

Recording Requested By and
When Recorded Return to:
Morgan County
Attn: Morgan County Attorney
48 West Young Street
Morgan, Utah 84050

Ent 158611 Bk 383 Pg 650
Date: 06-OCT-2021 9:27:05AM
Fee: \$68.00 Credit Card Filed By: JP
BRENDA NELSON, Recorder
MORGAN COUNTY
For: WASATCH PEAKS RANCH LLC

For Recording Purposes
Do Not Write Above This Line

**FIRST AMENDMENT
TO
WPR DEVELOPMENT AGREEMENT
FOR
WASATCH PEAKS RANCH RESORT
SPECIAL DISTRICT (RSD)**

This First Amendment to WPR Development Agreement for Wasatch Peaks Ranch Resort Special District (RSD) (this "**Amendment**") is made effective as of the 15 day of October, 2021, by and among Morgan County, a political subdivision of the State of Utah (the "**County**") and Wasatch Peaks Ranch, LLC, a Utah limited liability company ("**Owner**").

RECITALS

A. County and Owner entered into that certain Development Agreement for the "Wasatch Peaks Ranch" located in Morgan County, Utah dated as of October 30, 2019 and recorded on November 7, 2019 in the official records of the Morgan County Recorder's Office, Morgan County, Utah as Entry No. 149303 in Book 355 at Page 1235 (the "**DA**"). Capitalized terms not otherwise defined in this Amendment shall have the meaning ascribed to such terms in the DA.

B. The DA pertains to certain real property -- a tract of land located in Sections 27, 34 and 35 of Township 5 North, Range 1 East, Sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 22, 23, 24, 26, 27 and 35 of Township 4 North, Range 1 East, the Northwest Quarter of Section 19, Township 4 North Range 2 East and Sections 2, 3 and 11 of Township 3 North, Range 1 East Salt Lake Base and Meridian., Morgan County, Utah and more particularly described on Exhibit "A" attached hereto (the "**Property**").

C. The Owner submitted to County a Development Agreement Minor Amendment Application dated April 28, 2021.

D. Pursuant to that certain letter dated May 25, 2021 from the County Zoning Administrator to the Owner, County's planning staff approved the requested Minor Amendment to the Wasatch Peaks Ranch Development Agreement (the "**Minor Amendment Request**") and found the Minor Amendment Request: (i) meets the intent of the DA; (ii) complies with applicable zoning regulations; and (iii) is not detrimental to the health, safety, and welfare of the public.

E. County and Owner now desire to amend the DA to incorporate the changes approved in the Minor Amendment Request, as more specifically set forth herein.

AGREEMENT

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, County and Owner do hereby agree as follows:

1. **Minor Amendment.** This Amendment (a) constitutes a “Minor Amendment” pursuant to the DA; and (b) has been duly approved by the Land Use Authority.

2. **Purpose.** This Amendment (a) clarifies and revises portions of the DA; (b) clarifies whether and how portions of the Management Code, as defined below, apply or do not apply to the Property; (c) amends the boundaries of certain Development Areas on the Conceptual Land Use Plan; and (d) amends the Design Standards.

3. **Management Code.** Section 1.5 of the DA is hereby amended and restated in its entirety as follows:

1.5 County has adopted the Morgan County Land Use Management Code, also known as Title 8 of the Morgan County Code of Morgan, Utah (the “**Management Code**”), which is currently referred to at times as the “Land Use Regulations”. The Management Code is the current and complete land use ordinance for County.

4. **Improvement Plans Review.** The DA is hereby amended to include the following new Section 5.14.

5.14 Notwithstanding anything to the contrary in the Management Code, Owner may submit to County construction drawings, as such term is defined, used, and referenced in the Management Code, and additional improvement plans (the “**Improvement Plans**”) for certain improvements, including, without limitation, road and infrastructure improvements (the “**Improvements**”), any time prior to, or as part of, any preliminary plat submittal made by Owner in accordance with the Management Code. Once submitted, County shall review the Improvement Plans concurrently with the preliminary plat submittal (“**Improvement Plan Review**”). Upon completion of County’s Improvement Plan Review and prior to County’s review and approval of the final plat, Owner may, at Owner’s sole cost, expense, and risk, proceed with the Improvements as detailed in such Improvement Plans. Owner acknowledges and agrees that Owner shall, at Owner’s sole cost and expense, complete any and all alterations, modifications, and adjustments to the Improvements as may be required under applicable law after County’s final review and approval of the final plat. County shall not be responsible or liable to Owner for any loss or damage which may be incurred by Owner

electing to proceed with Improvement Plans that have not been finally approved by County as part of a final plat.

5. **Management Code Chapter 12: Subdivisions.** The DA is hereby amended to include the following new Sections 4.5.7 through 4.5.11.

4.5.7 Because of the (i) unique nature of the Project; and (ii) the Project's development plan and timeline, Owner and County recognize that is impractical to have a functioning water and wastewater system in place at the time of the first final plat approval. Accordingly, and notwithstanding anything to the contrary in the Management Code, the following provisions shall apply to any and all development on the Property.

a. Prior to the completion of all required utilities and other infrastructure improvements related to the final subdivision:

(i) County may issue a conditional building permit ("**Conditional Building Permit**") authorizing Owner, its successors, assigns, contractors, subcontractors, lessees, licensees, or other permitted parties ("**Owner's Permittees**") to proceed with excavations and the construction of footings and foundations on the lot to which such Conditional Building Permit pertains.

(ii) So long as fire suppression and protection equipment and methods for such lot are approved by the fire code official, as such term is defined, used, and referenced in the Management Code, County may issue a building permit ("**Building Permit**"), as such term is defined, used, and referenced in the Management Code, authorizing vertical construction upon such lot.

(iii) Any Conditional Building Permit or Building Permit issued pursuant to this Section 4.5.7(a) shall be subject to the following requirements:

1. Owner shall have created certain public service districts (collectively, "**WPR Districts**") that are responsible for approving and providing service to such lot;
2. Owner and the applicable individual lot owner (if any) shall agree to indemnify, defend, protect and

hold harmless County against any and all claims and damages arising by reason of such construction in a written declaration signed by Owner and the applicable individual lot owner (if any), which declaration of indemnification shall be recorded against the applicable lot and shall be in form and substance reasonably acceptable to the County Attorney;

3. Owner shall disclose in writing to all members and/or buyers of any portion of the Property (A) WPR District's and Owner's responsibilities to provide fire protection for the Property; and (B) the risks of engaging in vertical construction prior to all utilities being stubbed to the lot on which such construction is occurring;
4. The fire code official and the County's approving authority for other essential emergency services, if any, approve the Owner's fire suppression and emergency services plan, which may include on-site stand tank(s); and
5. There may be no more than twenty-five (25) homes under construction at one time within the overall Project with a Building Permit subject to the conditions above.

- b. An occupancy permit, as such term is defined, used, and referenced in the Management Code, shall not be granted until all the requirements identified in § 8-12-8(G) of the Management Code have been met.
- c. A certificate of occupancy shall be issued in accordance with the requirements stated in § 8-3-6 of the Management Code.

4.5.8 Notwithstanding anything to the contrary in § 8-12-27 of the Management Code, phasing shall be approved in any Concept Plan. Additionally, Preliminary Plats and Final Plats based on an approved Concept Plan may be submitted, approved and developed in non-sequential multiple phases.

4.5.9 Notwithstanding anything to the contrary in § 8-12-28 of the Management Code, the following provisions shall apply to any and all development on the Property.

- a. Owner may request and County may approve up to two (2) twelve-(12)-month extensions of the time period between the date of County's approval of the preliminary plat and the date of Owner's application for review and approval of the final plat as detailed in § 8-12-28(A) of the Management Code.
- b. In those cases where the subdivision is proposed to be developed in phases, preliminary plat approval for the remaining portions of the subdivision shall not expire until four (4) years after the recording date of the final plat for the first phase.

4.5.10 Notwithstanding anything to the contrary in § 8-12-43 of the Management Code, no minimum frontage on a street or lane is required for any lot created by a subdivision of the Property. Further, each of the following provisions shall apply to any and all development on the Property.

- a. Owner may execute and record cross access agreements in order to provide access to lots that do not front a street.
- b. When reasonably required given the terrain, slopes, jurisdictional stream crossings, presence of jurisdictional wetlands, potentially hazardous geological conditions, other materially adverse site conditions (without limitation and including any combination of the same, the "**Site Conditions**") affecting certain lots, the County Engineer may approve, which approval shall be in writing, which writing may be delivered via electronic communication, a configuration of such lot(s) whereby the only portion fronting a street is the driveway.
- c. Interior side lot lines are not required to be within thirty degrees of perpendicular to any street.
- d. The County Engineer may approve, which approval shall be in writing, which writing may be delivered via electronic communication, double frontage lots with one access to the adjacent street.

- e. The minimum building envelope size for each lot shall be 1,500 square feet, except for lots located in Development Area D, in which single-family homes may be clustered and therefore no minimum building envelope size is required.

4.5.11 Notwithstanding anything to the contrary in § 8-12-44 of the Management Code, the following shall apply to any and all development on the Property.

- a. So long as Owner ensures that emergency vehicle turnarounds, whether temporary or permanent, meet the requirements of the fire and wildland urban interface code and are approved during the preliminary plat review and approval process by the County Engineer and the fire code official in the designated jurisdiction, which approval shall be in writing, which writing may be delivered via electronic communication, then the conditions detailed in § 8-12-44(I) shall not apply.
- b. Private lanes, as such term is defined, used, and referenced in the Management Code, shall be allowed in certain subdivisions of the Property that have a minimum of twenty (20) acres of contiguous property within the subdivision boundaries and with a minimum lot size of one acre.
- c. Upon approval of the fire code official and County Engineer, which approval shall be in writing, which writing may be delivered via electronic communication, private lanes may provide access to up to ten (10) lots or dwellings in certain subdivisions where access to each dwelling or lot is limited due to difficult or adverse Site Conditions.
- d. The easement and maintenance provision in 8-12-44(P)(6) shall not apply, except for easements shall be recorded in the County Recorder's Office.
- e. In areas with difficult or adverse Site Conditions, a driveway, as such term is defined, used, and referenced in the Management Code, may serve up to a maximum of six (6) lots upon approval of the fire code official and County Engineer, which approval shall be in writing, which writing may be delivered via electronic communication. Driveways serving up to six (6) lots may, at Owner's discretion, either be (i) paved to County standards for private lanes, or (ii) designed and constructed as all-weather gravel roads with the ability to support fire trucks/ apparatus weighing 75,000 pounds or less. Driveways

serving more than six (6) lots or building envelopes shall be paved to County standards for private lanes.

