

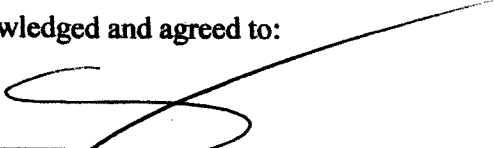
Matterhorn Subdivision
PUD Pad Adjustment and Amended Plat
Property Owner Acknowledgement and Agreement

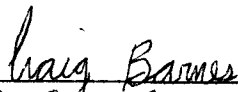
SWISS ALPENHOF PUD AMENDED PLAT B UNITS 1-8 AND PLAT C UNITS 9-26

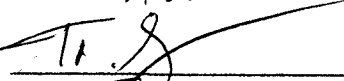
This acknowledgement and agreement by all of the property owners in the Matterhorn Subdivision is to allow for adjustments to all of the PUD pads in the Matterhorn Subdivision and for an amended Plat to the Matterhorn Subdivision to reflect such adjustments as described below. Midway City Council and Midway Planning Commission are aware of the adjustments and amendment process and are in agreement to move ahead contingent upon the acknowledgements and agreements contained herein.

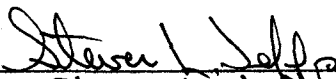
Due to the placement of utilities and roads during the initial development phase of the Matterhorn Subdivision, certain utility easements, common area easements, roads and each pad, including the driveways, identified on the recorded Plat (attached hereto as Exhibit A) will need to be adjusted to reflect the actual placement of utilities and roads during development. The undersigned property owners acknowledge and agree to the easement, road and pad adjustments as reflected in the unrecorded Plat (attached hereto as Exhibit B). The amended Plat will be submitted by the builder, Home FREE, Inc., for acceptance by Midway Planning Commission and Midway City Council once the specific location of each pad is determined by setting a foundation. The undersigned property owners acknowledge and agree that an amended Plat will be recorded once the foundations for all of the pads have been set. Furthermore, the undersigned property owners agree not to sell, assign or otherwise convey any interest in the title to their respective pads until the amended Plat is recorded. The Midway Planning Commission has decided to issue building permits prior to the recording of the amended Plat; however, the Midway Planning Commission will not to issue occupancy permits until the amended Plat is recorded and the accompanying title work has been completed. In light of the foregoing, the undersigned property owners agree to waive and release any claims, collectively or individually, against Midway City, Midway Planning Commission and Midway City Council, including individual members of the Council, related to or arising from the decision to issue building permits prior to the recording of the amended Plat.

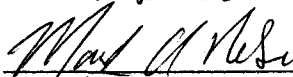
Acknowledged and agreed to:


By: Home FREE, Inc.
Date: 12/12/05


By: Craig Barnes
Unit # 14
Date: 11-29-05


By: Toni Gomez
Unit # 12
Date: 12/29/05


By: Steven L. Jeffers
Unit # 21
Date: 11-29-05


By: Mark A. Nelson
Unit # 18
Date: 11-29-05

John W. Arsenault
By: JOHN W. ARSENAULT
Unit # 26
Date: 11-29-05

By:
Unit #
Date:
Carlos Miguel Chavez
By: Carlos Miguel Chavez
Unit # 13
Date: 11-29-05

Eric Whiting
By: Eric Whiting
Unit # 5
Date: 11/29/05

Scott Mills
By: Scott Mills
Unit #
Date: 11/30/05

Travis Freestone
By: TRAVIS FREESTONE
Unit #
Date: 11/30/05

Kale Carlice
By: KALE CARLICE
Unit # LONNIE
Date: 11/30/05

Roger Foster
By: Roger Foster
Unit #
Date: 11-30-05

Eric Hunter
By: Eric Hunter
Unit #
Date: 12/3/5

By:
Unit #
Date:

James Christensen
By: James Christensen
Unit # 6
Date: 11-29-05

Joseph J. McCuskey
By: JOSEPH J. MCCUSKEY
Unit #
Date: 12-01-05

Mindi Niebuhr
By: Mindi Niebuhr
Unit #
Date: 12-01-05

Glen S Ferguson
By: Glen S Ferguson
Unit # 19
Date: 12/1/05

Paul M. Newbold
By: (PAUL M. NEWBOLD)
Unit # 23
Date: 12-2-05

Jerred J. Snell
By: Jerred J. Snell
Unit #
Date: 12-2-05

Todd St. Thomas
By: TODD ST. THOMAS
Unit # 17
Date: 12-3-05

Steve J. Allison
By: STEVE J. ALLISON
Unit #
Date: 12-6-05

Jason Carter
By: Jason Carter
Unit #
Date: 12-6-05

By:
Unit #
Date:

By:
Unit #
Date:

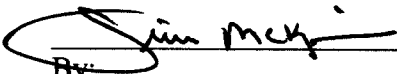
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By:
Unit # 8
Date: 12-1-05

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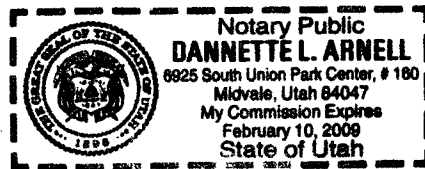
STATE OF UTAH)
)ss.
COUNTY OF SALT LAKE)

