



Staff Report to the Weber County Commission

Weber County Planning Division

Synopsis

Application Information

Application Request:	Consideration and action on a request for the Second Amendment to the Wolf Creek Resort Zoning Development Agreement to amend the “Conceptual Development Plan” as part of the Zoning Development Agreement that was previously approved as Contract #2015-31 and amended as Entry# 2784398 to allow the transfer of five density rights (units) from “The Fairway’s” to “Trapper’s Ridge” and hold the remaining 11 density rights (units) in reserve to be sold, assigned or transferred at a later date.
Application Type:	Legislative
Agenda Date:	Tuesday, June 07, 2016
Applicant:	Eden Village, LLC
Authorized Agent:	Rick Everson
File Number:	ZDA 2016-01

Property Information

Approximate Address:	Wolf Creek Resort, Eden Utah
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Staff Information

Report Presenter:	Ronda Kippen rkippen@co.weber.ut.us 801-399-8768
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Summary

The applicant is petitioning Weber County to reduce the density rights (units) that have previously been allocated to “The Fairway’s” from 115 units to 99 units by transferring five units from “The Fairway’s” to “Trapper’s Ridge”. The applicant would then like to hold the remaining 11 units in reserve to be sold, assigned or transferred at a later date. The proposed modifications to the applicant’s density rights have been shown in “red” on the maps that are identified as “Exhibit B” and “Exhibit C” in the proposed “Second Amendment to Weber County Zoning Development Agreement for the Wolf Creek Resort” (see Exhibit A for the proposed amendment and the applicable maps). The proposed amendment will only modify the density rights owned by Eden Village, LLC and will not affect the remaining density rights owned throughout the Wolf Creek Resort. If the request to hold the remaining 11 units in reserve is approved, the applicant will need to petition the County for approval prior to transferring the units elsewhere.

Background

Wolf Creek Resort has been a Master Planned Community since the early 1980’s. In 2002, the owner of Wolf Creek Resort petitioned the County to rezone areas within the development and amend the agreement. The 2002 Wolf Creek Master Plan Amendment was approved as Contract# C2002-139 and recorded with the Weber County Recorder’s Office as Entry# 1883524. Since that time, the undeveloped parcels have been foreclosed on and the new owners/stakeholders of Wolf Creek Resort have successfully undergone the process with Weber County to restructure and distribute the remaining entitlements throughout the development. The revised contract was approved as Contract# C2015-31 and was recorded with the Weber County Recorder’s Office as Entry# 2768159 (see Exhibit B). Per Contract# C2015-31, Trapper’s Ridge has been allotted 13 development rights as shown on the “Development Parcel/Units” table located on page 2 of the contract (see Exhibit B).

As part of the approval of Contract# C2015-31, the owners/stakeholders were asked by Weber County to bring forward “conceptual maps” for the development to be reviewed and recorded as part of the amended agreement that would clarify the density rights throughout the Resort. In February of 2016, the owners/stakeholders provided Weber County with the requested conceptual map for the Wolf Creek Resort and received approval of the “Agreement Amending and Clarifying the Weber County Zoning Development Agreement for the Wolf Creek Resort” on March 22, 2016. The amendment has been recorded with the Weber County Recorder’s Office as Entry# 2784398 (see Exhibit C).

On April 26, 2016 a public hearing was held by the Ogden Valley Planning Commission, after the Planning Division staff sent out courtesy notices to the effected entities regarding the proposed amendment to the Wolf Creek Resort Zoning Development Agreement. The OVPC received public input and has unanimously forwarded a positive recommendation for

the requested Second Amendment to the Wolf Creek Resort Zoning Development Agreement to amend the “Conceptual Development Plan” as part of the Zoning Development Agreement that was previously approved as Contract #2015-31 and amended as Entry# 2784398 to allow the transfer of five density rights (units) from “The Fairway’s” to “Trapper’s Ridge” and hold the remaining 11 density rights (units) in reserve to be sold, assigned or transferred at a later date.

Conformance to the General Plan

Based on staff’s analysis, the proposal conforms to the Ogden Valley General Plan by encouraging development within existing community areas by providing incentives for developers to preserve open space by cluster development, balancing commercial development and residential growth (*The 1998 Ogden Valley General Plan § 5 Commercial Development and §10 Residential Development*).

Summary of County Commission Considerations

The following questions may be considered helpful to the County Commission regarding the request to amend the “Conceptual Development Plan” as part of the Zoning Development Agreement that was previously approved as Contract# C2015-31 and amended as Entry# 2784398 to allow the transfer of five density rights (units) from “The Fairway’s” to “Trapper’s Ridge” and hold the remaining 11 density rights (units) in reserve to be sold, assigned or transferred at a later date:

- Does the proposed amendment coincide with the vision of the area?
- Is the proposed amendment harmonious with the Ogden Valley General Plan?
- Does the proposed “Conceptual Development Plan” meet the current goals and objectives as outlined in the Ogden Valley General Plan?
- Does the proposal enhance the public health, safety and welfare over the type of development that could otherwise occur?
- Does the proposal to amend the conceptual development plan negatively impact the surrounding properties and uses?

Planning Commission Recommendation

The Ogden Valley Planning Commission recommends approval of the request to amend the “Conceptual Development Plan” as part of the Zoning Development Agreement that was previously approved as Contract# C2015-31 and amended as Entry# 2784398 to allow the transfer of five density rights (units) from “The Fairway’s” to “Trapper’s Ridge” and hold the remaining 11 density rights (units) in reserve to be sold, assigned or transferred at a later date. This recommendation is based on the findings as listed below:

1. A request to amend the “Concept Development Plan” is allowed per the previously approved Zoning Development Agreement.
2. It is in the best interests of both the applicant and the County to have a “Concept Development Plan” that is viable and harmonious with the Ogden Valley General Plan.
3. The amendment to the conceptual design will facilitate the required site improvements in a manner that will coincide with the vision of the area and will be more desirable for future residents.
4. The amendment is not detrimental to the public health, safety, or welfare.
5. The proposal will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

Exhibits

- A. Proposed Zoning Development Agreement Amendment with Conceptual Maps
- B. Approved Zoning Development Agreement Contract# C2015-31
- C. Approved First Amendment of the Zoning Development Agreement Entry# 2781398
- D. April 26, 2016 OVPC Draft Minutes

WHEN RECORDED, RETURN TO:

**SECOND AMENDMENT TO WEBER COUNTY ZONING DEVELOPMENT
AGREEMENT FOR THE WOLF CREEK RESORT**

This SECOND AMENDMENT TO WEBER COUNTY ZONING DEVELOPMENT AGREEMENT FOR THE WOLF CREEK RESORT (the “**Amendment**”), is made this ____ day of _____, 2016, by and between Eden Village, L.L.C., a Utah limited liability company (“**Eden Village**”), WCU, LLC, a Utah limited liability company (“**WCU**”), Bridges Holding Company LLC, a Utah limited liability company (“**Bridges**”), Capon Capital, LLC, a Utah limited liability company (“**Capon**”), KRK Wolf Creek, LLC, a Utah limited liability company (“**KRK**”), and Weber County, a body politic in the State of Utah (“**County**”). Eden Village, WCU and KRK are collectively referred to as “**Developers**,” and Developers and County are collectively referred to as the “**Parties**.”

RECITALS

A. County and Wolf Creek Properties, L.C., a Utah limited liability company (“**Original Developer**”), entered into that certain Zoning Development Agreement dated October 11, 2002 and recorded in the Official Records of Weber County on October 22, 2002 as Entry No. 1883524, as amended by that certain Agreement Amending and Clarifying the Weber County Zoning Development Agreement for the Wolf Creek Resort, recorded in the Official Records of Weber County on December 4, 2015 as Entry No. 2768159 (the “**Development Agreement**”), which governs the allocation of density for the development of the Wolf Creek Resort located in the Eden area of the Ogden Valley located within the County (the “**Resort**”). A Conceptual Map was later made part of the Development Agreement and was recorded in the Official Records of Weber County on March 23, 2016 as Entry No. 2784398.

B. Eden Village has succeeded to the interests of the Original Developer to that portion of the Resort that is legally described on Exhibit “A” attached to and incorporated by reference in this Amendment (the “**Subject Property**,” which is divided into two parcels, each known as a “**Developer Parcel**”).

