

SUBDIVISION AGREEMENT
AND
COVENANT RUNNING WITH THE LAND

(Sawmill Subdivision Amenities Agreement)

THIS AGREEMENT entered into this 26 day of March, 2021 by and between Heber City, hereinafter referred to as "City" and the undersigned as "Developer".

WHEREAS, the Developer/petitioner has proposed amenities by phase;

WHEREAS, the Sawmill Development is developing under the repealed Planned Community Mixed Use (PCMU) zone.

WHEREAS, the Developer has requested to move amenities out of Phase 5 and into additional phases.

WHEREAS, the City finds that the transfer of the amenities do not violate the PCMU zone and are in harmony with the walkable nature of the PCMU.

NOW, THEREFORE, the parties hereby agree as follows:

1. The amenities for phases 1A, 2B, 5, 8, and 9 are as follows:
 - a. Phase 1A shall contain a minimum of
 - i. ½ Basketball Court
 - ii. Playground
 - iii. Volleyball Court
 - b. Phase 2B shall contain a minimum of
 - i. Playground
 - ii. Pavilion
 - c. Phase 5 shall contain a minimum of
 - i. Playground
 - ii. 3 Pickle Ball Courts
 - iii. Grass and Open space
 - d. Phase 8 shall contain 3 Basketball Courts
 - e. Phase 9 shall contain a minimum of
 - i. 3 Basketball Courts
 - ii. 1 Sport Court
 - iii. Pavilion
 - iv. Playground
2. The amenities in the Park, located in Phase 2A, are yet to be determined and are not defined within this agreement.
3. Developer will establish a Home Owner's Association (HOA) and record appropriate documents with the final plat to establish an HOA for the maintenance of amenities, common areas, and enforcement of HOA regulations.

4. The amenities in this agreement do not excuse the Developer from any code requirements of the PCMU code or other former agreements.
5. Upon the full and complete performance of all of the terms and conditions of this Agreement by the Developer, their assigns, transferees or successors, and upon approval of the improvements, the City agrees to take over roads as shown on the field map and those areas shown on the recorded subdivision plats as dedicated to the public, and maintain them as public works and public highways of the City without assessment for the construction of improvements as set out in the plans and specifications. Nothing contained here shall be construed in any way to render the City liable for any charges, costs, or debts for material, labor, or other expenses incurred in the making of these improvements.
6. This Agreement contains the entire agreement between the parties, and no statement, promise or inducement made by either party hereto, or agent of either party hereto which is not contained in this written Agreement shall be valid or binding; and this Agreement may not be enlarged, modified or altered except in writing approved by the parties.
7. Time is of the essence of this Agreement. In case any party shall fail to perform the obligations on its part at the time fixed for the performance of such obligations by the terms of this Agreement, the other party or parties may pursue any and all remedies available in equity, at law, and/or pursuant to the terms of this Agreement.
8. This Agreement shall be a covenant running with the land, and shall be binding upon the parties and their assigns and successors in interest. This Agreement shall be recorded with the Wasatch County Recorder.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands the day and year this agreement was first above written.

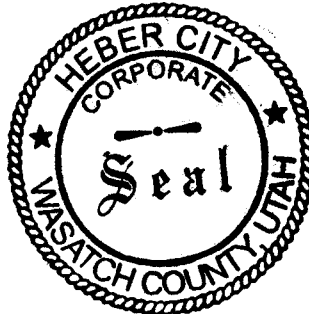
DATED this 29 day of March, 2021.

HEBER CITY:

By: Kelleen Potter
Kelleen Potter, Mayor


ATTEST:

Trina Woollee
Heber City Recorder



Developer

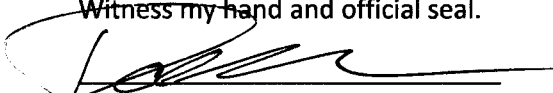
Tioga Funding Real Estate Group, LLC

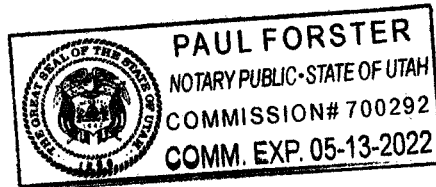

Heath Johnston, Manager

State of Utah)
) :ss
County of Utah)

On the 26 day of March, 2021, personally appeared before me Heath Johnston, who being by me duly sworn, did say, that he/she/they/ is/are a Member(s) Manager(s) of Tioga Funding Real Estate Group, LLC, a limited liability company, and that said instrument was signed in behalf of said company by authority of statute, its articles of organization or its operating agreement, and that the said Heath Johnston acknowledged to me that said limited liability company executed the same.

Witness my hand and official seal.


Notary Public



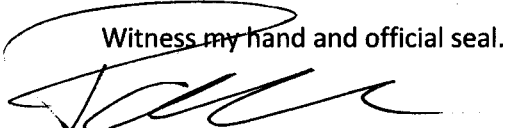
Sawmill 4 & 5, LLC

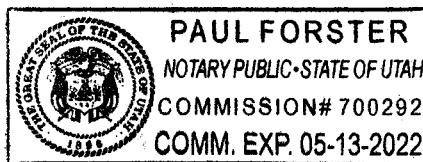

Heath Johnston, Manager

State of Utah)
) :ss
County of Utah)

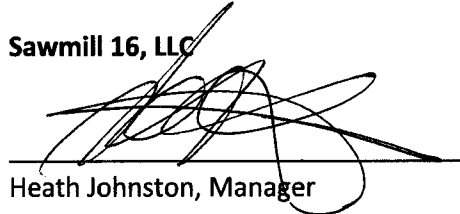
On the 26 day of March, 2021, personally appeared before me Heath Johnston who being by me duly sworn, did say, that he/she/they/ is/are a Member(s) Manager(s) of Sawmill 4 & 5, LLC, a limited liability company, and that said instrument was signed in behalf of said company by authority of statute, its articles of organization or its operating agreement, and that the said Heath Johnston acknowledged to me that said limited liability company executed the same.

Witness my hand and official seal.


Notary Public



Sawmill 16, LLC



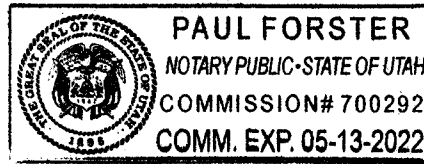
Heath Johnston, Manager

State of Utah)
 :SS
County of Utah)

On the 26 day of March, 2021, personally appeared before me Heath Johnston who being by me duly sworn, did say, that he/she/they/ is/are a Member(s) Manager(s) of Sawmill 16, LLC, a limited liability company, and that said instrument was signed in behalf of said company by authority of statute, its articles of organization or its operating agreement, and that the said Heath Johnston acknowledged to me that said limited liability company executed the same.

Witness my hand and official seal.


Notary Public




Sawmill Condos, LLC


Heath Johnston, Manager

State of Utah)
 :SS
County of Utah)

On the 30 day of March, 2021, personally appeared before me Heath Johnston who being by me duly sworn, did say, that he/she/they/ is/are a Member(s) Manager(s) of Sawmill Condos, LLC, a limited liability company, and that said instrument was signed in behalf of said company by authority of statute, its articles of organization or its operating agreement, and that the said Heath Johnston acknowledged to me that said limited liability company executed the same.

Witness my hand and official seal.


Notary Public

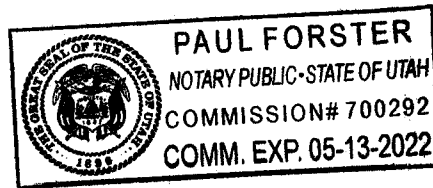


EXHIBIT A: LEGAL DESCRIPTION**Sawmill Subdivision Boundary Descriptions****Phase 1A**

BEGINNING SOUTH 89°50'38" WEST 1258.78 FEET ALONG THE SECTION LINE AND SOUTH 41.82 FEET FROM THE WASATCH COUNTY SURVEY MONUMENT FOR THE NORTHEAST CORNER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN;

AND RUNNING THENCE S77°52'33"E 57.00 FEET; THENCE N89°50'37"E 103.91 FEET; TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 30.00 FEET; THENCE 47.12 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°59'56" (CHORD BEARING AND DISTANCE OF S45°09'26"E 42.43 FEET); THENCE S00°09'27"E 925.08 FEET; THENCE N70°45'27"W 240.01 FEET; THENCE N00°05'41"W 730.86 FEET; TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 406.20 FEET; AND TO WHICH POINT A RADIAL LINE BEARS S66°02'17"E; THENCE 142.09 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 20°02'34", WITH A CHORD BEARING AND DISTANCE OF N13°56'26"E 141.37 FEET TO THE BEGINNING OF A COMPOUND CURVE CONCAVE WESTERLY HAVING A RADIUS OF 1169.64 FEET; AND TO WHICH POINT A RADIAL LINE BEARS S84°44'28"E; THENCE 19.44 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°57'08" (CHORD BEARING AND DISTANCE OF N04°46'59"E 19.44 FEET) TO THE POINT OF BEGINNING.

