

Santaquin City Resolution 05-04-2022

A RESOLUTION APPROVING ADDENDUM NO. 2 TO THE SUMMIT RIDGE COMMERCIAL DEVELOPMENT MASTER DEVELOPMENT AGREEMENT

WHEREAS, On November 16, 2021, the City Council adopted Resolution 11-04-2021 which approved a Development Agreement (hereafter "Agreement") with 242 Partners, LLC, a Utah limited liability company; and

WHEREAS, On February 15, 2022, the City Council adopted Resolution 02-03-2022 which approved an Agreement Addendum with 242 Partners, LLC, a Utah limited liability company; and

WHEREAS, Murdock Ford purchased a portion of the property owned by 242 Partners, LLC and which Property is subject to the Agreement; and

WHEREAS, Murdock Ford desires that Santaquin City execute a second addendum to the Commercial Development Agreement, which is attached hereto as Exhibit A (hereafter "Addendum No.2"), that establishes standards for temporary signage at the future Murdock Ford Site.

WHEREAS, the Santaquin City Planning Commission considered the Addendum No.2 at a public hearing on May 2, 2022, which hearing was preceded by the posting of public notice as required by State and local law; and

WHEREAS, after the noted public hearing, the Santaquin City Planning Commission forwarded a positive recommendation to the City Council for approval of Addendum No. 2 .


WHEREAS, the Santaquin City Council finds that approving Addendum No.2 is in the best interest of the residents of Santaquin City.

Now Therefore, be it resolved by the Santaquin City Council as follows:

1. The attached Exhibit A, consisting of 12 pages and which by this reference is made part hereof, is approved.

ADOPTED AND PASSED by the City Council of Santaquin City, Utah, this 17th day of May 2022.

SANTAQUIN CITY



Daniel M. Olson, Mayor



Attest:



Amalie R. Ottley, City Recorder

WHEN RECORDED, RETURN TO:

**242 Partners, LLC
Attn: Chad Liljenquist
6995 Union Park Center, Ste 440
Midvale, UT 84047**



ENT 57856:2022 PG 1 of 12
ANDREA ALLEN
UTAH COUNTY RECORDER
2022 May 10 4:24 pm FEE 0.00 BY KC
RECORDED FOR SANTAQUIN CITY CORPORATION

With a copy to:

**Murdock Auto Group
Attn: Blake Murdock
Address line 1
Address line 2**

**ADDENDUM NO. 2
TO THE MASTER DEVELOPMENT AGREEMENT
FOR
SUMMIT RIDGE COMMERCIAL DEVELOPMENT (PHASE I)**

THIS ADDENDUM NO. 2 TO THE MASTER DEVELOPMENT AGREEMENT FOR SUMMIT RIDGE COMMERCIAL DEVELOPMENT (PHASE I) (this “Addendum”) is made and entered into as of the 19th day of May 2022, by and between Santaquin City, a Utah municipality (the “City”), 242 Partners, LLC, a Utah limited liability company (“Master Developer”), and Murdock Ford Land and Building Company, LLC, a Utah limited liability company (“Subdeveloper”).

RECITALS

A. The City and Master Developer entered into that certain Master Development Agreement dated December 30, 2021, recorded in the official records of the Utah County Recorder on January 4, 2022, as Entry No. 871:2022 (the “MDA”).

B. The City and Master Developer executed Addendum #1 to that certain Master Development Agreement dated February 16, 2022, recorded in the official records of the Utah County Recorder on February 16, 2022, as Entry No. 20959:2022 (“Addendum #1”).

C. The capitalized terms used in this Addendum that are not defined herein shall have the meanings expressly defined in the MDA.

D. The Parties now desire to enter into this Addendum #2 to (i) provide specific development details for the portion of the Project to be developed on the Property identified and more particularly described on Exhibit “A”, attached hereto and incorporated by this reference (the “Murdock Property”), and (ii) clarify other provisions in the MDA as related to the entire Project.