C. Density entitlements for the Resort have been assigned to the Development Parcels as contemplated by the Development Agreement and in accordance with County’s land use code.

D. Eden Village is the owner and developer of The Fairways neighborhood located on a portion of Developer Parcel 3 of the Subject Property (“**The Fairways**”). Parcel 3 is identified on the Resort Zoning Map (Exhibit B) of the Development Agreement. The Fairways has been assigned density entitlements for 115 units. Each vested right to develop a residential lot or unit shall be referred to as a “**Density Right**.” Eden Village has developed or plans to develop 99 units in the Fairways, resulting in a surplus of 16 Density Rights.

E. Eden Village is also the owner and developer of the Trapper’s Ridge neighborhood located on a portion of Developer Parcel 8 of the Subject Property (“**Trapper’s Ridge**”). Parcel 8 is identified on the Resort Zoning Map (Exhibit B) of the Development Agreement. Trapper’s Ridge has been granted 162

Exhibit A-Proposed Zoning Development Agreement Amendment with Conceptual Maps

Density Rights. Eden Village has developed or plans to develop 167 units in Trapper’s Ridge, five Density Rights more than the approved Density Rights.

F. Eden Village desires to transfer five Density Rights approved for The Fairways to Trapper’s Ridge in order to increase the approved Density Rights for Trapper’s Ridge from 162 to 167. Eden Village desires to hold the remaining 11 Density Rights from The Fairways in reserve to be sold, assigned or transferred at a later date.

NOW THEREFORE, for good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, the Parties hereby mutually agree to amend the Development Agreement as follows:

AGREEMENT

1. Incorporation of Recitals. The recitals set forth above are incorporated in this Amendment as if fully set forth in the body of this Amendment.

2. Transfer of Density Rights. Eden Village hereby transfers five Density Rights from The Fairways to Trapper’s Ridge effective as of the date this Amendment is fully executed and recorded. Maps depicting the Subject Property and density allocations, approximate acreage and zoning classifications of each Developer Parcel located therein prior to and immediately following the transfer of units are attached hereto and incorporated by reference in this Amendment as Exhibit “B” and Exhibit “C,” respectively.

3. County Approval. County hereby approves the transfer of five approved Density Rights from The Fairways to Trapper’s Ridge and confirms the transfer complies with all applicable laws and zoning ordinances. County further recognizes the existence of an additional 11 surplus Density Rights that may be transferred to other Developer Parcels in the future.

4. Development Agreement Remains in Effect. This Amendment shall be considered supplemental to the Development Agreement. Except as expressly amended by the foregoing, the Development Agreement shall remain in full force and effect and shall not be canceled, suspended or otherwise abrogated by the recording of this Amendment.

[Signatures appear on the following pages.]

Exhibit A-Proposed Zoning Development Agreement Amendment with Conceptual Maps

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment

Signed and Dated this _____ day of _____, 2016.

WEBER COUNTY, UTAH

By: _____
Name: _____
Its: _____

STATE OF UTAH)
 : ss.
COUNTY OF WEBER)

The foregoing instrument was acknowledged before me this _____ day of _____, 2016, by _____, who is the _____ of WEBER COUNTY, UTAH.

NOTARY PUBLIC
Residing at Weber County, Utah

My Commission Expires:

Exhibit A-Proposed Zoning Development Agreement Amendment with Conceptual Maps

Signed and Dated this _____ day of _____, 2016.

EDEN VILLAGE, L.L.C., a Utah limited liability
company

By: _____
Name: _____
Its: _____

STATE OF UTAH)
 : ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____,
2016, by _____, who is the _____ of EDEN VILLAGE, L.L.C., a Utah limited
liability company.

NOTARY PUBLIC
Residing at _____ County, Utah

My Commission Expires:

Exhibit A-Proposed Zoning Development Agreement Amendment with Conceptual Maps

Signed and Dated this _____ day of _____, 2016.

WCU, LLC, a Utah limited liability company

By: _____

Name: _____

Its: _____

STATE OF UTAH)
 : ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2016, by _____, who is the _____ of WCU, LLC, a Utah limited liability company.

NOTARY PUBLIC
Residing at _____ County, Utah

My Commission Expires:

Exhibit A-Proposed Zoning Development Agreement Amendment with Conceptual Maps

Signed and Dated this _____ day of _____, 2016.

Capon Capital, LLC, a Utah limited liability company

By: _____

Name: _____

Its: _____

STATE OF UTAH)
 : ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2016, by _____, who is the _____ of Capon Capital, LLC, a Utah limited liability company.

NOTARY PUBLIC
Residing at _____ County, Utah

My Commission Expires:

Exhibit A-Proposed Zoning Development Agreement Amendment with Conceptual Maps

Signed and Dated this _____ day of _____, 2016.

Bridges Holding Company, LLC, a Utah limited liability company

By: _____
Name: _____
Its: _____

STATE OF UTAH)
 : ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2016, by _____, who is the _____ of Bridges Holding Company, LLC, a Utah limited liability company.

NOTARY PUBLIC
Residing at _____ County, Utah

My Commission Expires:

EXHIBIT "A"

SUBJECT PROPERTY DESCRIPTION

PARCEL 3
BOUNDARY DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 7 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 22 AND RUNNING THENCE ALONG THE NORTH LINE OF SAID SECTION 22 SOUTH 89°12'43" EAST 1484.21 FEET; THENCE SOUTH 89°10'46" EAST 289.74 FEET TO THE INTERSECTION OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER AND THE NORTH RIGHT-OF-WAY LINE OF A FUTURE 80.00 FOOT RIGHT-OF-WAY; THENCE ALONG THE NORTH LINE OF SAID 80.00 FOOT RIGHT-OF-WAY LINE THE FOLLOWING FIVE (5) COURSES: (1) ALONG THE ARC OF A 390.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT 221.36 FEET, HAVING A CENTRAL ANGLE OF 32°31'14", CHORD BEARS SOUTH 74°31'40" WEST 218.40 FEET; (2) SOUTH 58°16'30" WEST 508.21 FEET; (3) ALONG THE ARC OF A 560.00 FOOT RADIUS CURVE TO THE RIGHT 330.58 FEET, HAVING A CENTRAL ANGLE OF 33°49'23", CHORD BEARS SOUTH 75°10'44" WEST 325.80 FEET; (4) NORTH 87°54'34" WEST 302.48 FEET; (5) ALONG THE ARC OF A 1540.00 FOOT RADIUS CURVE TO THE LEFT 524.05 FEET, HAVING A CENTRAL ANGLE OF 19°29'50", CHORD BEARS SOUTH 82°20'31" WEST 521.53 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER; THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER NORTH 00°21'24" EAST 491.93 FEET TO THE POINT OF BEGINNING.

PARCEL 8
BOUNDARY DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 26, AND A PART OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 7 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT THE NORTHWEST CORNER OF TRAPPERS RIDGE AT WOLF CREEK P.R.U.D. PHASE 5 ALSO BEING ON THE BOUNDARY LINE OF ELKHORN SUBDIVISION PHASE 3 SAID POINT BEING LOCATED NORTH 89°57'13" EAST 319.29 FEET ALONG THE NORTH OF SAID NORTHWEST QUARTER AND SOUTH 00°00'00" EAST 34.80 FEET FROM THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; RUNNING THENCE ALONG THE BOUNDARY LINE OF ELKHORN BOUNDARY PHASE 3 THE FOLLOWING SIX (6) COURSES: (1) NORTH 17°10'22" WEST 157.52 FEET; (2) NORTH 58°18'49" EAST 68.60 FEET; (3) NORTH 38°47'54" EAST 172.79 FEET; (4) NORTH 28°21'04" EAST 73.83 FEET; (5) NORTH 45°52'46" EAST 143.92 FEET; (6) NORTH 55°13'30" EAST 124.26 FEET TO THE SOUTHWEST CORNER OF ELKHORN SUBDIVISION PHASE 4; THENCE ALONG THE SOUTH BOUNDARY LINE OF SAID ELKHORN SUBDIVISION PHASE 4 THE FOLLOWING FIVE (5) COURSES: (1) SOUTH 64°18'02" EAST 143.88 FEET; (2) SOUTH 64°05'34" EAST 107.47 FEET; (3) SOUTH 57°53'09" EAST 126.51 FEET; (4) SOUTH 49°24'26" EAST 63.32 FEET; (5) SOUTH 50°06'38" EAST 473.71 FEET TO THE NORTH LINE OF SAID TRAPPERS RIDGE SUBDIVISION PHASE 8; THENCE ALONG THE NORTH LINE OF SAID PHASE 8 SOUTH 88°09'13" WEST 1106.18 FEET TO THE POINT OF BEGINNING.

