

COURTESY RECORDING

No assurances are given by the company either
Express or implied for accuracy or content.

After recording, please send to:

Syracuse City
Attn: City Recorder
1979 W. 1900 S.

Syracuse, UT 84075

15-128-0101 15-128-0105

15-128-0102 15-128-0106

15-128-0103 FIRST AMENDMENT TO DEVELOPMENT AGREEMENT

15-128-0104

[HCA SYRACUSE MIXED USE PROJECT]

This First Amendment to Development Agreement (this "Amendment") is made and entered into this 15th day of MAY, 2023, by and between **Syracuse Land Holdings, LLC**, a Utah limited liability company (the "Developer"), an affiliate of Wasatch Residential Group, LLC, a Utah limited liability company, and successor-in-interest to its rights under the Development Agreement (defined below), **Columbia Ogden Medical Center, Inc.**, a Utah corporation ("Owner"), and **Syracuse City**, a municipality and political subdivision of the State of Utah (the "City").

RECITALS:

A. Wasatch Residential Group, LLC, an affiliate of Developer, Owner and the City entered into that certain Development Agreement dated June 15, 2022, and recorded October 3, 2022, as entry 3501369 in the official records of the Davis County recorder's office (the "Development Agreement"), in connection with the development of certain real property in Syracuse, Davis County, Utah, as more particularly described in the Development Agreement (the "Property").

B. Owner had acquired the Property pursuant to that certain Purchase and Sale Agreement dated January 20, 2021 (the "CHC Purchase Agreement"), for the purchase of a portion the Property from The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole, formerly known as Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, a Utah corporation sole ("CHC").

C. The CHC Purchase Agreement specifically excluded from the sale to Owner a portion of the Property subject to the Utah Department of Transportation's widening of 2000 West and Highway 193 in Syracuse, Davis County, Utah, which was to be conveyed to Utah Department of Transportation pursuant to a separate agreement (the "UDOT Property").

E. By mutual mistake, CHC conveyed to Owner, and Owner accepted from CHC the UDOT Property, whereby Owner subsequently conveyed to Developer, and Developer accepted from Owner, the UDOT Property.

F. The parties now desire to amend the Development Agreement to amend the legal description of the Property to exclude the UDOT Property according to the terms and conditions set forth herein.

NOW THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Developer, Owner and City hereby agree to the following:

1. Incorporation of Recitals. The foregoing Recitals are hereby incorporated into this Amendment and made a part hereof.
2. Exhibit A. Exhibit A of the Development Agreement is hereby deleted in its entirety and replaced with Exhibit A, attached hereto and incorporated herein.
3. Exhibit A-1. Exhibit A-1 of the Development Agreement is hereby deleted in its entirety and replaced with Exhibit A-1, attached hereto and incorporated herein.
4. Ratification of Development Agreement. Except as expressly modified by this Amendment, the parties hereby ratify the Development Agreement and agree that the Development Agreement shall remain in full force and effect.
5. Amendment to Development Agreement. To the extent that the terms and conditions of this Amendment modify or conflict with any provisions of the Development Agreement, including prior addenda, schedules and exhibits, the terms of this Amendment shall control. All other terms of the Development Agreement, including all prior addenda, schedules, and exhibits, not modified by this Amendment shall remain the same.

[Signatures and Acknowledgements to Follow]

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 written above.

City: SYRACUSE CITY



By: [Signature]
Name: Dave Maughan
Its: Mayor

Attest:

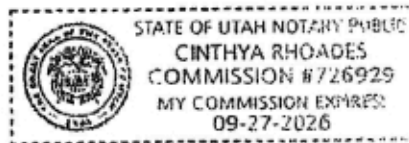
By: [Signature]
Name: Cassie Brown
Its: City Recorder

STATE OF UTAH)
) :SS.
COUNTY OF DAVIS)
) MAY 15

On this 15 day of March, 2023, personally appeared before me Dave Maughan, the authorized signer of Syracuse City, whose identity is personally known to me, to be the person who executed this Amendment on behalf of Syracuse City, and who duly acknowledged to me that he/she executed the same for the purposes therein stated.

