

When recorded, return to:

Centerville City  
Attn: City Recorder  
250 North Main Street  
Centerville, Utah 84014

E 2599021 B 5274 P 1133-1150  
RICHARD T. MAUGHAN  
DAVIS COUNTY, UTAH RECORDER  
05/16/2011 04:55 PM  
FEE \$291.00 Pgs: 18  
DEF RT REC'D FOR CENTERVILLE CITY

Parcel Number(s):  
02-224-0001-0025  
02-229-0001-0052  
02-226-0001-0067  
02-233-0001-0040  
02-217-0001-0164

RETURNED  
MAY 16 2011

SIXTH AMENDMENT TO  
DEVELOPMENT AGREEMENT BETWEEN CENTERVILLE CITY AND UINTA  
DEVELOPMENT, LC (AS ASSIGNED TO CITYVIEW PINEAE VILLAGE 227, L.P.)  
FOR THE PINEAE VILLAGE (PDO)

THIS SIXTH AMENDMENT TO DEVELOPMENT AGREEMENT BETWEEN  
CENTERVILLE CITY AND UINTA DEVELOPMENT, LC (AS ASSIGNED TO  
CITYVIEW PINEAE VILLAGE 227, L.P.) FOR THE PINEAE VILLAGE (PDO) (the  
"Amendment") is made and entered into as of the 29 day of April, 2011, by and  
between **CENTERVILLE CITY**, a Utah municipal corporation, hereinafter referred to as  
the "City," and **CITYVIEW PINEAE VILLAGE 227, L.P.**, a Delaware limited partnership,  
hereinafter referred to as "Developer."

RECITALS:

**WHEREAS**, the City and Uinta Development, LC, a Utah limited liability company  
("Uinta"), entered into that certain Development Agreement dated March 6, 2006 and  
recorded at the Davis County Recorder's Office on March 8, 2006, Entry No. 2150503,  
Book No. 3986, Pages 1124-1198 ("Original Agreement"), regarding the development of  
approximately thirty (30) acres of real property located at approximately 675 North Main  
Street in Centerville City, Davis County, State of Utah, as more particularly described in  
**Exhibit 1**, attached hereto and incorporated herein by this reference (the "Property");  
and

**WHEREAS**, the Agreement was assigned from Uinta, as the amended and  
restated entity of UD Ventures, LLC, a Utah limited liability company, to Developer by  
that certain Assignment and Assumption Agreement dated March 21, 2007, and  
recorded at the Davis County Recorder's Office on March 21, 2007, Entry No. 2254440,  
Book No. 4244, Pages 1395-1400; and

**WHEREAS**, the Original Agreement has been amended by certain amendments, including, the First through Fifth Amendments, as recorded at the Davis County Recorder's Office; and

**WHEREAS**, Developer has requested and desires to amend the Agreement to revise Exhibit "H" regarding Building Elevations and Features and Exhibit "N" regarding Setbacks and Development Standards as more particularly set forth herein; and

**WHEREAS**, the City is willing to amend the Agreement regarding the Building Elevations and Setbacks for single family dwellings in accordance with the terms and conditions of this Sixth Amendment to the Agreement.

**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 Developer agree as follows:

1. **Amendment.** The architectural elevation drawings for the Patio Homes set forth in Exhibit "H" of the Agreement are hereby amended and replaced with the architectural elevation drawings for one-story and two-story single family dwellings as set forth in **Exhibit 2**, attached hereto and incorporated herein by this reference. The architectural elevation drawings set forth in Exhibit "H" regarding townhomes and condominiums shall remain the same and in full force and effect.

2. **Amendment.** The Setback and Development Standards for Patio Homes as set forth in Exhibit "N" of the Agreement are hereby amended and replaced with the setback and development standards as set forth in **Exhibit 3**, attached hereto and incorporated herein by this reference. The setback and development standards set forth in Exhibit "N" regarding townhomes and condominiums shall remain the same and in full force and effect.

3. **Full Force and Effect.** The terms of this Amendment are hereby incorporated as part of the Agreement. All other terms and conditions of the Agreement not modified by this Amendment shall remain the same and are hereby ratified and affirmed. To the extent the terms of this Amendment modify or conflict with any provisions of the Agreement, the terms of this Amendment shall control.

4. **Binding Effect.** This Amendment shall inure to the benefit of and be binding upon the parties hereto and their respective officers, employees, representatives, successors and assigns.

**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 above written.

\_\_\_\_\_  
"CITY"

ATTEST:

Marilyn Holje  
Marilyn Holje City Recorder

CENTERVILLE CITY

By: Ronald G. Russell  
Mayor Ronald G. Russell



"DEVELOPER"

CITYVIEW PINEAE VILLAGE 227, L.P.

By: CityView Pineae Village, LLC, a  
Delaware limited liability company, its  
General Manager

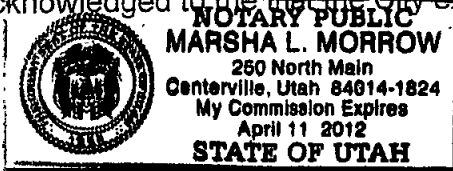
By: LLC

Its: MANAGING DIRECTOR

CITY ACKNOWLEDGMENT

STATE OF UTAH )  
 ) :ss.  
COUNTY OF DAVIS )

On the 11th day of May, 2011, personally appeared before me, Ronald G. Russell, who being duly sworn, did say that he is the Mayor of **CENTERVILLE CITY**, a municipal corporation of the State of Utah, and that the foregoing instrument was signed in behalf of the City by authority of its governing body and said Ronald G. Russell acknowledged to me that the City executed the same.



Marsha L. Morrow  
Notary Public

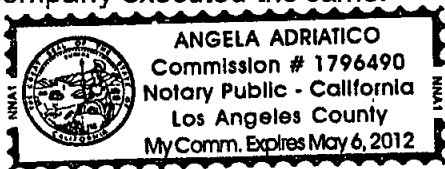
My Commission Expires:  
4-11-2012

Residing at:  
Centerville

DEVELOPER ACKNOWLEDGMENT

STATE OF California )  
 ) :ss.  
COUNTY OF Los Angeles )

On the 6 day of May, 2011, personally appeared before me Sean Barton who being by me duly sworn did say that (~~s~~)he is the General Manager of **CITYVIEW PINEAE VILLAGE, LLC**, a Delaware limited liability company, the General Partner of **CITYVIEW PINEAE VILLAGE 227, L.P.**, a Delaware limited partnership, and that the foregoing instrument was signed in behalf of said company by authority of its Members, and (~~s~~)he acknowledged to me that said company executed the same.



Angela Adriatico  
Notary Public

My Commission Expires:  
May 6, 2012

Residing at:  
301 S. Reeves Dr.  
B.H, CA 90212

**Exhibit 1**

**Property Description**

BEGINNING AT A POINT WHICH IS N 0°24'15" E, 1033.69 FEET AND N 89°35'45" W, 33.00 FEET SAID POINT BEING THE SOUTHEAST CORNER OF LOT 3, BLOCK "B" BIG CREEK PLAT CENTERVILLE TOWNSITE SURVEY AND N 0°24'15" E, 75.25 FEET FROM A COUNTY MONUMENT LOCATED AT THE INTERSECTION OF PARRISH LANE AND MAIN STREET AND RUNNING THENCE N 89°50'00" W 832.44 FEET; THENCE SOUTH 567.17 FEET; THENCE WEST 69.30 FEET; THENCE N 00°04'57" E 242.94 FEET; THENCE N 89°39'51" W 861.63 FEET; THENCE N 00°07'35" FEET E 907.83 FEET; THENCE N 89°49'43" E 276.16 FEET; THENCE N 00°05'01" E 0.52 FEET; THENCE EAST 587.28 FEET; THENCE N 00°02'40" E 10.00 FEET; THENCE E 66.50 FEET; THENCE S 00°02'40" W 10.00 FEET; THENCE N 89°30'06" E 700.55 FEET; THENCE S 101.54 FEET; THENCE WEST 20.00 FEET; THENCE SOUTH 273.72 FEET; THENCE EAST 150.63 FEET; THENCE SOUTH 50.00 FEET; THENCE S 00°00'49" W 165.00 FEET; THENCE S 00°24'15" W 8.25 FEET TO THE POINT OF BEGINNING.

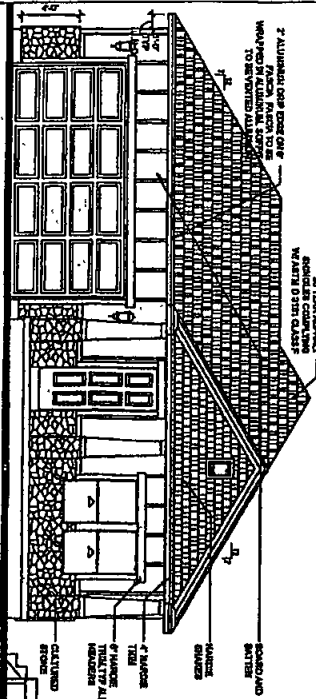
CONTAINS 1,305,486 SQUARE FEET OR 29.970 ACRES, MORE OR LESS.

ALSO KNOWN AS PINEAE VILLAGE PDO PLATS I ~ IV

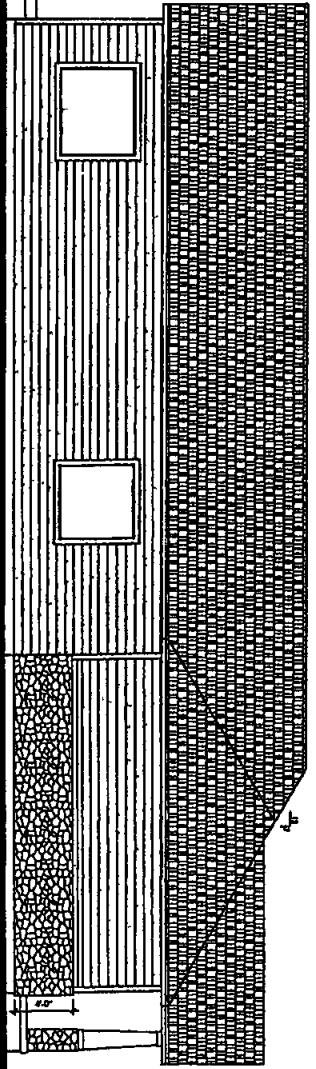
**Exhibit 2**

**Exhibit "H" to the Development Agreement  
Building Elevations and Features**

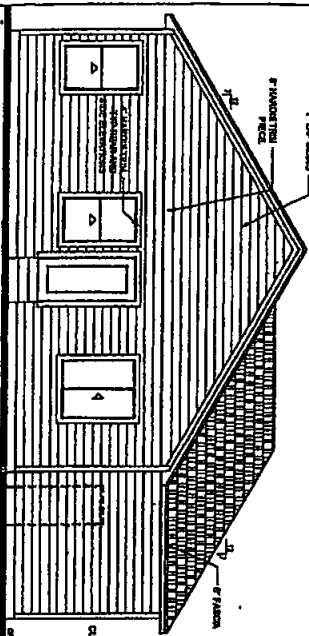
FRONT ELEVATION  
SCALE: 1/8" = 1'-0"



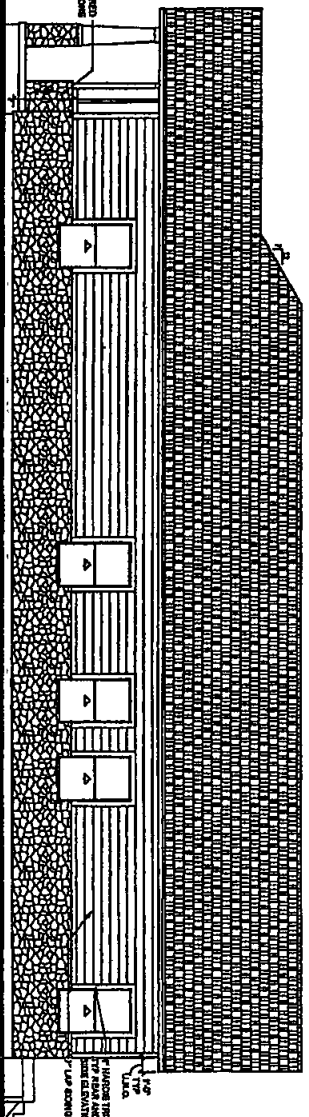
LEFT ELEVATION  
SCALE: 1/8" = 1'-0"



REAR ELEVATION  
SCALE: 1/8" = 1'-0"

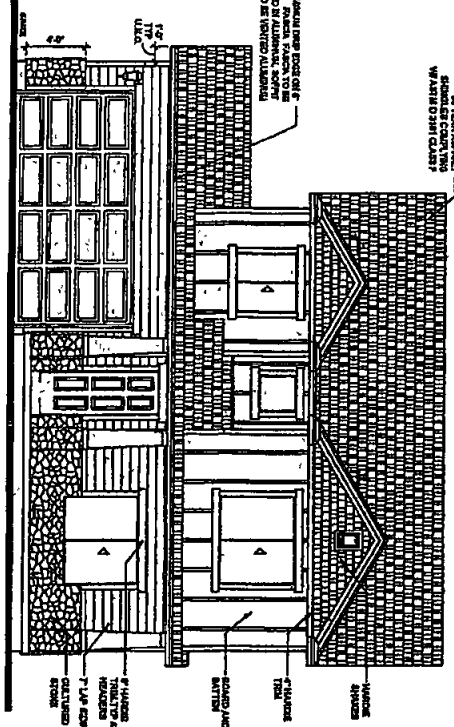


RIGHT ELEVATION  
SCALE: 1/8" = 1'-0"

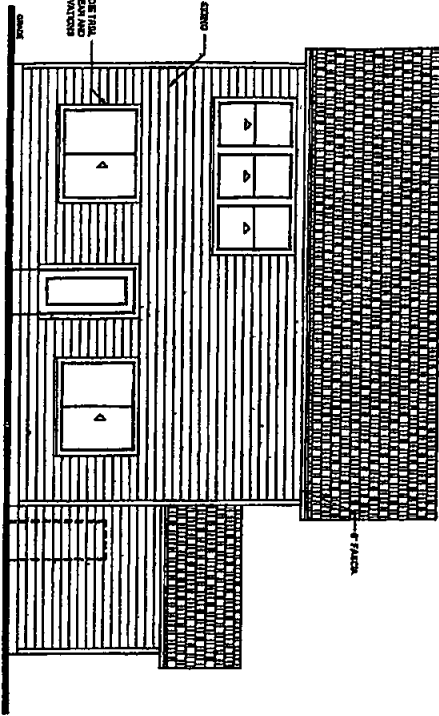


BASE SET 1631 PLAN	1631 PLAN	UTAH PRODUCTION	DRAFTER INITIALS: [blank] 11/2/2010 REDLINER INITIALS: [blank] 10/18/2009
ELEVATION 'A'	BASE SET LOT # _____	DATE: 4/22/2011	Fieldstone Homes, Inc. 12896 South Pony Express Road Suite #400 Draper, UT, 84020 (801) 233-8300 FAX (801) 233-8600
A2.1			<b>FieldStone</b> <b>Big Homes. Small Prices.</b>

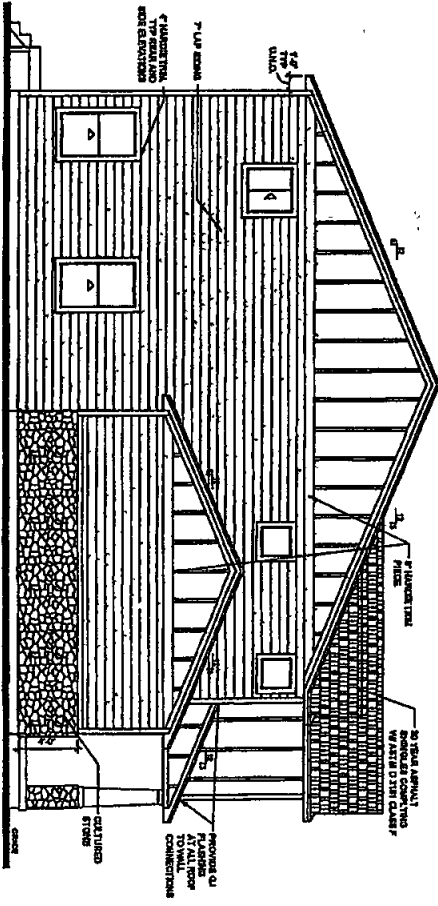
FRONT ELEVATION  
SCALE: 1/8" = 1'-0"



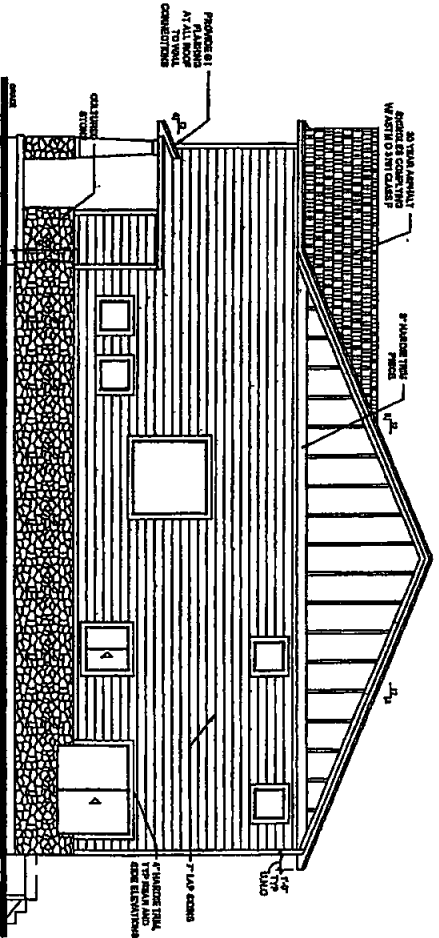
REAR ELEVATION  
SCALE: 1/8" = 1'-0"



LEFT ELEVATION  
SCALE: 1/8" = 1'-0"



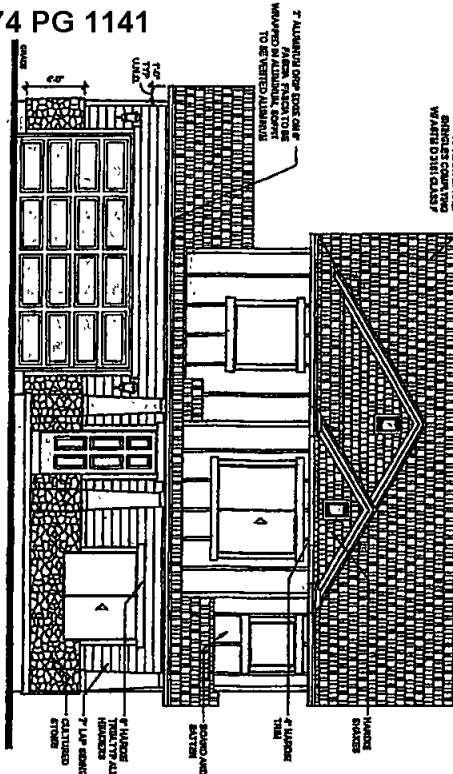
RIGHT ELEVATION  
SCALE: 1/8" = 1'-0"



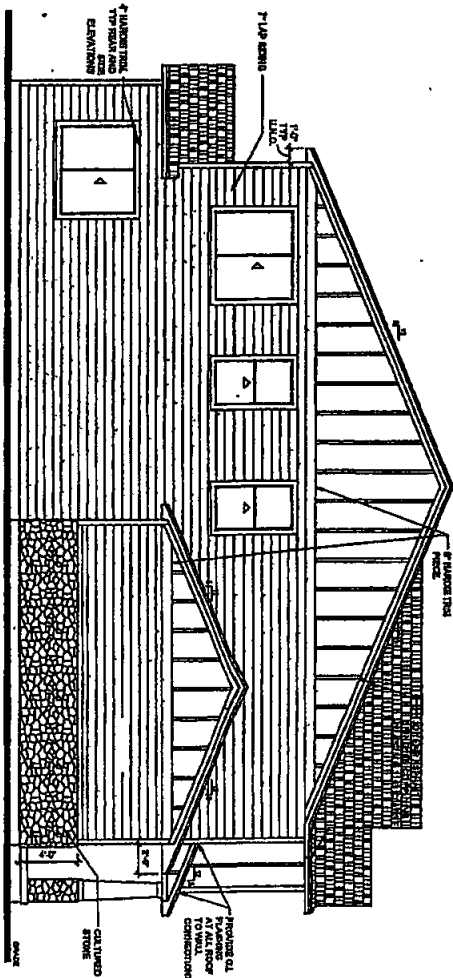
BASE SET 2286 PLAN	2286 PLAN	UTAH PRODUCTION	DRAFTER INITIALS: <i>msm</i> 12/29/09 REDLINER INITIALS: <i>hsp</i> 01/29/10
ELEVATION 'A'	BASE SET LOT # _____	DATE: 4/22/2011	Fieldstone Homes, Inc. 12896 South Pony Express Road Suite #400 Draper, UT, 84020 (801) 233-8300 FAX (801) 233-8600
A2.1			<b>Fieldstone</b> Big Homes. Small Prices.



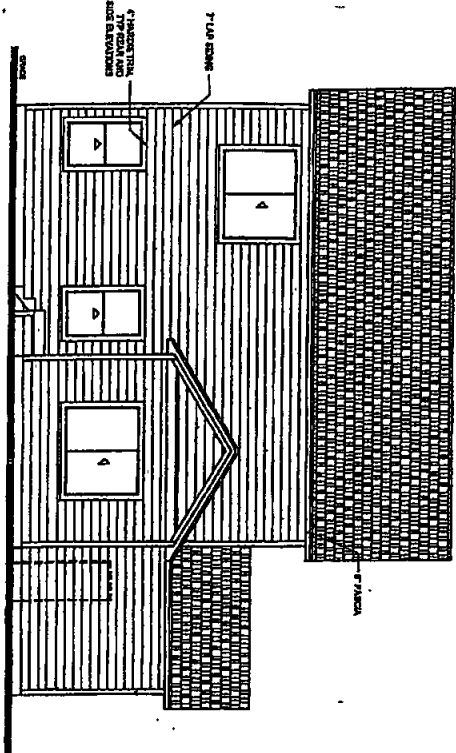
FRONT ELEVATION  
SCALE: 1/8" = 1'-0"



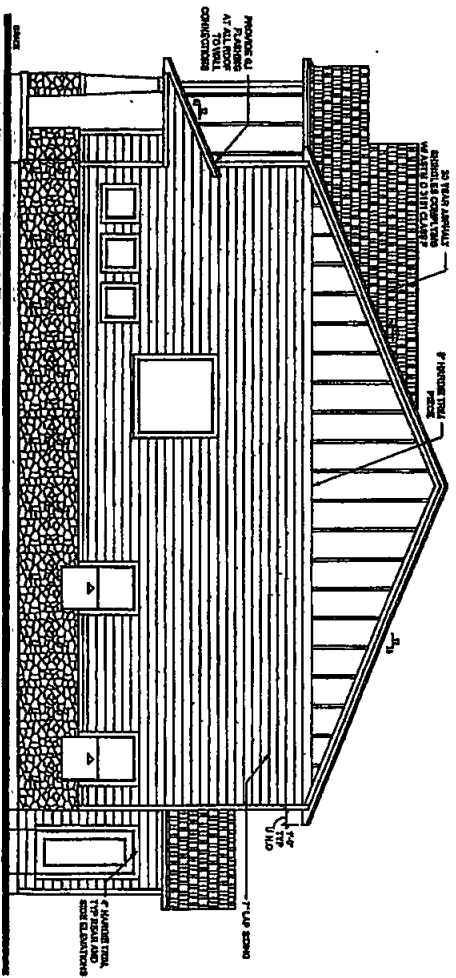
LEFT ELEVATION  
SCALE: 1/8" = 1'-0"



REAR ELEVATION  
SCALE: 1/8" = 1'-0"

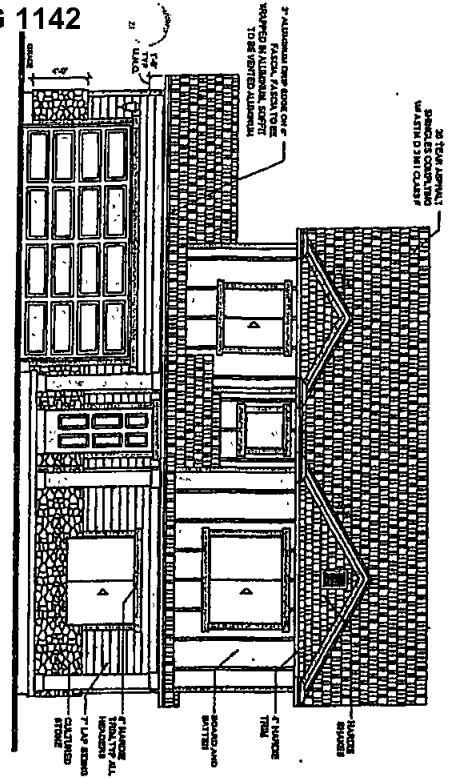


RIGHT ELEVATION  
SCALE: 1/8" = 1'-0"

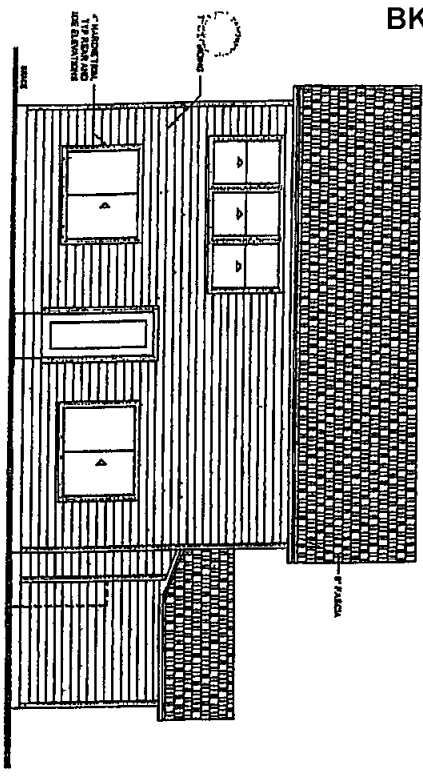


BASE SET 2502 PLAN	2502 PLAN	UTAH PRODUCTION	DRAFTER INITIALS: JMS (12/6/2010) REDLINER INITIALS: BSS (6/19/2001)
ELEVATION 'A'	BASE SET LOT # _____	DATE: 4/22/2011	Fieldstone Homes, Inc. 12396 South Pony Express Road Suite #400 Draper, UT, 84020 (801) 233-8300 FAX (801) 233-8600
A2.1			<b>FieldStone</b> HOMES Big Homes. Small Prices.

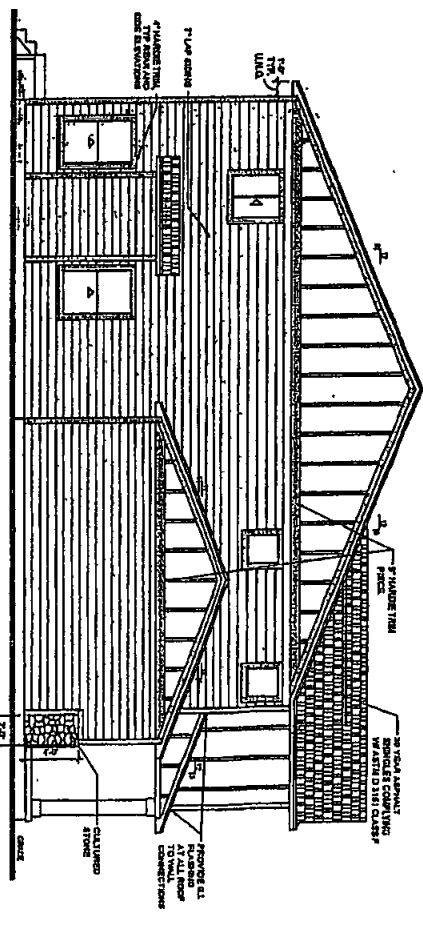
FRONT ELEVATION  
SCALE: 1/8" = 1'-0"