EXHIBIT "B"

ZONING AND DENSITY MAP – PRE-TRANSFER

WOLF CREEK RESORT

MARCH 2016

Exhibit A-Proposed Zoning Development Agreement Amendment with Conceptual Maps



THE INFORMATION AND/OR ENGINEERING HEREIN ARE FOR THE USE OF THE CLIENT AND ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE PROVIDER.

EXHIBIT “C”

ZONING AND DENSITY MAP – POST-TRANSFER



W2768159

WHEN RECORDED, RETURN TO:

①# 2015-159 PG 2-13
LEAH R. KILTS, WEBER COUNTY RECORDER
04-DEC-15 8:20 AM FEE \$1.00 DEP TN
REC FOR: WEBER COUNTY PLANNING

Dated: _____, 2015

Space Above for Recorder's Use Only

AGREEMENT AMENDING AND CLARIFYING THE WEBER COUNTY ZONING DEVELOPMENT AGREEMENT FOR THE WOLF CREEK RESORT

RECITALS

WHEREAS, Weber County, Utah (the "County") and Wolf Creek Properties, L.C., a Utah limited liability company ("Original Developer"), entered into that certain Zoning Development Agreement dated October 11, 2002 and recorded on October 22, 2002 as Entry No. 1883524, in Book 2276, beginning at page 990 in the office of the Weber County Recorder (the "Development Agreement");

WHEREAS, the Development Agreement, among other things, allocates available density for the development of the Wolf Creek Resort located in the Eden area of the Ogden Valley located within the County (the "Resort");

WHEREAS, the actual allocation of density for the Resort is based on zoning classification and available acreage within the zones, and the actual placement of units within the over-all development of the Resort was left to the Original Developer to propose to the County, under the County's land use code; and

WHEREAS, the Resort has been partially developed with assigned density allocations as contemplated by the Development Agreement, but there remains undeveloped areas within the Resort that have not been developed and for which density allocations are available;

WHEREAS, the parties signing this Amendment with the County (the "Successor Developers") have succeeded to the interests of the Original Developer to that portion of the Resort that is legally described on Exhibit "A" attached to and incorporated by reference in this Amendment (the "Subject Property"); and

WHEREAS, the Successor Developers wish to amend and clarify certain provisions of the Development Agreement to reflect changes in the ownership of the Subject Property and to assign to each Successor Developer's portion of the Subject Property (each a "Developer Parcel") a portion of the remaining density entitlements for the Resort that can be supported by the zoning classification of each Developer Parcel but subject to the remaining unassigned density allocations that were available to the Original Developer under the terms of the Development Agreement; and

WHEREAS, the Ogden Valley Planning Commission, in a Public Hearing on December 2, 2014, received public comment on this proposal and unanimously recommended approval to the Weber County Commission.

Exhibit B-Approved ZDA Contract# C2015-31

NOW THEREFORE, for good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, the parties do hereby amend the Development Agreement as follows:

1. ZONING CLASSIFICATION OF THE RESORT

1) A map depicting the Resort and showing ownership of each remaining Developer Parcel affected by this Amendment, its approximate acreage and zoning classification is attached to and incorporated by reference in this Amendment as Exhibit "B."

2) The County and the Successor Developers acknowledge that the ownership of the Subject Property has changed from the Original Developer to the Successor Developers.

2. DENSITY ALLOCATIONS FOR SUBJECT PROPERTY

The following table summarizes the zoning classification, Development Parcel owner and the total units available to each of the Development Parcels affected by this Amendment, with notice to the County and agreed to by the Successor Developers, and includes the reallocation of 58 units from Parcel 3 to Parcel 1 now owned by America First Federal Credit Union ("America First"):

DEVELOPMENT PARCEL/UNITS			
Zoning Parcel No. (see Exhibit "A")	Zone(s)	Successor Developer	Total Units Assigned
Parcel 1	RE-15	America First	413
Parcel 3	FR-3	WCU, LLC	73
Parcel 4	FR-1	WCU, LLC	1
Parcel 8	RE-15	Eden Village	13
Parcel 10	FR-3	Capon Capital	61
Parcel 12	CVR-1	WCU, LLC	101
Parcel 12	CVR-1	WCU, LLC	61
Parcel 12	CV-2	KRK Wolf Creek	40
Parcel 14	CV-2	KRK Wolf Creek	35
			798

Each Successor Developer may use the total assigned units on its Development Parcel(s) as shown on the above-table. Each Successor Developer shall be required to follow the approval process set forth in the County's land use code before commencing any construction on its Development Parcel, including preliminary and final plat approval.

3. ASSIGNMENT

The Development Parcels, or portions thereof, may be sold, assigned, or otherwise transferred by the Successor Developers to parties, individuals, or entities, together with the assigned density allocations set forth in paragraph 2 above. In no event shall the transfer of units result in an allocation to any Development Parcel, or portion thereof, that exceeds the maximum number of units otherwise available to such Development Parcel, or portion thereof, under this agreement and the County's land use code, unless the master plan for Wolf Creek is amended as required by Section 4 of this agreement.

4. MASTER PLAN AMENDMENTS

Successor Developers must submit to the Ogden Valley Township Planning Commission proposed drawings for any Amendments to the existing Master Plan covering the Development Parcels within twelve (12) months after the date of this Amendment.

5. EFFECT OF AMENDMENTS

Except for the specific provisions of the Development Agreement clarified and amended hereby, the Development Agreement shall remain in full force and effect and shall be applicable to the parties and the Resort. In the case of conflict between the provisions of this Amendment and the Development Agreement, the provisions of this Amendment shall govern in all respects.

[Signatures appear on the following pages.]

KRK WOLF CREEK, LLC, a Utah limited liability company

By: *Robert Olsen*
Title: *manager*

STATE OF UTAH)
COUNTY OF *Salt Lake* : ss.)

The foregoing instrument was acknowledged before me this *15th* day of *September*, 2015, by *Robert Olsen*, who is a *manager* of KRK WOLF CREEK, LLC, a Utah limited liability company.

Carie Lynn Young
NOTARY PUBLIC
Residing at *Utah* County, Utah

My Commission Expires:
December 3, 2016

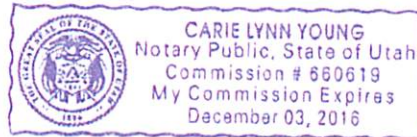


Exhibit B-Approved ZDA Contract# C2015-31

EDEN VILLAGE, L.L.C., a Utah limited liability company

By: [Signature]
Title: PTGS / M/N

STATE OF UTAH)
COUNTY OF Weber) : ss.

The foregoing instrument was acknowledged before me this 2 day of Dec, 2015, by Russ Wolk, who is the Manager of EDEN VILLAGE, L.L.C., a Utah limited liability company.

[Signature]
NOTARY PUBLIC
Residing at Ogden County, Utah

My Commission Expires:
11-24-2019

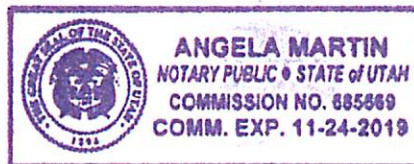


Exhibit B-Approved ZDA Contract# C2015-31

WCU, LLC, a Utah limited liability company

By: [Signature]

Title: Managing Member

STATE OF UTAH)
 : ss.
COUNTY OF Weber)

The foregoing instrument was acknowledged before me this 2nd day of Dec., 2015, by John L. Lewis, who is the managing member of WCU, LLC, a Utah limited liability company.