[Signature]
Notary Public

Approved as to Form:

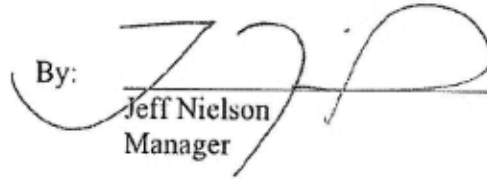


[Signature]
Brienne Brass
City Attorney

[SIGNATURES CONTINUE ON NEXT PAGE]

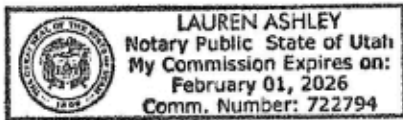
Developer:

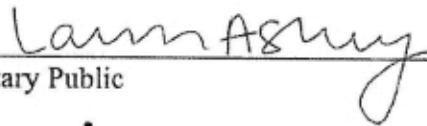
SYRACUSE LAND HOLDINGS, LLC,
a Utah limited liability company

By: 
Jeff Nielson
Manager

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

On this 27 day of June, 2023, personally appeared before me Jeff Nielson, the authorized signer of Syracuse Land Holdings, LLC, a Utah limited liability company, whose identity is personally known to me, or proved on the basis of satisfactory evidence, to be the person who executed this Amendment on behalf of said company and who duly acknowledged to me that he executed the same for the purposes therein stated.




Notary Public

[SIGNATURES CONTINUE ON NEXT PAGE]

Developer:

COLUMBIA OGDEN MEDICAL
CENTER, INC. , a Utah corporation

By: Nicholas L. Paul
Name: Nicholas L. Paul
Its: Vice President

STATE OF Tennessee
:ss.
COUNTY OF Davidson

On this 29th day of June, 2023, personally appeared before me Nicholas L. Paul, who being by me duly sworn, did say that said person is the Vice President of Columbia Ogden Medical Center, Inc., a Utah corporation, and that the within and foregoing instrument was signed on behalf of said corporation with the property authority and duly acknowledged to me that he/she executed the same.



Maureen W. Schuler
Notary Public

EXHIBIT A

Description of the Property/Project

SURVEY DESCRIPTION

A part of the Southwest Quarter of Section 3, Township 4 North, Range 2 West, Salt Lake Base and Meridian, located in Syracuse City, Davis County, Utah, being more particularly described as follows:

Beginning at the northwesterly corner of NINIGRET NORTH III, according to the official plat thereof recorded on February 12, 2019 as Entry Number 3142943 in Book 7198 at Page 314 in the Office of the Davis County Recorder, said corner located N89°56'57"W 809.70 feet and S0°03'03"W 171.25 feet from the Center of Section 3, Township 4 North, Range 2 West, Salt Lake Base and Meridian, said Center of Section located N89°56'57"W 2,654.25 feet from the East Quarter Corner of said Section 3 (Basis of Bearing is S00°07'00"W between the East Quarter Corner and Southeast Corner of said Section 3); running thence along the westerly line of said subdivision to and along the westerly boundary line described in that certain Special Warranty Deed recorded August 24, 2912 as Entry Number 2682360 in Book 5592 at Page 893-898 in the Office of the Davis County Recorder, S00°08'15"W 1,314.96 feet to a point on the northerly boundary line described in that certain Special Warranty Deed recorded March 9, 1993 as Entry Number 1021678 in Book 1588 at Page 130 in the Office of the Davis County Recorder; thence along said northerly line to and along the northerly boundary line described in that certain Warranty Deed recorded on August 20, 2016 as Entry Number 2197408 in Book 4107 at Page 972 in the Office of the Davis County Recorder, N89°56'46"W 1,807.55 feet to a point on the easterly right-of-way line of State Route 108 known as Project No. S-0108(23)5; thence along said easterly line the following four (4) courses: (1) N00°09'22"E 943.91 feet; thence (2) S89°50'03"E 5.00 feet; thence (3) N00°09'22"E 330.97 feet; thence (4) N46°41'10"E 55.38 feet to a point on the southerly right-of-way line of State Route 193 known as Project No. S-0193(5)0; thence along said southerly line N89°59'13"E 1,761.94 feet to the point of beginning.

Rotate above bearings 0°20'06 clockwise to equal NAD83 bearing.

