



Staff Report to the Weber County Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Hold a public hearing and make final decision on a proposal to amend Title 104 (Zones), Chapter 21 (Commercial Valley Zones CV-1 and CV-2) to allow dwelling units in the zone if they were previously approved as part of a development agreement, and to provide specific standards governing them.

Agenda Date: Tuesday, August 23, 2016
Staff Report Date: Tuesday, August 16, 2016
Applicant: Weber County Planning Division
File Number: ZTA 2016-03

Staff Information

Report Presenter: Charlie Ewert
cewert@co.weber.ut.us
(801) 399-8763
Report Reviewer: RG

Applicable Ordinances

§101-1-7: Definitions
§104-21: Commercial Valley Zones CV-1 and CV-2

Legislative Decisions

Decision on this item is a legislative action. When the County Commission is acting on a legislative item it has wide discretion. Examples of legislative actions are general plan, zoning map, and land use code amendments. Typically, the criterion for providing a recommendation on a legislative matter suggests a review for compatibility with the general plan and existing ordinances.

Summary and Background

The Wolf Creek Development Agreement of 2002 assigned a number of units to the CV-2 zone.¹ However, the CV-2 zone has never allowed dwelling units, nor did the development agreement specify that these units were intended to be located in other zones. A conflict exists between the development agreement and the zone.

Given the recent master plan amendment efforts of the developer(s), and the community engagement that they conducted, it seems that maintaining the allowance for these units in the CV-2 zone (especially now that they are assigned to specific lots)² is prudent. Because of the allowances in the development agreement, the developer(s) probably have some level of vesting in the existence of these units in the zone. The attached proposed text amendment for the CV-[X] zones eliminates the conflict between the development agreement and the zone, and provides development restrictions for the dwelling units that are intended to help keep the zone primarily commercial in nature. The proposal also clarifies certain points of the zone.

The applicant initially requested that the CVR-1 zone be changed to provide site development standards similar to the CV-2 zone, as those site development standards better provide for their future development style. If they were successful at getting the CVR-1 zone amended, they planned to then rezone property in their ownership to the CVR-1 zone. However, given the amount of changes that would have been required to the CVR-1 zone to

¹ The 2002 Zoning Development Agreement for the Wolf Creek Development assigned (Weber County Recorder Entry #1883524) 250 units to the CV-2 zone. It did not specify whether these units are allocated directly to that zone or intended to be used elsewhere.

² In 2015, an amendment to the Zoning Development Agreement of Wolf Creek was recorded (Weber County Recorder Entry #2768159) that re-allocated the development's remaining density amongst various parcels. Two parcels that are currently zoned CV-2 received a total of 75 of the remaining units.

accomplish their desires, and the general applicability of those changed standards on other property zoned CVR-1, staff recommended that the applicant consider changing the request to simply amend the CV-2 zone (which their property is currently zoned) to allow their desired use. Staff felt this would be simpler for the applicant, staff, and the Planning Commission.

Staff is recommending approval of the proposed text amendment.

Policy Analysis

Policy considerations. Because the 2002 development agreement assigned dwelling units to the CV-2 zone, it can probably be construed that the developer has vested rights to locate them in that zone. Further, the recent 2015 development agreement amendments³ clarify to which specific parcels each of these original units are now assigned. The fact that the development agreement conflicts with the zone is a problem that the County should've better resolved with the adoption of the initial agreement, but absent that resolution, the applicant is requesting that the Planning Commission consider a resolution now.

In conducting an evaluation of the effect of the request, staff had two primary concerns:

1. The possibility that this could create a loophole in the CV-2 zone that could unintentionally create new density; and
2. The possibility that allowing residential units on property governed by the CV-2 zone could yield development that runs contrary to the intent of the commercial valley zones.

To remediate these concerns, the proposed text amendment specifies that dwelling units are only allowed in the CV-2 zone when specifically assigned to a property by a previously approved development agreement (meaning a development agreement approved prior to the date of the adoption of this change), and only if the buildings provide street oriented commercial space with an emphasis on creating a complete street.

These requirements will help create development that has a village “feel” by placing buildings closer to the street, providing commercial shop space at the street level, and providing for pedestrian facilities along commercial frontage.

Conformance to the General Plan

The current and proposed Ogden Valley General Plan mentions the creation of villages or “nodes” in strategic locations throughout the valley. Providing the proposed changes will help create those villages.

Past Action on this Item

No action has occurred on this item.

Noticing Compliance

A hearing for this item before the Planning Commission has been posted for public notice in compliance with UCA §17-27a-205 and UCA §17-27a-502 in the following manners:

- Posted on the County's Official Website
- Posted on the Utah Public Notice Website
- Published in a local newspaper

Staff Recommendation

Staff recommends approval of the text included as Exhibit B with the following findings:

1. The changes are necessary to reduce conflicting provisions within the Land Use Code and between a previously approved development agreement.
2. The changes are necessary to provide clarity in the Land Use Code.

³ In 2015, an amendment to the Zoning Development Agreement of Wolf Creek was recorded (Weber County Recorder Entry #2768159) that re-allocated the development's remaining density amongst various parcels. Two parcels that are currently zoned CV-2 received a total of 75 of the remaining units.

3. The clarifications will provide for a more efficient administration of the Land Use Code.
4. The changes comply with the intent of the Land Use Code and adopted development agreements.
5. The changes are not detrimental to the effect of the general plan.
6. The changes are not found to be detrimental to the health, safety, and welfare of County residents.

The Planning Commission's decision should be made as a recommendation to the County Commission.

Attachments

1. Summary, List, and Key to Proposed Changes.
2. Ordinance – Commercial Valley Zones.
3. 2002 Wolf Creek Development Agreement, with annotations.
4. 2015 Wolf Creek Development Agreement Amendment, with annotations.

Attachment 1: Summary, list, and key to proposed changes

The following code changes are being proposed to clarify that the Planning Commission is not the only land use authority over projects with natural hazards, and to provide clarity, remove redundancies, and include process steps and appeal provisions for natural hazards reviews.

This change addresses the following code sections:

§ 101-1-7. Definitions

§ 102-1: General provisions

§ 104-27: Natural hazards overlay districts

§ 108-7: Supplementary and qualifying regulations

§ 108-14: Hillside development review procedures and standards

Key to reading track changes:

Three periods (...) indicates that there are codes sections that have been left out of the proposed changes. These code sections will remain unchanged.

Language that has been added is shown in blue underline

~~Language that has been moved to a new location is shown in green double strikeout~~

~~Language that has been deleted is shown in red strikeout~~

Language that has been moved from an old location is shown in green double underline

ORDINANCE NUMBER 2016-_____

AN ORDINANCE AMENDING THE WEBER COUNTY LAND USE CODE TO AMEND TITLE 104 (ZONES), CHAPTER 21 (COMMERCIAL VALLEY ZONES CV-1 AND CV-2) TO ALLOW DWELLING UNITS IN THE ZONE IF THEY WERE PREVIOUSLY APPROVED AS PART OF A DEVELOPMENT AGREEMENT, AND TO PROVIDE SPECIFIC STANDARDS GOVERNING THEM.

WHEREAS, the Weber County Land Use Code heretofore contained regulations governing the uses of land in the CV-1 and CV-2 zones; and

WHEREAS, the CV-1 and CV-2 zones prohibited single family dwelling units; and

WHEREAS, the County entered into a development agreement with the Developers of the Wolf Creek Resort, which was recently amended in 2015 as provided in Entry 2768159 in the Office of the Weber County Recorder; and

WHEREAS, the amended development agreement distributed certain development rights for dwelling units to parcels currently in the CV-2 zone; and

WHEREAS, a conflict exists between the zone and the development agreement that the Weber County Board of Commissioners is desirous to correct; and

WHEREAS, after appropriate notice and necessary public hearings, on July 26, 2016, the Ogden Valley Planning Commission recommended approval of the ordinance amendment presented in Exhibit A herein; and

WHEREAS, The Weber County Board of Commissioners finds that the ordinance amendment presented in Exhibit A herein complies with the goals and objectives of the General Plan and provides corrections and clarifications necessary to facilitate efficient administration of the Weber County Land Use Code;

NOW THEREFORE, the Weber County Board of Commissioners ordains an amendment to the Weber County Land Use Code as follows:

See Exhibit A

This ordinance shall become effective fifteen (15) days after publication.

Passed, adopted, and ordered published this _____ day of _____, 2015, by the Weber County Board of Commissioners.

BOARD OF COUNTY COMMISSIONERS
OF WEBER COUNTY

By _____
Matthew G Bell, Chair

Commissioner Bell voted _____
Commissioner Ebert voted _____
Commissioner Gibson voted _____

ATTEST:

Ricky Hatch, CPA
Weber County Clerk/Auditor

Exhibit A

1 CHAPTER 21. - COMMERCIAL VALLEY ZONES CV-1 and CV-2

2

3 Sec. 104-21-1. - Purpose and intent.

4 (a) The purpose of the CV-1 and CV-2 zones is to provide suitable areas for the location of the
 5 various types of commercial activity needed to serve the people and commerce of the
 6 Ogden Valley in unincorporated Weber County. It is also to separate, into two commercial
 7 zones, uses based upon the type of activity which are compatible and complementary, as
 8 well as the intensity of land utilization and accessory use needs.