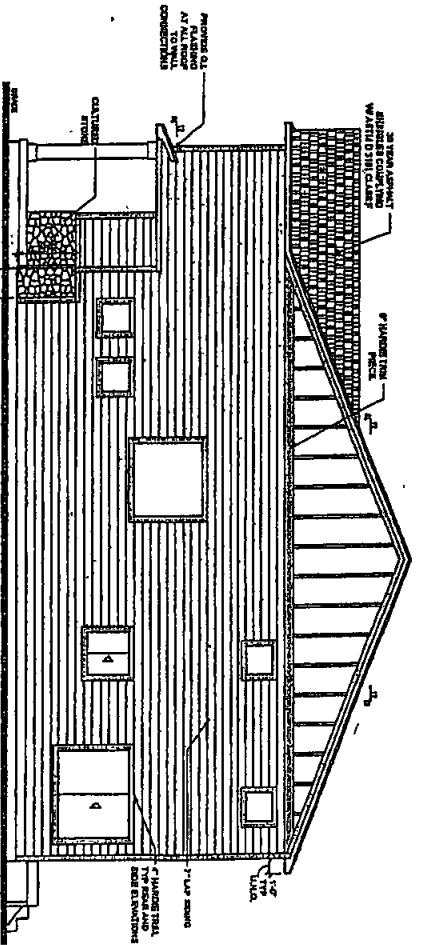
REAR ELEVATION  
SCALE: 1/8" = 1'-0"



LEFT ELEVATION  
SCALE: 1/8" = 1'-0"



RIGHT ELEVATION  
SCALE: 1/8" = 1'-0"

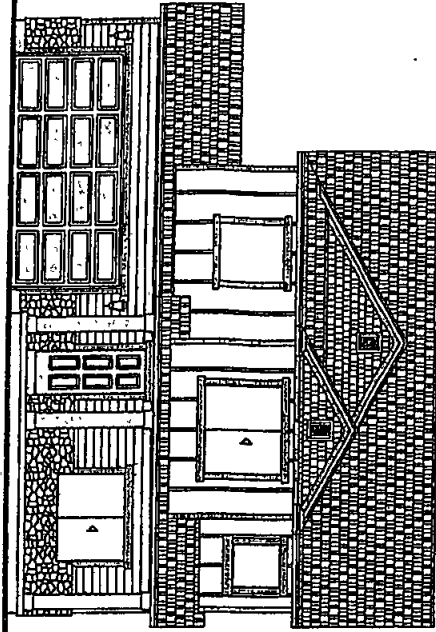


RECEIVED MAR 10 2011

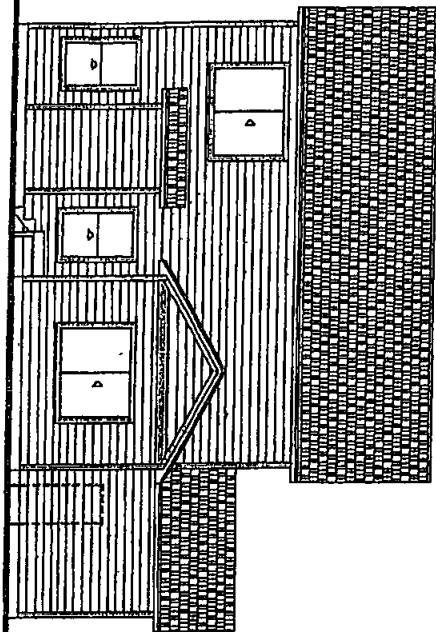
BASE SET 2286 PLAN	2286 PLAN	UTAH PRODUCTION	DRAFTER INITIALS: BSS (10/2010) CHECKER INITIALS: BSS (01/17/2011)
ELEVATION 'A' OPTION A2.2	BASE SET LOT # _____	DATE: 3/7/2011	Fieldstone Homes, Inc 12898 South Pony Express Road Suite #400 Draper, UT, 84020 (801) 233-8300 FAX (801) 233-8800



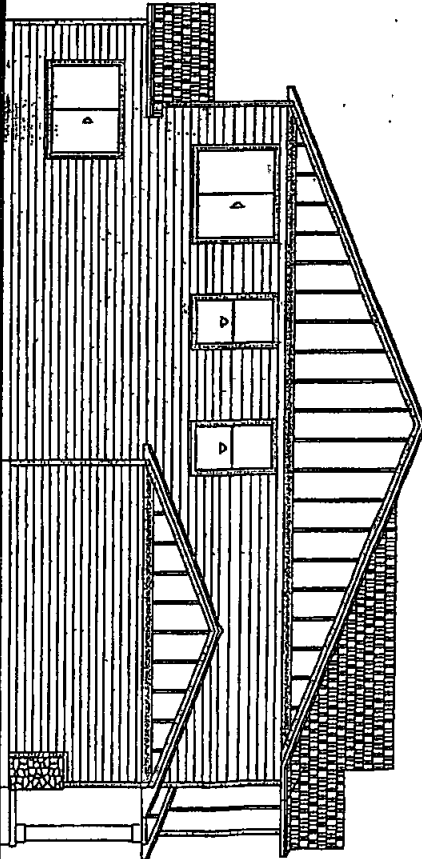
FRONT ELEVATION  
SCALE: 1/8" = 1'-0"



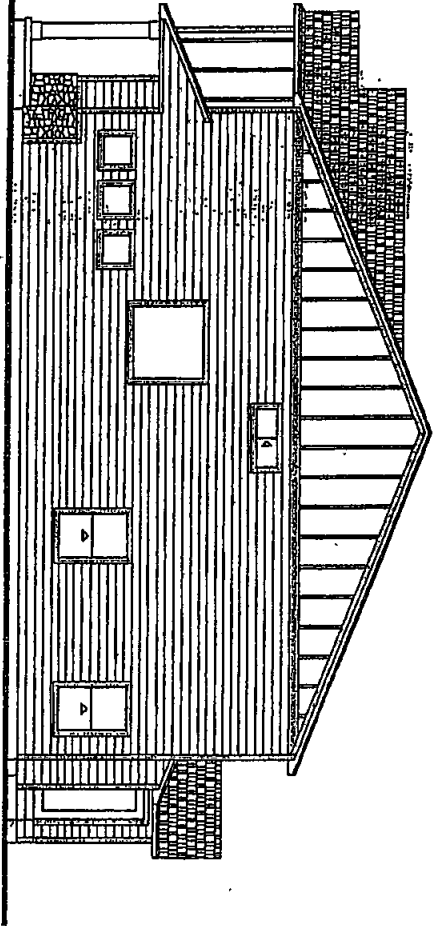
REAR ELEVATION  
SCALE: 1/8" = 1'-0"



LEFT ELEVATION  
SCALE: 1/8" = 1'-0"

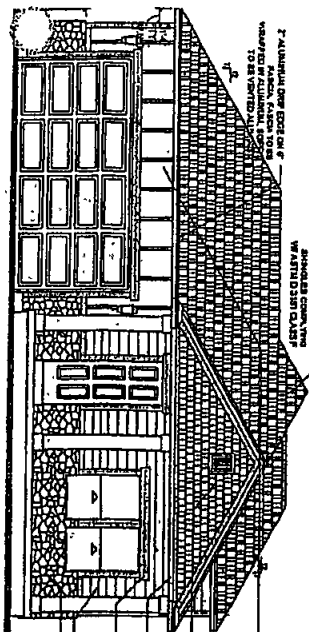


RIGHT ELEVATION  
SCALE: 1/8" = 1'-0"