Contains: 54.45 acres+/-

LESS AND EXCEPTING THEREFROM any portion lying within the bounds of the following described tract of land

A part of the Southwest Quarter of Section 3, Township 4 North, Range 2 West, Salt Lake Base and Meridian, located in Syracuse City, Davis County, Utah, being more particularly described as follows:

Beginning at a point located N89°56'57"W 809.70 feet and S0°03'03"W 171.25 feet from the Center of Section 3, Township 4 North, Range 2 West, Salt Lake Base and Meridian; running thence S00°08'15"W 17.23 feet; thence S89°59'43"W 815.31 feet; thence Westerly along the arc of a curve to the left having a radius of 2,100.00 feet a distance of 139.76 feet through a central angle of 03°48'48" Chord: S88°05'20"W 139.74 feet; thence S86°10'56"W 281.20 feet; thence Westerly along the arc of a curve to the right having a radius of 2,100.00 feet a distance of 139.84 feet through a central angle of 03°48'55" Chord: S88°05'23"W 139.81 feet; thence S89°59'51"W 236.96 feet; thence S83°09'35"W 84.08 feet; thence S66°00'35"W 71.17 feet; thence S29°08'40"W 70.40 feet; thence Southerly along the arc of a non-tangent curve to the left having a radius of 7,160.00 feet a distance of 140.26 feet through a central angle of 01°07'21" Chord: S03°44'47"E 140.26 feet to a point of reverse curve to the right having a radius of 7,280.00 feet; thence Southerly along the arc, a distance of 288.88 feet through a central angle of 02°16'25" Chord: S3°10'15"E 288.86 feet; thence S02°02'53"W 75.75 feet; thence Southerly along the arc of a non-tangent curve to the right having a radius of 7,275.00 feet a distance of 203.82 feet through a central angle of 01°36'19" Chord: S00°38'10"E 203.81 feet; thence S00°09'59"W 459.63 feet; thence N89°56'46"W 39.00 feet to a point on the easterly right-of-way line of State Route 108 known as Project No. S-0108(23)5; thence along said easterly line the following four (4) courses: (1) N00°09'22"E 943.91 feet; thence (2) S89°50'03"E 5.00 feet; thence (3) N00°09'22"E 330.97 feet; thence (4) N46°41'10"E 55.38 feet to a point on the southerly right-of-way line of State Route 193 known as Project No. S-0193(5)0; thence along said southerly line N89°59'13"E 1,761.94 feet to the point of beginning.

Rotate above bearings 0°20'06 clockwise to equal NAD83 bearing.

Contains: 2.15 acres+/-

EXHIBIT A-1

Description of Developer Property and Owner Property

Developer Property

A part of the Southwest Quarter of Section 3, Township 4 North, Range 2 West, Salt Lake Base and Meridian, located in Syracuse City, Davis County, Utah, being more particularly described as follows:

All of Lots 103, 104, 105 & 106 WASATCH SYRACUSE MIXED USE SUBDIVISION, Syracuse, Utah, according to the Official Plat thereof recorded in the office of the Davis County Recorder, Utah, as Entry No. 3532491, Book 8275, Page 1019.

LESS AND EXCEPTING THEREFROM any portion lying within the bounds of the following described tract of land:

A part of the Southwest Quarter of Section 3, Township 4 North, Range 2 West, Salt Lake Base and Meridian, located in Syracuse City, Davis County, Utah, being more particularly described as follows:

Beginning at a point located N89°56'57"W 809.70 feet and S0°03'03"W 171.25 feet from the Center of Section 3, Township 4 North, Range 2 West, Salt Lake Base and Meridian; running thence S00°08'15"W 17.23 feet; thence S89°59'43"W 815.31 feet; thence Westerly along the arc of a curve to the left having a radius of 2,100.00 feet a distance of 139.76 feet through a central angle of 03°48'48" Chord: S88°05'20"W 139.74 feet; thence S86°10'56"W 281.20 feet; thence Westerly along the arc of a curve to the right having a radius of 2,100.00 feet a distance of 139.84 feet through a central angle of 03°48'55" Chord: S88°05'23"W 139.81 feet; thence S89°59'51"W 236.96 feet; thence S83°09'35"W 84.08 feet; thence S66°00'35"W 71.17 feet; thence S29°08'40"W 70.40 feet; thence Southerly along the arc of a non-tangent curve to the left having a radius of 7,160.00 feet a distance of 140.26 feet through a central angle of 01°07'21" Chord: S03°44'47"E 140.26 feet to a point of reverse curve to the right having a radius of 7,280.00 feet; thence Southerly along the arc, a distance of 288.88 feet through a central angle of 02°16'25" Chord: S3°10'15"E 288.86 feet; thence S02°02'53"W 75.75 feet; thence Southerly along the arc of a non-tangent curve to the right having a radius of 7,275.00 feet a distance of 203.82 feet through a central angle of 01°36'19" Chord: S00°38'10"E 203.81 feet; thence S00°09'59"W 459.63 feet; thence N89°56'46"W 39.00 feet to a point on the easterly right-of-way line of State Route 108 known as Project No. S-0108(23)5; thence along said easterly line the following four (4) courses: (1) N00°09'22"E 943.91 feet; thence (2) S89°50'03"E 5.00 feet; thence (3) N00°09'22"E 330.97 feet; thence (4) N46°41'10"E 55.38 feet to a point on the southerly right-of-way line of State Route 193 known as Project No. S-0193(5)0; thence along said southerly line N89°59'13"E 1,761.94 feet to the point of beginning.

Rotate above bearings 0°20'06 clockwise to equal NAD83 bearing.

Contains: 2.15 acres+/-

Owner Property

A part of the Southwest Quarter of Section 3, Township 4 North, Range 2 West, Salt Lake Base and Meridian, located in Syracuse City, Davis County, Utah, being more particularly described as follows:

All of Lots 101 & 102, WASATCH SYRACUSE MIXED USE SUBDIVISION, Syracuse, Utah, according to the Official Plat thereof recorded in the office of the Davis County Recorder, Utah, as Entry No. 3532491, Book 8275, Page 1019.

LESS AND EXCEPTING THEREFROM any portion lying within the bounds of the following described tract of land

A part of the Southwest Quarter of Section 3, Township 4 North, Range 2 West, Salt Lake Base and Meridian, located in Syracuse City, Davis County, Utah, being more particularly described as follows:

Beginning at a point located N89°56'57"W 809.70 feet and S0°03'03"W 171.25 feet from the Center of Section 3, Township 4 North, Range 2 West, Salt Lake Base and Meridian; running thence S00°08'15"W 17.23 feet; thence S89°59'43"W 815.31 feet; thence Westerly along the arc of a curve to the left having a radius of 2,100.00 feet a distance of 139.76 feet through a central angle of 03°48'48" Chord: S88°05'20"W 139.74 feet; thence S86°10'56"W 281.20 feet; thence Westerly along the arc of a curve to the right having a radius of 2,100.00 feet a distance of 139.84 feet through a central angle of 03°48'55" Chord: S88°05'23"W 139.81 feet; thence S89°59'51"W 236.96 feet; thence S83°09'35"W 84.08 feet; thence S66°00'35"W 71.17 feet; thence S29°08'40"W 70.40 feet; thence Southerly along the arc of a non-tangent curve to the left having a radius of 7,160.00 feet a distance of 140.26 feet through a central angle of 01°07'21" Chord: S03°44'47"E 140.26 feet to a point of reverse curve to the right having a radius of 7,280.00 feet; thence Southerly along the arc, a distance of 288.88 feet through a central angle of 02°16'25" Chord: S3°10'15"E 288.86 feet; thence S02°02'53"W 75.75 feet; thence Southerly along the arc of a non-tangent curve to the right having a radius of 7,275.00 feet a distance of 203.82 feet through a central angle of 01°36'19" Chord: S00°38'10"E 203.81 feet; thence S00°09'59"W 459.63 feet; thence N89°56'46"W 39.00 feet to a point on the easterly right-of-way line of State Route 108 known as Project No. S-0108(23)5; thence along said easterly line the following four (4) courses: (1) N00°09'22"E 943.91 feet; thence (2) S89°50'03"E 5.00 feet; thence (3) N00°09'22"E 330.97 feet; thence (4) N46°41'10"E 55.38 feet to a point on the southerly right-of-way line of State Route 193 known as Project No. S-0193(5)0; thence along said southerly line N89°59'13"E 1,761.94 feet to the point of beginning.

Rotate above bearings 0°20'06 clockwise to equal NAD83 bearing.

Contains: 2.15 acres+/-