6. **Exhibits.** The following Exhibits to the DA are hereby deleted in their entirety and replaced as follows.

a. The Conceptual Land Use Plan as set forth in Exhibit B of the DA is hereby deleted in its entirety and replaced by Exhibit B-2, attached hereto and incorporated by this reference. Hereafter, all references in the DA to “Exhibit B” or to the “Conceptual Land Use Plan” shall mean and refer to Exhibit B-2 attached to this Amendment.

b. The Design Standards as set forth in Exhibit E of the DA are hereby deleted in their entirety and replaced by Exhibit E-2, attached hereto and incorporated by this reference. Hereafter, all references in the DA to “Exhibit E”, “design guidelines”, or “Design Standards” shall mean and refer to Exhibit E-2 attached to this Amendment.

7. **Miscellaneous.** This Amendment contains the entire understanding of County and Owner and supersedes all prior oral or written understandings relating to the subject matter set forth herein. This Amendment may be executed in counterparts each of which shall be deemed an original. This Amendment shall be binding upon and shall inure to the benefit of each party and their respective grantees, transferees, lessees, heirs, devisees, personal representatives, successors, and assigns. In all respects, other than as specifically set forth in this Amendment, the DA shall remain unaffected by this Amendment and shall continue in full force and effect, subject to the terms and conditions thereof, and in the event of any conflict, inconsistency, or incongruity between the provisions of this Amendment and any provisions of the DA, the provisions of this Amendment shall in all respects govern and control.

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

COUNTY:
MORGAN COUNTY

By: [Signature]
Robert A. McConnell, Commission Chair

ATTEST:

[Signature]
Morgan County Recorder CLERK

COUNTY ACKNOWLEDGMENT

STATE OF UTAH)
:ss.

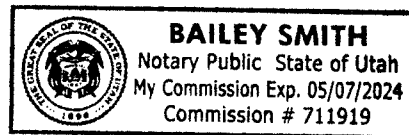
COUNTY OF MORGAN)

On the 4th day of October 2021, before the undersigned notary public in and for the said state, personally appeared Robert. A. McConnell, known or identified to me to be the Chair of the Morgan County Council, a political subdivision of the State of Utah, and the person who executed the foregoing instrument on behalf of said County and acknowledged to me that said County executed the same.

[Signature]
Notary Public for Utah
Residing at: Morgan, Utah
My Commission Expires: 05/07/2024

Approved As To Form:

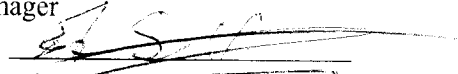
[Signature]
County Attorney



OWNER:

WASATCH PEAKS RANCH, LLC,
a Delaware limited liability company

By: Wasatch Peaks Ranch Management, LLC,
its Manager

By: 

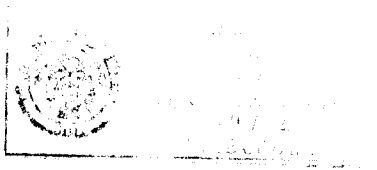
Name: Ed Schultz


Its: Authorize Signatory

OWNER ACKNOWLEDGMENT

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

On the 1st day of October 2021, before the undersigned notary public in and for the said state, personally appeared Ed Schultz, known or identified to me to be the Authorized Signatory for Wasatch Peaks Ranch Management, LLC, Manager of Wasatch Peaks Ranch, LLC, a Delaware limited liability company, and the person who executed the foregoing instrument and acknowledged to me that said company executed the same.





Notary Public for Utah
Residing at: Zions Bank
My Commission Expires: June 11 2025

EXHIBIT A-2
TO
FIRST AMENDMENT OF DEVELOPMENT AGREEMENT

Legal Description

PSOMAS

4179 Riverboat Road, Suite 200
Salt Lake City, Utah 84123
(801) 270-5777

Wasatch Peaks Ranch, LLC Property South of the Gateway Canal (03/01/2019)

A tract of land located in Sections 27, 34 and 35 of Township 5 North, Range 1 East, Sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 22, 23, 24, 26, 27 and 35 of Township 4 North, Range 1 East, the Northwest Quarter of Section 19, Township 4 North Range 2 East and Sections 2, 3 and 11 of Township 3 North, Range 1 East Salt Lake Base and Meridian., Morgan County, Utah, said tract being more particularly described as follows:

Beginning at the Northwest Corner of said Section 35, Township 5 North, Range 1 East, Salt Lake Base and Meridian and running thence, along the north line of said Section 35, South 89°27'09" East 599.96 feet to the land condemned for the Gateway Canal in Book R of deeds, Pages 119 through 122 and the land deeded to Weber Basin Water Conservancy District in Book 292 at Page 1337 and Book 297 at Page 794; thence, along the said Weber Basin Water Conservancy District land and Gateway Canal the following sixteen (16) courses: 1) South 0°02'27" East 100.00 feet; 2) South 89°27'08" East 342.77 feet; 3) South 16°51'46" West 184.70 feet; 4) South 61°03'35" West 146.60 feet; 5) South 17°38'14" West 525.18 feet; 6) South 03°23'01" West 605.82 feet; 7) South 77°11'13" East 777.08 feet; 8) North 19°14'48" East 105.30 feet; 9) South 76°00'27" East 1,000.39 feet; 10) North 23°37'19" East 445.13 feet; 11) South 71°17'20" East 928.88 feet; 12) North 23°28'35" East 561.30 feet; 13) South 71°29'49" East 1,458.42 feet; 14) North 32°17'18" East 347.72 feet; 15) easterly 61.24 feet along the arc of a 680.00 foot non-tangent curve to the left, through a central angle of 5°09'35", (chord bears North 87°39'44" East 61.22 feet), 16) North 85°04'56" East 47.50 feet to the east line of said Section 35, Township 5 North, Range 1 East; thence, along said east line, South 00°05'04" East 4,026.96 feet to the Northwest Corner of said Section 1, Township 4 North, Range 1 East; thence, along said north line, South 89°40'39" East 808.50 feet; thence South 00°27'25" West 5,413.58 feet to the south line of said Section 1; thence, along said south line, North 89°45'46" West 808.49 feet to the Northwest Corner of said Section 12, Township 4 North, Range 1 East; thence, along the west line of said Section 12, South 00°11'58" West 1,320.00 feet to the south line of North Half of the North Half of said Section 12; thence, along said south line, South 89°41'38" East 5,313.91 feet to the east line of said Section 12; thence, along said east line, South 00°11' 22" West 1,326.37 feet to the East Quarter Corner of said Section 12, thence, continuing along said east line, South 00°11'24" West 2,662.32 feet to the Northeast Corner of said Section 13, Township 4 North, Range 1 East; thence, along the east line of said Section 13, South 00°09'33" West 5,360.38 feet to the Northwest Corner of said Section 19, Township 4 North, Range 2 East, thence, along the north line of said Section 19, North 89°27'31" East 2,730.99 to the North Quarter Corner of said Section 19; thence, along the east line of the northwest quarter of said Section 19, South 00°03'37" East 2,637.79 feet to the south line of the northwest quarter of said Section 19; thence, along said south line, South 89°25'07" West 2,739.67 feet to the East Quarter Corner of said Section 24, Township 4 North, Range 1 East; thence, along the east line of said Section 24, North 00°07'41" East 1,319.90 feet to the south line of the north half of the north half of said Section 24; thence, along said south line, North 88°04'34" West 5,279.87 feet

to the east line of said Section 23, Township 4 North, Range 1 East; thence, along said east line, South 00°01'33" West 1,315.89, to the East Quarter Corner of said Section 23; thence, continuing along the east line of said Section 23, South 00°01'33" West 2,669.07 feet to the Southeast Corner of said Section 23; thence, along the south line of said Section 23, South 89°27'47" West 2,638.30 feet to the North Quarter Corner of said Section 26 T4N, R1E; thence, along the east line of the northwest quarter of said Section 26, South 00°58'38" West 2,662.65 feet to the center of said Section 26, Township 4 North, Range 1 East; thence, along the north line of the southeast quarter of said Section 26, North 89°36'45" East 1,324.93 feet to east line of the west half of the southeast quarter of said Section 26; thence, along said east line, South 00°51'17" West 2,665.96 feet to the south line of said Section 26; thence, along said south line, South 89°45'39" West 1,330.56 feet to the South Quarter Corner of said Section 26; thence South 01°13'13" East 5327.16 feet to the South Quarter Corner of said Section 35 T4N, R1E; thence, along the south line of said Section 35, South 89°58'36" East 2634.39 feet to the Northeast Corner of Section 2, T3S, R1E; thence along the east line of said Section 2, South 02°11'27" West 5359.87 feet (*record = South 01°58' West 81.18 chains*), more or less, to the Northeast Corner of Section 11, T3N, R1E; thence, along the east line of said Section 11, South 01°27'28" East 5298.60 feet (*record = South 01°42' East 80.26 chains*), more or less, to the Southeast Corner of said Section 11; thence, along the south line of said Section 11, North 89°44'07" West 5285.28 feet (*record = North 89°57' West 80.08 chains*), more or less, to the Southwest Corner of said Section 11; thence, along the west line of said Section 11, North 01°09'07" West 5295.84 feet (*record = North 01°22' West 80.24 chains*), more or less, to the Southeast Corner of Section 3, T3N, R1E; thence, along the south line of said Section 3, North 89°46'07" West 5244.68 feet (*record = North 89°59' West 79.60 chains*), more or less, to the Southwest Corner of said Section 3; thence, along the west line of said Section 3, North 01°46'18" East 5331.73 feet (*record = North 01°35' East 80.85 chains*), more or less, to the Northwest Corner of said Section 3; thence, along the north line of said Section 3, South 89°51'40" East 2637.73 feet to the North Quarter Corner of said Section 3; thence, continuing along the said north line of Section 3, South 89°53'03" East 2634.50 feet, to the Southwest Corner of Section 35, T4N, R1E; thence, along the west line of said Section 35, North 01°30'19" West 2656.38 feet to the West Quarter Corner of said Section 35; thence, along the north line of the Southwest Quarter of said Section 35, North 89°54'25" East 1324.01 feet, to the west line of the east half of the Northwest Quarter of Section 35; thence, along the said west line, North 01°21'46" West 2659.61 feet, to the south line of Section 26, T4N, R1E; thence, along the said south line, South 89°45'39" West 1330.56 feet to the Southeast Corner of said Section 27, Township 4 North, Range 1 East; thence, along the south line of said Section 27, South 89°00'27" West 2,655.30 feet to the South Quarter Corner of said Section 27; thence, continuing along said south line, South 89°00'27" West 2,655.30 feet to the Southwest Corner of said Section 27; thence, along the west line of said Section 27, North 01°28'49" East 5,314.29 feet to the Northwest Corner of said Section 27; thence, along said north line, North 89°01'14" East 1,321.75 feet to the west line of the east half of the west half of said Section 22, Township 4 North, Range 1 East; thence, along said west line, North 00°05'50" West 5312.13 feet to the south line of said Section 15, Township 4 North, Range 1 East; thence, along the said south line, South 89°02'14" West 1,320.83 feet to the Southwest Corner of said Section 15; thence, along the west line of said Section 15, North 00°05'39" West 5312.52 feet to the Southeast Corner of said Section 9, Township 4 North, Range 1 East; thence, along said south line, North 89°42'37" West 4,824.90 feet to where said south line crosses the top of the mountain; thence, along the top of the mountain the following nineteen (19) courses: 1) North 63°52'18" West 29.02 feet, 2) North 76°43'01" West 39.61 feet, 3) North 61°14'43" West 25.60 feet, 4) North 39°27'22" West 23.03 feet, 5) North 03°40'41" West 47.37 feet, 6) North 22°40'41" West 36.47 feet, 7) North 09°27'25" West 23.48 feet, 8) North 09°44'47" East 48.90 feet, 9) North 45°30'50" West 53.85 feet, 10)