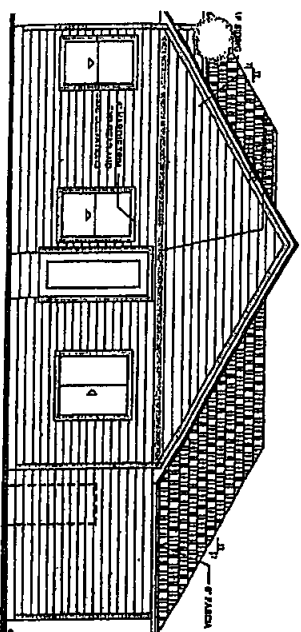


RECEIVED MAR 10 2011

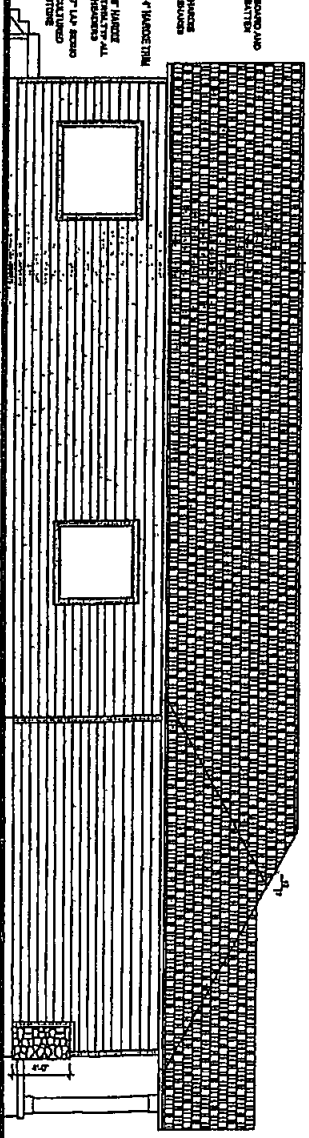
BASE SET 2502 PLAN	2502 PLAN	UTAH PRODUCTION	DRAFTER: PJT/ALB REDLIMER: M/VAL/11/08	<b>FieldStone</b> Big Homes. Small Prices.
ELEVATION 'A' OPTION A2.2	BASE SET LOT # _____	DATE: 3/7/2011	Fieldstone Homes, Inc. 12936 South Pony Express Road Suite #400 Draper, UT, 84020 (801) 233-8300 FAX (801) 233-0600	



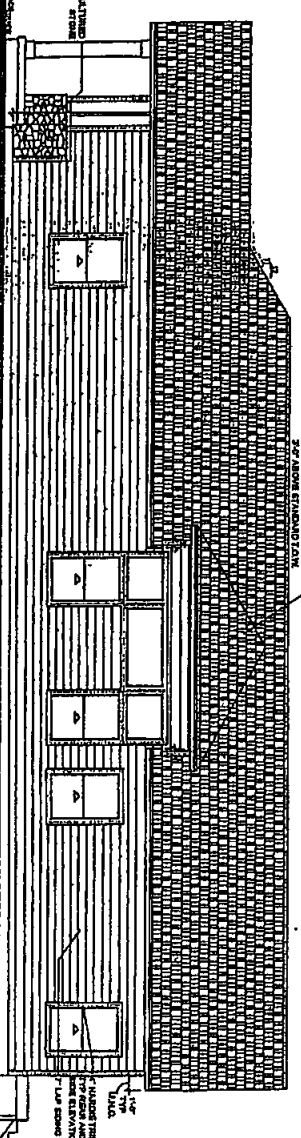
FRONT ELEVATION  
SCALE: 1/8" = 1'-0"



REAR ELEVATION  
SCALE: 1/8" = 1'-0"



LEFT ELEVATION  
SCALE: 1/8" = 1'-0"



RIGHT ELEVATION  
SCALE: 1/8" = 1'-0"

RECEIVED MAR 10 2011

BASE SET 1631 PLAN	1631 PLAN	UTAH PRODUCTION	DRAWER INITIALS: JED 02/28/10 REDLINER INITIALS: SBB 01/01/2011
ELEVATION 'N' OPTION A2.2	BASE SET LOT # _____	DATE: 3/7/2011	Fieldstone Homes, Inc. 12898 South Pony Express Road Suite #400 Draper, UT, 84020 (801) 233-8300 FAX (801) 233-8600
			<b>FieldStone</b> Big Homes. Small Prices.

**Exhibit 3**

**Exhibit "N" to the Development Agreement  
Setbacks and Development Standards**

**Amendment to Exhibit "N," Setback Standards and Development Standards**

**Setback Standards:**

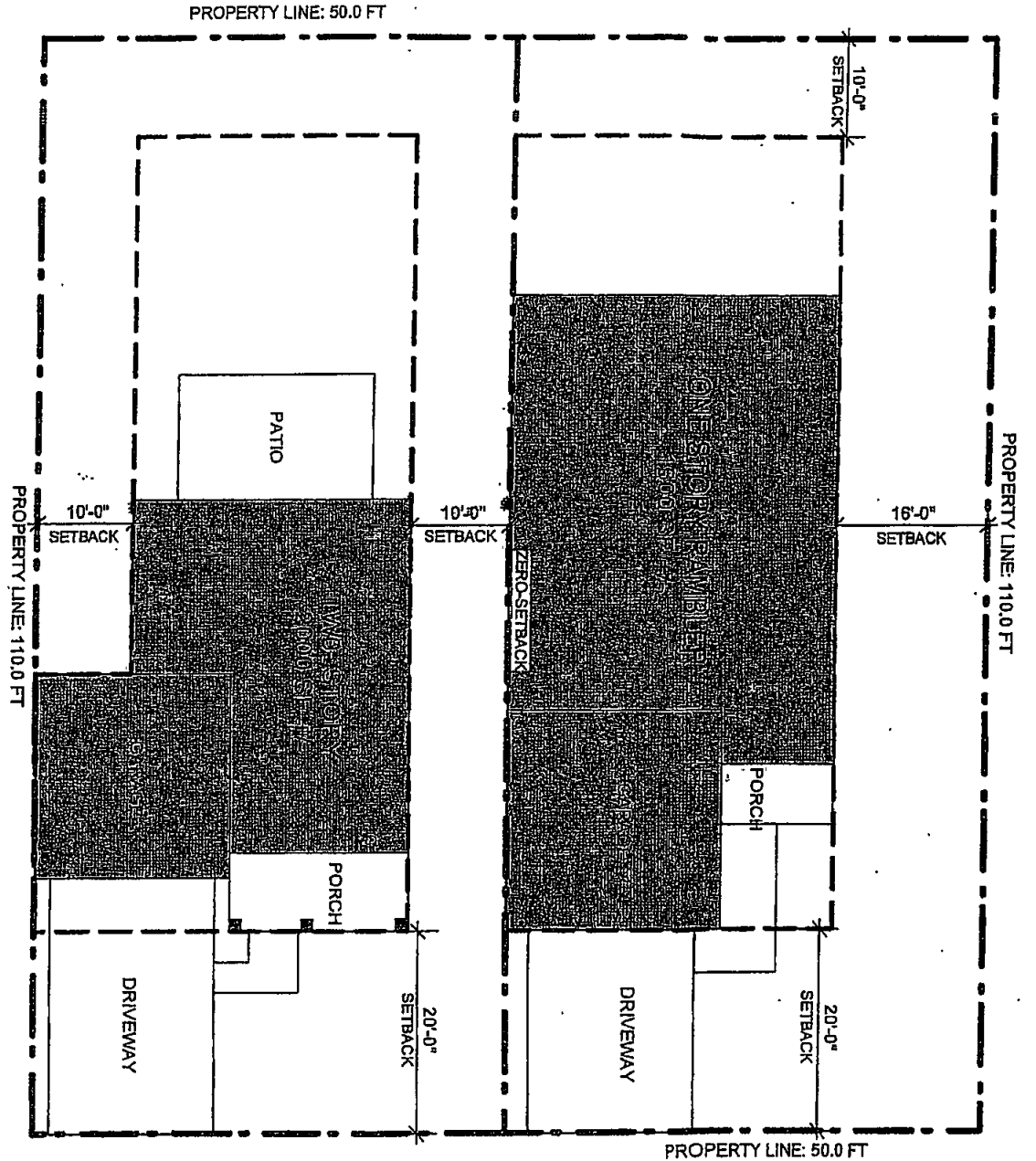
- Single Family Setbacks:
  - Front Yards = 20 Feet
  - Street Side Yards = 20 Feet
  - Rear Yards = 10 Feet
  - Side Yards
    - Zero Lot Line = 0 Feet
    - Opposite Zero Lot Line = 10 Feet