On the 9 day of DECEMBER, 2005, personally appeared before me CRAIG BARNES, TONI GOMEZ, STEVEN L. JEFFS, MARK A. NELSON, JOHN W. ARSENAULT, CARLOS MIGUAL CHAVEZ, ERIC WHITING, SCOTT MILLS, TRAVIS FREESTONE, LONNIE KALE CARLILE, ROGER FOSTER, ERIC HUNTER, JAMES CHRISTENSEN, JOSEPH J. MCCLUSKEY, MINDI, GLEN S. FERGUSON, PAUL M. NEWBOLD, JARED J. SNELL, TODD ST. THOMAS, STEVE J. ALLISON AND , JASON CARTER, JAMES MCKIM AND CHRIS LARSEN THE TREASURER OF HOMEFREE, INC. the signer of the above instrument, who duly acknowledged to me that he executed the same.

Dannette L. Arnell

Notary Public

My Commission Expires: 2/10/09
Residing at: SALT LAKE



**Matterhorn Subdivision
PUD Pad Adjustment and Amended Plat
Property Owner Acknowledgement and Agreement**

This acknowledgement and agreement by all of the property owners in the Matterhorn Subdivision is to allow for adjustments to all of the PUD pads in the Matterhorn Subdivision and for an amended Plat to the Matterhorn Subdivision to reflect such adjustments as described below. Midway City Council and Midway Planning Commission are aware of the adjustments and amendment process and are in agreement to move ahead contingent upon the acknowledgements and agreements contained herein.

Due to the placement of utilities and roads during the initial development phase of the Matterhorn Subdivision, certain utility easements, common area easements, roads and each pad, including the driveways, identified on the recorded Plat (attached hereto as Exhibit A) will need to be adjusted to reflect the actual placement of utilities and roads during development. The undersigned property owners acknowledge and agree to the easement, road and pad adjustments as reflected in the unrecorded Plat (attached hereto as Exhibit B). The amended Plat will be submitted by the builder, Home FREE, Inc., for acceptance by Midway Planning Commission and Midway City Council once the specific location of each pad is determined by setting a foundation. The undersigned property owners acknowledge and agree that an amended Plat will be recorded once the foundations for all of the pads have been set. Furthermore, the undersigned property owners agree not to sell, assign or otherwise convey any interest in the title to their respective pads until the amended Plat is recorded. The Midway Planning Commission has decided to issue building permits prior to the recording of the amended Plat; however, the Midway Planning Commission will not to issue occupancy permits until the amended Plat is recorded and the accompanying title work has been completed. In light of the foregoing, the undersigned property owners agree to waive and release any claims, collectively or individually, against Midway City, Midway Planning Commission and Midway City Council, including individual members of the Council, related to or arising from the decision to issue building permits prior to the recording of the amended Plat.

SUBSCRIBED AND SWORN TO BEFORE ME

Acknowledged and agreed to:

THIS 28th DAY OF December, 2005.
BY [Signature]

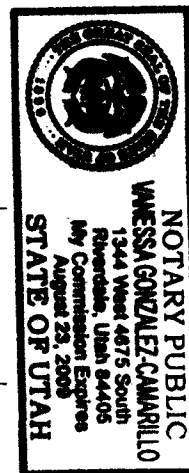
By: Home FREE, Inc.
Date:

Tyler K Mons
By: Tyler K Mons
Unit #
Date: 12/28/2005

By:
Unit #
Date:

By:
Unit #
Date:

By:
Unit #
Date:



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PUD Pad Adjustment and Amended Plat
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Acknowledged and agreed to:

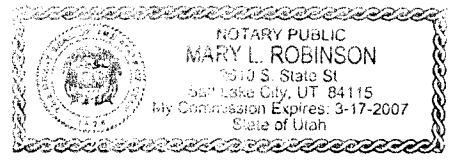
By: Home FREE, Inc.
Date:

Kelly Foster
By:
Unit #
Date:

By:
Unit #
Date:

By:
Unit #
Date:

State of Utah)
County of Salt Lake)
On this 8th day of December in the year 2005 before
me, MARY L. ROBINSON a notary public, personally appeared
Kelly Foster proved on the basis of satisfactory
evidence to be the person(s) whose name(s) (is/are) subscribed to
this instrument, and acknowledged (he/she/they) executed the
same. Witness my hand and official seal.
Mary L. Robinson
NOTARY PUBLIC



**Matterhorn Subdivision
PUD Pad Adjustment and Amended Plat
Property Owner Acknowledgement and Agreement**

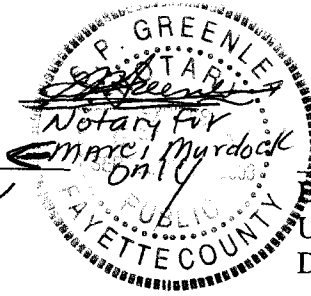
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Acknowledged and agreed to:

By: Home FREE, Inc.
Date:

Marcel Murdock
By: *Marcel Murdock*
Unit # 9
Date: 12/06/05



By:
Unit #
Date:

By:
Unit #
Date:

By:
Unit #
Date:

