

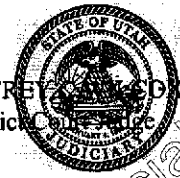
DOC # 20200057711

Judgment Page 1 of 19  
Russell Shirts Washington County Recorder  
10/16/2020 08:53:45 AM Fee \$ 40.00  
By: BINGHAM & SNOW

The Order of the Court is stated below:

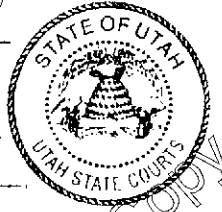
Dated: October 06, 2020  
05:15:23 PM

/s/ JEFFREY C. WILCOX  
District Clerk



**NOTE TO COUNTY RECORDER:** The following Judgment terminates and declares to be of no further effect two recorded documents: (1) that certain *Development Agreement for Elim Valley*, dated December 21, 2006, and recorded on January 5, 2007, as Entry No. 20070000768; and (2) that certain *Community Charter for Elim Valley Neighborhoods*, dated July 10, 2008, and recorded on August 27, 2008, as Entry No. 20080033769.

STATE OF UTAH  
COUNTY OF Washington  
I hereby certify that the document to which this certificate is attached is a full, true and correct copy of the original filed in the Utah State Courts. WITNESS my hand and seal this 15 day of October 2020  
DISTRICT JUVENILE COURT  
J. Bledsoe CLERK



**DESCRIPTION OF PROPERTY AND PARCEL NUMBERS:** The legal description of the real property affected by this Judgment is set forth in **Exhibit A**, below. The affected tax parcel numbers are set forth in **Exhibit B**, below.

**IN THE FIFTH JUDICIAL DISTRICT COURT  
IN AND FOR WASHINGTON COUNTY, STATE OF UTAH**

WESTERN MORTGAGE & REALTY COMPANY, a Washington company,

Plaintiff,

vs.

CYPRESS CAPITAL, XI, LLC, a Utah limited liability company, HARD MONEY, LLC, an Idaho limited liability company, THE CLARK GROUP, LLC, an Idaho limited liability company, EIGHTY PLUS, LLC, an Idaho limited liability company, PRIVATE EQUITY, LLC, an Idaho limited liability company, LOAN ONE LLC, an Idaho limited liability company,

HURRICANE CITY, a municipal corporation and political subdivision of the State of Utah  
(Nominal Defendant),

Defendants.

HURRICANE CITY, a municipal

**STIPULATED JUDGMENT  
TERMINATING DEVELOPMENT  
AGREEMENT FOR ELIM VALLEY  
AND COMMUNITY CHARTER FOR  
ELIM VALLEY NEIGHBORHOODS**

**CERTIFIED UNDER RULE 54(b)**

Case No. 160500124

(Consolidated with Case No. 170500002)

Judge: Jeffrey C. Wilcox

corporation and political subdivision of the State of Utah,

Counterclaimant  
and Cross-Claimant,

vs.

WESTERN MORTGAGE & REALTY  
COMPANY, a Washington company,

Counterclaim  
Defendant.

CYPRESS CAPITAL, XI, LLC, a Utah limited liability company, HARD MONEY, LLC, an Idaho limited liability company, THE CLARK GROUP, LLC, an Idaho limited liability company, EIGHTY PLUS, LLC, an Idaho limited liability company, PRIVATE EQUITY, LLC, an Idaho limited liability company, LOAN ONE LLC, an Idaho limited liability company,

Cross-Claim  
Defendants.

HURRICANE CITY, a municipal corporation and political subdivision of the State of Utah,

Third-Party Plaintiff,

vs.