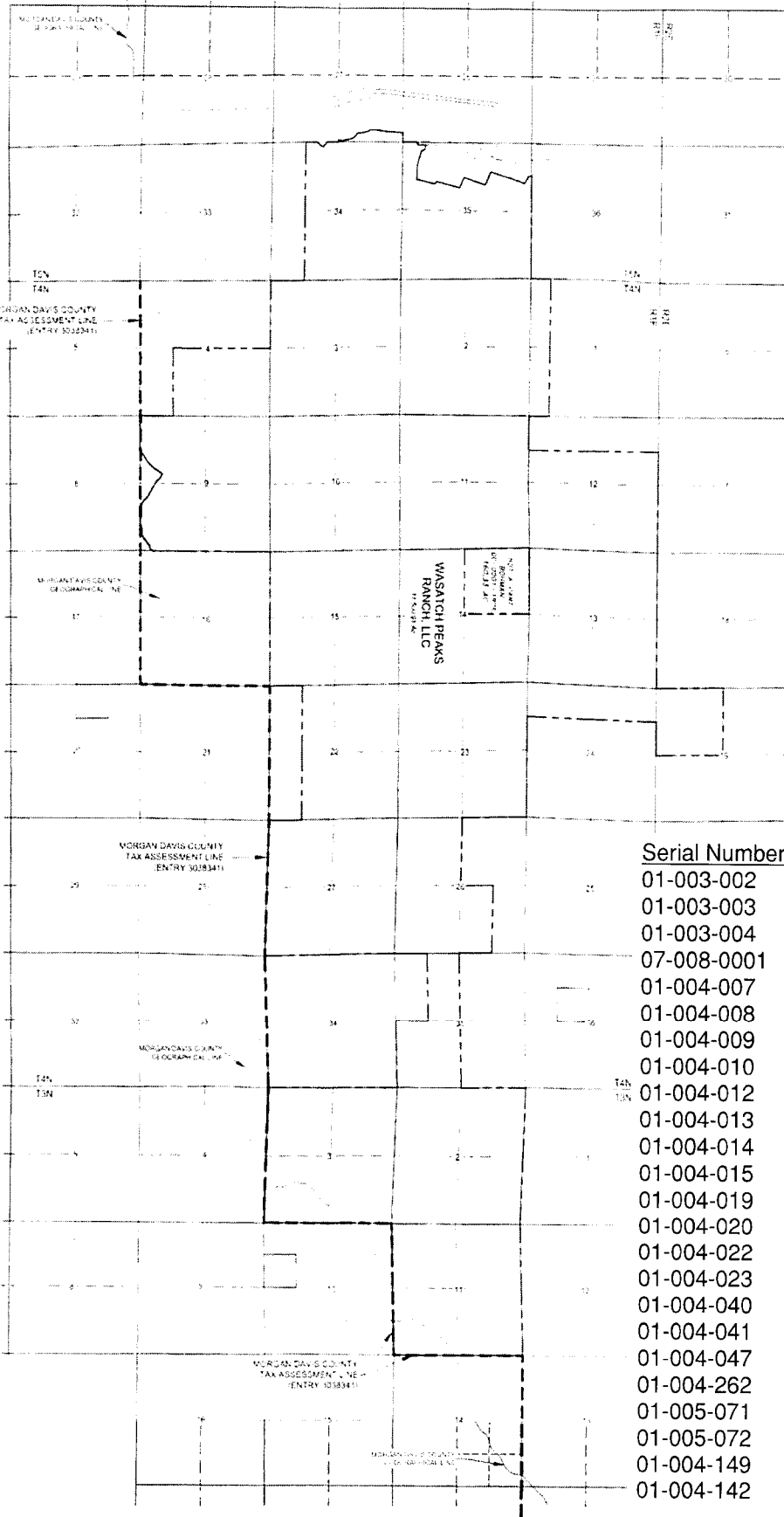
North 54°08'15" West 77.08 feet, 11) North 20°19'51" West 90.11 feet, 12)
 North 50°06'34" West 103.87 feet, 13) North 30°58'31" West 196.36 feet, 14)
 North 10°42'44" West 54.53 feet, 15) North 06°30'04" East 56.90 feet, 16) North 08°14'34" East
 74.77 feet, 17) North 09°49'45" West 80.92 feet, 18) North 27°17'17" West 58.91 feet, 19)
 North 44°32'48" West 55.75 feet to the west line of said Section 9; thence, along said west line,
 North 00°36'55" West 747.66 feet to the afore said top of the mountain; thence, along said top
 of the mountain, the following twelve (12) courses: 1) North 19°00'58" East 119.93 feet, 2)
 North 30°36'05" East 150.40 feet, 3) North 46°35'55" East 224.76 feet, 4) North 29°59'34" East
 306.25 feet, 5) North 30°40'16" East 337.88 feet, 6) North 48°06'58" East 117.76 feet, 7)
 North 43°19'09" East 150.38 feet, 8) North 27°49'42" East 183.94 feet, 9) North 55°32'25" West
 389.50 feet, 10) North 46°31'04" West 380.82 feet, 11) North 30°43'15" West 333.30 feet, 12)
 North 60°14'27" West 157.19 feet to the afore said west line of Section 9, thence, along said
 west line, North 00°36'55" West 1,431.15 feet to the north line of said Section 9; thence, along
 said north line, South 89°57'29" East 1,344.24 feet to the west line of the east half of the
 southwest quarter of said Section 4, Township 4 North, Range 1 East; thence, along said west
 line, North 00°18'57" West 2,658.65 feet to the north line of the southwest quarter of said
 Section 4; thence, along said north line, North 89°47'24" East 1,320.18 feet to the northwest
 quarter of the northeast quarter of said Section 4; thence, along the north line of the said
 northeast quarter of Section 4, North 89°47'24" East 2,667.70 feet to the West Quarter of said
 Section 3, Township 4 North, Range 1 East; thence, along the west line of said Section 3,
 North 00°07'26" East 2,676.19 feet to the Northwest Corner of said Section 3; thence, along the
 north line of said Section 3, North 89°31'45" East 1,362.10 feet to the west line of the east half
 of the west half of said Section 34, Township 5 North, Range 1 East; thence, along the said
 west line, North 00°13'30" East 5,411.31 feet to the north line of said Section 34; thence, along
 said north line, North 89°16'20" East 453.61 feet to the aforesaid land conveyed to Weber Basin
 Water Conservancy District; thence, along said land conveyed to Weber Basin Water
 Conservancy District, the following two (2) courses: 1) South 53°22'40" East 297.66 feet, 2)
 North 49°44'20" East 283.70 feet to the aforesaid north line of Section 34; thence, along said
 north line, North 89°16'20" East 417.40 feet to the South Quarter Corner of said Section 27,
 Township 5 North, Range 1 East; thence, along the west line of the southeast quarter of said
 Section 27, North 00°18'58" East 95.17 feet to the aforesaid land conveyed to Weber Basin
 Water Conservancy District; thence, along said land conveyed to Weber Basin Water
 Conservancy District, the following twelve (12) courses: 1) easterly 236.17 feet along the arc of
 a 350.00 non-tangent radius curve to the left, through a central angle of 38°39'44", (chord bears
 South 79°23'30" East 231.72 feet); 2) North 81°16'38" East 259.80 feet, 3) northeasterly
 232.22 feet along the arc of a 350.00 foot radius curve to the left, through a central angle of
 38°00'57", (chord bears North 62°16'07" East 227.99 feet), 4) North 43°15'38" East 153.09 feet,
 5) northeasterly 35.15 feet along the arc of a 50.00 foot radius curve to the right, through a
 central angle of 40°16'44", (chord bears North 63°24'16" East 34.43 feet), 6)
 North 83°32'38" East 254.70 feet, 7) easterly 116.38 feet along the arc of a 350.00 foot radius
 curve to the left, through a central angle of 19°03'03", (chord bears North 74°01'10" East
 115.84 feet, 8) North 64°29'38" East 189.48 feet, 9) easterly 28.15 feet along the arc of a 50.00
 foot radius curve to the right, through a central angle of 32°15'27", (chord bears
 North 80°37'55" East 27.78 feet, 10) South 83°14'22" East 676.10 feet, 11) easterly 59.57 feet
 along the arc of a 1150.00 foot radius curve to the left, through a central angle of 2°58'05",
 (chord bears South 84°43'19" East 59.56 feet), 12) South 86°12'22" East 553.41 feet to the east
 line of said Section 27 T5N R1E; thence, along said east line, South 00°06'34" West 358.28 feet
 to the Point of Beginning.

Less and Excepting the Northeast Quarter of Section 14, Township 4 North, Range 1 East, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at the Northeast Corner of said Section 14, marked with a 4 inch concrete monument (said Northeast Corner of Section 14 being North 88°14'16" West 5424.32 feet from the Northeast Corner of Section 13, Township 4 North, Range 1 East), and running thence, along the east line of said Section 14, South 00°04'07" East 2641.94 feet to the East Quarter Corner of said Section 14, marked with a 4 inch concrete monument, thence, along the south line of the northeast quarter of said Section 14, North 89°56'54" West 2669.76 feet to the southwest quarter of the northeast quarter of said Section 14, marked with a 4 inch concrete monument; thence along the west line of the northeast quarter of said Section 14, North 00°10'53" East 2601.16 feet to the North Quarter Corner of said Section 14; thence, along the north line of said Section 14, North 89°10'22" East 2658.64 feet to the Point of Beginning.