9 (b) The CV-1 Zone (Neighborhood Commercial) has been established for the purpose of
 10 providing shopping facilities and services within neighborhoods in the Ogden Valley,
 11 primarily for the convenience of people living in a neighborhood. The types of goods and
 12 services which may be offered for sale have been limited to "convenience goods" such as
 13 groceries, drugs, and personal services such as a barber and beauty shop, distinguished by
 14 the fact that the principal patronage of the establishments originates within the surrounding
 15 neighborhood. Consequently, other uses such as automobile sales, furniture, and other
 16 stores, in which the principal patronage originates outside the surrounding neighborhood,
 17 have been excluded from the CV-1 zone. The maximum size of a CV-1 zone node shall be
 18 approximately five (5) acres exclusive of minimum lot widths and areas.

19 (c) The CV-2 Zone (General Commercial) has been established for the purpose of providing a
 20 broad range of commercial services and goods to serve a larger region of the county like
 21 the Ogden Valley. Areas with CV-2 zoning have a principal patronage which originates
 22 throughout the Ogden Valley or is due to recreation in the Ogden Valley. CV-2 areas are to
 23 be a commercial hub or node of activity. These areas, as outlined in the General Plan, are
 24 to be near the traditional town centers of the Ogden Valley and not to be strung out along
 25 the highways. Uses in the CV-2 Zone may provide goods and services not typically found
 26 amongst commercial areas within resorts including automobile sales and service, sporting
 27 goods, service stations, hotels, and professional offices.

28 _____

29 Sec. 104-21-2. - Site development standards.

30 The following site development standards shall apply in the Commercial Valley Zones CV-1
 31 and CV-2:

	CV-1	CV-2
Minimum lot area	none	none
Minimum lot width	none	none
Minimum yard setbacks		
Front	20 ft. unless the requirements listed in (B-4) Section 104-21-4(c) Special regulations number 3 are met.	

Side	None, except 10 feet where a building is adjacent to a forest, agricultural, or residential zone boundary	
Side facing street on corner lot	20 feet unless the requirements listed in section 104-21-4(c) Special regulations number 3 are met.	
Rear	None, except 10 feet where a building is adjacent to a forest, agricultural, or residential zone boundary	
Building height		
Minimum	1 story	1 story
Maximum	35 feet	
Maximum lot coverage	60% of lot area by buildings or accessory buildings	

32

33 _____

34 Sec. 104-21-3. - Sign regulations.

35 The height, size, and location of the permitted signs shall be in accordance with the
 36 regulations set forth in title 110, chapter 21, Ogden Valley signs, of this Land Use Code.

37 Sec. 104-21-4. - Special regulations.

38 (a) Hereinafter specified permitted and conditional uses shall be allowed only when the
 39 following conditions are complied with: All manufacturing uses shall be done within a
 40 completely enclosed building in an effort to mitigate objectionable nuisances such as odor,
 41 dust, smoke, noise, heat, or vibration.

42 (b) A car wash shall be permitted subject to the following restrictions:

43 (1) Operation or use shall limited to the hours between 6:00 a.m. and 10:00 p.m. in CV-1
 44 Zone.

45 (2) There shall not be more than four washing bays for a manual spray car wash in CV-1
 46 Zone.

47 (3) In both the CV-1 and CV-2 zones the off-street vehicle spaces or queues required shall
 48 be as follows:

49 a. One bay car wash, four spaces in the approach lane;

50 b. Two bay car wash, three spaces in the approach lane for each wash bay;

51 c. Three or more bay car wash, two spaces in the approach lane for each wash bay.

52 (c) Complete street.

53 (1) A complete street is a transportation facility that is planned, designed, operated, and
 54 maintained to provide safe mobility for all users including bicyclists, pedestrians, transit
 55 vehicles, and motorists, appropriate to the function and context of the facility.

56 (2) A complete street design is required when the front setback is less than 20 feet, and
 57 ~~may~~ shall include a ten foot pedestrian pathway or sidewalk, pedestrian lightings,
 58 shade trees, clear view of intersection, and, when applicable, may also include safe
 59 street crossings for pedestrians. The complete street design ~~is to~~ shall be approved by
 60 the planning commission.

61 (d) Dwelling unit. A dwelling unit is allowed, as part of a mixed use building, only if allowed in
 62 Section 104-21-5, and only when specifically assigned to the property as part of a
 63 development agreement approved prior to July 1, 2016. When fronting on a public or
 64 private street, buildings that contain dwelling units shall comply with the following:

65 (1) The building shall provide street-facing commercial space, at the street level, that is
 66 accessible from the street, for the entire length of the building's street frontage;

67 (2) The building shall not be setback any greater than 20 feet at any point from the
 68 property line that runs parallel to the public or private street;

69 (3) The building shall be subject to the requirements of Chapter 108-1 and Chapter 108-
 70 2; and

71 (4) The lot's street frontage shall be developed as a complete street, as specified in
 72 Section 104-21-4(c).

73 _____

74 Sec. 104-21-5. - Uses.

75 In the following list of possible uses, those designated in any zone as "P" will be a permitted
 76 use. Uses designated as "C" will be allowed only when authorized by a conditional use permit
 77 obtained as provided in title 108, chapter 4 of this Land Use Code. Uses designated "N" shall
 78 not be allowed in that zone.

	CV-1	CV-2
Academies/studios for dance, art, sports, etc.	C	P
Accessory building incidental to the use of a main building; main building designed or used to accommodate the main use to which the premises are devoted; and accessory uses customarily incidental to a main use	P	P
Animal hospital	N	C
Antique, import or souvenir shop	N	P
Archery shop and range, provided it is conducted within an enclosed building	N	P

Art and artists gallery or supply store	P	P
Assisted living facility including convalescent or rest home	P	P
Athletic, recreational equipment, and sporting goods sales/ rentals, excluding sale or repair of motor vehicles, motor boats or motors	N	P
Auction establishment	N	C
Automobile repair including paint, body and fender, brake, muffler, upholstery, or transmission work provided it is conducted within an enclosed building	N	C
Automobile, new or used sales/service	N	C
Awning sales and service	N	P
Bakery	C	P
Bank or financial institution not including payday loan services	P	P
Barbershop	P	P
Beauty shop	P	P
Bed and breakfast dwelling	P	P
Bed and breakfast inn	N	P
Bed and breakfast hotel	N	C
Brewery, micro in conjunction with a restaurant	N	P
Bicycle sales and service	P	P
Billiard parlor	N	C
Boarding house	N	C
Boat sales and service	N	C
Boat and personal water craft rentals as an accessory use to boat sales and service	N	C

Book store, retail	P	P
Bowling alley	N	C
Business office	P	P
Butcher shop, excluding slaughtering	C	P
Cafe	P	P
Camera store	P	P
Candy store, confectionery	P	P
Car rental agency	N	P
Car wash, automatic	N	C
Car wash, manual spray	C	P
Catering establishment	C	P
Church	P	P
Clinics, medical or dental	P	P
Clothing and accessory store	N	P
Communication equipment building	N	P
Convenience store	C	P
Costume rental	N	P
Data processing service and supplies	N	P
Day care center	C	P
Delicatessen	P	P
Diaper service, including cleaning	N	P

Drapery and curtain store	N	P
Drug store	P	P
Dry cleaning	P	P
Dwelling unit, if in compliance with Section 104-21-4(d).	N	P
Dwelling unit as part of a commercial building for proprietor or employee who also serves as a night watchman provided that an additional 3,000 square feet of landscaped area is provided for the residential use. The provisions of Section 104-21-4(d) are not applicable.	P	P
Educational institution	N	P
Electrical and heating appliances and fixtures sales and service	N	P
Electronic equipment sales and service	N	P
Employment agency	N	P
Fabric and textile store	C	P
Farm implement sales	N	C
Feed and seed store, retail	N	P
Flooring sales and service, carpet, rug and linoleum	N	P
Florist shop	C	P
Fitness, athletic, health, recreation center, or gymnasium	N	P
Fruit and vegetable store or stand	P	P
Furniture sales and repair	N	P
Fur apparel sales, storage or repair	N	P
Garden supplies and plant materials sales	C	P

Gift store	P	P
Glass sales and service	N	P
Government office buildings	N	P
Greenhouse and nursery	N	P
Grocery store	C	P
Grooming for small animals	P	P
Gunsmith	P	P
Hardware store	N	P
Health food store	P	P
Hobby and crafts store	P	P
Hotel	N	C
House cleaning and repair	N	P
Household appliance sales and incidental service	N	C
Ice cream parlor	P	P
Insulation sales	N	P
Interior decorator and designing establishment	P	P
Jewelry store sales and service	P	P
Laboratory, dental or medical	N	P
Laundromat	P	P
Lawn mower sales and service	N	P
Library	P	P

Linen store	N	P
Liquor store	N	C
Locksmith	P	P
Lodge or social hall	N	P
Meat, custom exempt cutting, wrapping, and processing of livestock and game, excluding slaughtering	N	C
Medical supplies	N	P
Miniature golf	N	C
Monument works and sales	N	P
Mortuary	N	C
Motel	N	C
Motorcycle and motor scooters sales and service	N	C
Museum	C	P
Music store	C	P
Office supply	N	P
Ornamental iron sales or repair	N	C
Paint or wallpaper store	N	P
Park and playground	P	P
Parking lot or garage as a main use	N	C
Pest control and extermination	N	P
Pet and pet supply store	N	P

Pharmacy	P	P
Photo studio	P	P
Plumbing shop	N	P
Post office	C	P
Pottery, sales and manufacture of crafts and tile	N	P
Printing, copy sales and services	N	P
Private liquor club	N	C
Professional office	N	P
Public utilities substation	C	C
Radio and television sales and service	C	P
Radio or television broadcasting station	N	P
Real estate agency	C	P
Reception center or wedding chapel	N	C
Recreational vehicle storage	N	C
Rental, equipment	N	P
Restaurant	C	P
Restaurant, drive-in	N	C
Restaurant, drive-through	N	C
Second-hand store	N	P
Self storage, indoor units for personal and household items	N	C

Service station, automobile excluding body, fender, and upholstery work	P	P
Service station, automobile with 1 bay automatic car wash as an accessory use	C	P
Sewing machine sales and service	N	P
Shoe repair	P	P
Shoe store	N	P
Snow plow and removal service	N	C
Snowmobile, ATV sales and repair	N	C
Soil and lawn service	N	P
Spa	N	P
Tailor shop	P	P
Tavern, beer pub	N	C
Taxidermist	N	P
Temporary building for uses incidental to construction work. Such buildings shall be removed upon the completion of the construction work.	P	P
Theater, indoor	N	P
Tobacco shop	N	P
Toy store, retail	N	P
Trade or industrial school	N	C
Travel agency	C	P
Upholstery shop	C	P
Vendor, short-term	P	P

Ventilating equipment sales and service	N	C
Video sales and rental	P	P
Window washing establishment	N	P

79 _____

C 2002-139

WEBER COUNTY

ZONING DEVELOPMENT AGREEMENT

PARTIES: The parties to this Zoning Development Agreement ("Agreement") are Wolf Creek Properties, L.C. ("petitioner") and Weber County Corporation ("the County").