BIG SPRINGS PROPERTIES, LLC, a Utah limited liability company, SMF EASEMENT, LLC, a Utah limited liability company, DIXIE ESCALANTE RURAL ELECTRIC ASSOCIATION, INC. a Utah corporation, WASHINGTON COUNTY WATER CONSERVANCY DISTRICT, a political subdivision of the State of Utah,

WASHINGTON COUNTY BOARD OF EDUCATION, a political subdivision of the State of Utah, REV INVESTMENTS 1, LP, a Nevada limited partnership, PERRY J. FALK, an individual, DEBORAH A. FALK, an individual, JANE DICKINSON, an individual, STEVE PETROSKI, an individual, GREG PORTER, an individual, UTAH DEPARTMENT OF TRANSPORTATION, an administrative agency of the State of Utah, VIRTUS INVESTMENTS 1, LP, a Wyoming limited partnership, WINDSCOPE, LLC, a Wyoming limited liability company, SECURE PRIVATE FUND, LLC, a Utah limited liability company, QUESTAR GAS COMPANY, a Utah corporation dba DOMINION ENERGY UTAH, SILVER STREAM ADVISORS, LLC, a Utah limited liability company, CHARLES KO, an individual, FREDERICK BRANDT, an individual, DENNIS MILLER HOMES, INC., a Utah corporation, LA FAMILIA PADEIRO REAL ESTATE INVESTMENTS, L.C, an Idaho limited liability company, CHRISTOPHER MARCUS SCHILD, an individual, LISA ROWE, an individual, GREGORY D. WOOD, an individual, JASON AND HOLLY CURTIS, married individuals, and JOHN DOES 1-10,

Third-Party  
Defendants.

The Court has reviewed the *Stipulated Motion for Entry of Judgment* (“**Motion**”) filed on September 15, 2020, and other pleadings and documents on file with the Court, including, without limitation, the various *Third-Party Defendant Acceptance of Service and Consent to Entry of Judgment* (or similar forms) now on file with the Court. The Court finds good cause for

granting the relief requested in the Motion. Therefore, the Court now **ENTERS JUDGMENT** as follows:

#### **Background**

1. The above-captioned litigation seeks a determination of certain rights in, under, or related to, that certain *Development Agreement for Elim Valley* ("**Development Agreement**") dated December 21, 2006 and recorded in the real property records of Washington County on January 5, 2007, as Entry No. 20070000768.

2. The Development Agreement was recorded against, affects, and encumbers certain real property, described with particularity therein ("**Elim Valley Project**").

3. The following real property located in Washington County, Utah, comprises the Elim Valley Project and is encumbered by the Development Agreement:

See **Exhibit A**, below.

4. The Elim Valley Project currently consists of the following Washington County Tax Identification Numbers:

See **Exhibit B**, below.

5. The Development Agreement was entered into between the City of Hurricane ("**City**"), on the one hand, and Elim Valley Planning and Development, LLC, a Utah limited liability company ("**Elim Valley**"), on the other. Elim Valley is referred to in the Development Agreement as the "**Developer**".

6. The Development Agreement assigns to the Developer certain duties and obligations with respect to the construction of infrastructure and other items which are necessary to facilitate the orderly, effective, and efficient development of the Elim Valley Project.

7. Consistent with the terms of Section 2.1.2 of the Development Agreement, Elim Valley recorded a master declaration of covenants, conditions, and restrictions for the Elim Valley Project known as the *Community Charter for Elim Valley Neighborhoods* ("Charter"). The Charter was recorded in Washington County on August 27, 2008, as Entry No. 20080033769.

8. The Charter encumbers some or all of the real property comprising the Elim Valley Project.

9. Both the Development Agreement and the Charter contemplated that Elim Valley or a singular successor or assign, would, as owner of the Elim Valley Project, be the Developer of the entire Elim Valley Project.

10. All of Elim Valley's ownership interests in the Elim Valley Project have been acquired by other parties.

11. Elim Valley no longer acts as Developer under the Development Agreement.

12. No successor or assign of Elim Valley controls any of the land comprising the Elim Valley Project.

13. There is no single party owning the Elim Valley Project to act as Developer under the Development Agreement and associated Charter, and no group of Owners willing to act collectively as Developer.

