

When Recorded Return To:
Mark 25 LLC.
1739 Lakewood Dr
SLC, Utah 84114
Attn.: Rich Wolper

Ent 409961 Bk 1124 Pg 1886-1890
Date: 16-MAR-2015 2:56:11PM
Fee: \$300.00 Check Filed By: MM
ELIZABETH PALMIER, Recorder
WASATCH COUNTY CORPORATION
For: MARK 25 LLC

Affects Parcel Nos.

PHASE 2: OIQ-200F-0-006-025

PHASE 3: COMMON AREAS

FORTH AMENDMENT TO IROQUOIS DEVELOPMENT AGREEMENT

THIS FOURTH AMENDMENT TO IROQUOIS PHASE 1,2,3,4, AND 5 DEVELOPMENT AGREEMENT (the "Amendment") is made and executed as of the _____ day of _____ 2014, by and between MARK 25, LLC., a Utah limited liability company, successor-in-title to the original Declarant (the "Developer"), and Wasatch County, a political subdivision of the State of Utah (the "County").

R E C I T A L S

A. Deer Meadows Preserve L.L.C., a Utah limited liability company (the "Original Developer") entered into the IROQUOIS PHASE 1,2,3,4 AND 5 Development Agreement (the "Development Agreement") with the County, effective as of APRIL 7, 2007, which was recorded with the Wasatch County Recorder on July 10, 2007 as Entry No. 304361, in Book 872, at Pages 646 through 670, affecting the land described in Exhibit A, attached hereto; and

B. MARK 25, LLC, a Utah Limited Liability Company ("Developer") is the successor-in-interest to the Original Developer; and

C. Developer and county enter into this agreement to confirm the timing and types of trails required to be built in phases 2 and 3 of Iroquois more commonly known as Black Rock Ridge and with the specific legal descriptions attached.

D. In phase 3 a new road base trail will be built entirely within the phase 3 property boundaries in common area and the old trail that is on the promontory property shall be reclaimed and covered with topsoil and revegitated in agreement with the Promontory property owners. Said new trail shall comply in all respects with the trail standards of Wasatch County and be built of roadbase and tie into the existing trails to the west.

E. A new trail in phase 2 shall be constructed from the end of the cul-de-sac called White Cloud Trail in accordance with the recorded plat and terminate at the property line and connect to the trail in the development to the east referred to as Deer Vista. Said trail shall be a back country trail in compliance with Wasatch County trail standards and required grades. Developer must work with the developer of Deer Vista so the trails connect.

F. All trail improvements must be completed by September of 2015. Developer agrees that building permits and or occupancy permits may be withheld if the improvements are not completed by this time. This agreement shall be recorded prior to the phase 3 plat and the entry number noted on the phase 3 plat under the reference regarding trails.

G. Developer and the County desire to amend the Development Agreement to confirm the substitute performance trails as per recorded plats

W I T N E S S E T H

NOW, THEREFORE, the Development Agreement is hereby amended as follows, with such amendment to become effective upon the recording of this Amendment in the offices of the Wasatch County Recorder, Utah:

1. IROQUOIS PH2 PLAT. A public trail known as the IROQUOIS PHASE 2 platted trails as per recorded plat.

Phase 2 plat Legal description

BEGINNING at a point that is N 89°58'18" W 1319.52 feet along the Section Line from the North Quarter Corner of Section 6, Township 2 South, Range 5 East, Salt Lake Base and Meridian, and running thence S 00°09'57" E 2513.27 feet to a UDOT right-of-way line, thence along said right-of-way line the following 3 calls; 1) thence N 32°49'54" W 420.67 feet, 2) thence N 40°57'51" W 372.21 feet, 3) thence N 30°14'22" W 42.08 feet to a point on a 261.00' radius non-tangent curve to the left, thence along arc of said curve 25.61 feet through a delta of 05°37'18" (chord bears N 45°00'04" E 25.60 feet) to a point on a 257.08' radius non-tangent curve to the left, thence along arc of said curve 47.26 feet through a delta of 10°31'59" (chord bears N 30°55'32" E 47.19 feet) to a point on a 256.00' radius non-tangent curve to the left, thence along arc of said curve 289.59 feet through a delta of 64°48'46" (chord bears N 00°37'58" W 274.39 feet), thence N 33°02'21" W 287.52 feet to a point on a 964.00' radius curve to the right; thence along arc of said curve 300.24 feet through a delta of 17°50'41" (chord bears N 24°07'00" W 299.03 feet); thence N 15°11'40" W 289.35 feet to a point on a 514.00' radius curve to the right; thence along arc of said curve 167.74 feet through a delta of 18°41'54" (chord bears N 05°50'43" W 167.00 feet); thence N 03°30'14" E 202.39 feet to a point on a 439.00' radius curve to the right; thence along arc of said curve 164.96 feet through a delta of 21°31'46" (chord bears N 14°16'07" E 163.99 feet); thence N 25°02'00" E 100.64 feet to a point on a 511.00' radius curve to the left; thence along arc of said curve 104.26 feet through a delta of 11°41'25"

(chord bears N 19°11'18" E 104.08 feet) to the Section Line; thence along the Section Line S 89°58'18" E 688.89 feet to the point of BEGINNING. Parcel contains 31.86 acres.

