet and South 81.33 feet from the East 1/4 Corner of Section 15, T10S, R1E, S.L.B. & M.; thence West 1,469.67 feet; thence N4°02'27"W 1,572.13 feet to the southerly right-of-way line of Summit Ridge Parkway; thence along said roadway the following 3 (three) courses: northeasterly along the arc of a 1,560.00 foot radius non-tangent curve to the left (radius bears: N23°01'53"W) 361.04 feet through a central angle of 13°15'37" (chord: N60°20'19"E 360.24 feet); thence N53°42'30"E 212.37 feet; thence along the arc of a 1,940.00 foot radius curve to the right 1,349.15 feet through a central angle of 39°50'45" (chord: N73°37'52"E 1,322.13 feet) to a point of compound curvature; thence along the arc of a 25.00 foot radius curve to the right 42.41 feet through a central angle of 97°11'45" (chord: S37°50'53"E 37.50 feet) to a point of reverse curvature on the westerly right-of-way line of South Ridge Farms Road; thence along said roadway the following 4 (four) courses: S10°45'00"W 639.08 feet; thence along the arc of a 1,240.00 foot radius curve to the left 548.99 feet through a central angle of 25°22'00" (chord: S1°56'00"E 544.52 feet); thence S14°37'00"E 373.78 feet; thence along the arc of a 760.00 foot radius curve to the right 353.50 feet through a central angle of 26°39'00" (chord: S1°17'30"E 350.32 feet) to said I-15 frontage road; thence S30°42'18"W along said roadway 385.20 feet to the point of beginning.

Contains: ±76.88 Acres



 <p>T&E A BIRD CORPORATION ENGINEERS SURVEYORS PLANNERS</p> <p>3302 N. MAIN STREET SANTAQUIN, UT 84405 PH: 801.786.9393 WWW.T-AND-E.COM</p>	<p>SUMMIT RIDGE SANTAQUIN, UTAH</p> <hr/> <p>DEVELOPMENT AGREEMENT AREA EXHIBIT</p>	<p>REVISIONS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%;">1</td> <td style="width: 15%;">DATE</td> <td style="width: 80%;">DESCRIPTION</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table> <p>DATE: 04/14/2020 SCALE: 1" = 1100'</p> <p style="text-align: right;">SHEET 1</p>	1	DATE	DESCRIPTION															
1	DATE	DESCRIPTION																		

EXHIBIT C

(Plans for Road Base Placement at Harvest View Soccer Complex)

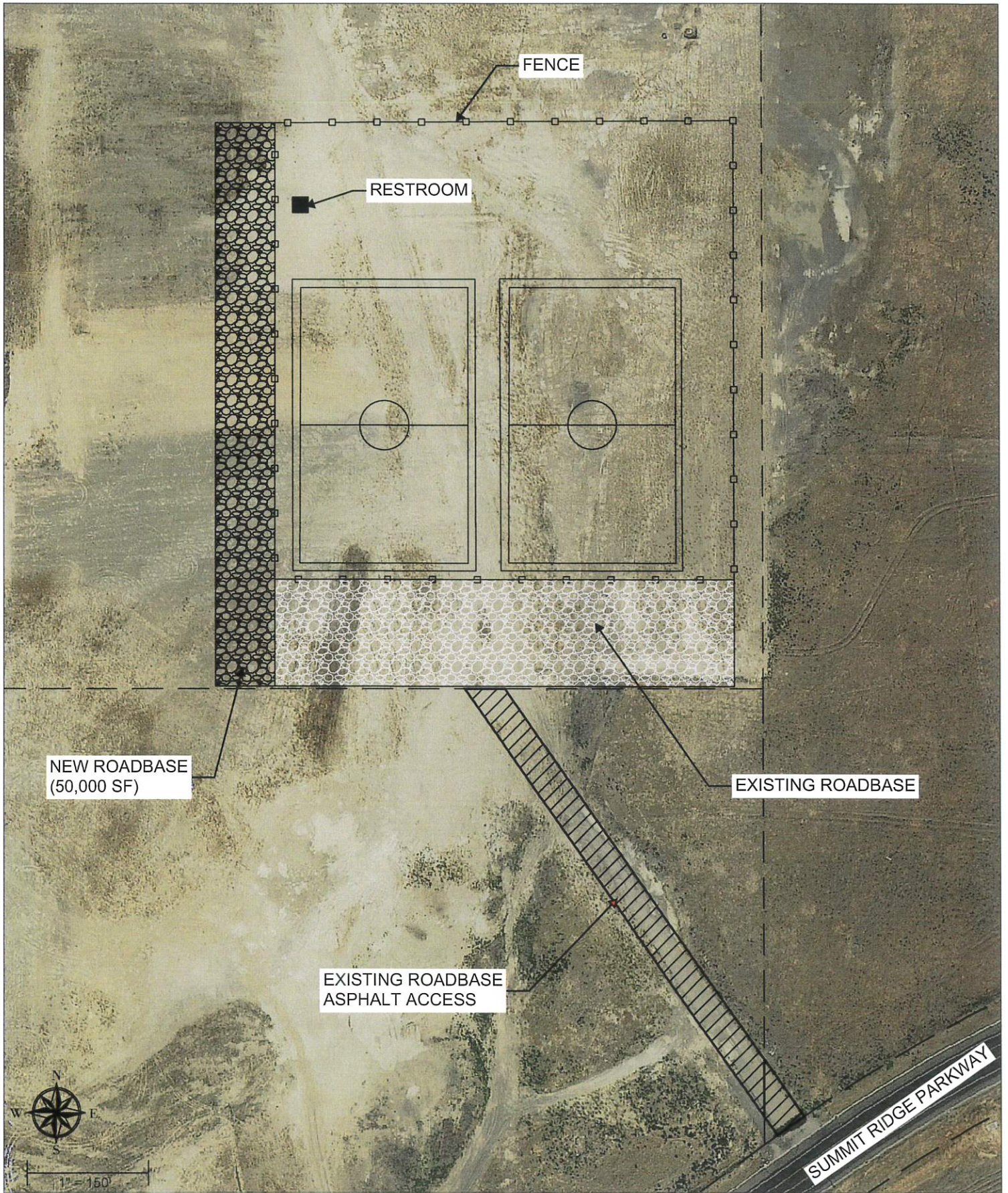


EXHIBIT D

(Legal Description for Public Facility Site)

Santaquin City Property Legal Description (Utah County Parcel #: 33:021:0062)

A portion of the South half Section 10 and the North half of Section 15, Township 10 South, Range 1 East, Salt Lake Base and Meridian, Located in Santaquin, Utah County, State of Utah, more particularly described as follows:

Beginning at a point located North $89^{\circ} 43' 52''$ East along the Section line 629.30 feet from the South quarter corner of Section 10, Township 10 South, Range 1 East, Salt Lake Base and Meridian; thence South 180.26 feet; thence West 1,167.86 feet to the easterly right-of-way line of the Union Pacific Railroad; thence North $1^{\circ} 26' 00''$ East along said right-of-way 1, 527.58 feet; thence South $89^{\circ} 07' 43''$ East 492.94 feet, thence South $0^{\circ} 19' 10''$ East 352.32 feet; thence North $89^{\circ} 43' 53''$ East 634.81 feet, thence South 990.01 feet to the point of beginning.