14. Consequently, the purpose and intent of the Development Agreement and associated Charter have been frustrated.

15. Certain parties currently owning interests within the Elim Valley Project (each an "Owner" and, collectively, "Owners") have petitioned the City for a rezone of the Elim Valley Project in a manner that would allow for development of the Elim Valley Project without the

need for any party to act as Developer.

16. The Hurricane City Council approved the rezone of the Elim Valley Project subject to the entry of a judgment finding the Development Agreement and associated Charter to be of no further force and effect.

17. All Owners either consent to the termination of the Development Agreement and Charter or do not oppose such termination.

18. No John Does have appeared in this action to contest the termination of the Development Agreement or Charter.

#### **Judgment**

19. Pursuant to Utah Code § 78B-6-412, the Court may resolve any state of affairs which creates “uncertainty and insecurity with respect to rights, status, and other legal relations,” by means of a declaratory judgment.

20. The Court hereby declares the Development Agreement to be terminated, void, and of no further force and effect.

21. The Court hereby declares the Charter to be terminated, void, and of no further force and effect.

22. This Judgment may be recorded against the real property comprising the Elim Valley Project, as identified above, to confirm that the Development Agreement and Charter are no longer encumbrances against such property.

23. Except for the removal of the encumbrance of the Development Agreement and the Charter, as provided herein, this Judgment shall not otherwise affect or prejudice the real property within the Elim Valley Project. Specifically, but without limitation, no public streets or

other parcels within the Elim Valley Project which have already been dedicated to the public will be altered or amended by this Judgment.

24. The Utah Department of Transportation (“UDOT”) owns five parcels (“UDOT Parcels”) located within the Elim Valley Project, that were conveyed as part of UDOT transportation projects and front onto the SR-9 and SR-7 restricted access rights-of-way. Three of the parcels were conveyed as a portion of a larger parcel which is identified by a Washington County Tax Parcel I.D. No. The UDOT Parcels are identified in Exhibit “B,” by a “UDOT Project/Parcel number,” the Washington County Recorder’s Document ID No., identifying the recorded deed, and/or the County Tax Parcel I.D. No. as follows:

Document No. 20120003286, conveying all of Tax Parcel ID No. H-4-2-2-122.

UDOT NO. 007:133: A; Document No. 20190022334, conveying a portion of Tax Parcel ID No. H-3-2-6-1409.

UDOT NO. 007:134: A; Document No. 202000032433, conveying a portion of Tax Parcel ID No. H-3-2-6-1402.

UDOT NO. 499:905: T; Document No. 20160046204, conveying all of Tax Parcel ID No. H-3-1-31-222.

UDOT NO. 007:135: A; Document Nos. 20200032427, 20200032428, and 20200032429, conveying 3 undivided portions of Tax Parcel ID No. H-3-1-31-221.

25. Additionally, a Public Utility Easement (“PUE”) has been dedicated and recorded which affects UDOT Parcels No.: 007:133: A, 007:134: A, and 007:135: A, identified above. The PUE provides for the use and installation of public utility facilities including the right to install, operate, maintain, and repair public utility facilities and includes the right of ingress and egress

over the easement, as provided under Utah Code Section 54-3-27.

26. Nothing in this Judgment shall be construed to limit, alter, or impair in any way, UDOT's rights appurtenant to any of UDOT's parcels identified herein and located within the Elim Valley Project. Such appurtenant rights expressly include, without limitation, UDOT's right to control access into the limited access rights-of-way for SR-9 and SR-7, through and over UDOT's parcels identified and described in Paragraph 24 above and Exhibit "B," attached, including any right of access claimed as "appurtenant" to any properties contiguous to UDOT's Parcels described herein.