E. The Parties understand and intend that this Addendum, taken together with the MDA, and Addendum #1, is a “development agreement” within the meaning of, and entered into pursuant to the terms of Utah Code Ann. §10-9a-101 (2018) et seq.

F. This Addendum and MDA conforms with the intent of the City’s General Plan and the Zoning.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Master Developer hereby agree to the following:

TERMS

1. Development of the Murdock Property.

1.1 **Proposed Temporary Sign Plan.** Except as otherwise set forth in this Addendum, the Murdock Property shall be developed consistent with the City’s Vested Laws and the applicable Zoning. Further, the Murdock Property Temporary Signs (defined

below) shall be constructed in accordance with the proposed temporary sign plan attached hereto as Exhibit "B" (the "Proposed Temporary Sign Plan"), which Proposed Temporary Sign Plan has been approved by the Master Developer and by the City. The administrative approval of the Proposed Temporary Sign Plan will not be unreasonably withheld by the City.

1.2 **Site Specific Code Deviations.** Notwithstanding the City's Vested Laws and the applicable Zoning, the Subdeveloper of the Murdock Property shall be permitted to develop the Murdock Property according to the following:

1.2.1 Temporary Signs. Prior to a formal site plan submittal, three (3) temporary signs may be constructed on the Murdock Property. Two of the temporary signs may be a maximum of 10' tall x 20' wide and shall not exceed 10 feet in height, with the top of the signs being a maximum of 20' above the current grade, with a maximum of 200 square feet. The third temporary sign may be a maximum of 8' tall x 8' wide and shall not exceed 8 feet in height, with the top of the sign being a maximum of 15' above the current grade, with a maximum of 64 square feet. (the "Murdock Property Temporary Signs"). The Murdock Property Temporary Signs shall be removed at such time as the Murdock Ford store is fully constructed on the Murdock Property and receives a Certificate of Occupancy from the City or at such time as the Ford logo sign is installed and operational, whichever is later.

2. **Full Force and Effect.** Except as set forth in this Addendum, and as set forth in Addendum #1, the MDA remains in full force and effect. If any provision of this

Addendum conflicts with a provision of the MDA, the language of this Addendum shall control.

MASTER DEVELOPER
242 Partners, LLC,
a Utah limited liability company

Scott R. Scherman
By: *Scott R Scherman*
Its: *Managing Member*
Date: *5/10/22*

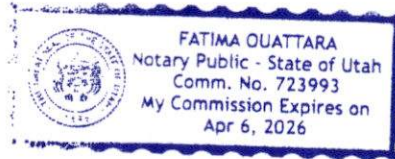
MASTER DEVELOPER ACKNOWLEDGMENT

STATE OF UTAH)
 :SS.
COUNTY OF UTAH)

On the 10 day of May, 2022 personally appeared before me Scott Scherman who being by me duly sworn, did say that he is the of 242 Partners, LLC, a Utah limited liability company and that the foregoing instrument was duly authorized by the company at a lawful meeting held by authority of its operating agreement and that he signed the same in behalf of said company.

Fatima Quattara
NOTARY PUBLIC

My Commission Expires: April 6, 2026
Residing at: Salt lake city



SUBDEVELOPER
Murdock Ford Land and Building Company, LLC,
a Utah limited liability company

By: [Signature]
Its: Owner
Date: 5/10/22

SUBDEVELOPER ACKNOWLEDGMENT

STATE OF UTAH)
 :SS.
COUNTY OF UTAH)

On the 10th day of May, 2022 personally appeared before me Blake Murdock who being by me duly sworn, did say that he is the of Murdock Ford Land and Building Company, LLC, a Utah limited liability company and that the foregoing instrument was duly authorized by the company at a lawful meeting held by authority of its operating agreement and that he signed the same in behalf of said company.

