

Snell & Wilmer L.L.P.
Attn: Wade R. Budge
15 West South Temple, Suite 1200
Salt Lake City, UT 84101

137413-DMF

13517119
12/30/2020 1:42:00 PM \$46.00
Book - 11090 Pg - 9548-9555
RASHELLE HOBBS
Recorder, Salt Lake County, UT
COTTONWOOD TITLE
BY: eCASH, DEPUTY - EF 8 P.

Affects Parcel Nos. 22-09-228-001-0000; 22-09-228-007-0000
22-09-228-010-0000; 22-09-228-012-0000
22-09-228-014-0000; 22-10-151-006-0000
22-10-151-007-0000; 22-10-151-008-0000
22-10-151-009-0000

**MEMORANDUM OF AMENDMENT TO THE SECOND AMENDED AND RESTATED
AGREEMENT FOR DEVELOPMENT OF LAND**

Notice is hereby given that, the Redevelopment Agency of the City of Holladay, a Utah community development and renewal agency ("Agency"); the City of Holladay, a Utah municipal corporation ("City"); and Holladay Hills, LLC, a Utah limited liability company ("Holladay Hills"); KMW Development L.L.C., a Utah limited liability company ("KMW") have amended that certain Second Amended and Restated Agreement for Development of Land, dated as of August 22, 2019 [recorded as entry no.]. Inquiries regarding the same may be directed to the Agency, City, or the registered agent on file for the Utah Division of Corporations and Commercial Code for the Developers.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Amendment to the Second Amended and Restated Agreement for Development of Land.

[Signatures and Acknowledgments Follow]



Agency:

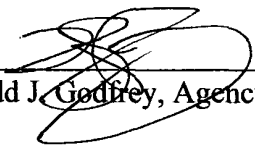
REDEVELOPMENT AGENCY OF THE CITY OF
HOLLADAY

By: 
Paul Fotheringham, Chair

ATTEST:



Gina Chamness, Executive Director

Approved as to form:

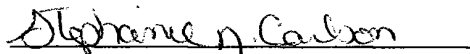

Todd J. Godfrey, Agency Special Counsel

City:

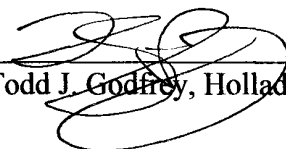
CITY OF HOLLADAY

By: 
Robert M. Dahle, Mayor

ATTEST:


Stephanie Carlson, City Recorder

Approved as to form:


Todd J. Godfrey, Holladay City Attorney

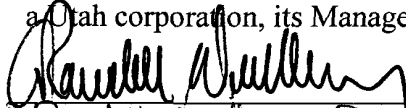


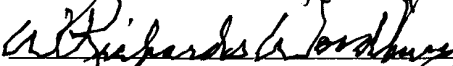


Holladay Hills:


HOLLADAY HILLS, LLC, a Utah limited liability company

By: WOODBURY CORPORATION,
a Utah corporation, its Manager

By: 
O. Randall Woodbury, President

By: 
Jeffrey K. Woodbury, Senior Vice President
W. Richards Chairman

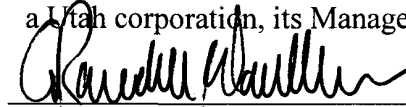
By: MILLROCK CAPITAL II, LLC,
a Utah limited liability company, its
Manager

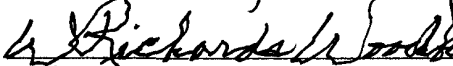
By: 
Steve Peterson, Manager

KMW:


KMW DEVELOPMENT L.L.C., a Utah limited liability company

By: WOODBURY CORPORATION,
a Utah corporation, its Manager

By: 
O. Randall Woodbury, President

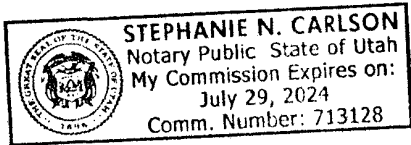
By: 
Jeffrey K. Woodbury, Senior Vice President
W. Richards Chairman

By: MILLROCK CAPITAL II, LLC,
a Utah limited liability company,
its Manager

By: 
Steve Peterson, Manager

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

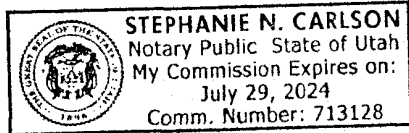
On the 22 day of December, 2020, personally appeared before me Paul Fotheringham, the Chair of the Redevelopment Agency of the City of Holladay, who being by me duly sworn did say for himself, that he, the said Paul Fotheringham is the Chair of the Redevelopment Agency of the City of Holladay and that the within and foregoing instrument was signed in behalf of said Agency by authority of a resolution or motion of its Board and said Paul Fotheringham acknowledged to me that said Agency executed the same and that the seal affixed is the seal of said Agency.



Stephanie N. Carlson
Notary Public

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

On the 22 day of December, 2020, personally appeared before me Robert M. Dahle, the Mayor of the City of Holladay, who being by me duly sworn did say for himself, that he, the said Robert M. Dahle is the Mayor of the City of Holladay and that the within and foregoing instrument was signed in behalf of said City by authority of a resolution or motion of its City Council and said Robert M. Dahle duly acknowledged to me that said City executed the same and that the seal affixed is the seal of said City.



Stephanie N. Carlson
Notary Public

W

STATE OF Utah)
:SS.
COUNTY OF Salt Lake

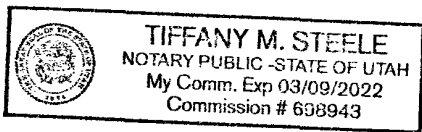
The foregoing instrument was duly acknowledged before me this 23rd day of December 2020 by D. Randall Woodbury, the President of Woodbury Corporation, a Utah corporation.



Tiffany M. Steele
Notary Public

STATE OF Utah)
:SS.
COUNTY OF Salt Lake

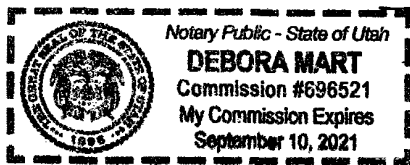
The foregoing instrument was duly acknowledged before me this 23rd day of December 2020 by Jeffrey K. Woodbury, the Senior Vice President of Woodbury Corporation, a Utah corporation. W. Richards Chairman



Tiffany M. Steele
Notary Public

STATE OF Utah)
:SS.
COUNTY OF Salt Lake

The foregoing instrument was duly acknowledged before me this 28th day of December 2020 by Steve Peterson, the Manager of Millrock Capital II, LLC, a Utah limited liability company.



Debora Mart
Notary Public

W
W

**EXHIBIT A
PROPERTY DESCRIPTION**

PARCEL 1:

Beginning at a point that is located North 00°03'51" West 1431.39 feet along Section Line and West 1086.95 feet from the East Quarter Corner of Section 9, Township 2 South, Range 1 East, Salt Lake Base and Meridian; thence South 87°46'29" West a distance of 213.43 feet to the beginning of a curve which represents the East Right-of-Way line of Highland Drive; said curve bears to the right through 13°32'49", having a radius of 1381.83 feet along the arc a distance of 326.72 feet, and whose long chord bears North 12°33'01" West a distance of 325.96 feet along said Highland Drive; thence continuing along said Highland Drive to the beginning of a spiral curve consisting of the following ten calls: Said curve bears to the right through 00°43'03", having a radius of 1430.07 feet along the arc a distance of 17.91 feet, and whose long chord bears North 05°15'53" West a distance of 17.91 feet to the beginning of a curve; said curve bears to the right along said Highland Drive through 00°41'32", having a radius of 1626.35 feet along the arc a distance of 19.65 feet, and whose long chord bears North 04°34'00" West a distance of 19.65 feet to the beginning of a curve; said curve bears to the right along said Highland Drive through 00°36'39", having a radius of 1843.20 feet along the arc a distance of 19.65 feet, and whose long chord bears North 03°54'54" West a distance of 19.65 feet to the beginning of a curve; said curve bears to the right along said Highland Drive through 00°31'46", having a radius of 2126.77 feet along the arc a distance of 19.65 feet, and whose long chord bears North 03°20'42" West a distance of 19.65 feet to the beginning of a curve; said curve bears to the right along said Highland Drive through 00°26'53", having a radius of 2513.45 feet along the arc a distance of 19.65 feet, and whose long chord bears North 02°51'23" West a distance of 19.65 feet to the beginning of a curve; said curve bears to the right along said Highland Drive through 00°21'59", having a radius of 3072.00 feet along the arc a distance of 19.65 feet, and whose long chord bears North 02°26'57" West a distance of 19.65 feet to the beginning of a curve; said curve bears to the right along said Highland Drive through 00°17'06", having a radius of 3949.71 feet along the arc a distance of 19.65 feet, and whose long chord bears North 02°07'24" West a distance of 19.65 feet to the beginning of a curve; said curve bears to the right along said Highland Drive through 00°12'13", having a radius of 5529.60 feet along the arc a distance of 19.65 feet, and whose long chord bears North 01°52'45" West a distance of 19.65 feet to the beginning of a curve; said curve bears to the right along said Highland Drive through 00°07'20", having a radius of 9216.00 feet along the arc a distance of 19.65 feet, and whose long chord bears North 01°42'58" West a distance of 19.65 feet to the beginning of a curve; said curve bears to the right along said Highland Drive through an angle of 00°01'38", having a radius of 41472.00 feet along the arc a distance of 19.65 feet and whose long chord bears North 01°38'05" West a distance of 19.65 feet to a point of intersection with a line; thence North 01°43'40" West along said East Right-of-Way line of Highland Drive a distance of 3.89 feet; thence South 88°12'51" West along said East Right-of-Way line of Highland Drive a distance of 10.00 feet; thence North 01°43'40" West along said East Right-of-Way line of Highland Drive a distance of 43.18 feet to the South Right-of-Way line of Murray Holladay Road; thence South 89° 47' 36" East along said Murray Holladay Road a distance of 144.66 feet; thence South 00°11'01" West along said Murray Holladay Road a distance of 15.00 feet; thence South 89°47'36" East along said Murray Holladay Road a distance of 95.80 feet; thence South 46°19'21" East a distance of 27.52 feet; thence South 86°40'30" East a distance of 19.61 feet; thence South 02°51'06" East a distance of 260.03 feet; thence South 02°51'06" East a distance of 255.68 feet to the point of beginning. (aka Proposed Block "A")