Contains:

| | |
|---------------------------|------------------------|
| Overall Boundary | 11,661.23 Acres. |
| <u>Less and Excepting</u> | <u>160.33 Acres</u> |
| Total Area | 11,500.91 Acres |



Serial Number

- 01-003-002
- 01-003-003
- 01-003-004
- 07-008-0001
- 01-004-007
- 01-004-008
- 01-004-009
- 01-004-010
- 01-004-012
- 01-004-013
- 01-004-014
- 01-004-015
- 01-004-019
- 01-004-020
- 01-004-022
- 01-004-023
- 01-004-040
- 01-004-041
- 01-004-047
- 01-004-262
- 01-005-071
- 01-005-072
- 01-004-149
- 01-004-142

Parcel Number

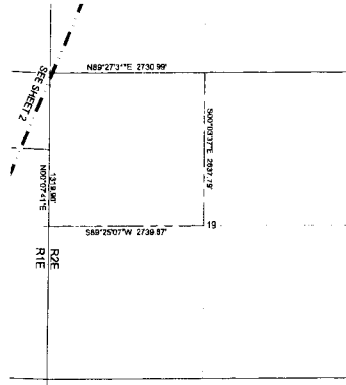
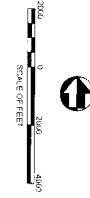
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- Davis County Parcel
- 00-0001-1526
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- 00-0001-1666
- 00-0001-1690
- 00-0001-1724
- 00-0001-1773
- 00-0001-1849
- 00-0001-1872
- 00-0001-1922
- 00-0001-1963
- 00-0001-2276
- 00-0001-2292
- 00-0001-2409
- 00-0001-6517
- 00-0002-6722
- 00-0002-6805
- 00-0001-4728
- 00-0001-4504

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PSOMAS
 1075 Foothill Road, Suite 200
 Salt Lake City, Utah 84119
 (801) 271-1577 (801) 271-5192 FAX

EXHIBIT
WPR PROPERTY SOUTH OF CANAL
MORGAN COUNTY, UTAH

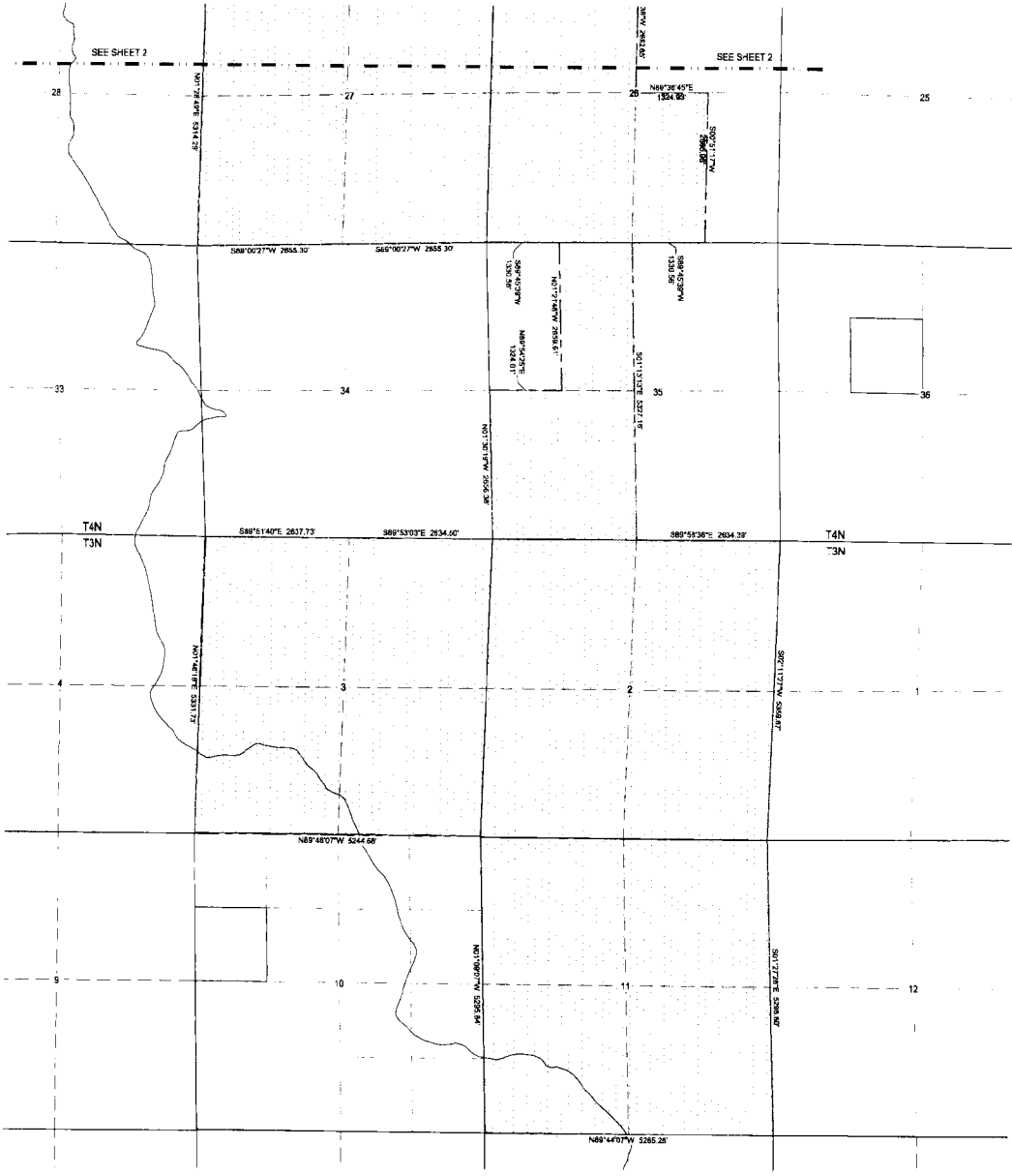
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|------|-------------|
| DATE | 11/11/2013 |
| BY | W. R. JONES |



| LINE # | DIRECTION | LENGTH |
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| L1 | S89°27'31\"/> | |
| L2 | S00°00'00\"/> | |
| L3 | S89°27'31\"/> | |
| L4 | S89°27'31\"/> | |
| L5 | S89°27'31\"/> | |
| L6 | S89°27'31\"/> | |
| L7 | S00°00'00\"/> | |
| L8 | S89°27'31\"/> | |
| L9 | S89°27'31\"/> | |
| L10 | S89°27'31\"/> | |
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| CLIMATE | AREA | CH BRG | CH DIST |
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| C1 | 800.00' | S89°27'31\"/> | |
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| C7 | 800.00' | S89°27'31\"/> | |



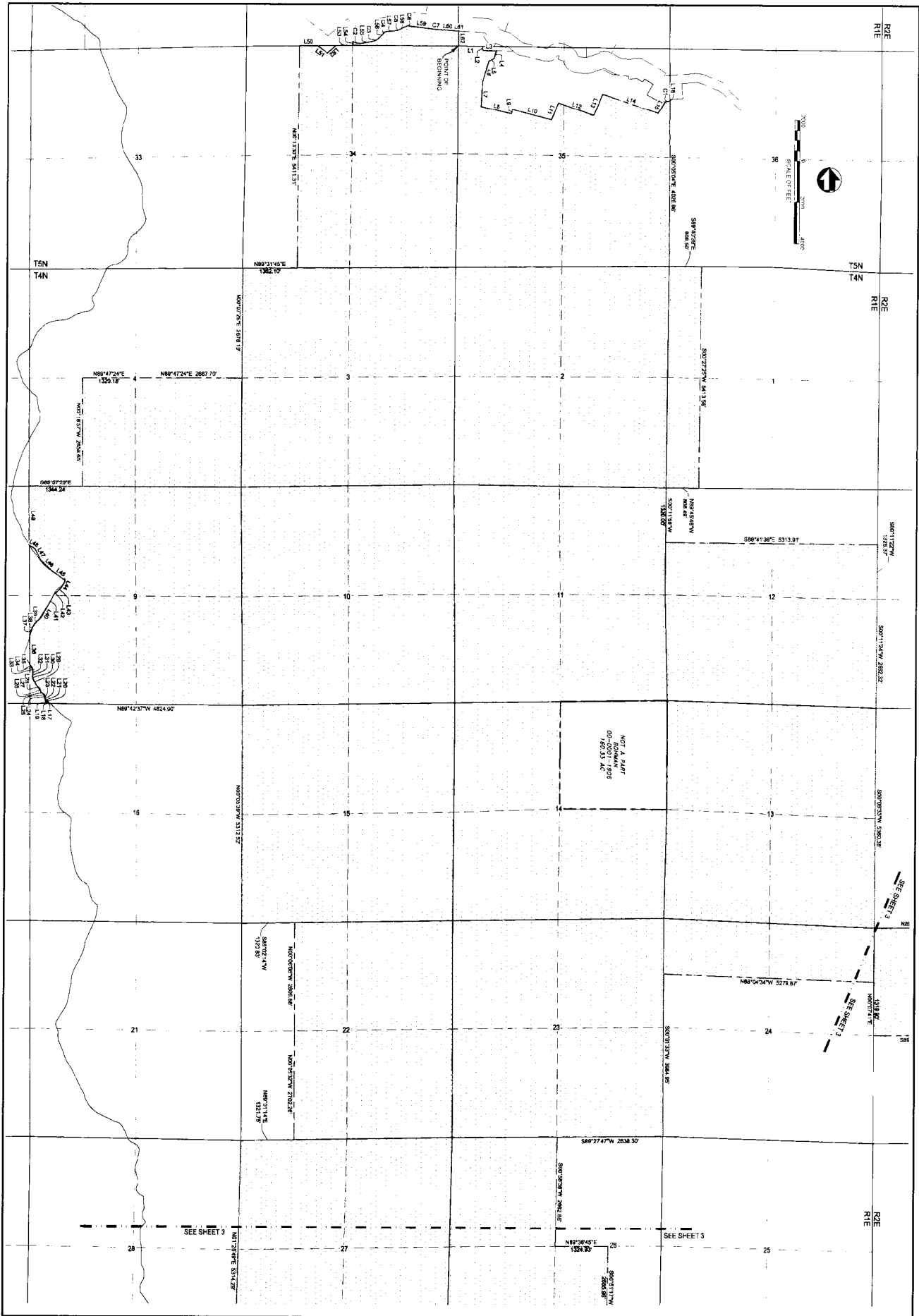
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| DESIGNED | SRV |
| DRAWN | SRV |
| CHECKED | JT |