[Signature]
NOTARY PUBLIC

My Commission Expires: 04/12/24

Residing at: santaquin, utah

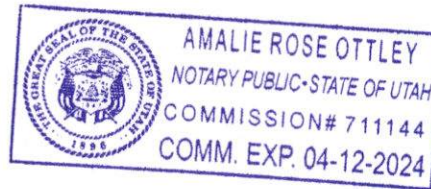


Exhibit "A"
Description of the Murdock Property

LEGAL DESCRIPTION

A PORTION OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 10 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SUMMIT RIDGE PARKWAY, LOCATED SOUTH 1°04'18" EAST ALONG THE SECTION LINE 602.75 FEET AND WEST 100.41 FEET FROM THE NORTHEAST CORNER OF SECTION 15, TOWNSHIP 10 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH-WESTERLY ALONG THE ARC OF AN 897.72 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (CENTER BEARS: SOUTH 63°19'27" EAST) A DISTANCE OF 453.92 FEET; THROUGH A CENTRAL ANGLE OF 28°58'15" (CHORD: SOUTH 12°11'26" WEST 449.10 FEET); SOUTH 2°17'42" EAST 157.84' AND NORTH 79°15'00" WEST 532.62' TO A POINT ON THE EXISTING RIGHT OF WAY OF THE MONA ROAD. THENCE ALONG THE EXISTING RIGHT OF WAY OF THE MONA ROAD NORTH 10°45'00" EAST, 610.86 TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY, SAID CURVE HAS A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 86°43'23" AN ARC DISTANCE OF 37.84 FEET TO A POINT ON THE RIGHT OF WAY OF SUMMIT RIDGE PARKWAY; THENCE EASTERLY ALONG THE SOUTHERLY RIGHT OF WAY OF SUMMIT RIDGE PARKWAY, SAID NON-TANGENT RIGHT OF WAY CURVE IS CONCAVE SOUTHERLY AND HAS A RADIUS OF 1,940.00 FEET, THROUGH A CENTRAL ANGLE OF 14°23'11" AN ARC DISTANCE OF 487.12 FEET WITH A CHORD BEARING SOUTH 75°20'40" EAST 485.84' TO THE POINT OF BEGINNING.

WITH AN AREA OF 7.114 ACRES, 1 LOT AND 1 AREA TO BE DEDICATED AS EXPANSION AREA OF THE MONA ROAD

Also known as Lot 1, SUMMIT RIDGE COMMERCIAL SUBDIVISION PLAT A, according to the official plat thereof on file and of record in the office of the Utah County Recorder as entry number 20960-2022.

SUMMIT RIDGE COMMERCIAL SUBDIVISION PLAT A
LOCATED IN THE NORTHEAST QUARTER OF SECTION 15 TOWNSHIP 19 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN

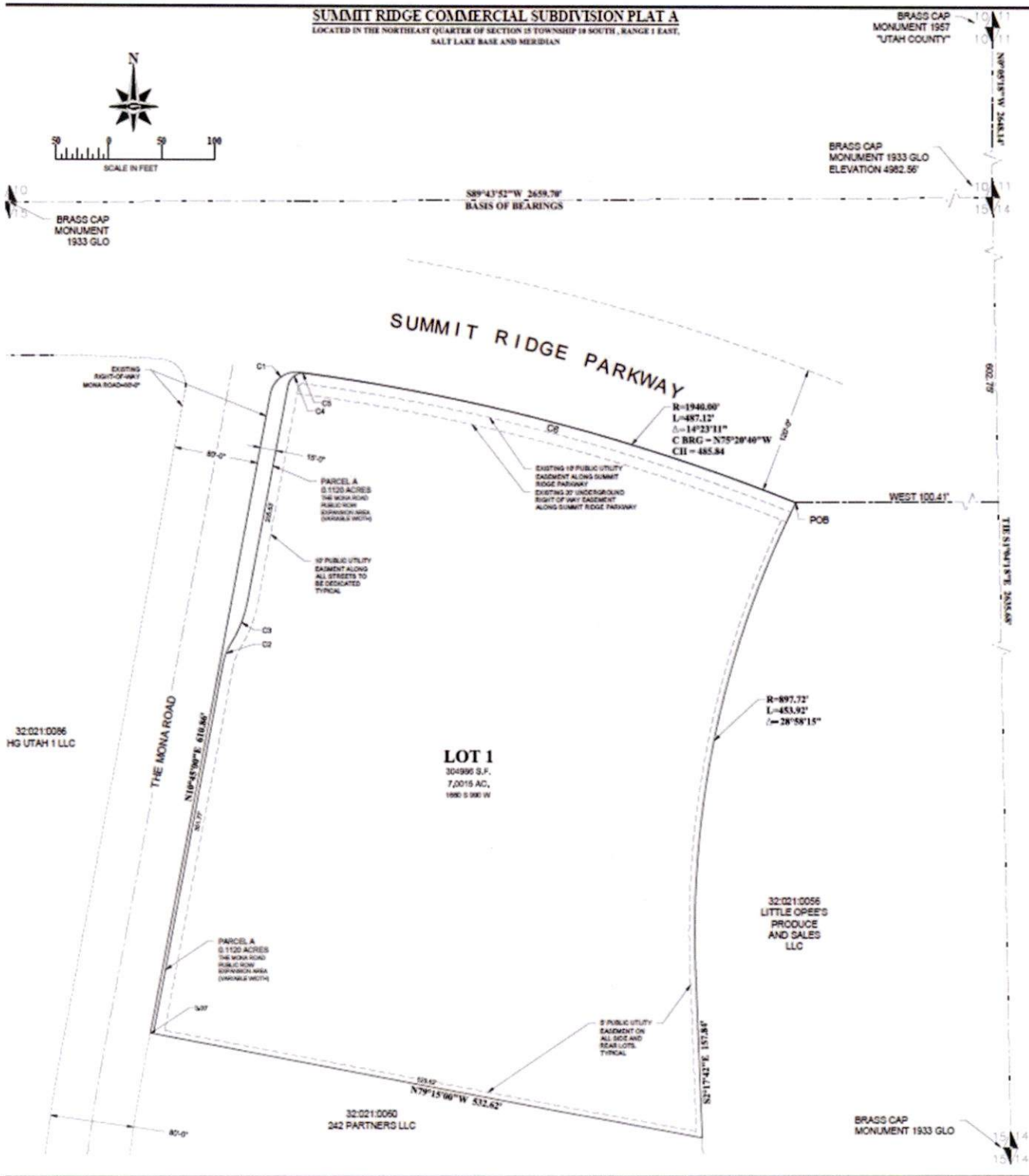