My Commission Expires:
10/14/18

Lisa Tucker
NOTARY PUBLIC
Residing at Weber County, Utah

Exhibit B-Approved ZDA Contract# C2015-31

CAPON CAPITAL, LLC, a Utah limited liability company

By: [Signature]
Title: Managing member

STATE OF UTAH)
)
) : ss.
COUNTY OF Weber)

The foregoing instrument was acknowledged before me this 2nd day of Dec., 2015, by John Lewis, who is the Managing member of GALT CAPITAL, LLC, a Utah limited liability company.



Lisa Tucker
NOTARY PUBLIC
Residing at Weber County, Utah

My Commission Expires:
10/14/18

PARCEL 1
BOUNDARY DESCRIPTION

A PART OF THE SOUTH HALF OF SECTION 16, AND A PART OF THE SOUTHWEST QUARTER OF SECTION 15, AND A PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 7 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 16 AND RUNNING THENCE ALONG THE EAST LINE OF SAID SECTION 16 NORTH 00°20'34" EAST 1328.34 FEET; THENCE NORTH 89°38'07" WEST 1316.70 FEET; THENCE SOUTH 00°20'47" WEST 1324.09 FEET TO THE SOUTH LINE OF SAID SECTION 16, THENCE ALONG THE SOUTH LINE OF SAID SECTION 16 NORTH 89°27'25" WEST 1974.97 FEET TO THE EAST BOUNDARY LINE OF SHEEP CREEK CLUSTER SUBDIVISION PHASE 1; THENCE ALONG THE EAST LINE OF SHEEP CREEK CLUSTER SUBDIVISION PHASES 1, 2, AND 3 NORTH 00°23'38" EAST 2655.42 FEET TO THE NORTH LINE OF SAID SOUTH HALF; THENCE ALONG SAID NORTH LINE OF SAID SOUTH HALF SOUTH 89°28'10" EAST 3287.33 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER SOUTH 88°40'09" EAST 1486.52 FEET; THENCE SOUTH 00°20'39" WEST 2642.21 FEET TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER NORTH 89°12'43" WEST 1484.21 FEET TO THE POINT OF BEGINNING.

PARCEL 3
BOUNDARY DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 7 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 22 AND RUNNING THENCE ALONG THE NORTH LINE OF SAID SECTION 22 SOUTH 89°12'43" EAST 1484.21 FEET; THENCE SOUTH 89°10'46" EAST 289.74 FEET TO THE INTERSECTION OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER AND THE NORTH RIGHT-OF-WAY LINE OF A FUTURE 80.00 FOOT RIGHT-OF-WAY; THENCE ALONG THE NORTH LINE OF SAID 80.00 FOOT RIGHT-OF-WAY LINE THE FOLLOWING FIVE (5) COURSES: (1) ALONG THE ARC OF A 390.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT 221.36 FEET, HAVING A CENTRAL ANGLE OF 32°31'14", CHORD BEARS SOUTH 74°31'40" WEST 218.40 FEET; (2) SOUTH 58°16'30" WEST 508.21 FEET; (3) ALONG THE ARC OF A 560.00 FOOT RADIUS CURVE TO THE RIGHT 330.58 FEET, HAVING A CENTRAL ANGLE OF 33°49'23", CHORD BEARS SOUTH 75°10'44" WEST 325.80 FEET; (4) NORTH 87°54'34" WEST 302.48 FEET; (5) ALONG THE ARC OF A 1540.00 FOOT RADIUS CURVE TO THE LEFT 524.05 FEET, HAVING A CENTRAL ANGLE OF 19°29'50", CHORD BEARS SOUTH 82°20'31" WEST 521.53 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER; THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER NORTH 00°21'24" EAST 491.93 FEET TO THE POINT OF BEGINNING.

PARCEL 4
BOUNDARY DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 7 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN.
ALL OF THE NORTHWEST QUARTER OF SAID SECTION 22 LYING NORTH OF WOLF CREEK SUBDIVISION NO. 2 AND EAST OF WOLF CREEK DRIVE (A.K.A. 5100 EAST STREET) MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER AND RUNNING THENCE ALONG THE EAST LINE OF SAID NORTHWEST QUARTER SOUTH 00°24'17" WEST 437.73 FEET TO THE NORTH LINE OF SAID WOLF CREEK SUBDIVISION NO. 2; THENCE ALONG THE NORTH LINE OF SAID WOLF CREEK SUBDIVISION NO. 2 SOUTH 87°15'11" WEST 290.35 FEET TO THE EAST RIGHT-OF-WAY LINE OF WOLF CREEK DRIVE; THENCE ALONG SAID EAST RIGHT-OF-

Exhibit B-Approved ZDA Contract# C2015-31

WAY LINE THE FOLLOWING THREE (3) COURSES: (1) ALONG THE ARC OF A 725.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT 164.21 FEET, HAVING A CENTRAL ANGLE OF 12°58'40", CHORD BEARS NORTH 09°16'38" WEST 163.86 FEET; (2) NORTH 15°45'58" WEST 152.69 FEET; (3) ALONG THE ARC OF A 440.36 FOOT RADIUS CURVE TO THE RIGHT 149.70 FEET, CHORD BEARS NORTH 06°01'35" WEST 148.98 FEET TO THE NORTH LINE OF SAID NORTHWEST QUARTER; THENCE ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER SOUTH 89°12'43" EAST 376.69 FEET TO THE POINT OF BEGINNING.

PARCEL 8
BOUNDARY DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 26, AND A PART OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 7 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT THE NORTHWEST CORNER OF TRAPPERS RIDGE AT WOLF CREEK P.R.U.D. PHASE 5 ALSO BEING ON THE BOUNDARY LINE OF ELKHORN SUBDIVISION PHASE 3 SAID POINT BEING LOCATED NORTH 89°57'13" EAST 319.29 FEET ALONG THE NORTH OF SAID NORTHWEST QUARTER AND SOUTH 00°00'00" EAST 34.80 FEET FROM THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; RUNNING THENCE ALONG THE BOUNDARY LINE OF ELKHORN BOUNDARY PHASE 3 THE FOLLOWING SIX (6) COURSES: (1) NORTH 17°10'22" WEST 157.52 FEET; (2) NORTH 58°18'49" EAST 68.60 FEET; (3) NORTH 38°47'54" EAST 172.79 FEET; (4) NORTH 28°21'04" EAST 73.83 FEET; (5) NORTH 45°52'46" EAST 143.92 FEET; (6) NORTH 55°13'30" EAST 124.26 FEET TO THE SOUTHWEST CORNER OF ELKHORN SUBDIVISION PHASE 4; THENCE ALONG THE SOUTH BOUNDARY LINE OF SAID ELKHORN SUBDIVISION PHASE 4 THE FOLLOWING FIVE (5) COURSES: (1) SOUTH 64°18'02" EAST 143.88 FEET; (2) SOUTH 64°05'34" EAST 107.47 FEET; (3) SOUTH 57°53'09" EAST 126.51 FEET; (4) SOUTH 49°24'26" EAST 63.32 FEET; (5) SOUTH 50°06'38" EAST 473.71 FEET TO THE NORTH LINE OF SAID TRAPPERS RIDGE SUBDIVISION PHASE 8; THENCE ALONG THE NORTH LINE OF SAID PHASE 8 SOUTH 88°09'13" WEST 1106.18 FEET TO THE POINT OF BEGINNING.

