

ENTRY NO. 01160608

04/09/2021 10:50:54 AM B: 2655 P: 1105

Agreement PAGE 1/9

RHONDA FRANCIS, SUMMIT COUNTY RECORDER

FEE 228.00 BY CW LARSEN VILLAGE LLC



WHEN RECORDED, RETURN TO:

Summit County Engineering
PO 128 – 60 N. Main
Coalville, Utah 84017

Affecting Parcel No.: SEE EXHIBIT A

FIRST AMENDMENT TO DEVELOPMENT IMPROVEMENTS AGREEMENT

THIS FIRST AMENDMENT TO DEVELOPMENT IMPROVEMENTS AGREEMENT (the “**First Amendment**”) is made and entered into as of the date first set forth below (the “**Effective Date**”) by and between SUMMIT COUNTY, a political subdivision of the State of the Utah (the “**County**”) and CW LARSEN VILLAGE, LLC, a Utah limited liability company (the “**Developer**”). Developer and County may be referred to herein individually as a “**Party**” or collectively, as the “**Parties**”.

RECITALS

A. Developer is the fee title owner and developer of that certain parcel of real property located within the Silver Creek Village Center Subdivision and more particularly described on **Exhibit A** attached hereto.

B. The Parties entered into that certain *DEVELOPMENT IMPROVEMENTS AGREEMENT* on or about August 3, 2020, which was subsequently recorded in the office of the Summit County Recorder on November 13, 2020 as Entry No. 01147483 in Book 2617 at Page 0991 to govern development of the Project (the “**DIA**”).

C. The *PERFORMANCE BOND* attached to the DIA as Exhibit D identified an incorrect Entry Number for the DIA and, as a result, County has requested Developer to amend the same.

D. Pursuant to 22 of the DIA, the same may be amended or modified by written instrument executed by the County and Developer.

E. The Parties desire to amend the DIA as set forth herein.

AGREEMENT

NOW, THEREFORE, for and in consideration of the promises contained herein and for good and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties to hereby agree as follows:

1. **Recitals.** The foregoing recitals are hereby incorporated and made part of this First Amendment.

2. **Performance Bond Amendment.** The first recital in the Performance Bond here hereby deleted in entirety and replaced with the following. All changes are *italicized* for reference purposes only.

“**WHEREAS**, the Principal has entered into a certain written Development Improvements Agreement with the Oblige, dated the 3rd day of August, 202, recorded in the Office of the Summit County Recorder as Entry No. *01147483*, Book *2617*, beginning at Page *0991* (the “**DIA**”), to construct and install improvements as set forth therein (the “**Improvements**”) in the County of Summit, State of Utah, Project No. SCVC-13, for the approximate sum of *One Million Two Thousand Two Hundred Thirty Three and 28/100 Dollars* (\$1,002,233.28) [includes both the Cost of Completion and 10% warranty], which DIA is hereby incorporated herein by this reference.”

3. **Scope of Changes.** To the extent that the terms or provisions of this First Amendment conflict or are inconsistent with the terms and conditions of the DIA, the terms and provisions of this First Amendment shall control. County and Developer hereby ratify the terms of the DIA, as amended by this First Amendment, and acknowledge that, except as herein modified, the DIA shall remain in full force and effect in accordance with its terms.

4. **Binding Effect.** Upon full execution by the Parties and following recordation in the office of the Summit County Recorder, this First Amendment shall be binding on the Parties and their successors, heirs, and permitted assigns.

[SIGNATURE AND ACKNOWLEDGEMENT PAGES FOLLOW]

IN WITNESS WHEREOF, the Parties hereto have executed this DIA as of the 30 day of MARCH, 2021.

DEVELOPER

CW LARSEN VILLAGE, LLC,
a Utah limited liability company

By: *Colin Wright*
Name: COLIN WRIGHT
Title: MANAGER

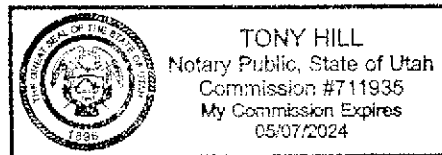
STATE OF UTAH)
 §
COUNTY OF DAVIS)

The foregoing instrument was acknowledged before me this 30 day of MARCH, 2021 by COLIN WRIGHT.

Witness my hand and official seal.

My commission expires: 05/07/2024

Tony Hill
(Notary Public)



(Seal)

[COUNTY SIGNATURE AND ACKNOWLEDGEMENT PAGE FOLLOWS]

SUMMIT COUNTY

County Manager

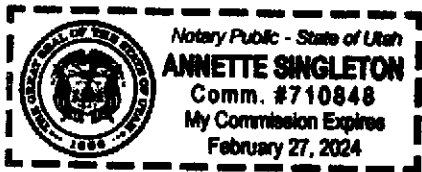
By:  Signature

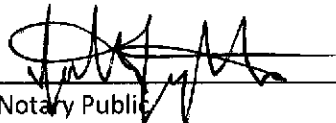
STATE OF UTAH
) ss.
COUNTY OF SUMMIT

The foregoing instrument was acknowledged before me this 6TH day of April,
2021,
by THOMAS C. FISHER

Witness my hand and official seal.

My commission expires: 2/27/2024




Notary Public

Approved as to form:



Deputy County Attorney

EXHIBIT A
(Legal Description)

Formally known as Lot 13 Silver Creek Village Center Subdivision

ALL LOTS WITHIN SILVER CREEK VILLAGE CENTER LOT 13 & 16 SUBDIVISION

0517008 SCVC-13-16-1
SILVER CREEK VILLAGE SF L
12682 FORT ST
DRAPER, UT 84020

0517015 SCVC-13-16-2
CW LARSEN VILLAGE LLC
1222 W LEGACY CROSSING BLVD
STE 6
CENTERVILLE, UT 84014

0517022 SCVC-13-16-3
SILVER CREEK VILLAGE SF L
12682 FORT ST
DRAPER, UT 84020

0517039 SCVC-13-16-4
SILVER CREEK VILLAGE SF L
12682 FORT ST
DRAPER, UT 84020

0517046 SCVC-13-16-5
SILVER CREEK VILLAGE SF L
12682 FORT ST
DRAPER, UT 84020

0517053 SCVC-13-16-6
SILVER CREEK VILLAGE SF L
12682 FORT ST
DRAPER, UT 84020

0517060 SCVC-13-16-7
SILVER CREEK VILLAGE SF L
12682 FORT ST
DRAPER, UT 84020

0517077 SCVC-13-16-8
SILVER CREEK VILLAGE SF L
12682 FORT ST
DRAPER, UT 84020

0517084 SCVC-13-16-9
SILVER CREEK VILLAGE SF L
12682 FORT ST
DRAPER, UT 84020

0517091 SCVC-13-16-10
SILVER CREEK VILLAGE SF L
12682 FORT ST
DRAPER, UT 84020

0517109 SCVC-13-16-11
SILVER CREEK VILLAGE SF L
12682 FORT ST
DRAPER, UT 84020

0517116 SCVC-13-16-12
SILVER CREEK PCTH LLC
84 W 4800 S STE 200
MURRAY, UT 84107

0517123 SCVC-13-16-13
SILVER CREEK PCTH LLC
84 W 4800 S STE 200
MURRAY, UT 84107

0517130 SCVC-13-16-14
SILVER CREEK PCTH LLC
84 W 4800 S STE 200
MURRAY, UT 84107

0517147 SCVC-13-16-15
CW LARSEN VILLAGE LLC
1222 W LEGACY CROSSING BLVD
STE 6
CENTERVILLE, UT 84014

0517154 SCVC-13-16-16
CW LARSEN VILLAGE LLC
1222 W LEGACY CROSSING BLVD
STE 6
CENTERVILLE, UT 84014

0517161 SCVC-13-16-17
CW LARSEN VILLAGE LLC
1222 W LEGACY CROSSING BLVD
STE 6
CENTERVILLE, UT 84014

0517178 SCVC-13-16-18
SILVER CREEK PCTH LLC
84 W 4800 S STE 200
MURRAY, UT 84107

0517185 SCVC-13-16-19
SILVER CREEK PCTH LLC
84 W 4800 S STE 200
MURRAY, UT 84107

0517192 SCVC-13-16-20
SILVER CREEK PCTH LLC
84 W 4800 S STE 200
MURRAY, UT 84107

0517200 SCVC-13-16-21
SILVER CREEK PCTH LLC
84 W 4800 S STE 200
MURRAY, UT 84107

0517217 SCVC-13-16-22
SILVER CREEK PCTH LLC
84 W 4800 S STE 200
MURRAY, UT 84107

0517224 SCVC-13-16-23
SILVER CREEK PCTH LLC
84 W 4800 S STE 200
MURRAY, UT 84107

0517231 SCVC-13-16-24
SILVER CREEK PCTH LLC
84 W 4800 S STE 200
MURRAY, UT 84107

0517248 SCVC-13-16-25
SILVER CREEK PCTH LLC
84 W 4800 S STE 200
MURRAY, UT 84107

0517255 SCVC-13-16-26
SILVER CREEK PCTH LLC
84 W 4800 S STE 200
MURRAY, UT 84107

0517262 SCVC-13-16-27