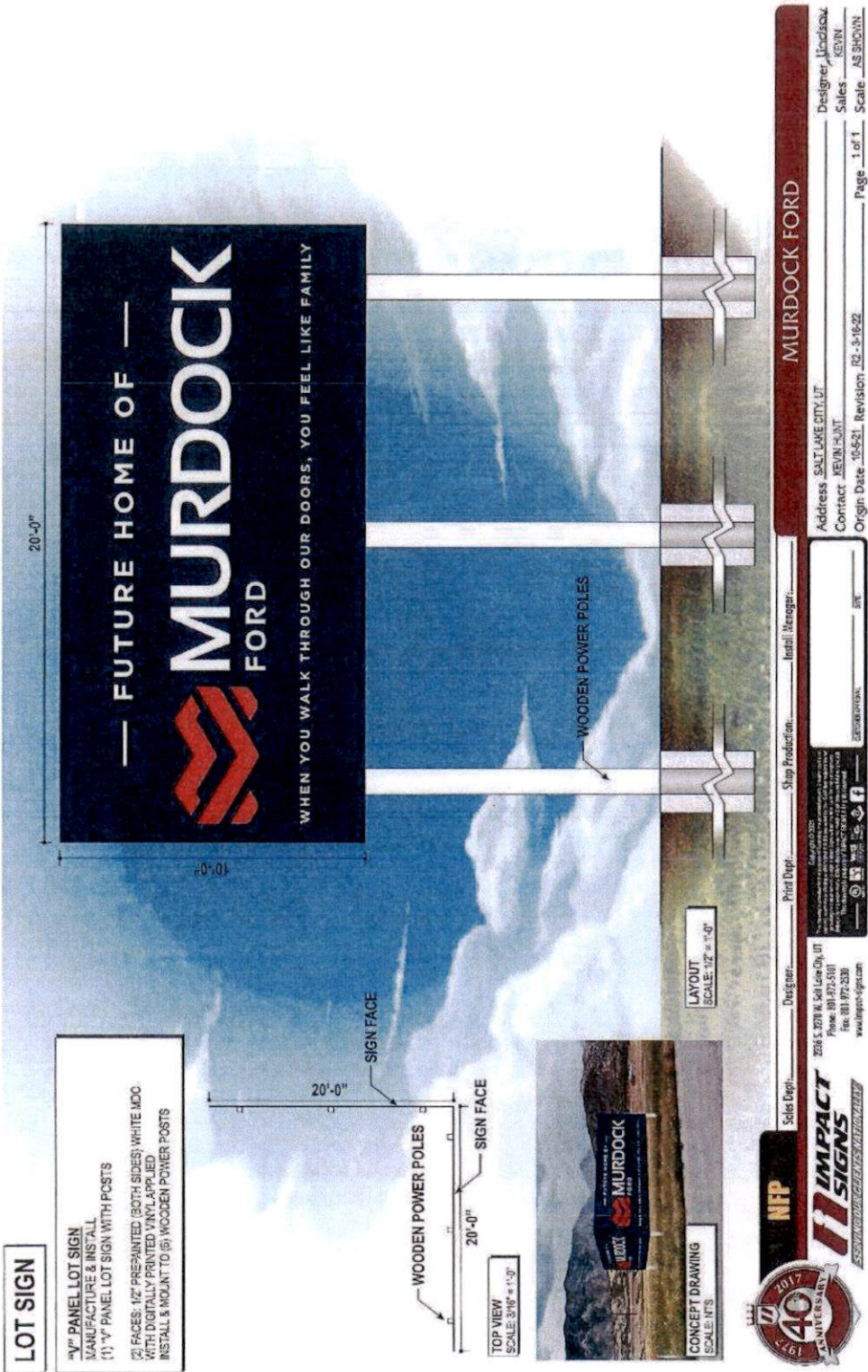