**Development Standards:**

1. Single Family Homes:
  - Exterior materials will consist of cement fiber board siding or stucco exteriors with at least 25% brick or stone accents on the lower level, and for two-story homes, must also provide at least 15% overall brick or stone accents.
  - Zero lot line exteriors must consist of a maintenance free material such as cement fiber board siding, brick, rock or a combination thereof
  - Aluminum soffit and fascia on stucco elevations or cement fiber board soffit and fascia material on cement fiber board elevations, all homes to have full rain gutters
  - Roof pitches to be a minimum of 5/12
  - 30 year architectural shingles
  - Raised panel garage doors with two car garages
  - Dent resistant fiberglass exterior doors
  - Concrete rear patio

PINEAE VILLAGE CENTERVILLE, UTAH - FIELDSTONE HOMES

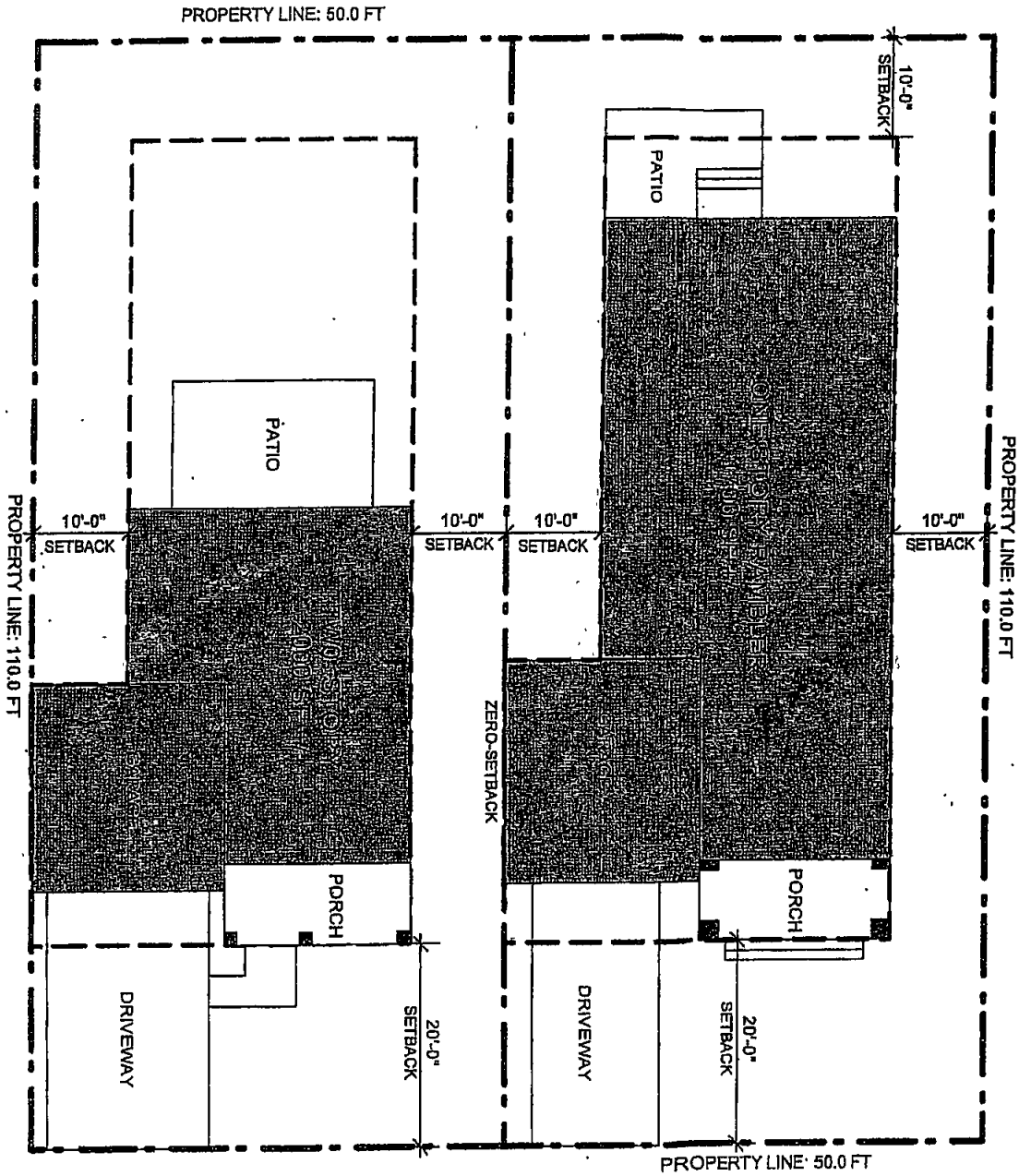
SITE PLAN  
1/16" = 1'-0"