2. **IROQUOIS PH2 PLAT**. A public trail known as the IROQUOIS PHASE 3 platted trails as per recorded plat.

Phase 3 plat Legal description, BEGINNING at a the Northwest Corner of Section 6, Township 2 South, Range 5 East, Salt Lake Base and Meridian and running thence along the Section Line S 89°58'18" E 572.13 feet to the existing right-of-way of Browns Canyon Road, thence along said ROW boundary the following 10 calls; 1) thence along an arc of a non-tangent 439.00' radius curve to the right 72.45 feet through a delta of 9°27'19" (chord bears S 20°18'20" W 72.36 feet), 2) thence S 25°02'00" W 100.64 feet to a point on a 511.00' radius curve to the left; 3) thence along arc of said curve 192.01 feet through a delta of 21°31'46" (chord bears S 14°16'07" W 190.88 feet); 4) thence S 03°30'14" W 202.39 feet to a point on a 586.00' radius curve to the left, 5) thence along arc of said curve 191.24 feet through a delta of 18°41'54" (chord bears S 05°50'43" E 190.39 feet), 6) thence S 15°11'40" E 289.35 feet to a point on a 1036.00' radius curve to the left; 7) thence along arc of said curve 322.66 feet through a delta of 17°50'41" (chord bears S 24°07'00" E 321.36 feet); 8) thence S 33°02'21" E 287.52 feet to a point on a 184.00' radius curve to the right, 9) thence along arc of said 208.14 feet through a delta of 64°48'46" (chord bears S 00°37'58" E 197.22 feet) to a non tangent 179.54' radius curve to the right, 10) thence along arc of said curve 33.37 feet through a delta of 10°39'01" (chord bears S 45°34'30" W 33.33 feet) to the UDOT right of way; thence along said row the following 5 calls; 1) thence N 29°01'18" W 75.40 feet, 2)thence N 36°32'18" W 663.67 feet to a point on a 2109.86' radius curve to the left, 3) thence along arc of said curve 437.59 feet through a delta of 11°53'00" (chord bears N 49°51'33" W 436.81 feet), 4) thence N 48°21'45" W 173.86 feet to a point on a 2139.86' radius curve to the left; 5) thence along arc of said curve 700.85 feet through a delta of 18°45'56" (chord bears N 69°49'44" W 697.72 feet; thence N 03°37'00" W 534.05 feet to the Section line, thence along said section line S 89°59'51" E 777.54 feet to the point of BEGINNING. Parcel contains 25.45 acres.

The Development Agreement remains in full force and effect except as expressly stated in this Amendment.

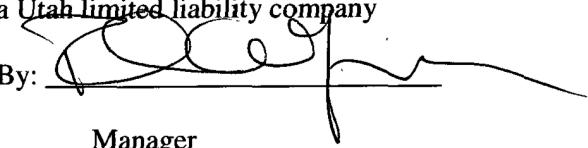
IN WITNESS WHEREOF, the undersigned have executed this Amendment as of the day and year first above written.

DEVELOPER:

MARK 25, LLC.

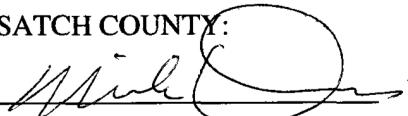


a Utah limited liability company

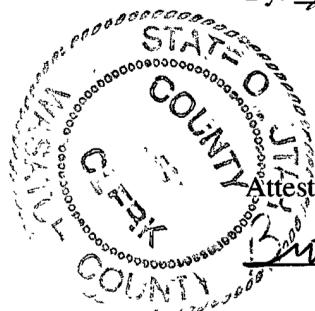
By: 

Manager

WASATCH COUNTY:

By: 

Wasatch County Manager



Attest:



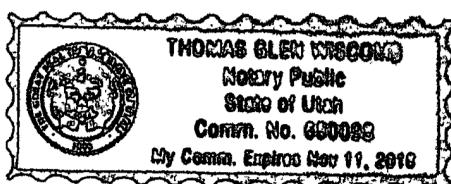
Wasatch County Clerk

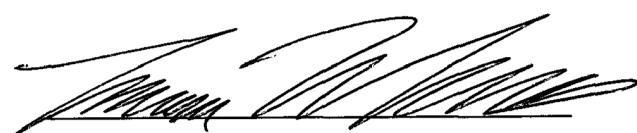
STATE OF Utah)

: ss.

COUNTY OF Salt Lake)

On the 27 day of Jan 2014, before me, a notary public, personally appeared Richard T. Wolper, the signer of the foregoing Amendment to Development Agreement, who duly acknowledged he executed the same as the Manager of MARK 25, LLC.





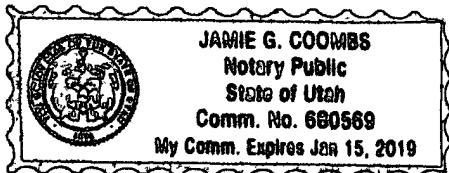
NOTARY PUBLIC

STATE OF UTAH)

: ss.

COUNTY OF WASATCH)

On the 2nd day of Feb. ⁵ 2014, before me, a notary public, personally appeared Mike Davis, who executed the foregoing instrument in his capacity as the Wasatch County Manager and Brent Thomsen, who attested the foregoing instrument in his capacity as the Wasatch County Clerk.



Jamie G. Coombs
NOTARY PUBLIC