EFFECTIVE DATE: The effective date of this Agreement shall be the date that this document is signed by all parties and recorded.

RECITALS: Whereas, the petitioner seeks approval for the amended Master Plan for the Wolf Creek Resort which includes the re-zoning of property within the Wolf Creek Resort, generally located in the Eden area of the Ogden Valley, and more specifically as described in the legal descriptions attached hereto and incorporated herein by this reference ("the property"); and, as shown on the attached Master Plan Map, within the unincorporated area of Weber County, Utah for the purpose of continuing the future development of the Wolf Creek Resort as follows:

<u>ZONE</u>	<u>DENSITY</u>	<u>TOTAL ACRES</u>	<u>UNDEVELOPED ACRES</u>	<u>UNITS</u>
O-1	***Open Space	1731.45	1731.45	0
CV-2	Limited Commercial	21.12	21.12	250
FR-3	*6.0 DU/acre	160.47	136.92	704
RE-15	**1.75 DU/acre	517.56	444.35	664
RE-20	1.5 DU/acre	46.94	35.75	28
FV-3	1 DU/3 acres	40.00	40.00	13
AV-3	0	84.74	84.74	0
FRC-1	1	9.11	9.11	1
	<u>TOTAL</u>	n/a	<u>2503.44</u>	<u>1660</u>
	<u>PROJECT TOTAL</u>	<u>2611.39</u>		<u>2152</u>

250 "units" assigned to the CV-2 zone.

* DU/acre is an average for all parcels zoned FR-3
 ** DU/acre is an average for all parcels zoned RE-15
 ***An additional 190.00 acres of open space will be required within zones FR-3, RE-15 and FV-3.
 Total Open Space including AV-3 = 2006.19 acres

Limits uses in the CV-2 zone. Does not specify where else the 250 units are intended to go.

AND WHEREAS, the 21.12 acres re-zoned to the CV-2 designation shall be limited to the following uses:

- | | | |
|-------------------------------------|---|---|
| <u>Arts and Crafts Store</u> | <u>Art Gallery</u> | <u>Bed and Breakfast Inn</u> |
| <u>Health and Fitness Club</u> | <u>Bank</u> | <u>Bed and Breakfast Hotel</u> |
| <u>Café</u> | <u>Community Center/Meeting Room</u> | <u>Liquor Store</u> |
| <u>Medical/Dental Office</u> | <u>Deli/Small Grocery Store</u> | <u>Beer Parlor, sale of draft beer</u> |
| <u>Sporting Goods Store</u> | <u>Salon/Barber Shop</u> | <u>Antique, import or souvenir</u> |
| <u>Dry Cleaning Pick up Station</u> | <u>Florist Shop</u> | <u>Hotel, Condo/Hotel</u> |
| <u>Ice Cream and Coffee Shop</u> | <u>Local Artist Shop</u> | <u>Temporary building for uses incidental to</u> |
| <u>Pet Grooming and Supplies</u> | <u>Insurance Agency</u> | <u>Construction work. Such buildings shall be</u> |
| <u>Legal Office</u> | <u>Book Store</u> | <u>Removed upon the completion of the</u> |
| <u>Music and Video Store</u> | <u>Office Supply</u> | <u>work.</u> |
| <u>Real Estate Agency</u> | <u>Restaurant</u> | |
| <u>Travel Agency</u> | <u>Interior Decorator Establishment</u> | |

WHEREAS, the developer agrees to submit a Landscape Plan for the Sewer Pond area which includes plans for the irrigation and maintenance for such landscaping, shall be approved administratively and installation of such landscaping materials shall be completed within six (6) months of the signing and recordation of this document; and

WHEREAS, the County seeks to promote the health, welfare, safety, convenience and economic prosperity of the inhabitants of the County through the establishment and administration of Zoning Regulations concerning the use and development of land in the unincorporated area of the County as a means of implementing adopted Land Use Master Plans of all or part of the County; and

WHEREAS, the Petitioner has requested that certain property be re-zoned for purposes of allowing the Petitioner to develop the property in a manner which has been outlined to the Planning Commission; and

WHEREAS, the Petitioner considers it to it's advantage and benefit for the County to review it's petition for re-zoning based upon having prior knowledge of the development that is proposed for the property so as to more completely assess its compatibility with the County's General Plan and for the area and the existing land use surrounding the property.

NOW THEREFORE, for good and valuable consideration in receipt of which is hereby acknowledged and accepted by both parties, the parties hereto mutually agree and covenant as follows:

1. The County will re-zone the property described in attached legal descriptions and as described above, for the purpose of allowing the Petitioner to construct the allowed uses on the property.
2. The petitioner shall develop the subject property based on development plans submitted and reviewed as proscribed in the Weber County Zoning and Subdivision Ordinances and any other applicable State or Federal law or regulation.
3. No other uses shall be approved until or unless this Agreement and the approved Master Plan are amended or voided.
5. The responsibilities and commitments of the petitioner and the County as detailed in this document, when executed shall constitute a covenant and restriction running with the land and shall be binding upon the petitioner/owner and shall be recorded in the Office of the Weber County Recorder.
6. Both parties recognize the advantageous nature of this Agreement which provides for the accrual of benefits and protection of interests to both parties.
7. The County will issue Land Use and Conditional Use Permits for only those uses determined to be within the general land use types listed above and more specifically on more detailed development plans for the project or major phase thereof submitted to and approved by the County.
8. The following conditions, occurrences or actions will constitute a default by the petitioner:

A written petition by the petitioner, filed with the County seeking to void or materially alter any of the provisions of this Agreement.

- 9. In the event that any of the conditions constituting default by the petitioner, occur, the County finds that the public benefits to accrue from re-zoning as outlined in this Agreement will not be realized. In such a case, the County shall examine the reasons for the default and proposed major change of plans, and either approve a change in the Master Plan or initiate steps to revert the zoning designation to its former zone.
- 10. The parties may amend or modify the provisions of this Agreement, the Master Plan and list of use types only by written instrument and after considering the recommendation of the Planning Commission, which may hold a public meeting to determine public feeling on the proposed amendment or modification.
- 11. This Agreement with any amendments shall be in full force and effect until all construction and building occupancy has taken place as per approved development plans or until the property covered herein has been reverted to its former zone designation as a result of default.
- 12. Nothing contained in this Agreement constitutes a waiver of the County's sovereign immunity under any applicable state law.
- 13. In the event that legal action is required in order to enforce the terms of this agreement, the prevailing party shall be entitled to receive from the faulting party any costs and attorney's fees incurred in enforcing this agreement from the defaulting party.
- 14. This agreement constitutes the entire agreement between the parties. No changes or alternatives may be made in this agreement except in writing signed by both parties.

Approved by the parties herein undersigned this 11th day of October, 2002



Greg Spearn, Managing Member
Wolf Creek Properties, L.C.

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH)

EE 1883524 BK2276 PG992

) SS

COUNTY OF WEBER)

On this 11th Day of October, 2002, Craig Spear personally appeared before me, duly sworn, did say that he is the Managing Member of the corporation which executed the foregoing instrument, and that said instrument was signed in behalf of said corporation by authority of a Resolution of its Board of Directors that the said corporation executed the same.