27. Nothing in this Judgment shall be construed to limit, alter, or impair in any way, UDOT's right to control access into the limited access rights-of-way for SR-9 and SR-7 for the entire length of the SR-9 and SR-7 rights-of-way, including without limitation, through and over any properties located within the Elim Valley Project as identified and described in Exhibits "A" and "B" attached hereto.

28. This Judgment is issued with respect to the relief requested in the City's *Amended Counterclaim, Cross-Claim, and Third-Party Complaint* ("Amended Counterclaim") pursuant to Utah R. Civ. P. 54(b). Pursuant to that rule, the Court determines that there is no just reason for delaying the entry of this Judgment with respect to the Amended Counterclaim. Although there are multiple parties and multiple claims for relief at issue in this litigation, the Court notes that the litigation has been pending for four (4) years and no other party has actively prosecuted the claims asserted by such party. Further, the Court notes that the City has approved a zone change for the Property which would facilitate development of the same, contingent on the Court granting the relief requested herein. Finally, the Court believes that the resolution of the



Amended Counterclaim and the Court's determinations set forth in this Judgment will be helpful to the resolution of the remaining claims pending in the instant litigation. Therefore, the Court hereby enters the Judgment pursuant to Rule 54(b).

**PREPARED AND SUBMITTED BY:**

**York Howell & Guymon**

/s/ Daniel C. Dansie  
Paxton R. Guymon  
Daniel C. Dansie  
Attorneys for City of Hurricane

**APPROVED AS TO FORM:**

/s/ Steven Schossberger\*  
Steven Schossberger  
General Counsel and Vice President  
Oregon Potato Company  
Attorney for Western Mortgage & Realty

Company

/s/ D. Williams Ronnow\*  
D. Williams Ronnow  
Assistant Attorney General  
Attorney for Utah Department of Transportation

**Bingham Snow & Caldwell**

/s/ Heath H. Snow\*  
Heath H. Snow  
Attorneys for Cypress Capital XI, LLC, Hard Money, LLC, The Clark Group, LLC, Eighty Plus, LLC, Private Equity, LLC, and Loan One, LLC

**EXHIBIT A**

**(Legal Description of the Elim Valley Project)**

**PARCEL "A"**

Beginning at the Southeast corner of Section 12, Township 42 South, Range 14 West, Salt Lake Base & Meridian, and running;

Thence North 89°39'33" West 7.45 feet along the South Section line of said section 12;

thence South 00°05'20" West 330.63 feet;

thence North 89°38'57" West 1,315.51 feet;

thence South 00°05'20" West 330.63 feet;

thence North 89°38'57" West 1,315.51 feet;

thence South 00°03'25" West 661.13 feet;

thence North 89°38'49" West 1,322.87 feet to the Center Section line of Section 13;

Township 42 South, Range 14 West Salt Lake Base & Meridian;

thence South 00°01'09" West 1321.77 feet along said Center Section line;

thence North 89°37'30" West 661.24 feet;

thence North 00°00'17" East 1,321.72 feet;

thence North 89°38'55" West 661.57 feet;

thence North 00°00'21" West 330.34 feet;

thence North 89°40'14" West 1,325.52 feet;

thence North 89°48'05" West 1,325.34 feet;

thence North 00°04'20" West 1,971.59 feet to the East and West running 1/16<sup>th</sup> line of the Southeast Quarter of Section 11 Township 42 South, Range 14 West, Salt Lake Base & Meridian;

thence South 89°43'24" West 1327.48 feet along said 1/16<sup>th</sup> line to the Center Section line of the said Section 11;

thence North 00°05'30" West 1,323.28 feet along said Center Section line;

thence North 89°45'34" East 1,327.43 feet along the Center Section line;

thence North 00°03'28" West 858.04 feet;

thence North 89°54'53" East 466.69 feet;

thence North 00°03'20" West 466.69 feet;

thence South 89°54'53" West 134.63 feet;

thence North 00°02'54" West 661.92 feet;

thence North 89°59'32" East 26.64 feet;

thence North 01°55'31" East 551.57 feet;

thence North 05°30'35" East 25.00 feet;

thence northerly 87.72 feet along an arc of a 400.00 foot radius curve to the right