PARCEL CONTAINS 4.677 ACRES, OR 203,733 SQUARE FEET

Phase 1B – North parcel

BEGINNING AT A POINT LYING SOUTH 00°15'51" EAST ALONG THE SECTION LINE 917.42 FEET AND WEST 44.29 FEET FROM THE WASATCH COUNTY SURVEY MONUMENT FOR THE EAST QUARTER CORNER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING COINCIDENT WITH THE WESTERLY RIGHT OF WAY LINE OF MILL ROAD (1200 EAST).

THENCE SOUTH 118.09 FEET; THENCE WEST 0.74 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 13.00 FEET TO WHICH POINT A RADIAL LINE BEARS S89°49'43"W; THENCE 20.46 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°10'17", WITH A CHORD BEARING AND DISTANCE OF S44°54'51"W 18.41 FEET; THENCE WEST 600.41 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 13.00 FEET TO WHICH POINT A RADIAL LINE BEARS NORTH; THENCE 20.42 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", WITH A CHORD BEARING AND DISTANCE OF N45°00'00"E 18.38 FEET; THENCE NORTH 138.00 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 21.00 FEET; THENCE 32.99 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", WITH A CHORD BEARING AND DISTANCE OF N45°00'00"W 29.70 FEET; THENCE WEST 145.30 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 13.00 FEET; THENCE 20.46 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°09'27", WITH A CHORD BEARING AND DISTANCE OF S44°55'16"W 18.41 FEET; THENCE N00°09'27"W 84.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 13.00 FEET TO WHICH POINT A RADIAL LINE BEARS N89°50'33"E; THENCE 20.38 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°50'33", WITH A CHORD BEARING AND DISTANCE OF S45°04'44"E 18.36 FEET; THENCE EAST 191.19 FEET; THENCE N00°14'32"E 78.63 FEET; THENCE WEST 204.71 FEET; THENCE N00°09'27"W 23.00 FEET; THENCE EAST 281.27 FEET; THENCE S88°28'06"E 60.17 FEET; THENCE S00°05'21"E 200.00 FEET; THENCE N89°51'18"E 439.20 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 2.84 ACRES, OR 123,744 SQUARE FEET

Phase 1B – South parcel

BEGINNING AT A POINT LYING SOUTH 00°15'51" EAST ALONG THE SECTION LINE 1,398.32 FEET AND WEST 45.92 FEET FROM THE WASATCH COUNTY SURVEY MONUMENT FOR THE SOUTHEAST CORNER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING COINCIDENT WITH THE WESTERLY RIGHT OF WAY LINE OF MILL ROAD (1200 EAST).

THENCE N89°02'24"W 216.43 FEET; THENCE S00°06'41"W 83.37 FEET; THENCE S89°35'27"W 246.20 FEET; THENCE S89°42'13"W 241.41 FEET; THENCE NORTH 245.64 FEET; THENCE EAST 690.54 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 13.00 FEET; THENCE 20.38 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°49'43", WITH A CHORD BEARING AND DISTANCE OF S45°05'09"E 18.36 FEET; THENCE EAST 0.61 FEET; THENCE SOUTH 149.93 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 3.53 ACRES, OR 153,941 SQUARE FEET.

Phase 2A

BEGINNING SOUTH 89°50'38" WEST 1981.99 FEET ALONG THE SECTION LINE AND SOUTH 969.49 FEET FROM THE WASATCH COUNTY SURVEY MONUMENT FOR THE NORTHEAST CORNER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN;

THENCE EAST 213.47 FEET; THENCE N30°35'28"E 176.78 FEET; THENCE S85°12'42"E 386.65 FEET; THENCE S00°05'41"E 77.84 FEET; THENCE S70°45'27"E 240.01 FEET TO THE RIGHT-OF-WAY OF SAWMILL BOULDEVAR; THENCE ALONG THE RIGH-OF-WAY S00°09'27"E 293.92 FEET; THENCE S89°50'33"W 419.95 FEET; TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 129.00 FEET; AND TO WHICH POINT A RADIAL LINE BEARS S90°00'00"W THENCE 202.64 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'14", WITH A CHORD BEARING AND DISTANCE OF N45°00'07"W 182.44 FEET; THENCE S89°59'46"W 29.23 FEET; THENCE NORTH 70.00 FEET; THENCE WEST 337.67 FEET; THENCE N00°10'50"W 133.12 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 6.419 ACRES, OR 279,610 SQUARE FEET.

