

4

**HERRIMAN CITY  
5355 WEST HERRIMAN MAIN STREET  
HERRIMAN UT 840651**

12618109  
09/18/2017 02:18 PM \$0.00  
Book - 10599 Pg - 6054-6057  
ADAM GARDINER  
RECORDER, SALT LAKE COUNTY, UTAH  
HERRIMAN CITY  
5355 W. HERRIMAN MAIN ST.  
HERRIMAN UT 84096  
BY: MMP, DEPUTY - MA 4 P.

**SECOND AMENDMENT TO THE MASTER DEVELOPMENT AGREEMENT  
FOR THE  
ROSECREST MASTER PLANNED COMMUNITY**

THIS SECOND AMENDMENT TO MASTER DEVELOPMENT AGREEMENT (“Second Amendment”) is made and entered as of the 23<sup>rd</sup> day of August, 2017, by and between the Herriman City, a Utah municipal corporation (“City”), and Rosecrest Communities, L.L.C. a Utah limited liability company (collectively the “Master Developer” the City and Master Developer referred to herein as “Parties”).

**RECITALS**

A. The Parties entered into a Master Development Agreement dated December 18, 2008 which was recorded on January 28, 2009, as Entry No. 10608304 in the official books and records of the Salt Lake County Recorder (“Original MDA”) governing the property shown on exhibit “A” that is attached hereto and incorporated herein by reference (“Property”).

B. Since the date of the Original MDA the Master Developer has received approval for an amendment to the East Herriman PUD, for the area of the Property lying east of the Mountain View Corridor, by the Herriman Planning Commission at their regular meeting on July 6, 2017 that have made it desirable to amend the Original MDA.

C. The Master Developer desires to replace the Approved PUD under the Original MDA to the Approved Amended PUD by the Herriman Planning Commission at their

regular meeting on July 6, 2017.

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:

**AMENDMENTS**

1. **Effect of this Second Amendment.** Other than as specifically amended herein by this Second Amendment, the Original MDA, and all past amendments, shall remain in full force and effect.

2. **Amendment.** On July 6, 2017, the Herriman Planning Commission approved an amendment to the East Herriman PUD (“Amended PUD”) for the area of the Property lying east of Mountain View Corridor. A copy of the Amended PUD is attached hereto as exhibit “C2.” As a result the maximum density between Pods 34 and 52 shall not exceed 478 units. The Amended PUD hereby replaces exhibit C2 in the Original MDA.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their respective, duly authorized representatives as of the day and year first herein above written.

ORIGINAL MDA

CITY



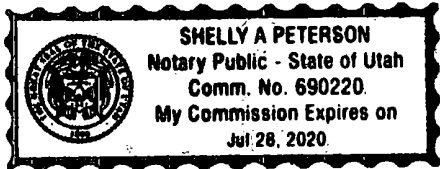
DEVELOPER ACKNOWLEDGMENT

STATE OF UTAH )

:SS.

COUNTY OF SALT LAKE ) S.P.

On the 12 day of ~~August~~ <sup>September</sup>, 2017, personally appeared before me Michael Bradshaw who being by me duly sworn, did say that he is the REPRESENTATIVE of Rosecrest Communalities, 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 signed in behalf of said company.



Shelly A. Peterson  
NOTARY PUBLIC

My Commission Expires:

Jul 28, 2020

Residing at:

Herriman City