(center bears South 84°29'25" East long chord bears North 11°47'31" East 87.54 feet with a

central angle of  $12^{\circ}33'52''$ );

thence northeasterly 212.41 feet along an arc of 400.00 foot radius curve to the right (center bears South  $71^{\circ}55'34''$  East long chord bears North  $33^{\circ}17'11''$  East 209.92 feet with a central angle of  $30^{\circ}25'30''$ );

thence North  $48^{\circ}29'56''$  East 250.77 feet;

thence North  $42^{\circ}44'37''$  East 146.42 feet;

thence North  $35^{\circ}39'06''$  East 152.80 feet;

thence northerly 324.23 feet along an arc of a 250.00 foot radius curve to the left (center bears North  $54^{\circ}20'54''$  West long chord bears North  $01^{\circ}30'07''$  West 301.98 feet with a central angle of  $74^{\circ}18'26''$ );

thence North  $38^{\circ}39'20''$  West 256.21 feet;

thence North  $35^{\circ}11'28''$  West 316.56 feet;

thence northerly 265.46 feet along an arc of a 420.00 foot radius curve to the right (center bears North  $54^{\circ}48'32''$  East long chord bears North  $17^{\circ}05'03''$  West 261.06 feet with a central angle of  $36^{\circ}12'50''$ );

thence North  $01^{\circ}01'22''$  East 374.68 feet;

thence northerly 57.01 feet along an arc of a 351.35 foot radius curve to the left (center bears North  $81^{\circ}43'04''$  West long chord bears North  $03^{\circ}38'01''$  East 56.95 feet with a central angle of  $09^{\circ}17'50''$ );

thence South  $89^{\circ}52'56''$  West 386.70 feet to the Southerly Right of Way line of State Route 9, and running the following (6) courses along said south line;

thence northerly 340.68 feet along an arc of a 1,532.39 foot radius curve to the left (center bears North  $20^{\circ}24'55''$  West long chord bears North  $63^{\circ}12'57''$  East 339.97 feet with a central angle of  $12^{\circ}44'16''$ );

thence South  $31^{\circ}43'22''$  East 25.01 feet;

thence northeasterly 258.89 feet along an arc of 1,557.39. foot radius curve to the left (center bears North  $33^{\circ}07'49''$  West long chord bears North  $52^{\circ}06'27''$  East 258.59 feet with a central angle of  $09^{\circ}31'28''$ );

thence North  $47^{\circ}20'43''$  East 689.70 feet;

thence northeasterly 1,258.99 feet along an arc of 2,775.00. foot radius curve to the right (center bears South  $42^{\circ}39'18''$  East long chord bears North  $60^{\circ}20'32''$  East 1,248.22 feet with a central angle of  $25^{\circ}59'40''$ );

thence North  $73^{\circ}20'22''$  East 494.46 feet;

thence South  $00^{\circ}22'05''$  West 898.65 feet to the Center Section line of Section 1 Township 42 South, Range 14 West, Salt Lake Base & Meridian;

thence South  $89^{\circ}35'08''$  East 1,327.22 feet along said Center Section line;

thence North  $00^{\circ}10'33''$  East 1,350.90 feet to the Southerly Right of Way line of State Route 9, and running Northeasterly the following (16) courses along said south line;

thence South  $89^{\circ}50'12''$  East 254.45 feet;

thence North  $73^{\circ}19'03''$  East 413.47. feet;

thence easterly 134.73 feet along an arc of a 22,763.31 foot radius curve to the right (center bears South  $16^{\circ}40'57''$  East long chord bears North  $73^{\circ}29'14''$  East: 134.75 feet with a central angle of  $00^{\circ}20'21''$ );

thence North  $73^{\circ}39'24''$  East 1,951.74 feet;