Exhibit "B"
Proposed Temporary Sign Plan for the Murdock Property

[See Attached]



LOT SIGN

1/2" PANEL LOT SIGN
MANUFACTURE & INSTALL
(1) 1/2" PANEL LOT SIGN WITH POSTS
(2) FACES: 1/2" PREPARED (BOTH SIDES) WHITE MDO. WITH DIGITALLY PRINTED VINYL APPLIED. INSTALL & MOUNT TO (3) WOODEN POWER POSTS

TOP VIEW
SCALE: 3/16" = 1'-0"

LAYOUT
SCALE: 1/2" = 1'-0"



DESIGNER: _____

DESIGNER: J. JORDSON

SALES: _____

SALES: KEVIN

SCALE: _____

SCALE: AS SHOWN

MURDOCK FORD

Address: SALT LAKE CITY, UT

Contract: JERUN/HUNT

Origin Date: 05-21, Revision: 02-3-16-22

Page: 1 of 1

Print Dept: _____



Shop Production: _____

Install / Integrator: _____

Scale Dept: _____

Scale Dept: _____

2025 S. 227th W. Salt Lake City, UT
Phone: (801) 872-5181
Fax: (801) 872-2530
www.impact-signs.com

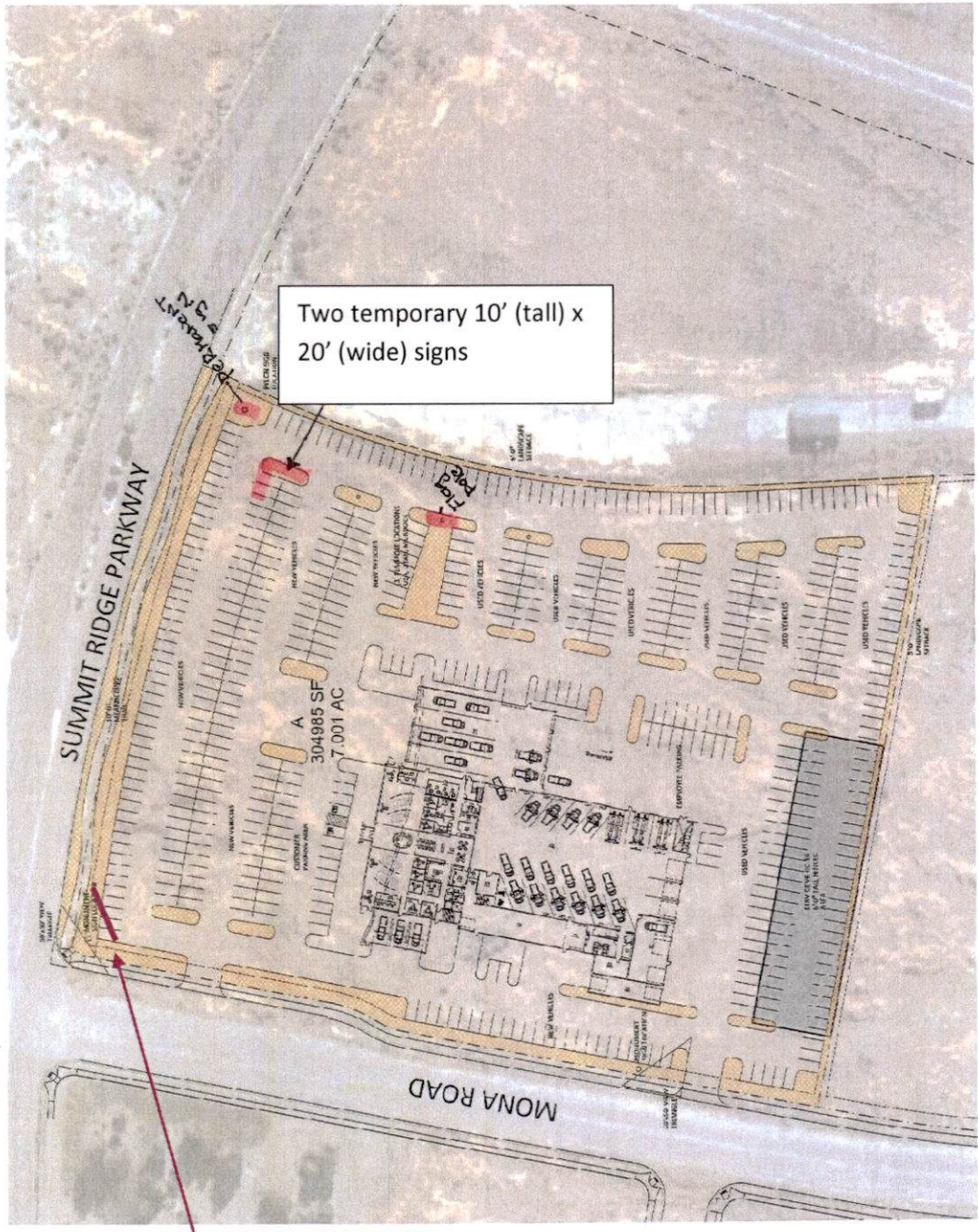



MURDOCK
 TORD CT
 SANTAQUIN
 SW CORNER OF
 SUMMIT RIDGE
 PARKWAY AND MONA
 ROAD, SANTAQUIN, UT

PROJECT NO.	21001
DRAWN BY	AK
CHECKED BY	AK
DATE	01/11/2022
SCALE	AS SHOWN
DATE PLOTTED	01/11/2022
PROJECT	
DATE	
SCALE	
DATE PLOTTED	

SITE PLAN

AD-1



Two temporary 10' (tall) x 20' (wide) signs

Temporary 8' x 8' sign


 SITE PLAN
 SHEET 1 OF 1