[Handwritten signature of Miki Bringhurst]

NOTARY PUBLIC



My commission expires 6-1-04

[Handwritten signature of Kenneth A. Bischoff]

~~Glen H. Burton, Chair~~ Kenneth A. Bischoff, Vice Chair
Weber County Commission

ATTEST:

[Handwritten signature of Linda G. Lunceford]

Linda G. Lunceford, CPO
Weber County Clerk/Auditor

Documents Attached:

Exhibit A: Copy of legal descriptions

E# 1883524 BX2276 PG993

[Handwritten initials]

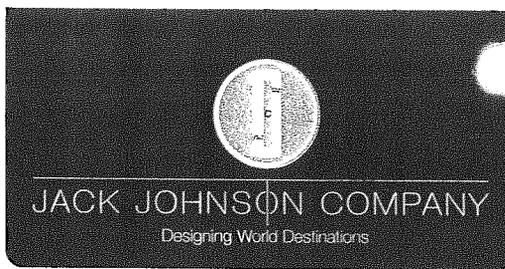


Exhibit "A"

**PARCEL 1
ZONING RE-15
Revised June 19, 2002**

A Parcel of land located in the East 1/2 of the East 1/2 of the Southwest 1/4 and the Southeast 1/4 of Section 16 and the West 1/2 of the Southwest 1/4 of Section 15, Township 7 North, Range 1 East, Salt Lake Base and Meridian; more particularly described as follows:

Beginning at a point which is on the South line of Section 16, Township 7 North, Range 1 East, Salt Lake Base and Meridian, said point being North 89°27'02" West 1316.85 feet from the Southeast Corner of said Section 16; and running thence North 89°27'02" West along said Section Line 1316.85 feet to the South quarter Corner of said Section 16; thence North 89°28'18" West 658.36 feet; thence North 00°23'41" East 2657.13 feet to the center of section line; thence South 89°11'52" East along said center of section Line, 3289.73 feet to the East Quarter Corner of said Section 16; thence South 89°27'00" East 1485.00 feet along the Center of Section Line of Section 15, Township 7 North, Range 1 East, Salt Lake Base and Meridian; thence South 00°20'34" West to the Northwest corner and continuing along the west line of Snowflake No. 3, 2648.55 feet to the South line of said Section 15; thence North 89°12'43" West along the Section Line, 1485.03 feet to the aforesaid Southeast Corner of Section 16 ; thence North 00°20'34" East along the Section line, 1321.19 feet; thence North 89°19'28" West, 1316.37 feet; thence South 00°21'50" West, 1324.09 feet more or less to the point of beginning.

Containing 250.38 acres, more or less.

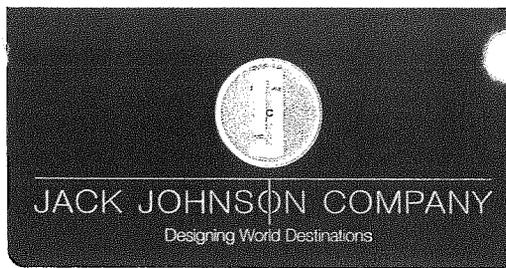
EA 1883524 BK2276 PG994

Parcel 1 of 15

In-Person · 1777 Sun Peak Drive · Park City · Utah 84098

Telephone · 435.645.9000 · Facsimile · 435.649.1620

Digital · www.jackjohnson.com



**PARCEL 2
ZONING FV-3
Revised June 19, 2002**

A Parcel of land located in the Southeast ¼ of the Southeast ¼ of Section 16, Township 7 North, Range 1 East, Salt Lake Base and Meridian; and more particularly described as follows:

Beginning at the Southeast Corner of Section 16, Township 7 North, Range 1 East, Salt Lake Base and Meridian; and running thence North 89°27'02" West along the Section Line, 1316.85 feet; thence North 00°21'50" East 1324.09 feet; thence South 89°19'28" East 1316.37 feet to the East line of said Section 16; thence South 00°20'34" West along the Section Line 1321.19 feet more or less to the point of beginning.

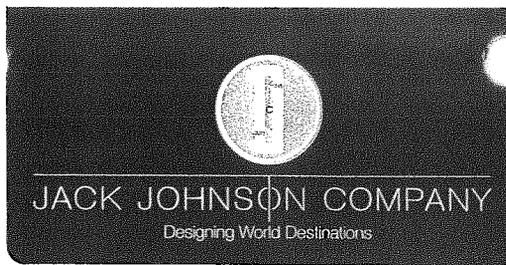
Containing 40.0 acres more or less.

1883524 BK2276 P6995

Parcel 2 of 15

In-Person · 1777 Sun Peak Drive · Park City · Utah 84098 | Telephone · 435.645.9000 · Facsimile · 435.649.1620

Digital · www.jackjohnson.com



PARCEL 3
ZONING FR-3
Revised September 04, 2002

Beginning at a point which is North 00°20'47" East 400.01 feet along the Section line from the West Quarter Corner of Section 22, Township 7 North, Range 1 East, Salt Lake Base and Meridian (Basis of Bearing North 00°20'47" East 2678.81 feet as measured between said West Quarter Corner and the Northwest Corner of said Section 22); and running thence North 00°20'47" East along said Section line 2278.80 feet to the Northwest Corner of said Section 22; thence South 89°12'25" East 2206.55 feet as measured along the north line of said Section 22 to a point on the westerly right of way of Wolf Creek Drive and a non-tangent point of curvature of a 523.37 foot radius curve to the left, the center of which bears South 87°01'34" East; thence and running along said westerly right of way line the following three (3) courses: 1) thence southerly along the arc of said curve 173.70 feet through a central angle of 19°00'55"; 2) thence South 16°02'29" East 147.73 feet to a point of curvature of a 642.00 foot radius curve to the right, the center of which bears South 73°57'31" West; 3) thence southerly along the arc of said curve 126.78 feet through a central angle of 11°18'51" to the north line of the Wolf Creek Phase II Subdivision; thence along said north line the following three (3) courses: 1) thence North 84°39'13" West 310.56 feet; 2) thence North 03°39'13" West 155.00 feet; 3) thence South 74°03'11" West 474.66 feet to the westerly boundary of the Wolf Creek Phase II subdivision; thence along said westerly line the following six (6) courses: 1) thence South 15°07'47" West 370.00 feet; 2) thence South 12°46'17" West 334.70 feet; 3) thence South 86°20'43" East 214.60 feet; 4) thence North 31°36'02" East 168.90 feet; 5) thence South 76°45'43" East 79.20 feet; 6) thence South 07°10'07" West 127.60 feet; thence South 07°09'42" West 20.03 feet to the west line of the Wolf Creek Phase I subdivision; thence along said west line of Wolf Creek Phase I the following three (3) courses: 1) thence South 07°09'58" West 200.00 feet; 2) thence South 05°41'08" West 677.20 feet; 3) thence South 08°45'08" West 352.00 feet; thence North 87°41'19" West 393.67 feet to the Northeast corner of the Fairway Oaks Phase II subdivision; thence North 89°16'03" West 685.81 feet along the north line of said Fairway Oaks Phase II to the northeast corner of the Fairway Oaks Phase I subdivision; thence along the north line of said Fairway Oaks Phase I the following seven (7) courses: 1) thence North 89°16'05" West 191.19 feet; 2) thence South 57°23'41" West 60.16 feet; 3) thence West 108.60 feet; 4) thence North 05°10'41" West 36.25 feet to a point of curvature of a 500.00 foot radius curve to the left, the center of which bears South 84°49'19" West; 5) thence northerly along the arc of said curve 56.02 feet through a central angle of 06°25'11"; 6) thence South 78°24'08" West 60.00 feet; 7) thence North 89°14'39" West 73.37 feet to the point of beginning.

Containing 89.59 acres, more or less.

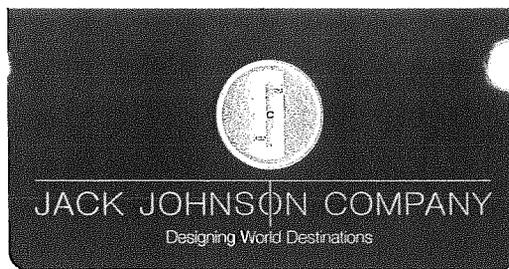
Parcel 3 of 15

1883524 8K2276 PG996

In-Person · 1777 Sun Peak Drive · Park City · Utah 84098

Telephone · 435.645.9000 · Facsimile · 435.649.1620

Digital · www.jackjohnson.com



**PARCEL 4
ZONING FRC-1
Revised September 04, 2002**

A Parcel of land located in the Northeast 1/4 of the Northwest 1/4 and the Northwest 1/4 of the Northeast 1/4 of Section 22, Township 7 North, Range 1 East, Salt Lake Base and Meridian; more particularly described as follows:

Beginning at the North Quarter Corner of Section 22, Township 7 North, Range 1 East, Salt Lake Base and Meridian; and running thence South 88°07'11" East 379.00 feet along the Section line; thence South 00°07'44" West 623.00 feet; thence North 89°33'41" West 383.01 feet to the quarter section line; thence North 00°30'27" East 196.01 feet along said quarter section line; thence South 87°15'14" West 306.16 feet along the north line of Wolf Creek Phase II to the easterly right of way line of Wolf Creek Drive and a point of curvature of a 708.00 foot radius non tangent curve to the left; the center of which bears South 87°16'42" West; thence along said easterly right of way line the following 3 courses: 1) thence northerly along the arc of said curve 164.59 feet through a central angle of 13°19'11"; 2) thence North 16°02'29" West 147.73 feet to a point of curvature of a 457.37 foot radius curve to the right, the center of which bears North 73°57'31" East; 3) thence northerly along the arc of said curve 154.31 feet through a central angle of 19°19'49", to the North line of said Section 22; thence South 89°12'25" East 394.36 feet as measured along the North line of said Section 22 and the South line of Snowflake No. 2 (and extension) to the point of beginning.

Containing 9.11 acres, more or less.

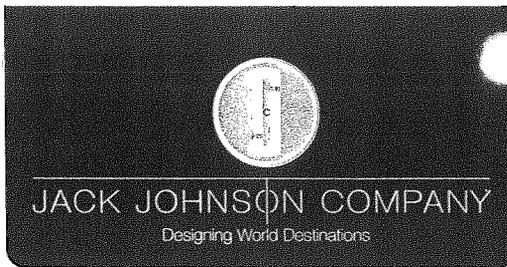
1883524 BK2276 P6997

Parcel 4 of 15

In-Person · 1777 Sun Peak Drive · Park City · Utah 84098

Telephone · 435.645.9000 · Facsimile · 435.649.1620

Digital · www.jackjohnson.com



**PARCEL 5
ZONING FR-3
Revised June 19, 2002**

A Parcel of land located in the South ½ of the Northwest ¼ of Section 22, Township 7 North, Range 1 East, Salt Lake Base and Meridian; more particularly described as follows:

All of Fairway Oaks At Wolf Creek Phase 1, Entry No. 1492803, Book 45, Page 34 and Fairway Oaks At Wolf Creek Phase 2, Entry No. 1577548, Book 48, Page 31.