PARCEL 10
BOUNDARY DESCRIPTION

A PART OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 7 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN.
BEGINNING AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF WOLF CREEK DRIVE AND THE SOUTH LINE OF WOLF CREEK SUBDIVISION PHASE 2 BEING LOCATED NORTH 00°24'17" EAST 379.42 FEET ALONG THE WEST LINE OF SAID NORTHEAST QUARTER AND NORTH 90°00'00" EAST 30.87 FEET FROM THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; RUNNING THENCE ALONG SAID SOUTH LINE NORTH 54°20'36" EAST 359.81 FEET; THENCE NORTH 67°45'45" EAST 102.09 FEET; THENCE NORTH 54°39'47" EAST 322.44 FEET; THENCE SOUTH 89°20'13" EAST 303.68 FEET; THENCE SOUTH 50°20'13" EAST 365.00 FEET; THENCE SOUTH 38°39'47" WEST 292.63 FEET; THENCE SOUTH 19°54'40" WEST 90.01 FEET TO THE NORTH LINE OF WOLF STAR P.R.U.D. PHASE 1 PLAT B; THENCE ALONG THE NORTH LINE OF SAID WOLF STAR P.R.U.D. PHASE 1 PLAT B AND THE NORTH LINE OF WOLF STAR P.R.U.D. PHASE 1 PLAT C NORTH 73°18'19" WEST 579.90 FEET; THENCE ALONG THE WEST BOUNDARY LINE OF SAID PLAT C THE FOLLOWING TWO (2) COURSES: (1) SOUTH 11°20'13" EAST 222.32 FEET; (2) SOUTH 10°39'47" WEST 114.60 FEET TO THE NORTH RIGHT-OF-WAY LINE OF ELKHORN DRIVE; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE ALONG THE ARC OF A 633.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT 160.59 FEET, HAVING A CENTRAL ANGLE OF 14°32'08", CHORD BEARS SOUTH 74°06'50" WEST 160.16 FEET TO SAID EAST RIGHT-OF-WAY LINE; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) COURSES: (1) ALONG THE ARC OF A 207.59 FOOT RADIUS CURVE NON-TANGENT TO THE LEFT 64.34 FEET, HAVING A CENTRAL ANGLE OF 17°45'29", CHORD BEARS NORTH 47°46'38" WEST 64.08 FEET; (2)

Exhibit B-Approved ZDA Contract# C2015-31

NORTH 56°39'22" WEST 244.00 FEET; (3) ALONG THE ARC OF A 76.41 FOOT RADIUS CURVE TO THE RIGHT 40.90 FEET, HAVING A CENTRAL ANGLE OF 30°40'00", CHORD BEARS NORTH 41°19'22" WEST 40.41 FEET; (4) NORTH 25°59'22" WEST 128.00 FEET TO THE POINT OF BEGINNING.

PARCEL 12
BOUNDARY DESCRIPTION

A PART OF THE SOUTH HALF OF SECTION 22, TOWNSHIP 7 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN.
BEGINNING AT A POINT ON THE EAST RIGHT-OF-WAY LINE OF WOLF CREEK DRIVE BEING LOCATED SOUTH 00°24'17" WEST 1346.93 FEET ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 22 AND NORTH 90°00'00" WEST 232.82 FEET FROM THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; RUNNING THENCE ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) COURSES: (1) ALONG THE ARC OF A 943.25 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT 11.87 FEET, HAVING A CENTRAL ANGLE OF 00°43'16", CHORD BEARS NORTH 37°34'48" EAST 11.87 FEET; (2) NORTH 37°13'11" EAST 62.30 FEET; (3) ALONG THE ARC OF A 3633.87 FOOT RADIUS CURVE TO THE LEFT 196.11 FEET, HAVING A CENTRAL ANGLE OF 03°05'32", CHORD BEARS NORTH 35°40'25" EAST 196.09 FEET; (4) ALONG THE ARC OF A 2669.04 FOOT RADIUS CURVE TO THE LEFT 443.53 FEET, HAVING A CENTRAL ANGLE OF 09°31'16", CHORD BEARS NORTH 32°29'17" EAST 443.02 FEET; THENCE SOUTH 31°00'04" EAST 358.42 FEET; THENCE SOUTH 31°37'35" WEST 111.01 FEET; THENCE SOUTH 60°36'55" EAST 4.76 FEET; THENCE SOUTH 83°21'49" EAST 37.30 FEET; THENCE SOUTH 34°17'37" WEST 213.48 FEET; THENCE SOUTH 00°31'06" WEST 253.28 FEET; THENCE SOUTH 89°56'50" WEST 118.57 FEET; THENCE SOUTH 00°27'18" WEST 98.78 FEET; THENCE SOUTH 70°55'49" WEST 263.65 FEET; THENCE NORTH 79°07'31" WEST 98.41 FEET; THENCE NORTH 44°17'09" EAST 300.74 FEET; THENCE NORTH 43°29'21" WEST 271.81 FEET TO THE POINT OF BEGINNING.

PARCEL 14
BOUNDARY DESCRIPTION

A PART OF THE NORTH HALF OF SECTION 22, TOWNSHIP 7 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN.
BEGINNING AT A POINT ON THE WEST RIGHT-OF-WAY LINE OF WOLF CREEK DRIVE BEING LOCATED NORTH 00°24'17" EAST 222.03 ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 22 AND NORTH 90°00'00" EAST 60.76 FEET FROM THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; RUNNING THENCE SOUTH 38°48'58" WEST 184.37 FEET; THENCE NORTH 55°40'31" WEST 368.67 FEET; THENCE NORTH 83°42'40" WEST 23.32 FEET; THENCE NORTH 04°59'10" WEST 61.40 FEET; THENCE NORTH 69°10'50" EAST 328.85 FEET TO SAID WEST RIGHT-OF-WAY LINE; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES: (1) SOUTH 23°30'13" EAST 127.65 FEET; (2) SOUTH 26°07'32" EAST 7.04 FEET; (3) SOUTH 35°39'22" EAST 149.42 FEET TO THE POINT OF BEGINNING.



W2784398

WHEN RECORDED, RETURN TO:

EH 2784398 PG 1 OF 15
LEANN H KILTS, WEBER COUNTY RECORDER
23-MAR-16 129 PM FEE \$.00 DEP DC
REC FOR: WEBER COUNTY PLANNING

Dated: _____, 2015

Space Above for Recorder's Use Only

3-22-2016

**AGREEMENT AMENDING AND CLARIFYING THE WEBER COUNTY ZONING
DEVELOPMENT AGREEMENT FOR THE WOLF CREEK RESORT**

RECITALS

WHEREAS, Weber County, Utah (the "County") and Wolf Creek Properties, L.C., a Utah limited liability company ("Original Developer"), entered into that certain Zoning Development Agreement dated October 11, 2002 and recorded on October 22, 2002 as Entry No. 1883524, in Book 2276, beginning at page 990 in the office of the Weber County Recorder (the "Development Agreement");

WHEREAS, the Development Agreement, among other things, allocates available density for the development of the Wolf Creek Resort located in the Eden area of the Ogden Valley located within the County (the "Resort");

WHEREAS, the actual allocation of density for the Resort is based on zoning classification and available acreage within the zones, and the actual placement of units within the over-all development of the Resort was left to the Original Developer to propose to the County, under the County's land use code; and

WHEREAS, the Resort has been partially developed with assigned density allocations as contemplated by the Development Agreement, but there remains undeveloped areas within the Resort that have not been developed and for which density allocations are available;

WHEREAS, the parties signing this Amendment with the County (the "Successor Developers") have succeeded to the interests of the Original Developer to that portion of the Resort that is legally described on Exhibit "A" attached to and incorporated by reference in this Amendment (the "Subject Property"); and

WHEREAS, the Successor Developers wish to amend and clarify certain provisions of the Development Agreement to reflect changes in the ownership of the Subject Property and to assign to each Successor Developer's portion of the Subject Property (each a "Developer Parcel") a portion of the remaining density entitlements for the Resort that can be supported by the zoning classification of each Developer Parcel but subject to the remaining unassigned density allocations that were available to the Original Developer under the terms of the Development Agreement; and

WHEREAS, the Ogden Valley Planning Commission, in a Public Hearing on December 2, 2014, received public comment on this proposal and unanimously recommended approval to the Weber County Commission.

Exhibit C-Approved First Amendment of the ZDA Entry# 2781398

NOW THEREFORE, for good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, the parties do hereby amend the Development Agreement as follows:

1. ZONING CLASSIFICATION OF THE RESORT

1) A map depicting the Resort and showing ownership of each remaining Developer Parcel affected by this Amendment, its approximate acreage and zoning classification is attached to and incorporated by reference in this Amendment as Exhibit "B."

2) The County and the Successor Developers acknowledge that the ownership of the Subject Property has changed from the Original Developer to the Successor Developers.