PSOMAS
 4179 Riverbend Road, Suite 200
 Salt Lake City, Utah 84121
 (801) 270-5717 (801) 270-5782 (FAX)

EXHIBIT
 WPR PROPERTY SOUTH OF CANAL
 MORGAN COUNTY, UTAH

| | |
|----------------|------------|
| DATE | 03/01/2019 |
| NET DATE | |
| SCALE | 1"=200' |
| PROJECT NUMBER | 8WSP010200 |



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| | DESIGNED | SRV |
| | DRAWN | SRV |
| | CHECKED | JT |

PSOMAS

4179 Fremont Road, Suite 200
 Salt Lake City, Utah 84123
 (801) 270-5777 (801) 270-5792 (Fax)

EXHIBIT
 WPR PROPERTY SOUTH OF CANAL
 MORGAN COUNTY, UTAH

| | |
|-------------|------------|
| DATE | 03/01/2019 |
| PLT DATE | |
| SCALE | 1"=2000' |
| PROJECT NO. | 8WSP010200 |

**EXHIBIT B-2
TO
FIRST AMENDMENT OF DEVELOPMENT AGREEMENT**

Conceptual Land Use Plan

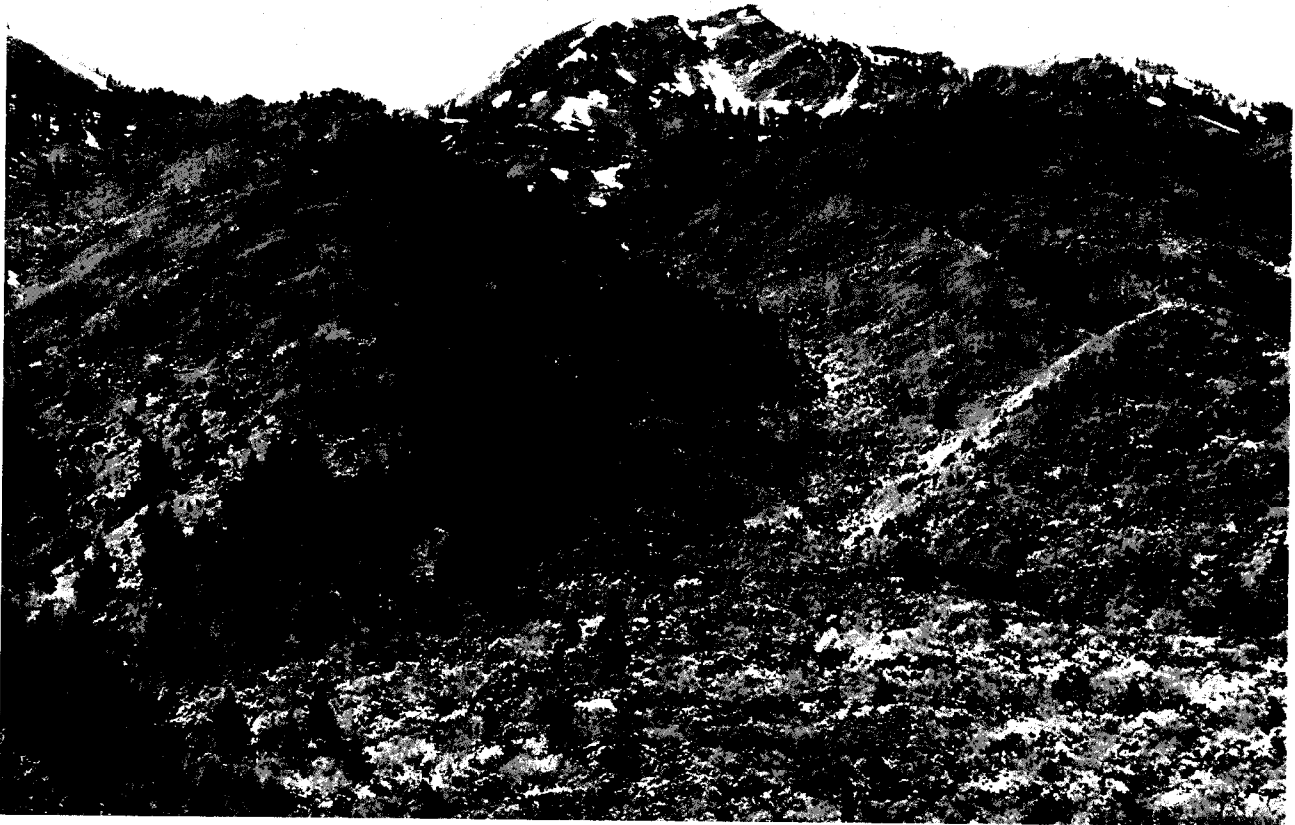


| DEVELOPMENT AREA | COLOR | ORIGINAL SQ FT | AMENDMENT CHANGE |
|------------------|-------|----------------|------------------|
| A Parcels | | 84.8 | 84.8 |
| B Parcels | | 411.9 | 411.9 |
| C Parcels | | 177.7 | 200.7 |
| D Parcels | | 408.3 | 408.3 |
| E Parcels | | 200.2 | 971.3 |
| F Parcels | | 537.7 | 537.7 |
| G Parcels | | 855.6 | 855.6 |
| TOTAL | | 2834.2 | 2834.2 |



**EXHIBIT E-2
TO
FIRST AMENDMENT OF DEVELOPMENT AGREEMENT**

Design Standards



WASATCH PEAKS RANCH DESIGN STANDARDS

MORGAN COUNTY, UTAH
Updated May 21, 2021

PREPARED FOR
MORGAN COUNTY, UTAH

PREPARED BY
Wasatch Peaks Ranch Holdings, LLC
DESIGNWORKSHOP

CONTENTS

INTRODUCTION

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SITE PLANNING + DEVELOPMENT

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LAND VALUE + IMPROVEMENT COSTS

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APPENDICES

INTRODUCTION

INTRODUCTION

INTRODUCTION

PURPOSE + INTENT

The Wasatch Peaks Ranch consists of approximately 12,000 acres near the Wasatch National Forest in Morgan County.

Per County Code, Development Standards are required for the establishment of an RSD Zone (8-5J-2).

The purpose of the Wasatch Peaks Ranch Design Standards is to direct development in ways that will preserve and enhance the surrounding landscape. By maintaining the natural, open and mountain characteristics of the area, Wasatch Peaks Ranch will be integrated into the landscape. Specific objectives of the standards are below:

1. Retain and enhance the natural character of the site
2. Maximize perceived open space
3. Optimize mountain and valley views and privacy
4. Conform with Morgan County codes

This document is to be used in addition to the Morgan County Code. Where there is a conflict between this document and the Morgan County Code, the County Code governs. The criteria set forth within this document may be more stringent than the Morgan County Code but never less so.

ILLUSTRATIONS + IMAGES

The illustrations and images in this document are not intended to be representative of what will/should be built. Instead, they are intended to be a visual reference and an example and allocation that is consistent with the narrative language.

APPENDIX 107 01

The WPR-RSD was approved more than 17 months ago. During that time, architects have been hired to design a variety of buildings such as the base lodge, community and recreation facilities, condominiums, townhomes, duplex single family, single family and cabins. Revisions included in this amendment: 1) revise setback in Development Area D, 2) allow flat and low slope roofs, which hold snow and minimize the life safety issues compared to pitched roofs when snow slides off of them. Additionally, low slope and flat roofs sit lower in the existing landscape and decrease visibility from surrounding areas, 3) non-reflective metal roofs were intended to be acceptable material but the language in the Design Standards could be confusing as currently written, and 5) Nonresidential building - The language as is creates confusion. The Intent narrative suggests that every building needs a base, middle and top.

HOW TO USE THIS DOCUMENT

The goals and requirements for the design of each element are generally described under three headings for each review issue: Intent, Standard and Guideline.

They are described as follows:

Intent: Intent statements are provided to define the vision and goals that the standards and guidelines have been created to achieve. The Intent statement will provide additional information where a standard or guideline is in question.

Standard: Standards are objective criteria that provide a specific set of directions for achieving the Intent. Standards denote issues that are considered critical. Standards use the term “shall” to indicate that compliance is absolutely required and deemed necessary to achieve the Intent for each section.

Guideline: Guidelines provide alternative solutions for accomplishing the goals set forth in the Intent statement. Guidelines are more flexible and are sometimes more difficult to quantify than standards. Guidelines use the terms “should” or “may” to denote they are considered relevant to achieving the Intent statement and will be pertinent in the review process.

Where Guidelines amplify a Standard, they are preferred, but not mandatory criteria. Guidelines will, however, be strongly considered where a Standard is not being met and an alternative is being sought, but a Guideline shall never be considered a variance. In such a case, it must be demonstrated that the alternative meets one or more of the following criteria:

- Alternative better achieves the Intent statement
- The Intent statement that the Standard was created to address will be improved by application of the Guideline in this particular circumstance
 - Application of other Standards will be improved by not applying the Standard in this particular circumstance
- Unique site characteristics make the Standard impractical or cost prohibitive

DEFINITION OF TERMS

Applicant(s): The owner of land proposed for any land use application, permit or license or such owner's duly authorized agent. Any agent must have written authorization from the owner.

Architect: A professional individual registered in the state of Utah to practice in the field of architecture.

Building Height: The vertical distance from the average finished grade surface at the foundation to the highest point of the building or structure.

Cut: Any disturbance on the land including any trenching, which results in the permanent removal of earth, rock or any other surface material such as vegetation, filling or paving. The reference for a cut shall be measured from natural to finished grade.

Defensible Space: An area either natural or man-made, where material capable of allowing a fire to spread unchecked has been treated, cleared or modified to slow the rate and intensity of an advancing wildfire and to create an area for fire suppression operations to occur.

Design Standards: The Intents, Standards and Guidelines adopted and enforced by Morgan County as set forth within this document.

Disturbed Area: Any lot surface area altered in any way during the construction of a building or landscape improvement.

Fill: Any addition of earth, rock or any other surface materials to the surface of the land that increases the natural elevation of the original surface. The reference for a fill shall be measured from natural to finished grade.