thence North 73°39'24" East 3,609.85 feet;  
 thence North 00°08'36" West 19.03 feet;  
 thence North 73°38'48" East 214.52 feet;  
 thence North 16°37'33" West 36.32 feet;  
 thence North 73°39'24" East 350.33 feet;  
 thence North 84°56'32" East 254.78 feet;  
 thence North 75°40'25" East 283.52 feet;  
 thence North 51°40'18" East 174.13 feet;  
 thence North 87°28'01" East 687.67 feet;  
 thence North 89°03'09" East 384.16 feet;  
 thence South 89°56'48" East 163.49 feet;  
 thence North 84°49'43" East 213.73 feet to the East Section line of Section 31 Township 41  
 South, Range 13 West, Salt Lake Base & Meridian;  
 thence South 00°14'57" East 756.21 feet along said East Section line to the Southeast Corner of  
 said Section 31;  
 thence South 89°58'42" West 50.03 feet;  
 thence South 89°55'25" West 1,298.32 feet;  
 thence South 00°05'38" West 1,688.70 feet;  
 thence North 79°32'12" West 977.04 feet;  
 thence South 31°21'48" West 1,412.00 feet;  
 thence South 07°15'46" West 2,239.94 feet;  
 thence South 00°00'47" East 495.70 feet to the South Section line of Section 6, Township 42  
 South, Range 13 West, Salt Lake Base & Meridian;  
 thence South 89°56'34" West 662.21 feet along said South Section line to the Northwest Corner  
 of Sectional Lot 1, Section 7, Township 42 South, Range 13 West, Salt Lake Base & Meridian;  
 thence South 00°00'25" East 2,642.64 feet along the West line's of Sectional Lot's 1 & 6 to the  
 Center Section line and the Northeast corner of Sectional Lot 7, of said Section 7;  
 thence South 00°00'22" West 1,320.08 feet along the West line of said Lot 7 to the Southeast  
 corner of Sectional Lot 8;  
 thence South 89°50'33" West 2,141.15 feet along the South line of Sectional Lot's 8 & 9 to the  
 West Section line of said Section 7;  
 thence South 00°02'18" West 1,321.40 feet along said West line to the Point of Beginning.

Containing 91,741,842 square feet or 2,106.103 acres.

Less and excepting any portion of land lying within the following described (4) parcels

**PARCEL 1**

Beginning at a point being North 89°39'31" West 173.50 feet along the South Section line and  
 South 33.00 feet from the 16<sup>th</sup> corner common to Sections 12 and 13 Township 42 South, Range  
 14 West, Salt Lake Base & Meridian, and running;

thence South 00°02'07" West 200.00 feet;

thence North 89°39'31" West 435.60 feet;  
thence North 00°02'07" East 200.00 feet;  
thence South 89°39'31" East 435.60 feet to the Point of Beginning.

Containing 87,119 square feet or 2.000 Acres.

**PARCEL 2**

Beginning at the 1/16<sup>th</sup> corner common to Section's 12 and 7, said corner being located South 00°02'27" West 1,322.53 feet along the East Section line from the Northeast Corner of Section 12, Township 42 South, Range 14 West, Salt Lake Base & Meridian, and running;

thence South 00°02'18" West 73.47 feet;  
thence South 89°57'42" East 1,400.00 feet;  
thence South 00°02'18" West 1,617.00 feet;  
thence North 89°57'42" West 1,400.00 feet;  
thence North 00°01'56" East 368.50 feet;  
thence North 00°02'43" East 330.49 feet;  
thence North 89°39'27" West 702.43 feet;  
thence North 00°01'48" East 330.50 feet;  
thence North 89°39'24" West 622.36 feet to the 1/16th line;  
thence North 00°00'59" East 660.95 feet along the 1/16th line;  
thence South 89°39'30" East 1,325.10 feet along the 1/16th line to the Point of Beginning.

Containing 3,371,714 square feet or 77.404 acres.

**PARCEL 3**

Beginning at a point being North 89°52'29" East 2,893.74 feet along the Center Section line and South 629.44 feet from the West Quarter corner of Section 6, Township 42 South, Range 13 West, Salt Lake Base & Meridian and running;

thence East 100.00 feet;  
thence South 100.00 feet;  
thence West 100.00 feet;  
thence North 100.00 feet to the Point of Beginning.

Containing 10,000 square feet or 0.230 acres

**PARCEL 4**

Beginning at a point being South 00°15'22" West 304.47 feet along the East Section line of Section 1, from the Northeast corner of Section 1, Township 42 South, Range 14 West, Salt Lake

Base & Meridian, and running;

thence South 00°15'22" West 200.00 feet along said East Section Line;  
thence South 73°53'22" West 435.60 feet;  
thence North 00°15'22" East 200.00 feet;  
thence North 73°53'22" East 435.60 feet to the Point of Beginning.

Containing 83,590 square feet or 1.919 acres.

PARCEL "B"

Beginning at a point being North 89°51'09" East 329.10 feet along the South Section line from the Southwest Corner of Section 18, Township 42 South, Range 13 West, Salt Lake Base & Meridian, and running;

thence North 00°00'41" West 352.39 feet;  
thence North 89°59'19" East 330.00 feet;  
thence North 00°00'41" West 660.00 feet;  
thence North 89°59'19" East 330.00 feet;  
thence North 00°00'31" East 660.22 feet;  
thence North 89°59'28" East 330.00 feet;  
thence North 00°00'32" West 2,640.00 feet;  
thence South 89°59'28" West 660.00 feet;  
thence North 00°00'32" West 978.17 feet to the North Section line of said Section 18;  
thence North 89°47'40" East 1,490.83 feet along said North line;  
thence South 00°10'22" East 2,647.63 feet;  
thence South 00°14'04" East 2,643.87 feet to the South Section line of said Section 18;  
thence South 89°51'09" West 1,838.96 feet along said South line to the Point of Beginning.

Containing 6,087,510 square feet or 139.750 acres.

**EXHIBIT B**

**(Affected Tax ID Numbers)**

**WESTERN MORTGAGE & REALTY COMPANY**

H-4-2-1-1103, H-4-2-12-1102, H-4-1-36-2006, H-3-2-7-4402, H-4-2-12-130, H-4-2-1-1109,  
H-4-2-13-1409, H-4-2-11-125, H-4-2-13-2114, H-4-2-14-1101, H-4-2-11-2103, H-4-2-11-2112,  
H-4-2-11-31031, H-4-2-12-2113, H-4-2-11-241, H-4-2-2-2302, H-3-2-18-4100, H-3-2-6-1406,  
H-3-2-6-1408, H-4-2-1-4203, H-3-2-6-340, H-4-2-13-1410, H-4-2-1-1104, H-4-2-1-1123,  
H-4-2-1-1107

**CYPRESS CAPITAL XI, LLC, HARD MONEY, LLC, THE CLARK GROUP, LLC,  
EIGHTY PLUS, LLC, PRIVATE EQUITY, LLC, AND LOAN ONE, LLC**