SILVER CREEK PCTH LLC
84 W 4800 S STE 200
MURRAY, UT 84107

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SILVER CREEK PCTH LLC
84 W 4800 S STE 200
MURRAY, UT 84107

0517286 SCVC-13-16-29
SILVER CREEK PCTH LLC
84 W 4800 S STE 200
MURRAY, UT 84107

0517293 SCVC-13-16-30
SILVER CREEK PCTH LLC
84 W 4800 S STE 200
MURRAY, UT 84107

0517301 SCVC-13-16-31
SILVER CREEK PCTH LLC
84 W 4800 S STE 200
MURRAY, UT 84107

0517318 SCVC-13-16-32
SILVER CREEK VILLAGE SF L
12682 FORT ST
DRAPER, UT 84020

0517325 SCVC-13-16-33
SILVER CREEK VILLAGE SF L
12682 FORT ST
DRAPER, UT 84020

0517332 SCVC-13-16-34
SILVER CREEK VILLAGE SF L
12682 FORT ST
DRAPER, UT 84020

0517349 SCVC-13-16-35
SILVER CREEK VILLAGE SF L
12682 FORT ST
DRAPER, UT 84020

0517356 SCVC-13-16-36
SILVER CREEK PCTH LLC
84 W 4800 S STE 200
MURRAY, UT 84107

0517363 SCVC-13-16-37
SILVER CREEK PCTH LLC
84 W 4800 S STE 200
MURRAY, UT 84107

0517370 SCVC-13-16-38
SILVER CREEK PCTH LLC
84 W 4800 S STE 200
MURRAY, UT 84107

0517387 SCVC-13-16-39
SILVER CREEK PCTH LLC
84 W 4800 S STE 200
MURRAY, UT 84107

0517394 SCVC-13-16-40
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84 W 4800 S STE 200
MURRAY, UT 84107

0517402 SCVC-13-16-41
SILVER CREEK PCTH LLC
84 W 4800 S STE 200
MURRAY, UT 84107

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MURRAY, UT 84107

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MURRAY, UT 84107

0517433 SCVC-13-16-44
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MURRAY, UT 84107

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MURRAY, UT 84107

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84 W 4800 S STE 200
MURRAY, UT 84107

0517464 SCVC-13-16-47
SILVER CREEK PCTH LLC
84 W 4800 S STE 200
MURRAY, UT 84107

0517471 SCVC-13-16-48
SILVER CREEK PCTH LLC
84 W 4800 S STE 200
MURRAY, UT 84107

0517541 SCVC-13-16-101
CW LARSEN VILLAGE LLC
1222 W LEGACY CROSSING BLVD
STE 6
CENTERVILLE, UT 84014

0517558 SCVC-13-16-102
CW LARSEN VILLAGE LLC
1222 W LEGACY CROSSING BLVD
STE 6
CENTERVILLE, UT 84014

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CW LARSEN VILLAGE LLC
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STE 6
CENTERVILLE, UT 84014

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1222 W LEGACY CROSSING BLVD
STE 6
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1222 W LEGACY CROSSING BLVD
STE 6
CENTERVILLE, UT 84014

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1222 W LEGACY CROSSING BLVD
STE 6
CENTERVILLE, UT 84014

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CW LARSEN VILLAGE LLC
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STE 6
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CW LARSEN VILLAGE LLC
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CENTERVILLE, UT 84014

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CW LARSEN VILLAGE LLC
1222 W LEGACY CROSSING BLVD
STE 6
CENTERVILLE, UT 84014