Containing 9.8 acres more or less

E# 1883524 BK2276 P6998

Parcel 5 of 15

In-Person · 1777 Sun Peak Drive · Park City · Utah 84098 | Telephone · 435.645.9000 · Facsimile · 435.649.1620

Digital · www.jackjohnson.com



PARCEL 6
PARCELS FOR ZONING RE-15
Revised June 19, 2002

A Parcel of land located in the East ½ of the Northwest ¼ and the West ½ of the Northeast ¼ of Section 22, Township 7 North, Range 1 East, Salt Lake Base and Meridian; more particularly described as follows:

All of Wolf Ridge Phase 1, Entry No. 131497 and Wolf Ridge Phase 2 Subdivision, Entry No. 1362086.

Containing 10.9 acres more or less

Et 1883524 BK2276 P6999

Parcel 6 of 15

In-Person · 1777 Sun Peak Drive · Park City · Utah 84098

Telephone · 435.645.9000 · Facsimile · 435.649.1620

Digital · www.jackjohnson.com



**PARCEL 7
ZONING RE-20
Revised June 19, 2002**

A Parcel of land located in the North ½ of the Southeast ¼ and the South ½ of the Northeast ¼ of Section 22 Township 7 North, Range 1 East, Salt Lake Base and Meridian; more particularly described as follows:

All of Wolf Ridge Phase 3, Entry No. 1338495 and Wolf Ridge Phase 4, Entry No. 1338496.
Containing 11.19 acres, more or less

Together with the following described Parcel:

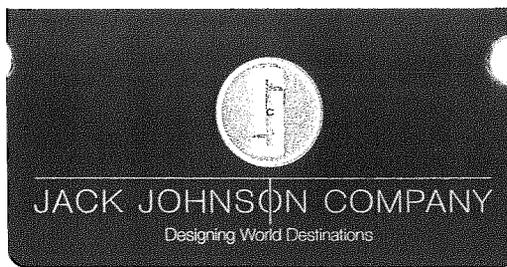
Beginning at a point on the northerly right of way of Elkhorn Drive which is North 89°50'09" East 1072.87 feet from the Center of Section 22, Township 7 North, Range 1 East, Salt Lake Base and Meridian (basis of bearing is North 89°14'39" West from the Center to the West Quarter Corner of said Section 22) and running thence North 27°32'20" East 1078.00 feet; thence North 03°26'20" West 424.00 feet; thence North 68°09'06" East 359.00 feet; thence South 56°48'29" East 565.00 feet; thence South 02°23'14" West 849.00 feet; thence South 15°42'37" West 400.40 feet; thence South 13°24'49" West 481.87 feet to said northerly right of way of Elkhorn Drive and a point of curvature of a 1496.00 foot radius non tangent curve to the left, the center of which bears South 36°16'03" West; thence westerly along said northerly right of way and the arc of said curve 310.41 feet through a central angle of 11°53'18"; thence North 65°37'15" West 830.00 feet more or less along said northerly right of way to the point of beginning.

Containing 35.75 acres, more or less.

Containing 46.94 acres total, more or less.

ET 1883524 BK2276 PG1000

Parcel 7 of 15



PARCEL 8
PARCEL ZONING RE-15
Revised September 4, 2002

A Parcel of land located in the West 1/2 of Section 23 and the North 1/2 of the Northwest 1/4 of Section 26, and the Northeast 1/4 and Southeast 1/4 of Section 22, Township 7 North, Range 1 East, Salt Lake Base and Meridian; more particularly described as follows:

All of Elkhorn Subdivision Phase 1(Entry No. 1415848), Elkhorn Subdivision Phase 1A (Entry No. 1449010), Elkhorn Subdivision Phase 2- Lots 24 Through 28 Amended (Entry No. 1531449), Elkhorn Subdivision Phase 3 (Entry No. 1572366), and Elkhorn Subdivision Phase 4 (Entry No. 1691677). Containing 62.31 acres more or less.

Together with the following described Parcel:

Beginning at a point on the South Line of Elkhorn Phase 4, Entry No. 1691677, said point being East 3319.98 feet and South 2187.95 feet from the Center of Section 22, Township 7 North, Range 1 East, Salt Lake Base and Meridian (basis of bearing North 89°14'39" West from the Center of said Section 22 to the West Quarter of said Section 22) and running thence along the Boundary of said Elkhorn Phase 4 the following seventeen (17) courses: 1) thence South 64°18'02" East 143.88 feet; 2) thence South 64°05'34" East 107.47 feet; 3) thence South 57°53'09" East 126.51 feet; 4) thence South 49°24'26" East 63.32 feet; 5) thence South 50°06'38" East 878.91 feet; 6) thence South 45°20'49" East 60.21 feet; 7) thence South 50°20'55" East 139.47 feet; 8) thence North 40°24'15" East 190.43 feet; 9) thence North 50°06'38" West 89.48 feet; 10) thence North 39°53'22" East 130.00 feet; 11) thence North 50°06'38" West 121.32 feet; 12) thence North 39°53'22" East 66.83 feet; 13) thence North 49°33'31" West 125.01 feet; 14) thence North 06°44'36" East 176.13 feet; 15) thence North 50°28'53" West 816.79 feet; 16) thence North 70°55'39" West 280.22 feet; 17) thence South 28°54'59" West 147.15 feet to the Easterly Boundary of Elkhorn Phase 3, Entry No. 1572366; thence along said Easterly Boundary the following three (3) courses: 1) thence North 67°04'42" West 98.99 feet; 2) thence North 36°18'19" West 176.96 feet; 3) thence North 24°31'00" West 345.10 feet to the Elkhorn Phase 1 Boundary, Entry No. 1415848; thence along said Boundary the following six (6) courses; 1) thence North 37°54'53" East 181.56 feet; 2) thence North 48°24'42" West 226.68 feet; 3) thence North 82°17'10" West 63.68 feet; 4) thence North 67°26'40" West 128.35 feet; 5) thence North 05°52'06" East 106.09 feet; 6) thence North 84°41'43" West 75.38 feet to the Northeasterly Corner of Lot 8, Elkhorn Subdivision Phase 1A, Entry No. 1449010; thence Along the Northerly and Westerly Boundary of said Lot 8, the following two (2) courses: 1) thence North 51°37'08" West 142.52 feet; 2) thence South 32°53'34" West 127.51 feet to the Northerly Boundary of said Elkhorn Phase 1, said point also being a non-tangent point of curvature of a 666.00 foot radius curve to the left, the center of which bears South 32°40'18" West; thence along said Northerly Boundary the following two (2) courses: 1) thence Northwesterly along the arc of said curve 72.40 feet through a central angle of 06°13'43" to a point of reverse curvature of a 1463.00 foot radius curve to the right, the center of which bears North 26°26'35" East; 2) thence Northwesterly along the arc of said curve 55.89 feet through a central angle of 02°11'20" to the Westerly Line of said Section 23; thence North 00°09'12" West along the Section Line 420.09 feet; thence North 31°12'57" West 426.98 feet; thence North 26°48'28" East 958.00 feet; thence South 50°52'00" East 2118.00 feet; thence South 67°30'12" East 422.00 feet; thence South 44°20'14" East 596.11 feet; thence South 00°21'47" West 1495.41 feet; thence South 00°21'31" West 1325.17 feet; thence North 89°48'12" West 2647.25 feet to the West line of said Section 26; thence North 00°27'52" East 1150.49 along said West line to the South line of Elkhorn Phase 3, Entry No. 1572366, thence along the South and Easterly Boundary of said Elkhorn Phase 3 the following nine (9) Courses: 1) thence South 89°07'48" East 132.34 feet; 2) thence North 89°51'02" East 189.94 feet; 3) thence North 01°26'25" West 130.53 feet; 4) thence North 17°10'22" West 157.52 feet; 5) thence North 58°18'49" East 68.60 feet; 6) thence North 38°47'54" East 172.79 feet; 7) thence North 28°21'04" East 73.83 feet; 8) thence North 45°52'46" East 143.92 feet; 9) thence North 55°13'30" East 124.26 feet to the point of beginning.

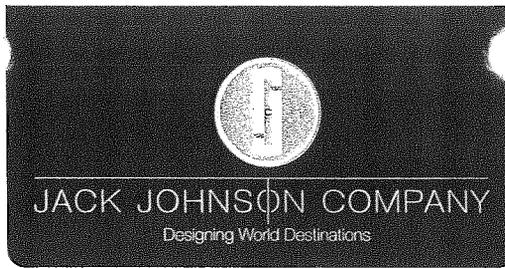
Containing 194.24 acres, more or less.

E# 1883524 BK2276 PG1001

Containing 256.28 acres total, more or less.