H-4-2-1-1106, H-4-2-1-1105, H-4-2-11-126, H-4-2-11-127, H-4-2-11-128, H-3-2-6-1405,  
H-3-2-6-1403, H-3-2-6-1404

**HURRICANE CITY**

H-3-2-6-3100, H-3-2-6-3101

**BIG SPRINGS PROPERTIES, LLC**

H-4-2-1-1113, H-4-2-2-120012, H-4-2-1-1114

**SMF EASEMENT, LLC**

H-4-2-1-1108

**DIXIE ESCALANTE RURAL ELECTRIC ASSOCIATION, INC.**

H-4-2-13-1407-SA, H-4-2-11-240

**WASHINGTON COUNTY WATER CONSERVANCY DISTRICT**

H-4-2-13-1491

**WASHINGTON COUNTY BOARD OF EDUCATION**

H-4-2-13-1492

**REV INVESTMENTS 1, LP, PERRY J. FALK, DEBORAH A. FALK, JANE  
DICKINSON, STEVE PETROSKI, AND GREG PORTER**

H-3-2-6-1407

**UTAH DEPARTMENT OF TRANSPORTATION**

The UDOT Parcels herein are identified by a "UDOT Project/Parcel number," and/or the  
Washington County Recorder's Document ID No., identifying the recorded deed, and the County  
Tax Parcel I.D. No. as follows:

Document No. 20120003286, conveying all of Tax Parcel ID No. H-4-2-2-122.

UDOT NO. 007:133: A; Document No. 20190022334, conveying a portion of Tax  
Parcel ID No. H-3-2-6-1409.

UDOT NO. 007:134: A; Document No. 20200032433, conveying a portion of Tax  
Parcel ID No. H-3-2-6-1402.

UDOT NO. 499:905: T; Document No. 20160046204, conveying all of Tax Parcel ID  
No. H-3-1-31-222.

UDOT NO. 007:135: A; Document Nos. 20200032427, 20200032428, and  
20200032429, conveying 3 undivided portions of Tax Parcel ID No. H-3-1-31-221.

**VIRTUS INVESTMENTS 1, LP**

H-3-1-31-220



**SECURE PRIVATE FUND, LLC**

H-4-2-1-234

**QUESTAR GAS COMPANY dba DOMINION ENERGY UTAH**

H-4-2-1-131

**JASON & HOLLY CURTIS**

H-4-2-1-340

(All Parcels Within the Subdivision: Marla at Elim Valley)

**SILVER STREAM ADVISORS, LLC**

H-MARV-1-B-10, H-MARV-1-G-3, H-MARV-1-G-4, H-MARV-1-G-5, H-MARV-1-G-6,  
H-MARV-1-G-7, H-MARV-1-G-8, H-MARV-1-G-9, H-MARV-1-G-10, H-MARV-1-G-11,  
H-MARV-1-F-1, H-MARV-1-F-2, H-MARV-1-F-3, H-MARV-1-F-4, H-MARV-1-F-5,  
H-MARV-1-F-8, H-MARV-1-F-10, H-MARV-1-K-3, H-MARV-1-N-1, H-MARV-1-N-2,  
H-MARV-1-N-3, H-MARV-1-N-4, H-MARV-1-N-5, H-MARV-1-E-3

**WESTERN MORTGAGE & REALTY COMPANY**

H-MARV-1-K-2

**CHARLES KO**

H-MARV-1-F-7, H-MARV-1-J-12

**FREDERICK BRANDT**

H-MARV-1-F-11, H-MARV-1-E-4

**DENNIS MILLER HOMES, INC.**

H-MARV-1-H-10

**LA FAMILIA PADEIRO REAL ESTATE INVESTMENTS, L.C.**

H-MARV-1-D-22

**CHRISTOPHER MARCUS SCHILD**

H-MARV-1-F-6

**LISA ROWE**

H-MARV-1-F-9

**GREGORY D. WOOD**

H-MARV-1-C-10

**\*\*\*END OF JUDGMENT\*\*\***

*Pursuant to Rule 10(e) of the Utah Rules of Civil Procedure, the Court's signature appears at the top of the first page.*

**CERTIFICATE OF SERVICE**

I hereby certify that, on this 5 day of October, 2020, I caused a true and correct copy of the foregoing **STIPULATED JUDGMENT TERMINATING DEVELOPMENT AGREEMENT FOR ELIM VALLEY AND COMMUNITY CHARTER FOR ELIM VALLEY NEIGHBORHOODS** to be electronically filed with the Court which provided electronic notification to the following by operation of the Court's electronic filing system:

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