SUMMIT EDEN RIDGE NESTS-PRUD AMENDMENT 1

LOCATED IN THE SOUTH 1/2 OF SECTIONS 5 \$ 6, TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN JANUARY 2016

SURVEYOR'S CERTIFICATE

RICHARD W. MILLER, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; AND THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH UTAH CODE SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS AND HAVE PLACED MONUMENTS AS REPRESENTED IN THIS PLAT. AND THAT THIS PLAT SUMMIT EDEN RIDGE NESTS-PRUD AMENDMENT I, IN WEBER COUNTY, UTAH, HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE HEREON DESCRIBED LANDS INCLUDING SAID SUBDIVISION, BASED UPON DATA COMPILED FROM RECORDS IN THE WEBER COUNTY RECORDER'S OFFICE AND FROM SAID SURVEY MADE BY ME ON THE GROUND. I FURTHER CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES OF WEBER COUNTY CONCERNING ZONING REQUIREMENTS REGARDING LOT MEASUREMENTS HAVE BEEN COMPLIED WITH.



RICHARD W. MILLER PROFESSIONAL LAND SURVEYOR UTAH CERTIFICATE NO. 155641

LEGAL DESCRIPTION

DEVELOPMENT PARCEL B OF THE SUMMIT EDEN The first sentence of this note was revised so it is more of THE WEBER COUNTY RECORDER. AS ENTRY NO. a notification of the Declarant's rights per the CC&R's MORE PARTICULARLY DESCRIBED AS FOLLOWS: instead of trying to create an easement via this plat. See

BEGINNING AT A POINT THAT IS SOUTH 1,090.71 TELL SIDE LAST 100. 18 TELL TISCH THE LAST QUARTER CORNER OF SECTION 6, TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN (BASIS OF BEARINGS BEING NORTH 89°55'51" WEST ALONG THE LINE BETWEEN THE NORTHEAST CORNER OF SECTION I, TOWNSHIP 7 NORTH, RANGE I EAST, SALT LAKE BASE AND MERIDIAN AND THE SET WEBER COUNTY MONUMENT ON THE INTERSECTION OF THE WEBER/CACHE COUNTY LINE AND THE SECTION LINE); RUNNING THENCE SOUTH 63°37'15" EAST 119.37 FEET; THENCE SOUTH 07°15'04" EAST 108.45 FEET TO THE WEBER AND CACHE COUNTY LINE; THENCE SOUTH 86°25'04" EAST ALONG SAID COUNTY LINE 13.97 FEET; THENCE SOUTH 82°44'56" WEST 22.04 FEET; THENCE WESTERLY ALONG A 275.00 FOOT RADIUS CURVE TO THE LEFT, (CHORD BEARS SOUTH 71°27'14" WEST A DISTANCE OF 107.72 FEET), THROUGH A CENTRAL ANGLE OF 22°35'23", A DISTANCE OF 108.42 FEET; THENCE SOUTH 60°09'33" WEST 49.03 FEET; THENCE SOUTHWESTERLY ALONG A 275.00 FOOT RADIUS CURVE TO THE LEFT, (CHORD BEARS SOUTH 55°09'31" WEST A DISTANCE OF 47.94 FEET), THROUGH A CENTRAL ANGLE OF 10°00'04", A DISTANCE OF 48.00 FEET; THENCE SOUTH 50°09'29" WEST 60.24 FEET; THENCE SOUTHWESTERLY ALONG A 225.00 FOOT RADIUS CURVE TO THE RIGHT, (CHORD BEARS SOUTH 56°18'22" WEST A DISTANCE OF 48.19 FEET), THROUGH A CENTRAL ANGLE OF 12°17'45", A DISTANCE OF 48.29 FEET; THENCE SOUTH 62°27'14" WEST 67.41 FEET; THENCE SOUTHWESTERLY ALONG A 145.00 FOOT RADIUS CURVE TO THE LEFT, (CHORD BEARS SOUTH 35°28'08" WEST A DISTANCE OF 131.59 FEET), THROUGH A CENTRAL ANGLE OF 53°58'12", A DISTANCE OF 136.58 FEET; THENCE SOUTHWESTERLY ALONG A 30.00 FOOT RADIUS REVERSE CURVE TO THE RIGHT, (CHORD BEARS SOUTH 51°03'40" WEST A DISTANCE OF 40.60 FEET), THROUGH A CENTRAL ANGLE OF 85°09'16", A DISTANCE OF 44.59 FEET TO THE NORTHERLY LINE OF SUMMIT PASS; THENCE ALONG SAID NORTHERLY LINE THE FOLLOWING THREE (3) COURSES: 1) NORTH 86°21'42" WEST 78.15 FEET, 2) WESTERLY ALONG A 2,990.76 FOOT RADIUS CURVE TO THE RIGHT, (CHORD BEARS NORTH 85°24'51" WEST A DISTANCE OF 98.90 FEET), THROUGH A CENTRAL ANGLE OF 01°53'41", A DISTANCE OF 98.91 FEET, AND 3) NORTH 84°28'01" WEST 105.46 FEET; THENCE NORTH 22°03'15" EAST 94.54 FEET; THENCE NORTH 67°56'24" WEST 23.37 FEET; THENCE NORTH 57°01'18" EAST 296.21 FEET; THENCE NORTH 72°11'24" EAST 165.13 FEET; THENCE NORTH

CONTAINING 136,654 SQUARE FEET OR 3.137 ACRES.

51°37'45" EAST 238.96 FEET TO THE POINT OF BEGINNING.

SURVEY NARRATIVE:

I. THIS SURVEY WAS PERFORMED TO AMEND AND RESTATE SUMMIT EDEN RIDGE NEST PRUD AS RECORDED IN THE OFFICE OF THE WEBER COUNTY RECORDERS OFFICE (ENTRY NUMBER 2672949, BOOK 75, PAGES 43 - 44). THE CHANGES INCLUDE ADDING OPEN SPACE PARCEL OS4 AND LIMITED COMMON AREAS, MINOR CHANGES TO VARIOUS PLAT NOTES, MINOR CHANGES TO THE TYPICAL LOT CONFIGURATION, LOTS 9-15 BECAME "RESTRICTED" OR (R) LOTS, AND A MINOR SHIFT OF LOT 5 AND LOT 6.

2. THE BASIS OF BEARINGS FOR THIS PLAT IS NORTH 89°55'51" WEST BETWEEN THE NORTHEAST CORNER OF SECTION I, TOWNSHIP 7 NORTH, RANGE I EAST, SALT LAKE BASE AND MERIDIAN AND A FOUND WEBER COUNTY LINE MONUMENT SET BY THE WEBER COUNTY SURVEYOR'S OFFICE. THIS BEARING DIFFERS FROM WEBER COUNTY SURVEYORS BEARING BY 00°00'14" AS SHOWN ON COUNTY LINE DECLARATION RECORDED PLAT BOOK 74, PAGE 64.

PLAT NOTES:

THIS PLAT AMENDMENT IS SUBJECT TO ALL LEGALLY ENFORCEABLE RESTRICTIONS, RIGHTS AND LIMITATIONS SET FORTH IN THE PLAT NOTES THAT APPEAR ON THE SUMMIT EDEN RIDGE NESTS PRUD (ENTRY# 2672949) UNLESS OTHERWISE NOTED ON THIS PLAT.

PLAT NOTE #5 IS HEREBY REPLACED IN ITS ENTIRETY AS FOLLOWS: 5. LIMITED COMMON AREAS SHALL MEAN THOSE PARTS OF THE COMMON AREA WHICH ARE LIMITED TO AND RESERVED FOR THE USE OF OWNERS OF ONE OR MORE, BUT FEWER THAN ALL OF THE LOTS. THE LIMITED COMMON AREAS SHALL INCLUDE ALL COMMON AREAS DESIGNATED AS LIMITED COMMON AREAS ON THE PLAT OR THE NEIGHBORHOOD ASSOCIATION IN ACCORDANCE WITH THE NEIGHBORHOOD DECLARATION. LIMITED COMMON AREAS DESIGNATED HEREON ARE APPURTENANT TO THE ADJACENT LOT. NO REFERENCE TO ANY LIMITED COMMON AREAS NEEDS TO BE MADE IN ANY INSTRUMENT OF CONVEYANCE, ENCUMBRANCE OR OTHER INSTRUMENT. THE INTENDED USES OF THE LIMITED COMMON AREAS INCLUDE ROOFING ELEMENTS, AWNINGS, WINDOW ELEMENTS, STEPS, PORCHES, STOOPS, BALCONIES, PATIOS, OR ANY OTHER APPURTENANCE APPROVED BY THE SUMMIT POWDER MOUNTAIN ARCHITECTURAL REVIEW COMMITTEE. EACH OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE, UPKEEP AND REPAIR OF IMPROVEMENTS ON THE LIMITED COMMON AREA APPURTENANT TO SUCH OWNER'S LOT AND THE USE THEREOF AS MORE SPECIFICALLY SET FORTH IN THE NEIGHBORHOOD DECLARATION.

PLAT NOTE #9 IS HEREBY REPLACED IN ITS ENTIRETY AS FOLLOWS: DECLARANT HEREBY GRANTS TO ALL UTILITY PROVIDERS AN EASEMENT OVER AND ACROSS ALL COMMON AREAS, INCLUDING ALL LIMITED COMMON AREA, FOR THE PURPOSE OF INSTALLING, MAINTAINING AND OPERATING EQUIPMENT AND FACILITIES ABOVE AND BELOW GROUND AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES, AND VEGETATION THAT MAY HAVE BEEN PLACED WITHIN THE EASEMENTS. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE PUBLIC UTILITY EASEMENTS WHICH INTERFERES WITH THE USE OF THE EASEMENTS WITHOUT THE PRIOR WRITTEN APPROVAL OF THE APPLICABLE UTILITY PROVIDERS.

PLAT NOTE #13 IS HEREBY REPLACED IN ITS ENTIRETY AS FOLLOWS: 13. DECLARANT HEREBY RESERVES FOR THE BENEFIT OF ITSELF, ITS SUCCESSORS AND ASSIGNS, A BLANKET EASEMENT ACROSS ALL COMMON AREA, INCLUDING ALL LIMITED COMMON AREA, FOR CONSTRUCTING AND MAINTAINING HIKING AND BIKING TRAILS ("TRAIL EASEMENT"). THE EXACT LOCATION OF THE TRAILS MAY BE DESIGNATED, ADDED TO, DELETED, OR MODIFIED BY DECLARANT WITHOUT AN AMENDMENT TO THIS PLAT AS MORE FULLY DESCRIBED IN THE NEIGHBORHOOD DECLARATION. DECLARANT HEREBY GRANTS TO THE NEIGHBORHOOD ASSOCIATION, COMMUNITY ASSOCIATION, AND THEIR MEMBERS AN EASEMENT FOR USE AND ENJOYMENT OF THE TRAIL EASEMENT, IN THE AS-CONSTRUCTED LOCATIONS, AS MAY BE MODIFIED OR RELOCATED FROM TIME TO TIME, IN ACCORDANCE WITH ANY RULES AND REGULATIONS ADOPTED BY

PLAT NOTE #21 IS HEREBY ADDED TO THE SUBDIVISION PLAT NOTES: 21. CERTAIN PARCELS MAY BE DESIGNATED HEREON AS "OPEN SPACE, CONSERVATION". SUCH PARCELS SHALL BE INITIALLY OWNED BY DECLARANT AND ARE NOT PART OF ANY COMMON AREA UNLESS DESIGNATED AS SUCH BY DECLARANT OR CONVEYED BY DECLARANT TO THE NEIGHBORHOOD ASSOCIATION OR COMMUNITY ASSOCIATION. SUCH PARCELS ARE TO REMAIN UNDEVELOPED AND PERMANENTLY PRESERVED IN ORDER TO MAINTAIN SCENIC QUALITIES AND NATURAL BUFFERS. ABOVE-GROUND FACILITIES AND AMENITIES SHALL BE PROHIBITED WITHIN ANY AREA DESIGNATED AS "OPEN SPACE, CONSERVATION". DESPITE ANY CONTRARY PROVISIONS IN THE NEIGHBORHOOD DECLARATION OR MASTER DECLARATION, PARCEL 0S4 MAY NOT BE REDUCED IN SIZE, RELOCATED OR CHANGED IN USE TO SOMETHING OTHER THAN "OPEN SPACE, CONSERVATION", AS DEFINED IN THE WEBER COUNTY LAND USE CODE, WITHOUT THE PRIOR WRITTEN CONSENT OF THE OWNER(S) OF LOT 34R IN SUMMIT EDEN PHASE IB. FURTHER, THIS NOTE MAY NOT BE AMENDED TO DELETE OR MODIFY THE IMMEDIATELY PRECEDING SENTENCE WITHOUT THE PRIOR WRITTEN CONSENT OF THE OWNER(S) OF LOT 34R IN SUMMIT EDEN PHASE

PLAT NOTE #22 IS HEREBY ADDED TO THE SUBDIVISION PLAT NOTES: 22. NOTICE TO PURCHASERS OF RESTRICTED (R) LOTS: LOTS DESIGNATED BY THE LETTER "R" AFTER FHE LOT NUMBER ARE RESTRICTED LOTS AND BUILDING DEVELOPMENT ON SUCH LOTS IS SUBJECT TO THE PROVISIONS OF SECTION 108-14 OF THE WEBER COUNTY LAND USE CODE. APPROVAL OF A RESTRICTED LOT DOES NOT GUARANTEE THE LOT IS BUILDABLE. A HILLSIDE REVIEW AS OUTLINED IN THE LAND USE CODE SHALL BE DONE TO DETERMINE IF A LOT IS BUILDABLE.

OWNER'S DEDICATION:

WE, THE UNDERSIGNED OWNERS OF THE HEREON DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS TO BE KNOWN HEREAFTER AS SUMMIT EDEN RIDGE NESTS PRUD AMENDMENT I AND DO HEREBY GRANT AND DEDICATE A PERPETUAL RIGHT AND EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED HEREOF AS PUBLIC UTILITY, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINE, WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY THE GOVERNING AUTHORITY, WITH NO BUILDINGS OR STRUCTURES BEING ERECTED WITHIN SUCH EASEMENTS.

IN WITNESS WHEREOF, THE UNDERSIGNED HAVE EXECUTED THIS OWNER'S DEDICATION AS OF THE_____, DAY OF ______, 20____.

SMHG PHASE I LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: SMHG INVESTMENTS LLC, A DELAWARE LIMITED LIABILITY COMPANY, IT'S SOLE MEMBER

NAME: JEFF WERBELOW TITLE: AUTHORIZED SIGNATORY

OWNER OF LOT 4

BY: NICK MORTON

BY: _____ NAME: GREGORY VINCENT MAURO

OWNER OF LOT 4 BY: EVAN MENDELSOHN

OWNER OF LOT 3

BY: _____ NAME: GREGORY VINCENT MAURO

TITLE: ATTORNEY IN FACT OF EVAN MENDELSOHN TITLE: ATTORNEY IN FACT OF NICK MORTON

OWNER OF LOT 3 BY: GAYLE TROBERMAN

COUNTY SURVEYOR

NAME: GREGORY VINCENT MAURO

NAME: GREGORY VINCENT MAURO TITLE: ATTORNEY IN FACT OF GAYLE TROBERMAN TITLE: ATTORNEY IN FACT OF SUE TURNER

BY: SUE TURNER

SIGNATURE

ACKNOWLEDGEMENTS:

STATE OF UTAH

COUNTY OF WEBER

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ___ DAY OF___ 20_ BY JEFF WERBELOW, AUTHORIZED SIGNATORY OF SMHG INVESTMENTS LLC, THE SOLE MEMBER OF SMHG PHASE I LLC.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____ RESIDING IN: _____

STATE OF UTAH

COUNTY OF WEBER

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ___ DAY OF______, 20__ BY GREGORY VINCENT MAURO, ATTORNEY IN FACT OF NICK MORTON.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

RESIDING IN: _____

STATE OF UTAH COUNTY OF WEBER

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ___ DAY OF_______, 20__ BY GREGORY VINCENT MAURO, ATTORNEY IN FACT OF EVAN MENDELSOHN.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

RESIDING IN:

STATE OF UTAH

COUNTY OF WEBER

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ___ DAY OF_____, 20__ BY GREGORY VINCENT MAURO, ATTORNEY IN FACT OF GAYLE TROBERMAN.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

RESIDING IN: _____

STATE OF UTAH

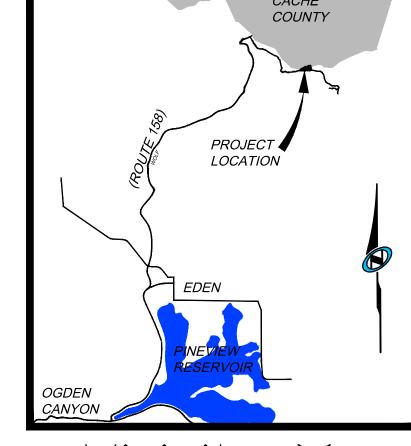
COUNTY OF WEBER

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ___ DAY OF_____, 20__ BY GREGORY VINCENT MAURO, ATTORNEY IN FACT OF SUE TURNER.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

RESIDING IN:





5217 SOUTH STATE STREET, SUITE 300 MURRAY, UT 84107 CACHE COUNTY RECORDER

Sheet 1 **NOLTE** VERTICAL**FIVE**

WEBER COUNTY COMMISSION ACCEPTANCE THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT, THE DEDICAT OF STREETS AND OTHER PUBLIC WAYS AND FINANCIAL GUARANTEE OF PUBLIC IMPROVEMENTS, IN ACCORDANCE WITH AN INTERLOCAL AGREEMENT BETWEEN WEBER COUNTY AND CACHE COUNTY, ENTRY #2637681, RECORDED 28 MAY 2013, ASSOCIATED WITH THIS SUBDIVISION THEREON ARE HEREBY APPROVED AND ACCEPTED BY

THE COMMISSIONERS OF WEBER COUNTY, UTAH THIS______, 20______, 20_______

CHAIRMAN, WEBER COUNTY COMMISSION

| 801.743.1300 TEL 801.743.0300 FAX WWW.NOLTE.COM | |
|---|--|
| NTY COMMISSION ACCEPTANCE | WEBER RECORDED # |
| AT THIS SUBDIVISION PLAT, THE DEDICATION R PUBLIC WAYS AND FINANCIAL GUARANTEE TS, IN ACCORDANCE WITH AN INTERLOCAL | STATE OF UTAH, COUNTY OF WEBE RECORDED AND FILED AT THE |
| EBER COUNTY AND CACHE COUNTY, ENTRY | REQUEST OF: |
| MAY 2013, ASSOCIATED WITH THIS | ENTRY NO: |
| RE HEREBY APPROVED AND ACCEPTED BY WEBER COUNTY, UTAH | DATE:TIME: |
| F, 20 | BOOK:PAGE: |
| OUNTY COMMISSION | |

CACHE RECORDED #

STATE OF UTAH, COUNTY OF CACHE,

RECORDED AND FILED AT THE

REQUEST OF:

TITLE

| SMHG PHASE I,LLC. |
|-----------------------|
| 3632 N. WOLF CRÉEK DR |
| EDEN, UT, 84310 |
| |

DOCUMENTS ASSOCIATED WITH THIS SUBDIVISION PLAT AND IN MY OPINION THEY CONFORM WITH THE COUNTY ORDINANCE APPLICABLE THERETO AND NOW IN FORCE AND SIGNED THIS _____ DAY OF _____, 20____

SIGNATURE

In order for the plat notes to

need to be referenced in the

dedicate to the utility

Owners Dedication

See updated owner's dedication that incorporates this plat

If the blanket trail easement is required by engineering

Dedication. If not required by engineering this plat note

would need to be taken care of as a separate document, —

this plat note must be referenced in the Owner

the plat can not dedicate private easements.

Comment from Rick:

Comment from Rick:

providers the plat notes

HAVE EXAMINED THE FINANCIAL GUARANTEE AND OTHER

HEREBY CERTIFY THAT THE WEBER COUNTY SURVEYOR'S OFFICE HAS REVIEWED THIS PLAT FOR MATHEMATICAL CORRECTNESS, SECTION CORNER DATA AND FOR HARMONY WITH LINES AND MONUMENTS ON RECORD IN THE COUNTY OFFICES. THE APPROVAL OF THIS PLAT BY THE WEBER COUNTY SURVEYORS DOES NOT RELIEVE THE LICENSED LAND SURVEYOR WHO EXICUTED THIS PLAT FROM RESPONSBILITES AN/OR LIABILITIES ASSOCIATED THEREWITH. SIGNED THIS _____ DAY OF _____, 20_____.

WEBER COUNTY SURVEYOR

SUBDIVISION CONFORM WITH COUNTY STANDARDS AND THE AMOUNT OF THE FINANCIAL GUARANTEE IS SUFFICIENT FOR THE INSTALLATION OF THESE IMPROVEMENTS. SIGNED THIS _____ DAY OF _____, 20____

HEREBY CERTIFY THAT THE REQUIRED PUBLIC

IMPROVEMENT STANDARDS AND DRAWINGS FOR THIS

WEBER COUNTY ENGINEER

CHAIRMAN-WEBER COUNTY PLANNING COMMISSION

WEBER COUNTY PLANNING COMMISSION APPROVAL

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS

DULY APPROVED BY THE WEBER COUNTY PLANNING

COMMISSION ON THE DAY OF

I FEE \$

WEBER COUNTY RECORDER