PARCEL 2:

Beginning at a point that is located North 00°03'51" West 803.13 feet along Section Line and West 207.35 feet from the East Quarter Corner of Section 9, Township 2 South, Range 1 East, Salt Lake Base and Meridian; thence South 48°41'17" West a distance of 531.98 feet to the East Right-of-Way line of Highland Drive; thence North 39°48'39" West along said East Right-of-Way line of Highland Drive a distance of 319.11 feet; thence North 48°41'17" East a distance of 523.62 feet; thence South 41°18'43" East a distance of 319.00 feet to the point of beginning. (aka Proposed Block "E")

PARCEL 3:

Beginning at a point that is located North 00°03'51" West 715.61 feet along Section Line and East 211.16 feet from the East Quarter Corner of Section 9, Township 2 South, Range 1 East, Salt Lake Base and Meridian; thence South 07°21'33" West a distance of 734.30 feet to the North Right-of-Way line of Arbor Lane; thence along said North

Right-of-Way line of Arbor Lane North 85°00'59" West a distance of 140.36 feet; thence North 63°22'13" West a distance of 135.83 feet; thence North 02°20'32" East a distance of 18.68 feet; thence North 87°03'34" West a distance of 26.50 feet; thence North 02°20'32" East a distance of 650.20 feet; thence South 87°39'28" East a distance of 354.73 feet to the point of beginning. (aka Proposed Block "G")

PARCEL 4:

Beginning at a point that is located North 00°03'51" West 730.11 feet along Section Line and West 143.25 feet from the East Quarter Corner of Section 9, Township 2 South, Range 1 East, Salt Lake Base and Meridian; thence North 41°18'43" West a distance of 97.21 feet; thence North 48°41'17" East a distance of 473.37 feet; thence South 41°18'43" East a distance of 311.89 feet to the beginning of a curve that represents the West Right-of-Way line of Memory Lane; said curve bears to the left through an angle of 38°59'52", having a radius of 127.34 feet along the arc a distance of 86.67 feet, and whose long chord bears South 14°45'03" East a distance of 85.01 feet; thence South 34°14'59" East along said West Right-of-Way line of Memory Lane a distance of 41.95 feet; thence South 64°16'35" West a distance of 120.11 feet; thence North 87°39'28" West a distance of 434.68 feet to the point of beginning. (aka Proposed Block "H")

PARCEL 5:

Beginning at a point that is located North 00°03'51" West 803.13 feet along Section Line and West 207.35 feet from the East Quarter Corner of Section 9, Township 2 South, Range 1 East, Salt Lake Base and Meridian; thence North 41°18'43" West a distance of 319.00 feet; thence North 48°41'17" East a distance of 473.37 feet; thence South 41°18'43" East a distance of 319.00 feet; thence South 48°41'17" West a distance of 473.37 feet to the point of beginning. (aka Proposed Block "I")

PARCEL 6:

Beginning at a point that is located North 00°03'51" West 1799.35 feet along Section Line and West 113.51 feet from the East Quarter Corner of Section 9, Township 2 South, Range 1 East, Salt Lake Base and Meridian; thence along the West Right-of-Way line of Memory Lane the following four calls, South 00°00'59" East a distance of 38.90 feet; thence South 44°45'59" East a distance of 929.25 feet; thence South 46°48'01" West a distance of 200.20 feet to the beginning of a curve, said curve bears to the left through an angle of 42°03'08", having a radius of 127.34 feet along the arc a distance of 93.46 feet, and whose long chord bears South 25°46'27" West a distance of 91.38 feet; thence North 41°18'43" West a distance of 900.67 feet; thence South 86°11'56" West a distance of 187.05 feet; thence North 58°19'45" West a distance of 94.11 feet; thence North 31°40'15" East a distance of 8.56 feet to the beginning of a curve; said curve bears to the left through an angle of 34°52'38", having a radius of 29.00 feet along the arc a distance of 17.65 feet, and whose long chord bears North 14°13'56" East a distance of 17.38 feet; thence North 03°12'23" West a distance of 121.48 feet to the beginning of a curve; said curve bears to the right through an angle of 12°00'50", having a radius of 100.00 feet along the arc a distance of 20.97 feet, and whose long chord bears North 02°48'02" East a distance of 20.93 feet; thence North 08°48'26" East a distance of 16.19 feet to the beginning of a curve; said curve bears to the left through an angle of 12°00'50", having a radius of 100.00 feet along the arc a distance of 20.97 feet, and whose long chord bears North 02°48'02" East a distance of 20.93 feet; thence North 03°12'23" West a distance of 144.94 feet; thence South 85°09'26" East a distance of 33.41 feet to the West property line of a tract of land whose owner of record is Utah Power and Light Company; thence along said Utah Power and Light property line the following three calls, South 03°30'59" East a distance of 72.00 feet; thence South 06°38'59" East a distance of 127.12 feet; thence North 78°59'01" East a distance of 179.85 feet to the West property line of a tract of land whose owner of record is Gadwall, LLC (Book: 10391 Page: 4494); thence along said West property line South 02°59'59" East a distance of 8.99 feet; thence along the South property line of said Gadwall, LLC property North 78°59'01" East a distance of 167.85 feet to the point of beginning. (aka Proposed Block "K")

PARCEL 7:

Beginning at a point that is located North 00°03'51" West 1355.23 feet along Section Line and West 61.76 feet from the East Quarter Corner of Section 9, Township 2 South, Range 1 East, Salt Lake Base & Meridian; thence South

48°41'17" West a distance of 473.37 feet; thence North 41°18'43" West a distance of 102.76 feet; thence North 62°58'36" West a distance of 268.50 feet; thence North 31°40'15" East a distance of 170.77 feet; thence North 31°40'15" East a distance of 243.97 feet; thence South 58°19'45" East a distance of 94.11 feet; thence North 86°11'56" East a distance of 187.05 feet; thence South 41°18'43" East a distance of 269.78 feet to the point of beginning. (aka Proposed Block "J")

PARCEL 8:

Block B Lot 1 and Block B Lot 2, ROYAL HOLLADAY HILLS SUBDIVISION #1, according to the official plat thereof, recorded July 7, 2020, as Entry No. 13321547 in Book 2020P at Page 168, on file and of record in the office of the Salt Lake County Recorder.

PARCEL 9:

Block C Lot 1 and Block C Lot 2, ROYAL HOLLADAY HILLS SUBDIVISION #1, according to the official plat thereof, recorded July 7, 2020, as Entry No. 13321547 in Book 2020P at Page 168, on file and of record in the office of the Salt Lake County Recorder.

Tax Id No.: 22-09-228-001, 22-09-228-007, 22-09-228-010, 22-09-228-012, 22-09-228-014, 22-10-151-006 and 22-10-151-007, 22-10-151-008 and 22-10-151-009