Parcel 8 of 15 Person · 1777 Sun Peak Drive · Park City · Utah 84098

Telephone · 435.645.9000 · Facsimile · 435.649.1620



PARCEL 9
ZONING FR-3
Revised September 04, 2002

A Parcel of land located in the South half of Section 22, Township 7 North, Range 1 East, Salt Lake Base and Meridian; more particularly described as follows:

Beginning at a point which is South 89°07'33" East along the Section Line 1525.56 feet from the Southwest Corner of Section 22, Township 7 North, Range 1 East, Salt Lake Base and Meridian; and running thence North 01°21'04" East 444.20 feet to a non-tangent point of curvature of a 865.42 foot radius curve to the right, the center of which bears South 58°38'05" East; thence Northeasterly along the arc of said curve 269.13 feet through a central angle of 17°49'05"; thence North 49°11'00" East 373.26; thence South 43°11'12" East 344.51 feet to the Northerly Boundary of Moose Hollow Phase 1, Entry No. 1615983; thence along said Northerly Boundary the following seven (7) courses: 1) thence North 86°29'18" East 217.81 feet; 2) thence North 44°23'05" West 61.46 feet; 3) thence North 43°31'56" East 51.84 feet; 4) thence North 73°06'35" East 87.04 feet; 5) thence South 59°25'25" East 80.30 feet; 6) thence North 66°37'30" East 132.31 feet; 7) thence South 52°14'55" East 150.50 feet; thence North 47°19'55" East 48.92 feet; thence North 21°50'08" East 346.42 feet; thence North 03°30'06" West 349.55 feet; thence North 45°38'40" East 261.99 feet; thence South 49°01'02" East 478.23 feet; thence South 28°21'48" West 612.53 feet; thence North 68°21'50" West 135.45 feet; thence North 79°53'09" West 98.00 feet to a non-tangent point of curvature of a 260.00 foot radius curve to the right, the center of which bears North 79°53'10" West; thence Southwesterly along the arc of said curve 194.97 feet through a central angle of 42°57'56" to the Northerly Boundary of said Moose Hollow Phase 1; thence along said Northerly Boundary the following six (6) courses: 1) thence South 52°16'42" East 7.10 feet; 2) thence South 37°21'01" East 72.00 feet; 3) thence South 52°22'27" West 17.73 feet to a point of curvature of a 442.10 foot radius curve to the left, the center of which bears South 37°37'33" East; 4) thence Southwesterly along the arc of said curve 71.08 feet through a central angle of 09°12'43"; 5) thence South 37°54'44" East 214.64 feet; 6) thence South 28°21'48" West 398.31 feet to the South Line of said Section 22; thence North 89°09'42" West along said South line 173.93 feet to the South Quarter Corner of said Section 22; thence North 89°07'33" West along said South line 653.89 feet; thence North 00°52'26" East 140.48 feet; thence North 29°51'11" East 256.00 feet; thence North 56°51'11" East 148.65 feet to the West Line of Moose Hollow Phase 2, Entry No. 1719847; thence along said West Line the following two (2) courses: 1) thence North 13°27'12" West 28.25 feet; 2) thence North 45°18'01" East 180.35 feet to the Southerly Line of said Moose Hollow Phase 1; thence South 86°29'27" West along said Southerly Line 68.68 feet; thence South 54°45'04" West 297.24 feet; thence South 37°39'42" West 342.00 feet; thence South 06°03'38" West 150.02 feet to said Southerly Line of said Section 22; thence North 89°07'33" West along the Section Line 320.88 feet to the point of beginning.

Containing 28.84 acres more or less

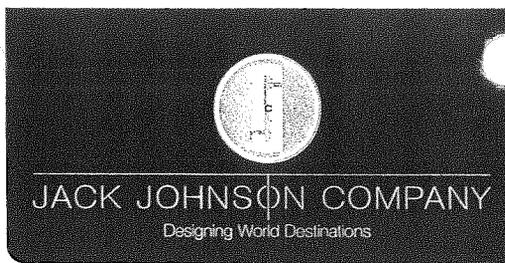
1883524 BK2276 PG1002

Parcel 9 of 15

In-Person · 1777 Sun Peak Drive · Park City · Utah 84098

Telephone · 435.645.9000 · Facsimile · 435.649.1620

Digital · www.jackjohnson.com



**PARCEL10
ZONING FR-3
Revised June 19, 2002**

A Parcel of land located in the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 22, township 7 North, Range 1 East, Salt Lake Base and Meridian; being more particularly described as follows:

All of Wolf Star 1A, Entry No. 863595, Wolf Star 1B, Entry No. 871503 and Wolf Star 1C, Entry No.883019.
Containing 5.35 acres more or less.

Together with the Parcel more particularly described as follows:

Beginning at the Southwest Corner of Wolf Ridge Phase 2, Entry No. 1362086, said point being South $00^{\circ}30'27''$ West along the Center Section Line 2305.27 feet and East 33.03 feet from the North Quarter Corner of Section 22, Township 7 North, Range 1 East, Salt Lake Base and Meridian; and running thence along the Southerly Line of said Wolf Ridge Phase 2 North $54^{\circ}20'39''$ East 359.81 feet; thence North $67^{\circ}45'45''$ East 102.09 feet; thence North $54^{\circ}39'47''$ East 322.44 feet; thence South $89^{\circ}20'13''$ East 303.68 feet; thence South $50^{\circ}20'13''$ East 365.00 feet; thence South $38^{\circ}39'47''$ West 292.63 feet; thence South $19^{\circ}54'40''$ West 90.01 feet to the Northeast Corner of Wolf Star 1B; thence along the North Line of said Wolf Star 1B, Entry No. 871503, North $73^{\circ}18'19''$ West 249.77 feet to the Northeast Corner of Wolf Star 1C, Entry No.883019; thence along the Boundary of said Wolf Star 1C the following four (4) courses: 1) thence North $73^{\circ}18'19''$ West 330.13 feet; 2) thence South $11^{\circ}20'13''$ East 222.32 feet; 3) thence South $10^{\circ}39'47''$ West 114.60 feet to a non-tangent point of curvature of a 633.00 foot radius curve to the left, the center of which bears South $08^{\circ}37'06''$ East; 4) thence Southwesterly along the arc of said curve 160.59 feet through a central angle of $14^{\circ}32'08''$ to the Northerly Right of Way line of Wolf Creek Drive, said point also being a non-tangent point of curvature of a 207.59 foot radius curve to the left, the center of which bears South $51^{\circ}06'06''$ West; thence along said Northerly Right of Way line the following four (4) courses: 1) thence Northwesterly along the arc of said curve 64.34 feet through a central angle of $17^{\circ}45'28''$; 2) thence North $56^{\circ}39'22''$ West 244.00 feet to a point of curvature of a 76.41 foot radius curve to the right, the center of which bears North $33^{\circ}20'38''$ East; 3) thence Northwesterly along the arc of said curve 40.90 feet through a central angle of $30^{\circ}40'00''$; 4) thence North $25^{\circ}59'22''$ West 128.00 feet to the point of beginning.

Containing 10.99 acres more or less

Containing 16.34 acres total, more or less.

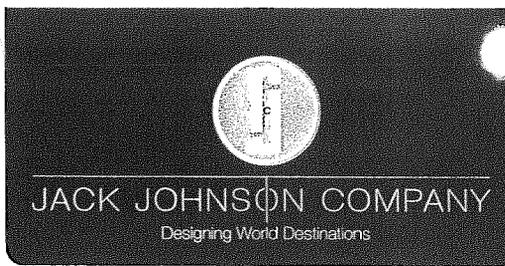
1883524 BK2276 PG1003

Parcel 10 of 15

In-Person · 1777 Sun Peak Drive · Park City · Utah 84098

Telephone · 435.645.9000 · Facsimile · 435.649.1620

Digital · www.jackjohnson.com



**PARCEL 11
ZONING FR-3
Revised June 19, 2002**

A Parcel of land located in the East ½ of the Southwest ¼ and the West ½ of the Southeast ¼ of Section 22, Township 7 North, Range 1 East, Salt Lake Base and Meridian; being more particularly described as follows:

Beginning at a point which is South 00°17'28" West 1435.63 along the Center Section Line and West 158.34 from the Center of Section 22, Township 7 North, Range 1 East, Salt Lake Base and Meridian; and running thence North 86°36'42" East 295.00 feet; thence South 03°57'32" East 258.00 feet; thence South 69°32'24" West 320.98 feet; thence North 79°07'31" West 116.21 feet to the easterly line of Tax Parcel 22-016-0015 belonging to Stanley A Ulvin, etal; thence along the easterly and northerly lines of said Tax Parcel 22-016-0015 the following 2 courses: 1) thence North 44°36'27" East 301.00 feet; 2) thence North 43°11'12" West 159.00 feet to the point of beginning.