Phase 2B

BEGINNING SOUTH 00°15'51" EAST ALONG THE SECTION LINE 729.33 FEET AND WEST 900.32 FEET FROM THE WASATCH COUNTY SURVEY MONUMENT FOR THE EAST QUARTER CORNER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT OF BEGINNING BEING COINCIDENT WITH THE WEST RIGHT-OF-WAY LINE OF SAWMILL BOULEVARD;

THENCE ALONG SAID WEST RIGHT-OF-WAY LINE S00°09'27"E 623.64 FEET TO THE NORTH BOUNDARY OF THE VIZION FAMILY LIMITED PARTNERSHIP PROPERTY; THENCE ALONG SAID NORTH BOUNDARY S89°42'13"W 431.78 FEET TO THE EAST BOUNDARY OF THE CH47 LLC PROPERTY; THENCE ALONG SAID EAST BOUNDARY N00°03'24"W 625.88 FEET TO THE SOUTH BOUNDARY OF SAWMILL SUBDIVISION PHASE 5; THENCE ALONG SAID SOUTH BOUNDARY EAST 430.68 FEET TO SAID WEST RIGHT-OF-WAY LINE AND THE POINT OF BEGINNING.

PARCEL CONTAINS 6.19 ACRES, OR 269,413 SQUARE FEET.

Phase 2C**PARCEL 1**

BEGINNING AT A POINT LYING SOUTH 00°15'51" EAST ALONG THE SECTION LINE 739.93 FEET AND WEST 619.64 FEET FROM THE WASATCH COUNTY SURVEY MONUMENT FOR THE EAST QUARTER CORNER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN;

THENCE S00°14'32"W 78.63 FEET; THENCE WEST 191.19 FEET; TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 13.00 FEET; THENCE 20.38 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°50'33", WITH A CHORD BEARING AND DISTANCE OF N45°04'44"W 18.36 FEET; THENCE N00°09'27"W 65.66 FEET; THENCE EAST 204.71 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 0.37 ACRES, OR 16,038 SQUARE FEET.

PARCEL 2

BEGINNING AT A POINT LYING SOUTH 00°15'51" EAST ALONG THE SECTION LINE 897.56 FEET AND WEST 645.36 FEET FROM THE WASATCH COUNTY SURVEY MONUMENT FOR THE EAST QUARTER CORNER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN;

THENCE SOUTH 138.00 FEET; TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 13.00 FEET; THENCE 20.42 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", WITH A CHORD BEARING AND DISTANCE OF S45°00'00"W 18.38 FEET; THENCE WEST 152.90 FEET; TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 13.00 FEET; THENCE 20.38 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°50'33", WITH A CHORD BEARING AND DISTANCE OF N45°04'44"W 18.36 FEET; THENCE N00°09'27"W 146.00 FEET; TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 13.00 FEET; THENCE 20.46 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°09'27", WITH A CHORD BEARING AND DISTANCE OF N44°55'16"E 18.41 FEET; THENCE EAST 145.30 FEET; TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 21.00 FEET; THENCE 32.99 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", WITH A CHORD BEARING AND DISTANCE OF S45°00'00"E 29.70 FEET; TO THE POINT OF BEGINNING.

PARCEL CONTAINS 0.70 ACRES, OR 30,602 SQUARE FEET.

Phase 2D (FULL)

BEGINNING AT A POINT LYING SOUTH 00°15'51" EAST ALONG THE SECTION LINE 1,106.56 FEET AND WEST 749.32 FEET FROM THE WASATCH COUNTY SURVEY MONUMENT FOR THE EAST QUARTER CORNER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING COINCIDENT WITH THE WESTERLY RIGHT OF WAY LINE FOR SAWMILL BLVD.;

THENCE SOUTH 245.65 FEET; THENCE S89°38'41"W 151.03 FEET; THENCE N00°09'27"W 233.34 FEET; THENCE N89°50'33"E 76.00 FEET; TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 13.00 FEET; AND TO WHICH POINT A RADIAL LINE BEARS N89°50'33"E THENCE 20.46 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°09'27", WITH A CHORD BEARING AND DISTANCE OF N44°55'16"E 18.41 FEET; THENCE EAST 62.67 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 0.83 ACRES, OR 36,220 SQUARE FEET.

Phase 2D (TOWNHOMES ONLY)

BEGINNING AT A POINT LYING SOUTH 00°15'51" EAST ALONG THE SECTION LINE 1,106.56 FEET AND WEST 749.32 FEET FROM THE WASATCH COUNTY SURVEY MONUMENT FOR THE EAST QUARTER CORNER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING COINCIDENT WITH THE WESTERLY RIGHT OF WAY LINE FOR SAWMILL BLVD.;

THENCE S89°42'13"W 75.03 FEET; THENCE N00°09'27"W 232.99 FEET; TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 13.00 FEET; THENCE 20.46 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°09'27", WITH A CHORD BEARING AND DISTANCE OF N44°55'16"E 18.41 FEET; THENCE EAST 62.67 FEET; THENCE SOUTH 245.64 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 0.425 ACRES, OR 18,491 SQUARE FEET.