Finish Grade: The final elevation of the land surface of the site after completion of development.

Grading: An excavation, cut or fill, or the act of excavating, either cutting or filling.

Indigenous: Plants native to and/or originating from a locale.

Lot: A parcel or tract of land occupied or to be occupied by a building or group of buildings, together with such yards, open spaces, lot width and lot area.

Owner: Any person who alone, jointly or severally with others, or in a representative capacity (including, without limitation, an authorized agent, executor or trustee) has legal or equitable title to any property

Owner Representative: Any Architect, contractor, subcontractor, agent or employee hired or engaged by an Owner to speak and act on behalf of the Owner regarding any Activity.

Permanent Enhancement: The construction of any landscaping wall, fencing or other non-temporary element to remain for more than one calendar year.

Permeable: A surface material that allows for the penetration or partial penetration of surface water.

Record Grade: Natural grade existing prior to any site preparation, grading or filling, unless a new Record Grade is approved and recorded at the time of subdivision approval and noted and filed on the final plat.

Retaining Wall: A wall designed and constructed to resist the lateral displacement and erosion of soils or other materials.

Ridgeline: The highest points along a mountain top.

Skylining: Any structure or improvement that creates a silhouetted appearance against the sky. Typically referring to a structure or improvement above a ridgeline.

Slope (Percent): Percent slope is calculated by multiplying the ratio of a slope's rise (1') to run (2') by one hundred (100). For example, a slope of 2:1 is a 50% slope.

SITE PLANNING + DEVELOPMENT

SITE PLANNING + DEVELOPMENT

GENERAL ARCHITECTURAL DESIGN CONSIDERATIONS

INTENT

To establish an architectural standard that is appropriate for Wasatch Peaks Ranch, is consistent with the natural surroundings, and exhibits the highest level of quality.

STANDARDS

- All buildings shall be designed by a licensed professional in accordance with the local building and fire codes.
- All buildings and structures shall be designed with consideration given to the mountain community home styles and shall be appropriate for the climate.

GUIDELINES

Architects and landscape architects are preferred to have experience in the region or similar climates/environments.

MINIMUM SETBACKS

INTENT

To provide boundaries that will be used to determine the location of any permanent construction, excluding the Mixed-Use land use.

STANDARDS: ALL LAND USE TYPES

- Setbacks from other property line shall be a minimum of fifteen feet (15'), unless otherwise specified.

STANDARDS: MULTI-FAMILY RESIDENTIAL + SINGLE FAMILY-RESIDENTIAL: DEVELOPMENT AREAS A-C AND E-G

- Setbacks from the property line shall be a minimum of thirty feet (30') - unless this causes negative visual impact of cut.
- Side Yard setbacks shall be a minimum of fifteen feet (15').
- Rear Yard setbacks shall be a minimum of fifteen feet (15').

STANDARDS: MULTI-FAMILY RESIDENTIAL + SINGLE FAMILY-RESIDENTIAL: DEVELOPMENT AREA D ONLY

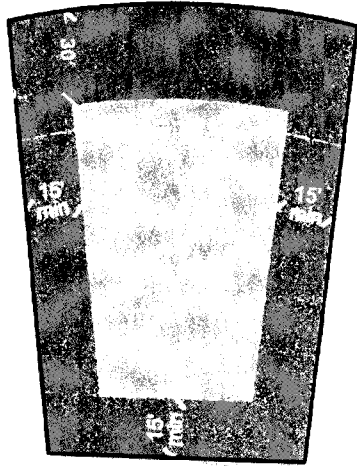
- Setbacks from the property line shall be setback from front property line by a minimum of ten feet (10') - unless this causes negative visual impact of cut.
- Side Yard setbacks shall be a minimum of five feet (5').
- Rear Yard setbacks shall be a minimum of five feet (5').

STANDARDS: COMMERCIAL/MIXED-USE

- No setback restrictions.

GUIDELINES

Permanent enhancements such as landscaping walls or fencing may be constructed within the setback area.



BUILDING HEIGHT

INTENT

To maintain quality aesthetics for adjacent uses.

STANDARDS: MIXED USE (INCLUDING LODGE)

- * No portion of any building shall exceed ninety feet (90') in height above Finish Grade with the exclusion of the following:
 - Chimneys
 - * Lightning rods
 - * Elevator core
 - Utility Stacks
 - Photovoltaic panels
- * Buildings on natural topography above fifteen percent (15%) in slope shall be stepped in form.
- * Larger structures shall include a variety of building heights to avoid a monumental appearance.



FIGURE 10.10: MIXED USE (INCLUDING LODGE) BUILDING HEIGHTS



FIGURE 10.11: SINGLE FAMILY RESIDENTIAL BUILDING HEIGHTS

STANDARDS: MULTI-FAMILY RESIDENTIAL

- * No portion of any multi-family building shall exceed seventy-five feet (75') in height above Finish Grade with the exclusion of the following:
 - Chimneys
 - Lightning rods
 - * Weather vanes
 - * Photovoltaic panels
- * Buildings on natural topography above fifteen percent (15%) in slope shall be stepped in form.
- * Larger structures shall include a variety of building heights to avoid a monumental appearance.

STANDARDS: SINGLE FAMILY RESIDENTIAL

No portion of any building shall exceed forty-five feet (45') in height above Finish Grade with the exclusion of the following:

- Chimneys
- Lightning rods
- Weather vanes
- Stacks
- Photovoltaic panels

GUIDELINES

Variations in building height are encouraged to convey visual interest, reduce perceived mass, and give a sense of scale.

ROOFS

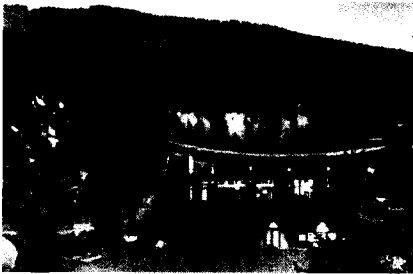


INTENT

To design and build roofs that are low or noncombustible, adequately handle snow loads and reduce reflection.

STANDARDS

- * Roof pitches are from 0.25:12 to 12:12.
- * Roofs shall have at least a Class A roof covering, Class B roof assembly or an approved noncombustible roof covering.
- * Roof surfaces should be covered with composite shake, natural or synthetic slate tiles, or metal that is patinaed or patinaed with low sheen paints.
- * Shiny or reflective metal roofing or flashing material shall not be allowed.



GUIDELINES

1. A hip, gable, flat, low slope or shed roof configuration may be appropriate to achieve the intended rural architectural character.
2. Copper flashing may be used, as it will oxidize to a patina finish.
3. Flat roofs should be secondary roofs or should step so as to not have a continual roof line over 75 feet.



BUILDING COLOR + TEXTURE

INTENT

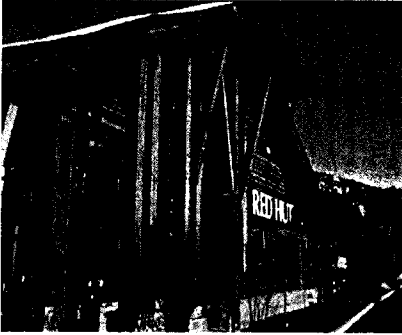
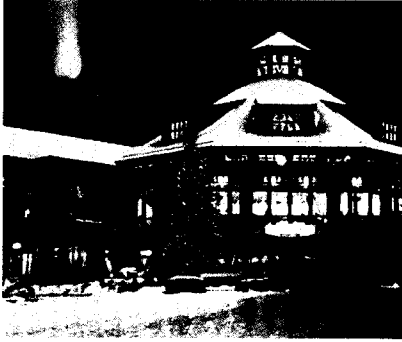
To help blend the structure into the surrounding natural landscape.

SINGLE-FAMILY, MULTI-FAMILY, MIXED-USE + GOLF INFRASTRUCTURE STANDARDS

- Exterior color schemes shall reflect the natural earth tones of the surrounding landscape.
- Colors shall complement or blend with surrounding landscape.
- Stone and mortar shall reflect the natural colors of the surrounding landscape.
- All building surfaces, excluding metal, shall be painted or stained. Metal siding shall be resistant to glare.

GUIDELINES

Accent colors that are not included within the natural earth tone color palette that are used in specific and limited applications may be approved, if it is demonstrated that the additional color benefits the overall design scheme.



ALL NON-RESIDENTIAL BUILDINGS

INTENT

Building form, articulation, materials and colors should be compatible with the surrounding mountain environment.

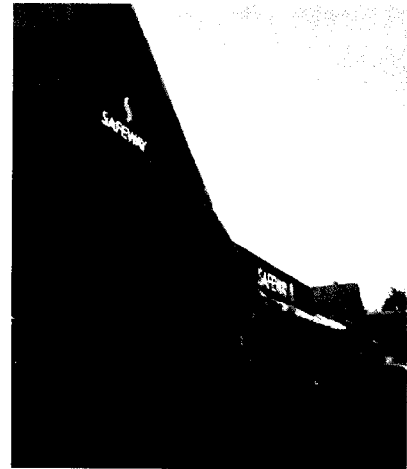
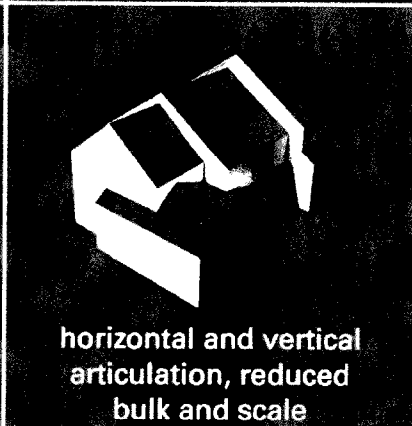
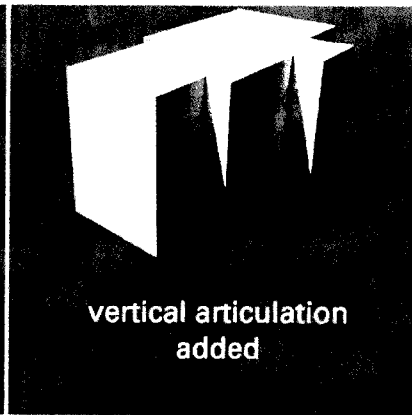
Building exteriors are typically designed with clear distinction between building components. The base grounds the building to the site through the use of materials and forms that convey a sense of weight and stability. The base of a building is also the most visually dynamic zone due to its connection to the street level. The building's middle and upper sections should incorporate materials, textures, colors and detailing to provide interest and articulation.