Containing 2.0 acres more or less

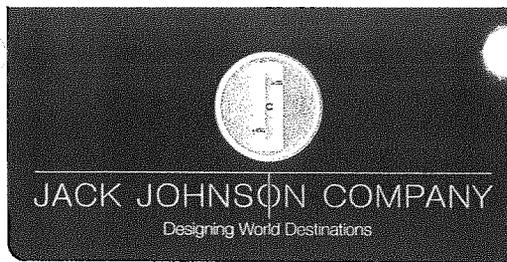
Parcel 11 of 15

ET 1883524 BK2276 PG1004

In-Person · 1777 Sun Peak Drive · Park City · Utah 84098

Telephone · 435.645.9000 · Facsimile · 435.649.1620

Digital · www.jackjohnson.com



**PARCEL 12
ZONING CV-2
Revised June 19, 2002**

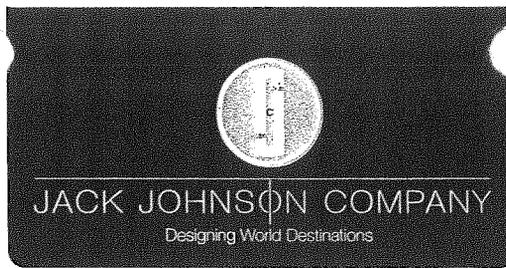
A Parcel of land located in the East ½ of the Southwest ¼ of Section 22, Township 7 North, Range 1 East, Salt Lake Base and Meridian; being more particularly described as follows:

Beginning at a point which is South 00°17'28" West 1435.63 along the Center Section Line and West 158.34 from the Center of Section 22, Township 7 North, Range 1 East, Salt Lake Base and Meridian and running thence North 43°11'12" West 141.00 feet to the Easterly Right of Way of Wolf Creek Drive and a non-tangent point of curvature of a 2669.00 foot radius curve to the right, the center of which bears North 46°26'45" West; thence along said Easterly Right of Way the following four (4) courses: 1) thence Southwesterly along the arc of said curve 30.01 feet through a central angle of 00°38'39"; 2) thence South 44°11'54 West 169.28 feet to a point of curvature of a 2224.06 foot radius curve to the right, the center of which bears North 45°48'06" West; 3) thence Southwesterly along the arc of said curve 101.51 feet through a central angle of 02°36'54"; 4) thence South 46°48'48" West 113.90 feet; thence North 38°35'21" West 339.54 feet; thence North 43°07'37" East 337.00 feet; thence North 19°48'10" West 518.00 feet; thence North 69°15'29" East 250.50 feet to the westerly Line of Wolf Creek Village II Phase 3-Supplement, Entry No. 1525078; thence along the boundary of Wolf Creek Village II Phase 1, Entry No. 1134999, Wolf Creek Village II Phase 2, Entry No. 1525077 and said Wolf Creek Village II Phase 3, the following four (4) courses: 1) thence South 42°42'39" East 335.42 feet; 2) thence South 87°55'56" East 110.25 feet; 3) thence South 42°55'56" East 180.00 feet to the westerly right of way of Wolf Creek Drive and a non-tangent point of curvature of a 2603.00 foot radius curve to the left, the center of which bears North 56°47'02" West; 4) thence Northeasterly along said easterly right of way and the arc of said curve 120.58 feet through a central angle of 02°39'15"; thence South 58°07'47" East 386.51 feet; thence South 31°37'35" West 466.00 feet; thence South 86°36'42" West 295.00 feet to the point of beginning

Containing 14.6 acres more or less

Parcel 12 of 15

ET 1883524 BK2276 PG1005



PARCEL 13
ZONING FR-3
Revised June 19, 2002

A Parcel of land located in the Northeast 1/4 of the Southwest 1/4 and the Southeast 1/4 of the Northwest 1/4 of Section 22, Township 7 North, Range 1 East, Salt Lake Base and Meridian; being more particularly described as follows:

Beginning at a point which is South 00°17'28" West 919.69 feet along the Center Section Line and West 14.06 from the Center of Section 22, Township 7 North, Range 1 East, Salt Lake Base and Meridian, said point of beginning also being the most Southerly Corner of Wolf Creek Village II Phase 2, Entry No. 1525077 and running thence along the Westerly Boundary of said Wolf Creek Village II Phase 2 and Wolf Creek Village II Phase 3-Supplement, Entry No. 1525078 the following three (3) courses: 1) thence North 42°55'56" West 180.00 feet; 2) thence North 87°55'56" West 110.25 feet; 3) thence North 42°42'39" West 335.42 feet; thence South 69°15'29" West 250.50 feet; thence North 54°06'05" West 189.81 feet; thence North 30°12'28" West 187.57 feet; thence North 36°02'13" West 292.66 feet; thence North 42°52'48" East 51.82 feet; thence North 72°39'34" East 39.43 feet; thence South 74°52'58" East 351.54 feet to the Northwest Corner of Worldmark Phase 2, Entry No. 1678925; thence South 74°52'58" East 227.73 feet along the North Line of said Worldmark Phase 2; thence North 28°48'42" East 261.03 feet; thence South 71°39'11" East 398.00 feet; thence South 16°24'05" West 231.25 feet to the Northerly Line of Worldmark Phase 1, Entry No. 1663019; thence along the Boundary of said Worldmark Phase 1 and said Wolf Creek Village II Phase 2-Supplement and Wolf Creek Village II Phase 1, Entry No. 877444 and said Wolf Creek Village II Phase 2 the following three (3) Courses: 1) thence South 74°52'58" East 321.81 feet; 2) thence South 25°52'48" West 233.58 feet to a point of curvature of a 2603.00 foot radius curve to the right, the center of which bears North 64°07'12" West; 3) thence Southeasterly along the arc of said curve 333.29 feet through a central angle of 07°20'10" to the point of beginning.

Containing 13.9 acres more or less

Parcel 13 of 15

1883524 BK2276 PG1006



PARCEL 14
PARCEL ZONING CV-2
Revised June 19, 2002

A Parcel of land located in the Southwest ¼ of the Northeast ¼ and the Southeast ¼ of the Northwest ¼ and the Northeast ¼ of the Southwest ¼ and the Northwest ¼ of the Southeast ¼ of Section 22, Township 7 North, Range 1 East, Salt Lake Base and Meridian; being more particularly described as follows:

Beginning at the center of Section 22, Township 7 North, Range 1 East, Salt Lake Base and Meridian and running thence North 00°30'27" East along the center of section line 51.68 feet; thence North 55°48'19" West 349.10 feet; thence North 64°16'42" East 347.28 feet to the Easterly Right of Way of Wolf Creek Drive, said point being a non-tangent point of curvature of a 1349.43 foot radius curve to the left, the center of which bears North 65°14'53" East; thence along said Easterly Right of Way the following seven (7) courses: 1) thence Southeasterly along the arc of said curve 29.15 feet through a central angle of 01°14'15"; 2) South 25°59'22" East 127.63 feet to a point of curvature of a 76.41 foot radius curve to the left, the center of which bears North 64°00'38" East; 3) thence Southeasterly along the arc of said curve 40.90 feet through a central angle of 30°40'00"; 4) thence South 56°39'22" East 244.00 feet to a point of curvature of a 207.59 foot radius curve to the right, the center of which bears South 33°20'38" West; 5) thence Southerly along the arc of said curve 218.12 feet through a central angle of 60°12'10" to a point of compound curvature of a 751.74 foot radius curve to the right, the center of which bears North 86°27'12" West; 6) thence Southwesterly along the arc of said curve 293.02 feet through a central angle of 22°20'00"; 7) thence South 25°52'48" West 69.45 feet; thence North 74°52'58" West 388.99 feet; thence North 16°24'05" East 231.25 feet; thence North 26°35'10" East 84.50 feet; thence North 46°04'06" West 55.43 feet to the point of beginning.

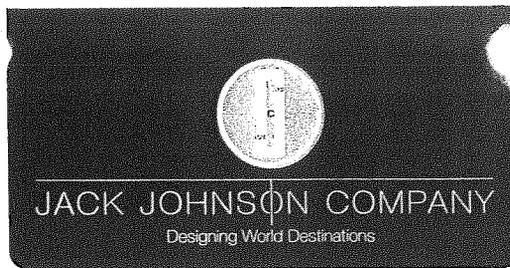
Containing 6.52 acres more or less

8"
E# 1883524 BK2276 PG1007

Parcel 14 of 15

In-Person .. 1777 Sun Peak Drive · Park City · Utah 84098 | Telephone · 435.645.9000 · Facsimile · 435.649.1620

Digital .. www.jackjohnson.com



PARCEL 15
PARCEL ZONING AV-3
Revised June 19, 2002

A Parcel of land located in the Northwest ¼ of the Northwest ¼ of Section 27, Township 7 North, Range 1 East, Salt Lake Base and Meridian; being more particularly described as follows:

Beginning at a point which is South 00°21'36" West 302.91 feet along the Section Line from the Northwest corner of Section 27 Township 7 North, Range 1 East, Salt Lake Base and Meridian; and running thence South 76°50'35" East, 869.71 feet; thence South 67°43'30" East 786.80 feet; thence South 39°57'20" East 349.86 feet; thence South 36°22'06" East 1396.70 feet; thence North 89°59'19" East 23.96 feet to the center of section line; thence along the center of section line South 00°16'53" West 278.44 feet; thence South 69°22'19" West 1300.49 feet; thence North 21°06'41" West 1563.00 feet; thence South 66°18'19" West 294.41 feet; thence South 12°44'00" West 393.55 feet; thence South 89°59'19" West 524.49 feet to the west line of Section 27; thence North 00°21'36" East 1669.85 feet to the point of beginning.

Containing 84.74 acres more or less

Parcel 15 of 15

E# 1883524 BK2276 PG1008

In-Person · 1777 Sun Peak Drive · Park City · Utah 84098

Telephone · 435.645.9000 · Facsimile · 435.649.1620

Digital · www.jackjohnson.com



Attachment 4: 2015 Wolf Creek Development Agreement

WHEN RECORDED, RETURN TO:

2015-15P PG 2-3 13
LEANN R. KELTS, 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");

Specifies that we are dealing with zoning density.

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.

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.]

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.

Assigns remaining density from the 250 CV-2 units of the 2002 development agreement to these CV-2 lots. See attached graphics for their locations.

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.