2. DENSITY ALLOCATIONS FOR SUBJECT PROPERTY

The following table summarizes the zoning classification, Development Parcel owner and the total units available to each of the Development Parcels affected by this Amendment, with notice to the County and agreed to by the Successor Developers, and includes the reallocation of 58 units from Parcel 3 to Parcel 1 now owned by Bridges Holding Company LLC ("Bridges Holding LLC"):

DEVELOPMENT PARCEL/UNITS			
Zoning Parcel No. (see Exhibit "A")	Zone(s)	Successor Developer	Total Units Assigned
Parcel 1	RE-15	Bridges Holding LLC	413
Parcel 3	FR-3	WCU, LLC	73
Parcel 4	FR-1	WCU, LLC	1
Parcel 8	RE-15	Eden Village	13
Parcel 10	FR-3	Capon Capital	61
Parcel 12	CVR-1	WCU, LLC	101
Parcel 12	CVR-1	WCU, LLC	61
Parcel 12	CV-2	KRK Wolf Creek	40
Parcel 14	CV-2	KRK Wolf Creek	35
			798

Each Successor Developer may use the total assigned units on its Development Parcel(s) as shown on the above-table. Each Successor Developer shall be required to follow the approval process set forth in the County's land use code before commencing any construction on its Development Parcel, including preliminary and final plat approval.

3. ASSIGNMENT

The Development Parcels, or portions thereof, may be sold, assigned, or otherwise transferred by the Successor Developers to parties, individuals, or entities, together with the assigned density allocations set forth in paragraph 2 above. In no event shall the transfer of units result in an allocation to any Development Parcel, or portion thereof, that exceeds the maximum number of units otherwise available to such Development Parcel, or portion thereof, under this agreement and the County's land use code, unless the master plan for Wolf Creek is amended as required by Section 4 of this agreement.

Exhibit C-Approved First Amendment of the ZDA Entry# 27813984. **MASTER PLAN AMENDMENTS**

Successor Developers must submit to the Ogden Valley Township Planning Commission proposed drawings for any Amendments to the existing Master Plan covering the Development Parcels within twelve (12) months after the date of this Amendment.

5. **EFFECT OF AMENDMENTS**

Except for the specific provisions of the Development Agreement clarified and amended hereby, the Development Agreement shall remain in full force and effect and shall be applicable to the parties and the Resort. In the case of conflict between the provisions of this Amendment and the Development Agreement, the provisions of this Amendment shall govern in all respects.

[Signatures appear on the following pages.]

Exhibit C-Approved First Amendment of the ZDA Entry# 2781398

Signed and Dated this 22 day of March, 2016.

WEBER COUNTY, UTAH

By: [Signature]
Title: Webber County Commission Chair

STATE OF UTAH)
 : ss.
COUNTY OF WEBER)

The foregoing instrument was acknowledged before me this 23rd day of March, 2016, by Kerry Gibson, who is the Commissioner of WEBER COUNTY, UTAH.
chair

[Signature: Paige Greenhalgh]
NOTARY PUBLIC
Residing at Weber County, Utah

My Commission Expires:
1-30-17



Exhibit C-Approved First Amendment of the ZDA Entry# 2781398

EDEN VILLAGE, L.L.C., a Utah limited liability company

By: *Russ Watts*
Title: *MAN*

STATE OF UTAH)
COUNTY OF *Weber*) : ss.

The foregoing instrument was acknowledged before me this *9th* day of *March*, 2016, by *Russ Watts*, who is the *manager* of EDEN VILLAGE, L.L.C., a Utah limited liability company.



Lisa Tucker
NOTARY PUBLIC
Residing at *Weber* County, Utah

My Commission Expires:
10/14/18

Exhibit C-Approved First Amendment of the ZDA Entry# 2781398

WCU, LLC, a Utah limited liability company

By: John Lewis
Title: Managing Member

STATE OF UTAH)
)
COUNTY OF Weber) : ss.

The foregoing instrument was acknowledged before me this 29th day of February, 2016, by John Lewis, who is the _____ of WCU, LLC, a Utah limited liability company.



Lisa Tucker
NOTARY PUBLIC
Residing at Weber County, Utah

My Commission Expires:
10/14/18

Exhibit C-Approved First Amendment of the ZDA Entry# 2781398

CAPON CAPITAL, LLC, a Utah limited liability company

By: *John Lewis*
Title: *Managing member*

STATE OF UTAH)
) : ss.
COUNTY OF *Weber*)

The foregoing instrument was acknowledged before me this *29th* day of *February*, 2016, by *John L. Lewis*, who is the _____ of CAPON CAPITAL, LLC, a Utah limited liability company.



Lisa Tucker
NOTARY PUBLIC
Residing at *Weber* County, Utah

My Commission Expires:
10/14/18

Exhibit C-Approved First Amendment of the ZDA Entry# 2781398

Exhibit A

Subject Property Description

Exhibit B

Wolf Creek Zoning Map

Exhibit C

Wolf Creek Concept Map

PARCEL 1
BOUNDARY DESCRIPTION

A PART OF THE SOUTH HALF OF SECTION 16, AND A PART OF THE SOUTHWEST QUARTER OF SECTION 15, AND A PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 7 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 16 AND RUNNING THENCE ALONG THE EAST LINE OF SAID SECTION 16 NORTH 00°20'34" EAST 1328.34 FEET; THENCE NORTH 89°38'07" WEST 1316.70 FEET; THENCE SOUTH 00°20'47" WEST 1324.09 FEET TO THE SOUTH LINE OF SAID SECTION 16, THENCE ALONG THE SOUTH LINE OF SAID SECTION 16 NORTH 89°27'25" WEST 1974.97 FEET TO THE EAST BOUNDARY LINE OF SHEEP CREEK CLUSTER SUBDIVISION PHASE 1; THENCE ALONG THE EAST LINE OF SHEEP CREEK CLUSTER SUBDIVISION PHASES 1, 2, AND 3 NORTH 00°23'38" EAST 2655.42 FEET TO THE NORTH LINE OF SAID SOUTH HALF; THENCE ALONG SAID NORTH LINE OF SAID SOUTH HALF SOUTH 89°28'10" EAST 3287.33 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER SOUTH 88°40'09" EAST 1486.52 FEET; THENCE SOUTH 00°20'39" WEST 2642.21 FEET TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER NORTH 89°12'43" WEST 1484.21 FEET TO THE POINT OF BEGINNING.

PARCEL 3
BOUNDARY DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 7 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 22 AND RUNNING THENCE ALONG THE NORTH LINE OF SAID SECTION 22 SOUTH 89°12'43" EAST 1484.21 FEET; THENCE SOUTH 89°10'46" EAST 289.74 FEET TO THE INTERSECTION OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER AND THE NORTH RIGHT-OF-WAY LINE OF A FUTURE 80.00 FOOT RIGHT-OF-WAY; THENCE ALONG THE NORTH LINE OF SAID 80.00 FOOT RIGHT-OF-WAY LINE THE FOLLOWING FIVE (5) COURSES: (1) ALONG THE ARC OF A 390.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT 221.36 FEET, HAVING A CENTRAL ANGLE OF 32°31'14", CHORD BEARS SOUTH 74°31'40" WEST 218.40 FEET; (2) SOUTH 58°16'30" WEST 508.21 FEET; (3) ALONG THE ARC OF A 560.00 FOOT RADIUS CURVE TO THE RIGHT 330.58 FEET, HAVING A CENTRAL ANGLE OF 33°49'23", CHORD BEARS SOUTH 75°10'44" WEST 325.80 FEET; (4) NORTH 87°54'34" WEST 302.48 FEET; (5) ALONG THE ARC OF A 1540.00 FOOT RADIUS CURVE TO THE LEFT 524.05 FEET, HAVING A CENTRAL ANGLE OF 19°29'50", CHORD BEARS SOUTH 82°20'31" WEST 521.53 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER; THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER NORTH 00°21'24" EAST 491.93 FEET TO THE POINT OF BEGINNING.

PARCEL 4
BOUNDARY DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 7 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN.
ALL OF THE NORTHWEST QUARTER OF SAID SECTION 22 LYING NORTH OF WOLF CREEK SUBDIVISION NO. 2 AND EAST OF WOLF CREEK DRIVE (A.K.A. 5100 EAST STREET) MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER AND RUNNING THENCE ALONG THE EAST LINE OF SAID NORTHWEST QUARTER SOUTH 00°24'17" WEST 437.73 FEET TO THE NORTH LINE OF SAID WOLF CREEK SUBDIVISION NO. 2; THENCE ALONG THE NORTH LINE OF SAID WOLF CREEK SUBDIVISION NO. 2 SOUTH 87°15'11" WEST 290.35 FEET TO THE EAST RIGHT-OF-WAY LINE OF WOLF CREEK DRIVE; THENCE ALONG SAID EAST RIGHT-OF-

Exhibit C-Approved First Amendment of the ZDA Entry# 2781398

WAY LINE THE FOLLOWING THREE (3) COURSES: (1) ALONG THE ARC OF A 725.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT 164.21 FEET, HAVING A CENTRAL ANGLE OF 12°58'40", CHORD BEARS NORTH 09°16'38" WEST 163.86 FEET; (2) NORTH 15°45'58" WEST 152.69 FEET; (3) ALONG THE ARC OF A 440.36 FOOT RADIUS CURVE TO THE RIGHT 149.70 FEET, CHORD BEARS NORTH 06°01'35" WEST 148.98 FEET TO THE NORTH LINE OF SAID NORTHWEST QUARTER; THENCE ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER SOUTH 89°12'43" EAST 376.69 FEET TO THE POINT OF BEGINNING.

PARCEL 8
BOUNDARY DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 26, AND A PART OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 7 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT THE NORTHWEST CORNER OF TRAPPERS RIDGE AT WOLF CREEK P.R.U.D. PHASE 5 ALSO BEING ON THE BOUNDARY LINE OF ELKHORN SUBDIVISION PHASE 3 SAID POINT BEING LOCATED NORTH 89°57'13" EAST 319.29 FEET ALONG THE NORTH OF SAID NORTHWEST QUARTER AND SOUTH 00°00'00" EAST 34.80 FEET FROM THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; RUNNING THENCE ALONG THE BOUNDARY LINE OF ELKHORN BOUNDARY PHASE 3 THE FOLLOWING SIX (6) COURSES: (1) NORTH 17°10'22" WEST 157.52 FEET; (2) NORTH 58°18'49" EAST 68.60 FEET; (3) NORTH 38°47'54" EAST 172.79 FEET; (4) NORTH 28°21'04" EAST 73.83 FEET; (5) NORTH 45°52'46" EAST 143.92 FEET; (6) NORTH 55°13'30" EAST 124.26 FEET TO THE SOUTHWEST CORNER OF ELKHORN SUBDIVISION PHASE 4; THENCE ALONG THE SOUTH BOUNDARY LINE OF SAID ELKHORN SUBDIVISION PHASE 4 THE FOLLOWING FIVE (5) COURSES: (1) SOUTH 64°18'02" EAST 143.88 FEET; (2) SOUTH 64°05'34" EAST 107.47 FEET; (3) SOUTH 57°53'09" EAST 126.51 FEET; (4) SOUTH 49°24'26" EAST 63.32 FEET; (5) SOUTH 50°06'38" EAST 473.71 FEET TO THE NORTH LINE OF SAID TRAPPERS RIDGE SUBDIVISION PHASE 8; THENCE ALONG THE NORTH LINE OF SAID PHASE 8 SOUTH 88°09'13" WEST 1106.18 FEET TO THE POINT OF BEGINNING.

PARCEL 10
BOUNDARY DESCRIPTION

A PART OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 7 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF WOLF CREEK DRIVE AND THE SOUTH LINE OF WOLF CREEK SUBDIVISION PHASE 2 BEING LOCATED NORTH 00°24'17" EAST 379.42 FEET ALONG THE WEST LINE OF SAID NORTHEAST QUARTER AND NORTH 90°00'00" EAST 30.87 FEET FROM THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; RUNNING THENCE ALONG SAID SOUTH LINE NORTH 54°20'36" EAST 359.81 FEET; THENCE NORTH 67°45'45" EAST 102.09 FEET; THENCE NORTH 54°39'47" EAST 322.44 FEET; THENCE SOUTH 89°20'13" EAST 303.68 FEET; THENCE SOUTH 50°20'13" EAST 365.00 FEET; THENCE SOUTH 38°39'47" WEST 292.63 FEET; THENCE SOUTH 19°54'40" WEST 90.01 FEET TO THE NORTH LINE OF WOLF STAR P.R.U.D. PHASE 1 PLAT B; THENCE ALONG THE NORTH LINE OF SAID WOLF STAR P.R.U.D. PHASE 1 PLAT B AND THE NORTH LINE OF WOLF STAR P.R.U.D. PHASE 1 PLAT C NORTH 73°18'19" WEST 579.90 FEET; THENCE ALONG THE WEST BOUNDARY LINE OF SAID PLAT C THE FOLLOWING TWO (2) COURSES: (1) SOUTH 11°20'13" EAST 222.32 FEET; (2) SOUTH 10°39'47" WEST 114.60 FEET TO THE NORTH RIGHT-OF-WAY LINE OF ELKHORN DRIVE; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE ALONG THE ARC OF A 633.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT 160.59 FEET, HAVING A CENTRAL ANGLE OF 14°32'08", CHORD BEARS SOUTH 74°06'50" WEST 160.16 FEET TO SAID EAST RIGHT-OF-WAY LINE; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) COURSES: (1) ALONG THE ARC OF A 207.59 FOOT RADIUS CURVE NON-TANGENT TO THE LEFT 64.34 FEET, HAVING A CENTRAL ANGLE OF 17°45'29", CHORD BEARS NORTH 47°46'38" WEST 64.08 FEET; (2)

Exhibit C-Approved First Amendment of the ZDA Entry# 2781398

NORTH 56°39'22" WEST 244.00 FEET; (3) ALONG THE ARC OF A 76.41 FOOT RADIUS CURVE TO THE RIGHT 40.90 FEET, HAVING A CENTRAL ANGLE OF 30°40'00", CHORD BEARS NORTH 41°19'22" WEST 40.41 FEET; (4) NORTH 25°59'22" WEST 128.00 FEET TO THE POINT OF BEGINNING.