Phase 3 (Proposed)

BEGINNING SOUTH 89°50'38" WEST 1065.71 FEET ALONG THE SECTION LINE AND SOUTH 1302.95 FEET FROM THE WASATCH COUNTY SURVEY MONUMENT FOR THE NORTHEAST CORNER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN;

THENCE S00°09'27"E 282.16 FEET; TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 13.00 FEET; THENCE 20.11 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 88°38'13", WITH A CHORD BEARING AND DISTANCE OF S44°09'39"W 18.16 FEET; TO THE BEGINNING OF A REVERSE CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 181.77 FEET; AND TO WHICH POINT A RADIAL LINE BEARS S01°30'24"E THENCE 68.16 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 21°29'12", WITH A CHORD BEARING AND DISTANCE OF S77°45'00"W 67.77 FEET; THENCE S67°01'14"W 80.80 FEET; TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 118.00 FEET; THENCE 47.33 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 22°58'46", WITH A CHORD BEARING AND DISTANCE OF S78°30'37"W 47.01 FEET; THENCE WEST 208.39 FEET; TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 13.00 FEET; THENCE 20.42 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", WITH A CHORD BEARING AND DISTANCE OF N45°00'00"W 18.38 FEET; THENCE N00°00'00"W 336.32 FEET; THENCE N89°50'33"E 419.95 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 3.237 ACRES, OR 140,990 SQUARE FEET.

Phase 4A

BEGINNING SOUTH 00°15'51" EAST ALONG THE SECTION LINE 329.93 FEET AND WEST 41.52 FEET FROM THE WASATCH COUNTY SURVEY MONUMENT FOR THE EAST QUARTER CORNER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN; SAID POINT OF BEGINNING ALSO BEING THE SOUTHEAST CORNER OF THE UNITED STATES OF AMERICA FORESTRY SERVICE PROPERTY AS RECORDED AS ENTRY NUMBER 88125, OFFICIAL RECORDS OF WASATCH COUNTY, UTAH;

THENCE SOUTH 387.49 FEET; THENCE S89°51'18"W 439.58 FEET; THENCE N88°28'06"W 60.17 FEET; THENCE WEST 281.27 FEET; THENCE N00°09'27"W 368.66 FEET; TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 1,338.00 FEET; THENCE 354.12 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15°09'50", WITH A CHORD BEARING AND DISTANCE OF N07°44'22"W 353.08 FEET; THENCE S89°53'39"E 169.56 FEET TO THE NORTHWEST CORNER OF SAID FORESTRY SERVICE PROPERTY; THENCE ALONG SAID FORESTRY SERVICE PROPERTY BOUNDARY THE FOLLOWING TWO COURSES; THENCE SOUTH 330.00 FEET TO THE SOUTHWEST CORNER OF SAID FORESTRY SERVICE PROPERTY; THENCE S89°53'39"E 60.14 FEET; THENCE SOUTH 60.18 FEET; THENCE EAST 100.00 FEET; THENCE S89°42'42"E 58.00 FEET; THENCE N90°00'00"E 100.00 FEET; THENCE S89°26'02"E 23.00 FEET; THENCE EAST 100.00 FEET; THENCE S89°42'42"E 58.00 FEET; THENCE EAST 100.00 FEET; THENCE NORTH 60.00 FEET TO THE

BOUNDARY OF THE FORESTRY SERVICE PROPERTY; THENCE ALONG SAID FORESTRY SERVICE PROPERTY BOUNDARY S89°53'39"E 60.86 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 7.276 ACRES, OR 316,954 SQUARE FEET.

Phase 4B

BEGINNING SOUTH 00°15'51" EAST ALONG THE SECTION LINE 718.03 FEET AND WEST 282.85 FEET FROM THE WASATCH COUNTY SURVEY MONUMENT FOR THE EAST QUARTER CORNER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN;

THENCE S00°05'21"E 200.00 FEET; THENCE S89°51'18"W 200.03 FEET; THENCE N00°05'21"W 200.00 FEET; THENCE N89°51'18"E 200.03 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 0.92 ACRES, OR 40,007 SQUARE FEET.