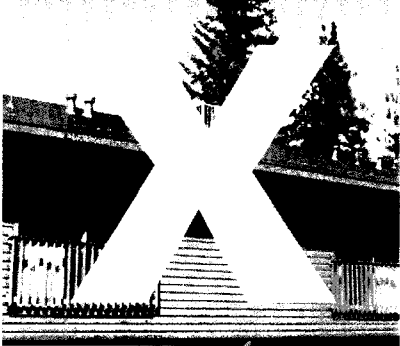
The expression of architecture and how it connects to the surrounding mountain environment can be achieved in many ways at WPR. What all proposed designs should have in common is a responsiveness and a relationship to a building's particular site. A solution can be site specific because it responds to the topography, creates connections to the surrounding views and vegetation, or takes cues from the natural materials and color palettes found on site. This approach creates buildings that can feel one with the land rather than stand out from it, thus reducing the structures impact on its neighbors and the community.

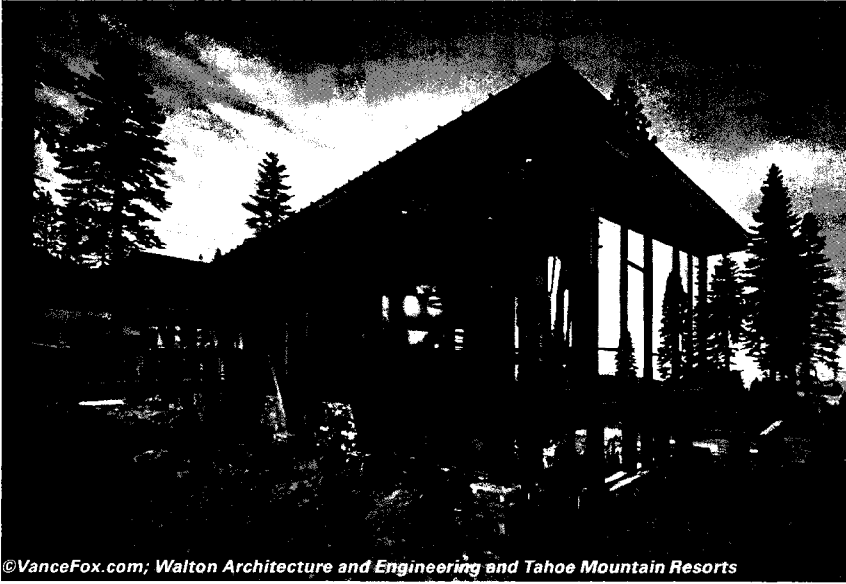
GUIDELINES

1. Use gables, shed roof forms, cornices, balconies, roof terraces and other elements to step and articulate roof lines.
2. Use both horizontal and vertical articulation to reduce a building's scale and mass.
3. The visual mass of large buildings should be broken up through the use of elements such as roof forms, gables, projections and arcades.
4. Break up building facades with projections, recesses, piers, textured materials, trim and other architectural details to avoid a bulky or "box-like" appearance.
5. Placement, shapes, materials, texture, details and colors should contribute to the overall building articulation. Design complex building forms with setback, overhangs, porches and varied skylines.
6. Use brackets and overhangs to intercept sunlight and encourage building shadowing articulation where significant amounts of glass is used. Windows and doors should relate to the structural expression of the building.
7. Glazing should avoid large amounts of reflective window planes without suitable overhangs or other articulation.

STANDARDS: BUILDING FORM + ARTICULATION







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DRIVEWAY STANDARDS

INTENT

Provide alignments that minimize grading and other disruption of the site.

STANDARDS: MIXED-USE AND MULTI-FAMILY RESIDENTIAL

- All parking and drive lanes shall be paved with concrete, asphalt or permeable paver, unless alternative material is approved.
- Maximum gradient of parking lots shall meet Morgan County code requirements.
- All subdivisions shall be provided with fire apparatus access roads in accordance with fire codes.
- Driveways shall provide a minimum unobstructed width of twelve feet (12') and a minimum unobstructed height of eighteen feet (18').



GUIDELINES

1. A garage may be located above or below main living area to accommodate a lesser driveway gradient and avoid driveways in excess of 12 percent (12%) slope
2. Driveways are to be designed with the natural topography when feasible

Figure 10.10.1 - Driveway



PARKING LOT STANDARDS

Determined to not be applicable by County stakeholders and applicant, given that this is a private community.



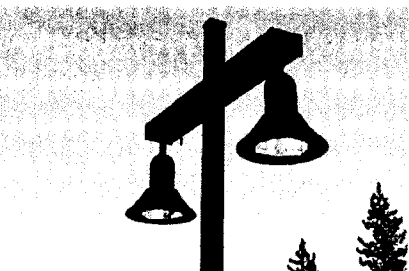
PARKING LOT LIGHTING STANDARDS

INTENT

To minimize lighting, maintain the rural character of the site, limit lighting as required only by safety, and preserve views of the night sky in Morgan County. The Owner may, in its discretion and at Owner's or a service provider's expense, install appropriate street and pedestrian lighting within the Project so long as such lighting complies with the intent of the International Dark Sky standards. Any such street lighting shall remain the responsibility of the Owner, or other service provider, for operation and maintenance, for the Subject Property, or any portion thereof.

STANDARDS

- Full cut-off lights shall be required for all lighting fixtures.
- The maximum total lumens of any exterior light fixture shall be 1000 lumens.
- Sodium vapor and all colored lights shall be prohibited.



GUIDELINES

1. LED lighting requirements may exceed the 1000 lumens maximum if deemed necessary for safety.

SIGNAGE STANDARDS

Determined to not be applicable by County stakeholders and applicant, given the attributes of the Wasatch Peaks Ranch development.

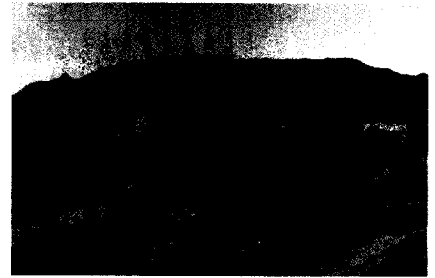
ENTRY SIGNAGE

INTENT

To provide clear identity and wayfinding signage for residents and guests.

ENTRY OR MONUMENT STANDARD

- * Each entry to Wasatch Peaks Ranch is allowed two entry or monument signs with the name of the property. The entry or monument signs may include architectural features and may sit on a landscaped berm.
- * Each freestanding monument sign may be illuminated with a series of external down lights or with internal halo lighting.
- * Lighting shall be warm white. No colored lighting is allowed.



LANDSCAPE + BUFFERING
STANDARDS

DEFENSIBLE SPACE

INTENT

To reduce the possibility and intensity of a wildfire, reduce the rate of fire spread and provide increased safety for emergency fire equipment.

STANDARDS

- A minimum of 30 feet adjacent to all structures shall be considered defensible space. In order to qualify as defensible space, fuel modification shall be provided as follows:
 - Nonfire-resistive vegetation must be modified or removed.
 - Trees are allowed, provided the horizontal distance between crowns of adjacent trees and overhead electrical facilities or unmodified fuels is not less than 10 feet (10').
 - Ornamental vegetative fuel or cultivated ground cover, such as green grass, ivy, succulents or similar plants are allowed provided they do not form a means of transmitting the fire from the native growth to any structure.

GUIDELINE

Nonfire-resistive vegetation or growth shall be kept clear of buildings or structures.

REVEGETATION & SEED MIXES FOR SUBJECT PROPERTY

INTENT

To prevent erosion and the invasion of unwanted species.

STANDARDS

- All disturbed areas on each lot shall be revegetated via drill seeding or hydromulch application the first growing season after disturbance has occurred using a native seed mix. A minimum of 95% of the disturbed area must be covered two years after the application or additional seeding will be required.
- Any disturbance caused by utility construction shall be revegetated immediately following completion of construction, or when seasonally appropriate (next growing season).
- All slopes 3:1 and greater shall be protected with erosion control fabric as appropriate. Hydromulch may also be utilized.

GUIDELINE

An alternative seed mix may be considered and approved outside of the building envelope if the alternative seed mix unifies the overall landscaping theme for the lot and does not include invasive or unwanted species.





GRADING

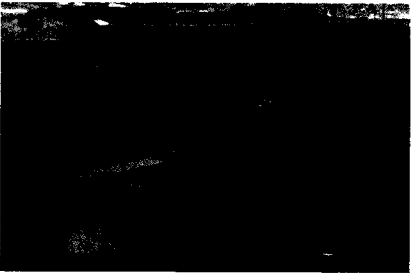
INTENT

To promote the public health, safety, and welfare, to protect property and infrastructure, and to minimize grading impacts on the natural contour of the land on each site by blending new designs into existing topography and land forms, while ensuring the protection of drainage corridors.



STANDARDS

- Buildings shall not appear perched on site.
- Maximum slopes shall be 2:1, subject to geotech report and adequate stabilization. Slopes greater than 2:1 shall require a retaining wall.
- Disturbed areas shall be revegetated to match and blend naturally into surrounding environment.
- All cuts and fills shall be shaped, rounded, minimized and non-uniform to simulate natural existing contours.
- Existing topsoil will be stockpiled and utilized to cover manufactured slopes.
- All earthwork and grading shall respect any landslide mitigation strategies for the property, depending upon location.
- A geotech report is required for all structural grading.



GUIDELINE

Slopes up to 2: 1 may be considered without the use of retaining walls if proper slope stabilization products are utilized and approved by Morgan County.



DRAINAGE

INTENT

To maintain existing drainage patterns and discharge points both during and after construction.

STANDARDS

- New drainage ways shall appear natural and function like natural drainage ways.
- Drainage resulting from development shall be dispersed on site and not directed to other lots.
- Passive landscape swales shall be protected prior to drainage leaving the site.

GUIDELINE

When existing drainage patterns run through a development parcel, the drainage pattern may be manipulated to accommodate a built structure if the drainage is rerouted.