RECEIVED MAR 10 2011

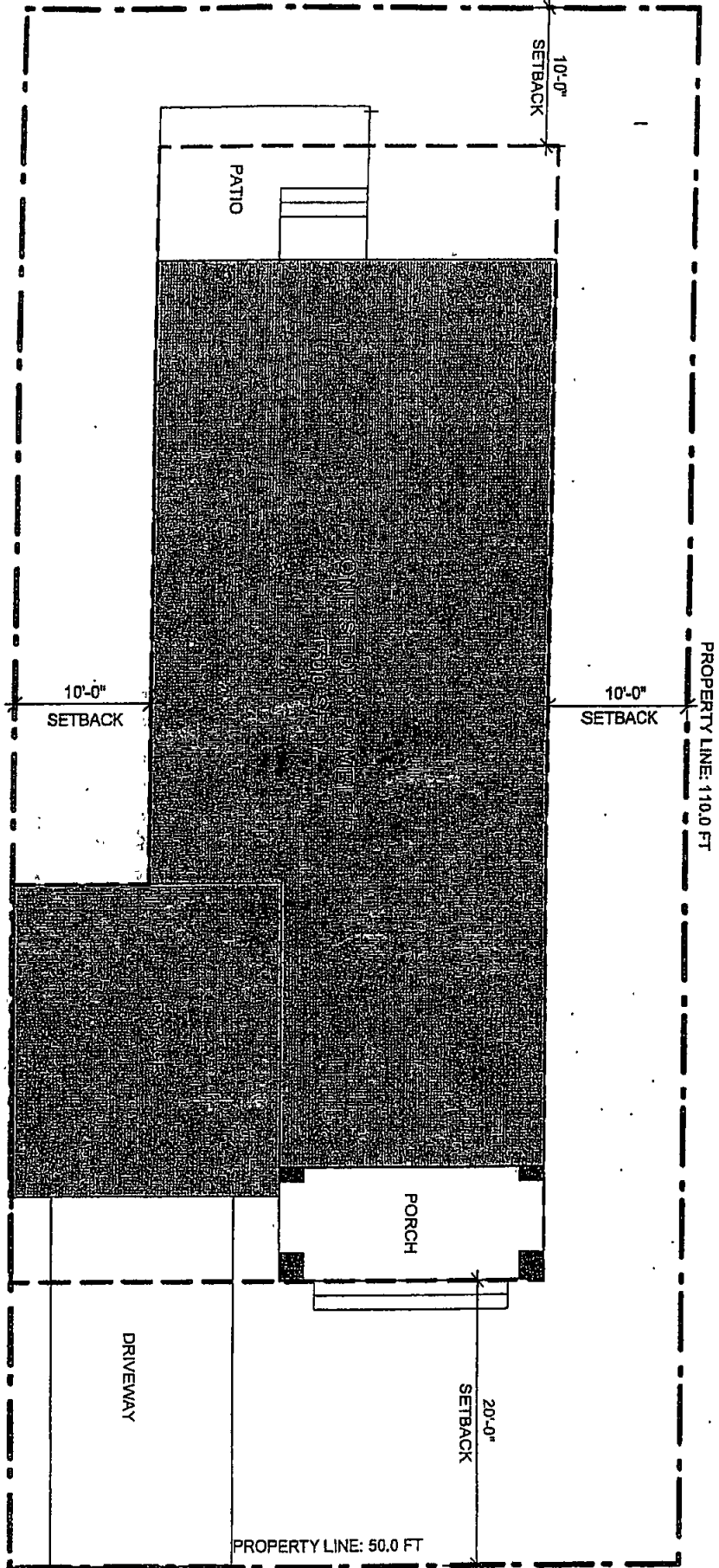
PINEAE VILLAGE CENTERVILLE, UTAH - FIELDSTONE HOMES

SITE PLAN  
1/16" = 1'-0"



RECEIVED MAR 10 2011





SITE PLAN  
 3/32" = 1'-0"

PINEAE VILLAGE CENTERVILLE, UTAH - FIELDSTONE HOMES

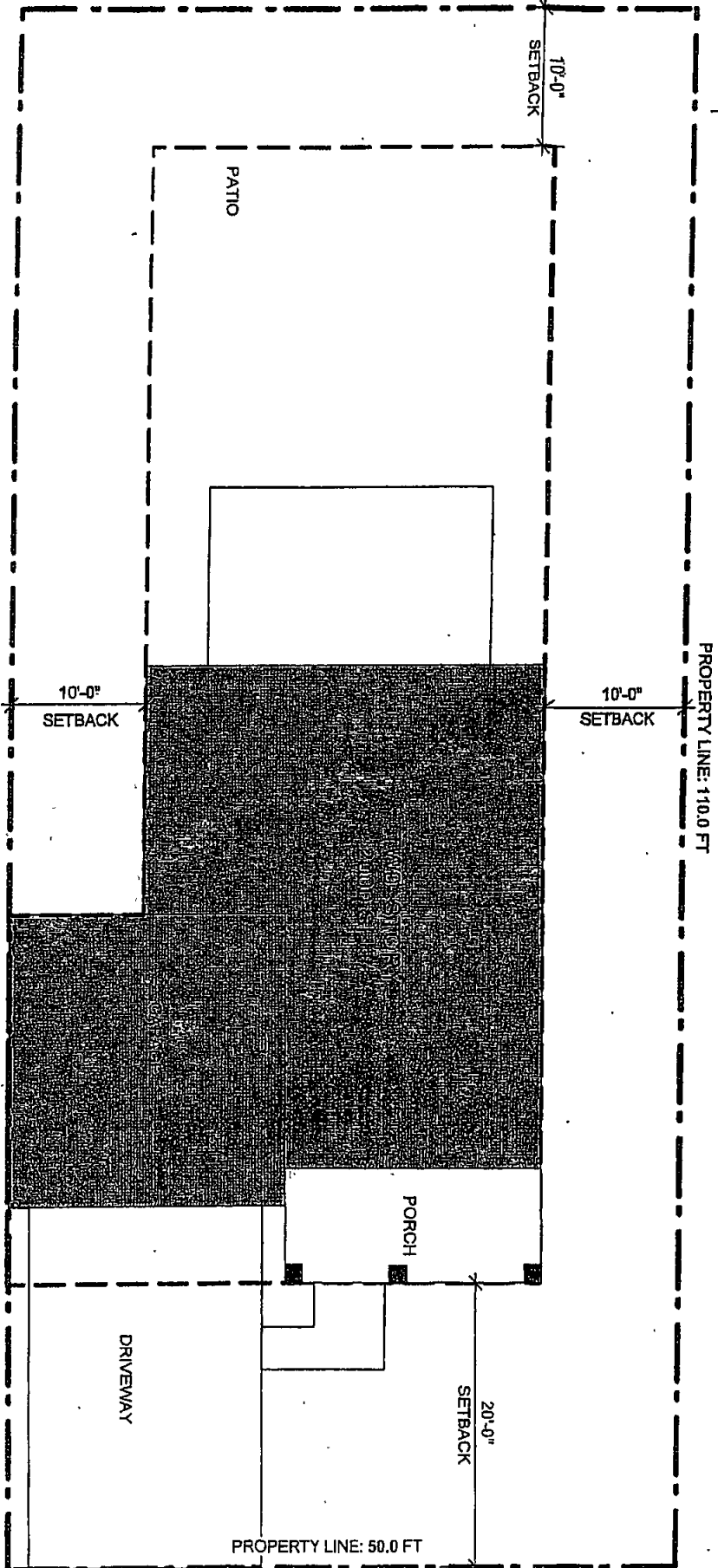
ONE STORY RAMBLER - APPROX. 1700 SF

1 RECEIVED MAR 1 0 2011

PINEAE VILLAGE CENTERVILLE, UTAH - FIELDSTONE HOMES

SITE PLAN  
3/32" = 1'-0"

TWO-STORY HOUSE - APPROX. 2000 SF



RECEIVED MAR 10 2011