Phase 4C

BEGINNING SOUTH 00°15'51" EAST ALONG THE SECTION LINE 329.82 FEET AND WEST 102.38 FEET FROM THE WASATCH COUNTY SURVEY MONUMENT FOR THE EAST QUARTER CORNER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN;

THENCE SOUTH 60.00 FEET; THENCE WEST 100.00 FEET; THENCE N89°42'42"W 58.00 FEET; THENCE WEST 100.00 FEET; THENCE N89°26'02"W 23.00 FEET; THENCE WEST 100.00 FEET; THENCE N89°42'42"W 58.00 FEET; THENCE WEST 100.00 FEET; THENCE NORTH 60.18 FEET TO A POINT ALONG UNITED STATES OF AMERICA FORESTRY SERVICE PROPERTY AS RECORDED AS ENTRY NUMBER 88125; THENCE ALONG SAID FORESTRY SERVICE PROPERTY BOUNDARY S89°53'39"E 539.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 0.744 ACRES, OR 32,390 SQUARE FEET.

Phase 5 (Full)

BEGINNING AT A POINT LYING SOUTH 00°15'51" EAST ALONG THE SECTION LINE 729.33 FEET AND WEST 900.32 FEET FROM THE WASATCH COUNTY SURVEY MONUMENT FOR THE EAST QUARTER CORNER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING COINCIDENT WITH THE WESTERLY RIGHT-OF-WAY LINE OF SAWMILL BOULEVARD;

AND RUNNING THENCE WEST 430.68 FEET; THENCE N00°03'24"W 220.74 FEET; THENCE N00°01'03"E 572.16 FEET; THENCE EAST 223.69 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 312.00 FEET; THENCE 51.17 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°23'49", WITH A CHORD BEARING AND DISTANCE OF N85°18'05"E 51.11 FEET; THENCE N80°36'11"E 63.81 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 13.00 FEET; THENCE 23.03 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 101°30'18", WITH A CHORD BEARING AND DISTANCE OF N29°58'51"E 20.13 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAWMILL BOULEVARD AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 1,262.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S69°13'41"W; THENCE 454.05 FEET ALONG THE ARC OF SAID CURVE AND ALONG SAID WESTERLY RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 20°36'52", WITH A CHORD BEARING AND DISTANCE OF S10°27'53"E 451.61 FEET; THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE S00°09'27"E 380.85 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 7.630 ACRES, OR 332,369 SQUARE FEET.

Phase 5 (North)

THENCE N89°53'39"W 72.75 FEET; THENCE S89°34'18"W 306.38 FEET; THENCE N00°01'03"E 63.99 FEET; THENCE N90°00'00"E 223.69 FEET; TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 312.00 FEET; THENCE 51.17 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 09°23'49", WITH A CHORD BEARING AND DISTANCE OF N85°18'05"E 51.11 FEET; THENCE N80°36'11"E 63.81 FEET; TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 13.00 FEET; AND TO WHICH POINT A RADIAL LINE BEARS N09°16'00"W THENCE 23.03 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 101°30'18", WITH A CHORD BEARING AND DISTANCE OF N29°58'51"E 20.13 FEET; TO THE BEGINNING OF A REVERSE CURVE CONCAVE WESTERLY HAVING A RADIUS OF 1,262.00 FEET; AND TO WHICH POINT A RADIAL LINE BEARS S69°13'41"W THENCE 99.03 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04°29'46", WITH A CHORD BEARING AND DISTANCE OF S18°31'26"E 99.01 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 0.555 ACRES, OR 24,171 SQUARE FEET,

Phase 5 (South)

TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 1,262.00 FEET; AND TO WHICH POINT A RADIAL LINE BEARS S73°43'27"W THENCE 355.02 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 16°07'06", WITH A CHORD BEARING AND DISTANCE OF S08°13'00"E 353.85 FEET; THENCE S00°09'27"E 380.85 FEET; THENCE WEST 430.68 FEET; THENCE N00°03'24"W 220.74 FEET; THENCE N00°01'03"E 508.18 FEET; THENCE N89°34'18"E 306.38 FEET; THENCE S89°53'39"E 72.75 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 7.075 ACRES, OR 308,169 SQUARE FEET.