APPENDICES

APPENDIX A: APPROVED PLANT SPECIES PALETTE

| PLANT TYPE | SCIENTIFIC NAME | COMMON NAME |
|-----------------------------|-------------------------------|-----------------------------|
| Evergreen Trees | <i>Picea pungens</i> | Colorado Spruce |
| | <i>Pinus ponderosa</i> | Ponderosa Pine |
| | <i>Pinus edulis</i> | Pinyon Pine |
| | <i>Pinus nigra</i> | Austrian Pine |
| | <i>Pseudotsuga menziesii</i> | Douglas Fir |
| Deciduous Trees | <i>Acer grandidentatum</i> | Big-tooth Maple |
| | <i>Celtis occidentalis</i> | Common Hackberry |
| | <i>Crataegus douglasii</i> | Douglas Hawthorn |
| | <i>Populus tremuloides</i> | Quaking Aspen |
| | <i>Sorbus scopulina</i> | Rocky Mountain Ash |
| Evergreen Shrubs | <i>Cercocarpus ledifolius</i> | Curl-leaf Mountain Mahogany |
| | <i>Juniperus horizontalis</i> | Creeping Juniper |
| | <i>Mahonia repens</i> | Creeping Mahonia |
| Deciduous Shrubs | <i>Acer glabrum</i> | Rocky Mountain Maple |
| | <i>Amelanchier alnifolia</i> | Saskatoon Serviceberry |
| | <i>Cornus stolonifera</i> | Redtwig Dogwood |
| | <i>Euonymus alatus</i> | Burning Bush |
| | <i>Fallugia paradoxa</i> | Apache Plume |
| | <i>Foresteria neomexicana</i> | Mountain Privet |
| | <i>Physocarpus malvaceus</i> | Ninebark |
| | <i>Philadelphus lewisii</i> | Mockorange |
| | <i>Potentilla fruticosa</i> | Shrubby Cinquefoil |
| | <i>Prunus melanocarpa</i> | Chokecherry |
| | <i>Rhus glabra</i> | Smooth Sumac |
| | <i>Rhus trilobata</i> | Oakleaf Sumac |
| | <i>Ribes alpinum</i> | Alpine Currant |
| | <i>Ribes aureum</i> | Golden Currant |
| | <i>Rosa woodseii</i> | Wood's Rose |
| <i>Symphoricarpos albus</i> | Common Snowberry | |

| PLANT TYPE | BOTANICAL NAME | COMMON NAME |
|---------------------------------|------------------------------------|--------------------------|
| Perennials/Ground Covers | <i>Alyssum montanum</i> | Basket of Gold |
| | <i>Aquilegia caerulea</i> | Rocky Mountain Columbine |
| | <i>Arctostaphylos uva-urii</i> | Kinnikinnick |
| | <i>Chrysanthemum maximum</i> | Shasta Daisy |
| | <i>Delphinium elatum</i> | Delphinium |
| | <i>Echinacea purpurea</i> | Purple Coneflower |
| | <i>Eriogonum species</i> | Buckwheat species |
| | <i>Euonymus fortunei</i> | Wintercreeper |
| | <i>Fragaria species</i> | Wild Strawberry |
| | <i>Gaillardia species</i> | Blanket Flower |
| | <i>Heuchera sanguinea</i> | Coralbells |
| | <i>Hemerocallis hybrids</i> | Daylillies |
| | <i>Linum perenne</i> | Wild Blue Flax |
| | <i>Lupinus polyphyllus</i> | Lupine |
| | <i>Oenothera missouriensis</i> | Evening Primrose |
| | <i>Penstemon species</i> | Penstemon |
| | <i>Sphaeralcea species</i> | Globemallow species |
| <i>Vinca species</i> | Periwinkle | |
| Ornamental Grasses | <i>Andropogon scoparium</i> | Little Bluestem |
| | <i>Bouteloua gracilis</i> | Blue Grama |
| | <i>Festuca ovina</i> | Sheep Fescue |
| | <i>Helictotrichon sempervirens</i> | Blue Avena |
| | <i>Oryzopsis hymenoides</i> | Indian Ricegrass |
| | <i>Pseudoroegneria spicata</i> | Bluebunch Wheatgrass |

Native Seed Mix - Provide seed mixes designed to perform at altitude, with an initial cover crop to minimize erosion.

GUIDELINE

Drought tolerant plants that are not local to the immediate the Wasatch Peaks Ranch property, but that work well in Morgan County and other Xeriscape gardens may be acceptable.

All weeds officially designated and published as noxious per the Utah Noxious Weed Act shall not be introduced on the site. If evidence supports that any noxious weeds exist prior to development, all efforts should be taken to eliminate the noxious weeds.

APPENDIX B: VEGETATION MANAGEMENT PLAN

| PLANT TYPES | BOTANICAL NAME | COMMON NAME |
|------------------------------|--|--------------------------------------|
| Grasses | <i>Agropyron cristatum</i> | Crested Wheatgrass |
| | <i>Agropyron smithii</i> | Western Wheatgrass |
| | <i>Buchloe dactyloides</i> | Buffalograss |
| | <i>Dactylis glomerata</i> | Orchardgrass |
| | <i>Festuca cinerea and other species</i> | Blue Fescue |
| | <i>Lolium species</i> | Rye Grass |
| | <i>Poa pratensis</i> | Kentucky Bluegrass |
| | <i>Poa secunda</i> | Sandberg Bluegrass |
| Herbaceous Perennials | <i>Achillea clavennae</i> | Silvery Yarrow |
| | <i>Achillea filipendulina</i> | Fernleaf Yarrow |
| | <i>Achillea - other species & hybrids</i> | Yarrow* |
| | <i>Aquilegia - species & hybrids</i> | Columbine |
| | <i>Armeria maritime</i> | Sea Pink, Sea Thrift |
| | <i>Artemisia stelleriana</i> | Beach Wormwood, Dusty Miller |
| | <i>Artemisia - other species & hybrids</i> | Various names* |
| | <i>Bergenia - species & hybrids</i> | Bergenia |
| | <i>Centranthus ruber</i> | Red Valerian, Jupiter's Beard |
| | <i>Cerastium tomentosum</i> | Snow-in-Summer |
| | <i>Coreopsis auriculata var. Nana</i> | Dwarf Mouse Ear Coreopsis |
| | <i>Coreopsis - other perennial species</i> | Coreopsis |
| | <i>Delosperma nubigenum</i> | Hardy Ice Plant |
| | <i>Dianthus plumarius & others</i> | Pinks |
| | <i>Erigeron hybrids</i> | Fleabane |
| | <i>Gaillardia X grandiflora</i> | Blanket Flower |
| | <i>Geranium cinereum</i> | Hardy Geranium |
| | <i>Geranium sanguineum</i> | Bloody Cranesbill, Bloodred Geranium |
| | <i>Geranium species</i> | Geranium |
| | <i>Hemerocallis species</i> | Daylily |
| | <i>Heuchera sanguinea</i> | Coral Bells, Alum Root |
| | <i>Iberis sempervirens</i> | Evergreen Candytuft |
| | <i>Iris species & hybrids</i> | Iris |
| | <i>Kniphofia species & hybrids</i> | Red-hot Poker |
| | <i>Lavandula species</i> | Lavender |
| | <i>Leucanthemum X superbum</i> | Shasta Daisy |
| | <i>Limonium latifolium</i> | Sea-lavender, Statice |
| | <i>Linum species</i> | Flax |
| | <i>Liriope spicata</i> | Lily-turf |
| | <i>Lupinus species & hybrids</i> | Lupine* |
| | <i>Medicago sativus</i> | Alfalfa |
| | <i>Oenothera species</i> | Primrose |

PLANT GROUP

BOTANICAL NAME

COMMON NAME

| | |
|---|--|
| <i>Papaver species</i> | Poppy |
| <i>Penstemon species & hybrids</i> | Penstemon |
| <i>Perovskia atriplicifolia</i> | Russian Sage, Azure Sage |
| <i>Potentilla nepalensis</i> | Nepal Cinquefoil |
| <i>Potentilla tridentata</i> | Wineleaf Cinquefoil |
| <i>Potentilla verna</i> | Spring Cinquefoil, Creeping Potentilla |
| <i>Potentilla - other non-shrubby species & hybrids</i> | Cinquefoil, Potentilla* |
| <i>Salvia species & hybrids</i> | Salvia, Sage* |
| <i>Sedum species</i> | Stonecrop, Sedum |
| <i>Sempervivum tectorum</i> | Hen and Chicks |
| <i>Stachys byzantina</i> | Lamb's Ear |
| <i>Yucca filamentosa</i> | Yucca |

Shrubs & Woody Vines

| | |
|--|-------------------------------------|
| <i>Atriplex species</i> | Saltbush |
| <i>Ceanothus americanus</i> | New Jersey Tea |
| <i>Ceanothus ovatus & others</i> | Ceanothus |
| <i>Cistus species</i> | Rock-rose |
| <i>Cotoneaster dammeri</i> | Bearberry Cotoneaster |
| <i>Cotoneaster horizontalis</i> | Rockspray or Rock Cotoneaster |
| <i>Cotoneaster - other compact species</i> | Cotoneaster |
| <i>Lonicera species & hybrids</i> | Honeysuckle |
| <i>Mahonia repens</i> | Creeping Oregon Grape |
| <i>Parthenocissus quinquefolia</i> | Virginia Creeper |
| <i>Prunus besseyi</i> | Sand Cherry |
| <i>Purshia tridentata</i> | Bitterbrush, Antelope Bitterbrush |
| <i>Pyracantha species</i> | (Firethorn, Pyracantha) |
| <i>Rhamnus species</i> | Buckthorn |
| <i>Rhus trilobata</i> | Skunkbush Sumac |
| <i>Rhus - other species</i> | Sumac |
| <i>Ribes species</i> | Currant, Gooseberry |
| <i>Rosa rugosa & other hedge roses</i> | Rugosa Rose |
| <i>Shepherdia canadensis</i> | Russet Buffaloberry |
| <i>Syringa vulgare</i> | Lilac |
| <i>Vinca major</i> | Large Periwinkle |
| <i>Vinca minor</i> | Dwarf Periwinkle, Common Periwinkle |

| PLANT TYPE | BOTANICAL NAME | COMMON NAME |
|--------------|--------------------------------|--------------------|
| Trees | Acer species | Maple |
| | Betula species | Birch |
| | Cercis canadensis | Eastern Redbud |
| | Populus tremuloides | Quaking Aspen |
| | <i>Populus</i> - other species | Poplar, Cottonwood |
| | Salix species | Willow |

**Plants or groups of plants marked with an asterisk (*) can become weedy in certain circumstances and may even be noxious weeds with legal restrictions against their planting and cultivation. Check with your local Extension office or State Department of Agriculture for information on noxious weeds in your area.*

Note: Some of the listed plants may not be considered "water-wise" or drought-tolerant for arid climates.

Source: 2006 Utah Wildland-Urban Interface Code; Utah fire resistive species (adapted from "Utah forest facts: firewise plants for utah landscapes" Utah state university press extension, 2002)