PARCEL 12
BOUNDARY DESCRIPTION

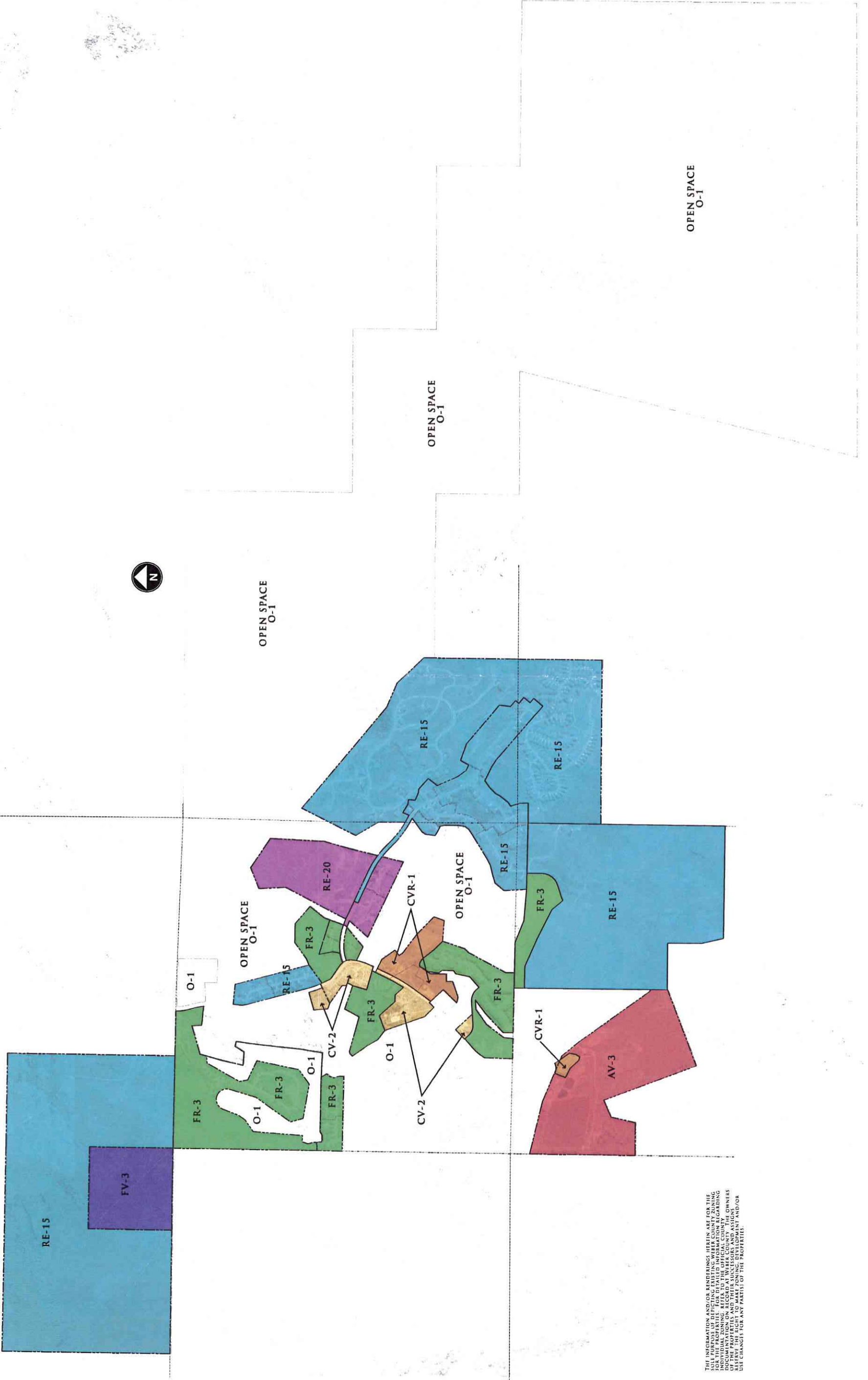
A PART OF THE SOUTH HALF OF SECTION 22, TOWNSHIP 7 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN.
BEGINNING AT A POINT ON THE EAST RIGHT-OF-WAY LINE OF WOLF CREEK DRIVE BEING LOCATED SOUTH 00°24'17" WEST 1346.93 FEET ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 22 AND NORTH 90°00'00" WEST 232.82 FEET FROM THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; RUNNING THENCE ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) COURSES: (1) ALONG THE ARC OF A 943.25 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT 11.87 FEET, HAVING A CENTRAL ANGLE OF 00°43'16", CHORD BEARS NORTH 37°34'48" EAST 11.87 FEET; (2) NORTH 37°13'11" EAST 62.30 FEET; (3) ALONG THE ARC OF A 3633.87 FOOT RADIUS CURVE TO THE LEFT 196.11 FEET, HAVING A CENTRAL ANGLE OF 03°05'32", CHORD BEARS NORTH 35°40'25" EAST 196.09 FEET; (4) ALONG THE ARC OF A 2669.04 FOOT RADIUS CURVE TO THE LEFT 443.53 FEET, HAVING A CENTRAL ANGLE OF 09°31'16", CHORD BEARS NORTH 32°29'17" EAST 443.02 FEET; THENCE SOUTH 31°00'04" EAST 358.42 FEET; THENCE SOUTH 31°37'35" WEST 111.01 FEET; THENCE SOUTH 60°36'55" EAST 4.76 FEET; THENCE SOUTH 83°21'49" EAST 37.30 FEET; THENCE SOUTH 34°17'37" WEST 213.48 FEET; THENCE SOUTH 00°31'06" WEST 253.28 FEET; THENCE SOUTH 89°56'50" WEST 118.57 FEET; THENCE SOUTH 00°27'18" WEST 98.78 FEET; THENCE SOUTH 70°55'49" WEST 263.65 FEET; THENCE NORTH 79°07'31" WEST 98.41 FEET; THENCE NORTH 44°17'09" EAST 300.74 FEET; THENCE NORTH 43°29'21" WEST 271.81 FEET TO THE POINT OF BEGINNING.

PARCEL 14
BOUNDARY DESCRIPTION

A PART OF THE NORTH HALF OF SECTION 22, TOWNSHIP 7 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN.
BEGINNING AT A POINT ON THE WEST RIGHT-OF-WAY LINE OF WOLF CREEK DRIVE BEING LOCATED NORTH 00°24'17" EAST 222.03 ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 22 AND NORTH 90°00'00" EAST 60.76 FEET FROM THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; RUNNING THENCE SOUTH 38°48'58" WEST 184.37 FEET; THENCE NORTH 55°40'31" WEST 368.67 FEET; THENCE NORTH 83°42'40" WEST 23.32 FEET; THENCE NORTH 04°59'10" WEST 61.40 FEET; THENCE NORTH 69°10'50" EAST 328.85 FEET TO SAID WEST RIGHT-OF-WAY LINE; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES: (1) SOUTH 23°30'13" EAST 127.65 FEET; (2) SOUTH 26°07'32" EAST 7.04 FEET; (3) SOUTH 35°39'22" EAST 149.42 FEET TO THE POINT OF BEGINNING.

WOLF CREEK RESORT

FEBRUARY 2016



THE INFORMATION AND/OR RENDERINGS HEREIN ARE FOR THE USE OF THE CLIENT AND ARE NOT TO BE USED FOR ANY OTHER PURPOSE. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE INFORMATION ON RECORD AT THE COUNTY OF THE OWNERS OF THE PROPERTIES AND THEIR SUCCESSORS AND ASSIGNS IS TO BE USED AS A GUIDE ONLY. THE CLIENT SHALL BE RESPONSIBLE FOR ANY AND ALL CHANGES TO ANY PARTS OF THE PROPERTIES.

Exhibit D- April 26, 2016 Ogden Valley Planning Commission Draft Minutes

Minutes of the Ogden Valley Planning Commission Regular meeting April 26, 2016, in the Weber County Commission Chambers, commencing at 4:30 p.m.

Present: Laura Warburton, Chair; Greg Graves, John Howell; Kevin Parson; Will Haymond; Stephen Waldrip, Jami Taylor

Absent/Excused:

Staff Present: Scott Mendoza, Planning Director; Ronda Kippen, Principal Planner; Charles Ewert, Principal Planner
Courtlan Erickson, Legal Counsel; Kary Serrano, Secretary

***Pledge of Allegiance**

***Roll Call:**

1. Petitions, Applications and Public Hearings

1.1. Legislative Items:

a. New Business:

ZDA 2016-01 Consideration and action on a request for the Second Amendment to the Wolf Creek Resort Zoning Development Agreement to amend the "Conceptual Development Plan" as part of the Zoning Development Agreement that was previously approved as Contract #2015-31 and amended as Entry #2784398 to allow the transfer of five density rights (units) from "The Fairway's" to "Trapper's Ridge" and hold the remaining 11 density rights (units) in reserve to be sold, assigned or transferred at a later date. (Rick Everson, Agent for Eden Village, LLC)

MOTION: Consideration and action on a request for the Second Amendment to the Wolf Creek Resort Zoning Development Agreement to amend the "Conceptual Development Plan" as part of the Zoning Development Agreement that was previously approved as Contract #2015-31 and amended as Entry #2784398 to allow the transfer of five density rights (units) from "The Fairway's" to "Trapper's Ridge" and hold the remaining 11 density rights (units) in reserve to be sold, assigned or transferred at a later date. Commissioner Graver seconded.

DISCUSSION: Commissioner Waldrip said what the issues with questions and to this issue and sense of this statute and the rules in an instance all of the concerns for decision with this particular type of request that those concerns and property when the time when plat is brought forward and for conditional use plat. With respect these concerns are valid concerns and they all have concerns; it seemed to him this is in line with the other commissioners. Commissioner Graves said that this included in the next steps, they can guarantee that they have to complete the amenities, so nothing will proceed until that is completed. Commissioner Waldrip said they need to put in writing as part of the next application that there is a deadline for completion. Commissioner Taylor asked so the request is that they move forward with this application, and the issues could be addressed as they proceed forward at a later date. Chair Warburton said that the application is to amend the Conceptual Plan; any decisions they make here would be addressed later as it wasn't specified in this agenda. Commissioner Waldrip said without something specific, the applicant could do anything, and they would have to accept that decision.

VOTE: A vote was taken with Commissioners Graves, Howell, Parson, Haymond, Waldrip, Taylor and Chair Warburton voting aye. Motion Passed (6-0)