Phase 6 (Proposed)

BEGINNING AT A POINT LYING N00°24'01"W ALONG THE SECTION LINE 163.03 FEET AND WEST 1,005.49 FEET FROM THE WASATCH COUNTY SURVEY MONUMENT FOR THE EAST QUARTER CORNER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE;

TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 1,262.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S66°03'13"W; THENCE 69.92 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°10'29", WITH A CHORD BEARING AND DISTANCE OF S22°21'33"E 69.92 FEET; TO THE BEGINNING OF A COMPOUND CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 13.00 FEET THENCE 23.00 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 101°22'29", WITH A CHORD BEARING AND DISTANCE OF S29°54'56"W 20.12 FEET; THENCE S80°36'11"W 63.84 FEET; TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 312.00 FEET THENCE 51.17 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 09°23'49", WITH A CHORD BEARING AND DISTANCE OF S85°18'05"W 51.11 FEET; THENCE WEST 224.14 FEET; THENCE SOUTH 76.00 FEET; THENCE WEST 249.19 FEET; THENCE NORTH 76.00 FEET; TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 15.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS NORTH; THENCE 23.56 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", WITH A CHORD BEARING AND DISTANCE OF N45°00'00"E 21.21 FEET; THENCE N00°00'00"W 135.86 FEET; TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 13.00 FEET THENCE 20.42 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", WITH A CHORD BEARING AND DISTANCE OF N45°00'00"W 18.38 FEET; THENCE N00°00'01"W 58.00 FEET; TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 13.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS NORTH; THENCE 20.42 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", WITH A CHORD BEARING AND DISTANCE OF N45°00'00"E 18.38 FEET; THENCE N00°00'00"W 404.00 FEET; TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 13.00 FEET THENCE 20.42 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", WITH A CHORD BEARING AND DISTANCE OF N45°00'00"W 18.38 FEET; THENCE N00°00'01"W 58.00 FEET; TO THE BEGINNING OF

A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 13.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS NORTH; THENCE 20.42 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", WITH A CHORD BEARING AND DISTANCE OF N45°00'00"E 18.38 FEET; THENCE N00°00'00"W 153.00 FEET; TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 13.00 FEET THENCE 20.42 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", WITH A CHORD BEARING AND DISTANCE OF N45°00'00"W 18.38 FEET; THENCE N00°00'01"W 64.00 FEET; TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 13.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS NORTH; THENCE 20.42 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", WITH A CHORD BEARING AND DISTANCE OF N45°00'00"E 18.38 FEET; THENCE S90°00'00"E 58.00 FEET; TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 13.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS N90°00'00"E; THENCE 20.42 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", WITH A CHORD BEARING AND DISTANCE OF S45°00'00"E 18.38 FEET; THENCE N90°00'00"E 208.39 FEET; TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 118.00 FEET THENCE 47.33 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 22°58'46", WITH A CHORD BEARING AND DISTANCE OF N78°30'37"E 47.01 FEET; THENCE N67°01'14"E 80.80 FEET; TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 182.00 FEET THENCE 68.16 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 21°27'32", WITH A CHORD BEARING AND DISTANCE OF N77°45'00"E 67.77 FEET; TO THE BEGINNING OF A REVERSE CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 13.00 FEET THENCE 20.11 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 88°38'13", WITH A CHORD BEARING AND DISTANCE OF N44°09'39"E 18.16 FEET; THENCE S00°09'27"E 571.33 FEET; TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 875.87 FEET THENCE 363.72 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23°47'34", WITH A CHORD BEARING AND DISTANCE OF S12°03'07"E 361.11 FEET; TO THE POINT OF BEGINNING.

PARCEL CONTAINS 11.540 ACRES, OR 502,695 SQUARE FEET.

Phase 7 (Proposed)

BEGINNING AT A POINT LYING N00°15'51"W ALONG THE SECTION LINE 0.06 FEET AND WEST 30.42 FEET FROM THE WASATCH COUNTY SURVEY MONUMENT FOR THE EAST QUARTER CORNER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN;

THENCE N89°53'39"W 669.59 FEET; THENCE N89°53'39"W 169.56 FEET; TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 1,338.00 FEET; AND TO WHICH POINT A RADIAL LINE BEARS S74°40'43"W THENCE 201.42 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08°37'30", WITH A CHORD BEARING AND DISTANCE OF N19°38'02"W 201.23 FEET; TO THE BEGINNING OF A REVERSE CURVE CONCAVE EASTERLY HAVING A RADIUS OF 800.00 FEET; THENCE 79.10 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05°39'54", WITH A CHORD BEARING AND DISTANCE OF N21°06'50"W 79.07 FEET; THENCE S89°55'03"E 934.83 FEET; THENCE S00°05'21"E 263.49 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 5.346 ACRES, OR 232,888 SQUARE FEET.

Phase 8 (Proposed)

BEGINNING SOUTH 89°50'38" WEST 1981.57 FEET ALONG THE SECTION LINE AND SOUTH 1,102.61 FEET FROM THE WASATCH COUNTY SURVEY MONUMENT FOR THE NORTHEAST CORNER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN;

THENCE EAST 337.67 FEET; THENCE SOUTH 70.00 FEET; THENCE N89°59'46"E 29.23 FEET; TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 129.00 FEET; THENCE 202.64 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'14", WITH A CHORD BEARING AND DISTANCE OF S45°00'07"E 182.44 FEET; THENCE S00°00'00"E 336.32 FEET; THENCE S90°00'00"W 58.00 FEET; TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 13.00 FEET; AND TO WHICH POINT A RADIAL LINE BEARS N89°59'57"W THENCE 20.42 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°59'57", WITH A CHORD

BEARING AND DISTANCE OF S45°00'01"W 18.38 FEET; THENCE WEST 423.18 FEET; THENCE N00°10'50"W 548.32 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 5.877 ACRES, OR 256,004 SQUARE FEET,

Phase 9 (Proposed)

BEGINNING AT A POINT LYING S00°15'51"E ALONG THE SECTION LINE 3.61 FEET AND WEST 1,577.34 FEET FROM THE WASATCH COUNTY SURVEY MONUMENT FOR THE EAST QUARTER CORNER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN;

THENCE S89°15'51"W 183.11 FEET; THENCE N88°09'35"W 235.01 FEET; THENCE N00°10'50"W 1,014.87 FEET; THENCE EAST 423.18 FEET; THENCE S00°00'01"E 64.00 FEET; TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 13.00 FEET; AND TO WHICH POINT A RADIAL LINE BEARS S00°00'01"E THENCE 20.42 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", WITH A CHORD BEARING AND DISTANCE OF S45°00'01"E 18.38 FEET; THENCE S00°00'00"E 153.00 FEET; TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 13.00 FEET; THENCE 20.42 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", WITH A CHORD BEARING AND DISTANCE OF S45°00'00"W 18.38 FEET; THENCE S00°00'01"E 58.00 FEET;

TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 13.00 FEET; AND TO WHICH POINT A RADIAL LINE BEARS SOUTH THENCE 20.42 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", WITH A CHORD BEARING AND DISTANCE OF S45°00'00"E 18.38 FEET; THENCE S00°00'00"E 404.00 FEET; TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 13.00 FEET; THENCE 20.42 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", WITH A CHORD BEARING AND DISTANCE OF S45°00'00"W 18.38 FEET;

THENCE S00°00'01"E 58.00 FEET; TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 13.00 FEET; AND TO WHICH POINT A RADIAL LINE BEARS SOUTH THENCE 20.42 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", WITH A CHORD BEARING AND DISTANCE OF S45°00'00"E 18.38 FEET; THENCE S00°00'00"E 135.86 FEET; TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 15.00 FEET; THENCE 23.56 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", WITH A CHORD BEARING AND DISTANCE OF S45°00'00"W 21.21 FEET; THENCE SOUTH 67.19 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 10.092 ACRES, OR 439,591 SQUARE FEET.

Parcel Numbers:

00-0021-4423, 00-0021-4424, 00-0021-4425, 00-0021-4426, 00-0021-4427, 00-0021-4428, 00-0021-4429, 00-0021-4430, 00-0021-4431, 00-0021-4432, 00-0021-4433, 00-0021-5483, 00-0021-5484, 00-0021-5485, 00-0021-5486, 00-0021-5487, 00-0021-5488, 00-0021-5489, 00-0021-5490, 00-0021-5491, 00-0021-5492, 00-0021-5493, 00-0021-5494, 00-0021-5495, 00-0021-5496, 00-0021-5497, 00-0021-5498, 00-0021-5499, 00-0021-5500, 00-0021-5501, 00-0021-5502, 00-0021-5503, 00-0021-5504, 00-0021-5505, 00-0021-5506, 00-0021-5507, 00-0021-5508, 00-0021-5509, 00-0021-5510, 00-0021-5511, 00-0021-5512, 00-0021-5513, 00-0021-5514, 00-0021-5515, 00-0021-5516, 00-0021-5517, 00-0021-5518, 00-0021-5519, 00-0021-5520, 00-0021-5521, 00-0021-5522, 00-0021-5523, 00-0021-5524, 00-0021-5525, 00-0021-5526, 00-0021-5527, 00-0021-5528, 00-0021-5529, 00-0021-5530, 00-0021-5531, 00-0021-5532, 00-0021-5533, 00-0021-5534, 00-0021-5535, 00-0021-5536, 00-0021-5537, 00-0021-5538, 00-0021-5539, 00-0021-5540, 00-0021-5541, 00-0021-5542, 00-0021-2375, 00-0020-8286, 00-0020-8292, 00-0021-1525, 00-0012-1967, 00-0021-4583, 00-0021-1526