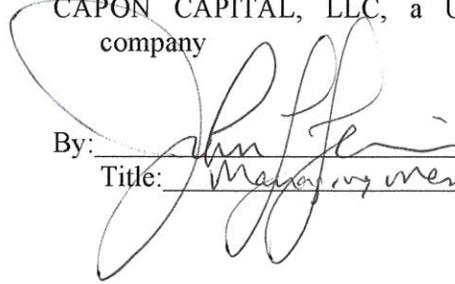


Lisa Tucker
NOTARY PUBLIC
Residing at Weber County, Utah

My Commission Expires:
10/14/18

CAPON CAPITAL, LLC, a Utah limited liability company

By: _____
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 $00^{\circ}20'34''$ EAST 1328.34 FEET; THENCE NORTH $89^{\circ}38'07''$ WEST 1316.70 FEET; THENCE SOUTH $00^{\circ}20'47''$ WEST 1324.09 FEET TO THE SOUTH LINE OF SAID SECTION 16, THENCE ALONG THE SOUTH LINE OF SAID SECTION 16 NORTH $89^{\circ}27'25''$ 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 $00^{\circ}23'38''$ EAST 2655.42 FEET TO THE NORTH LINE OF SAID SOUTH HALF; THENCE ALONG SAID NORTH LINE OF SAID SOUTH HALF SOUTH $89^{\circ}28'10''$ EAST 3287.33 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER SOUTH $88^{\circ}40'09''$ EAST 1486.52 FEET; THENCE SOUTH $00^{\circ}20'39''$ WEST 2642.21 FEET TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER NORTH $89^{\circ}12'43''$ 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 $89^{\circ}12'43''$ EAST 1484.21 FEET; THENCE SOUTH $89^{\circ}10'46''$ 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 $32^{\circ}31'14''$, CHORD BEARS SOUTH $74^{\circ}31'40''$ WEST 218.40 FEET; (2) SOUTH $58^{\circ}16'30''$ 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 $33^{\circ}49'23''$, CHORD BEARS SOUTH $75^{\circ}10'44''$ WEST 325.80 FEET; (4) NORTH $87^{\circ}54'34''$ 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 $19^{\circ}29'50''$, CHORD BEARS SOUTH $82^{\circ}20'31''$ WEST 521.53 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER; THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER NORTH $00^{\circ}21'24''$ 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 $00^{\circ}24'17''$ 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 $87^{\circ}15'11''$ WEST 290.35 FEET TO THE EAST RIGHT-OF-WAY LINE OF WOLF CREEK DRIVE; THENCE ALONG SAID EAST RIGHT-OF-

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)

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.

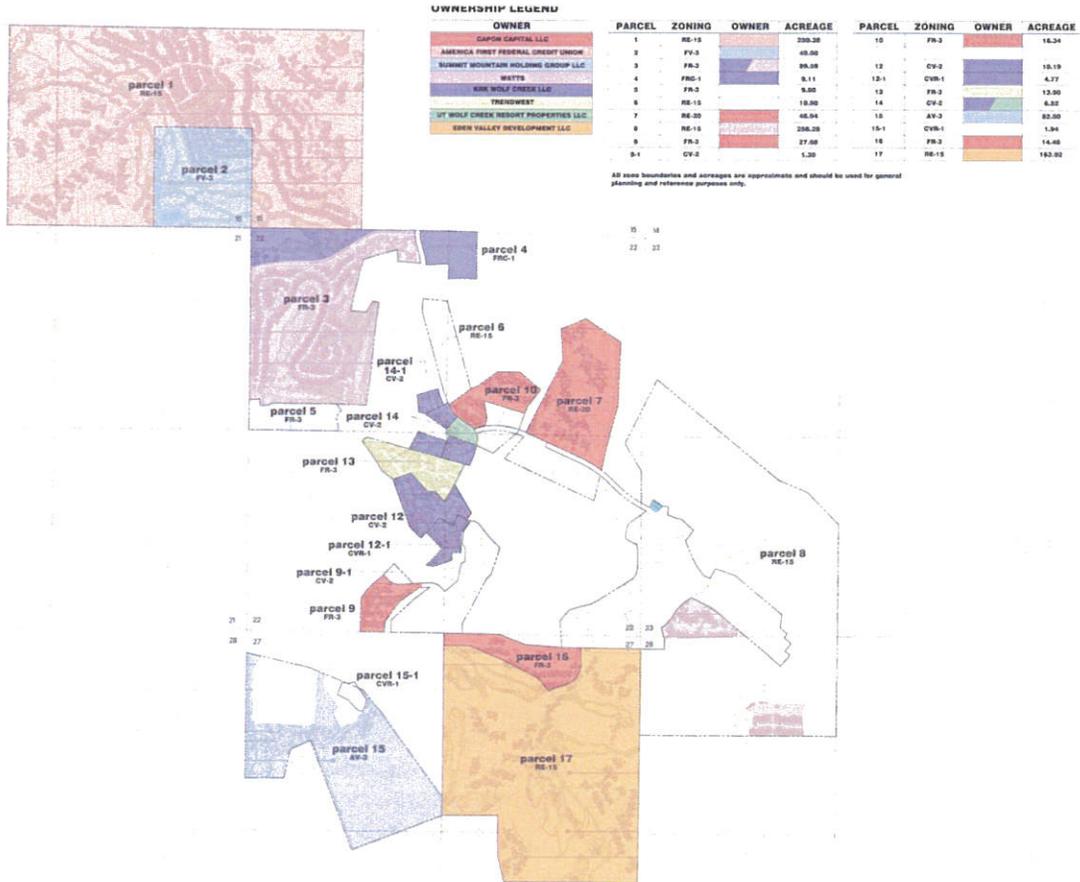
PARCEL 14
BOUNDARY DESCRIPTION

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.

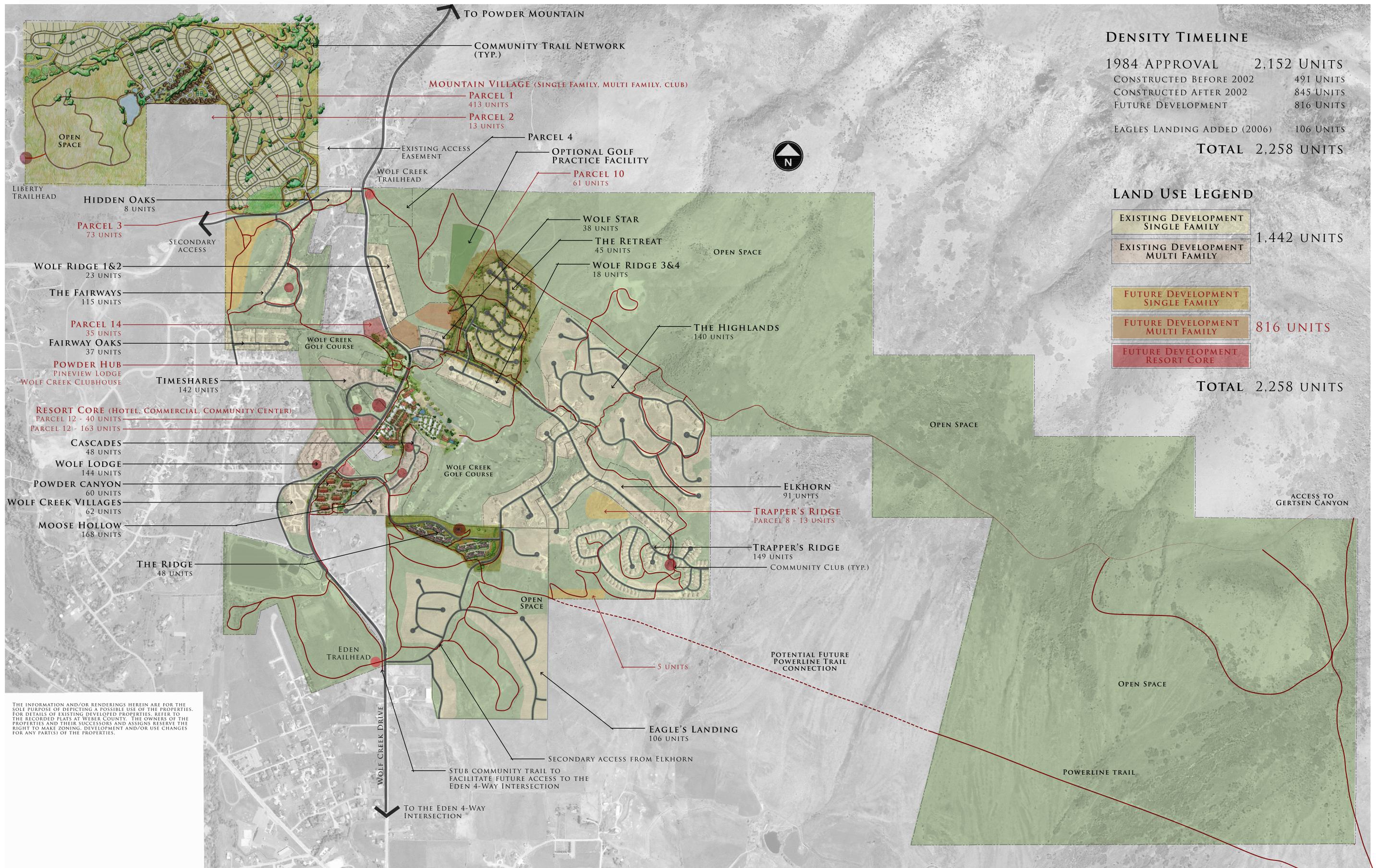
EXHIBIT "B"

RESORT ZONING MAP



WOLF CREEK RESORT

FEBRUARY 2016



DENSITY TIMELINE

1984 APPROVAL	2,152 UNITS
CONSTRUCTED BEFORE 2002	491 UNITS
CONSTRUCTED AFTER 2002	845 UNITS
FUTURE DEVELOPMENT	816 UNITS
EAGLES LANDING ADDED (2006)	106 UNITS
TOTAL	2,258 UNITS

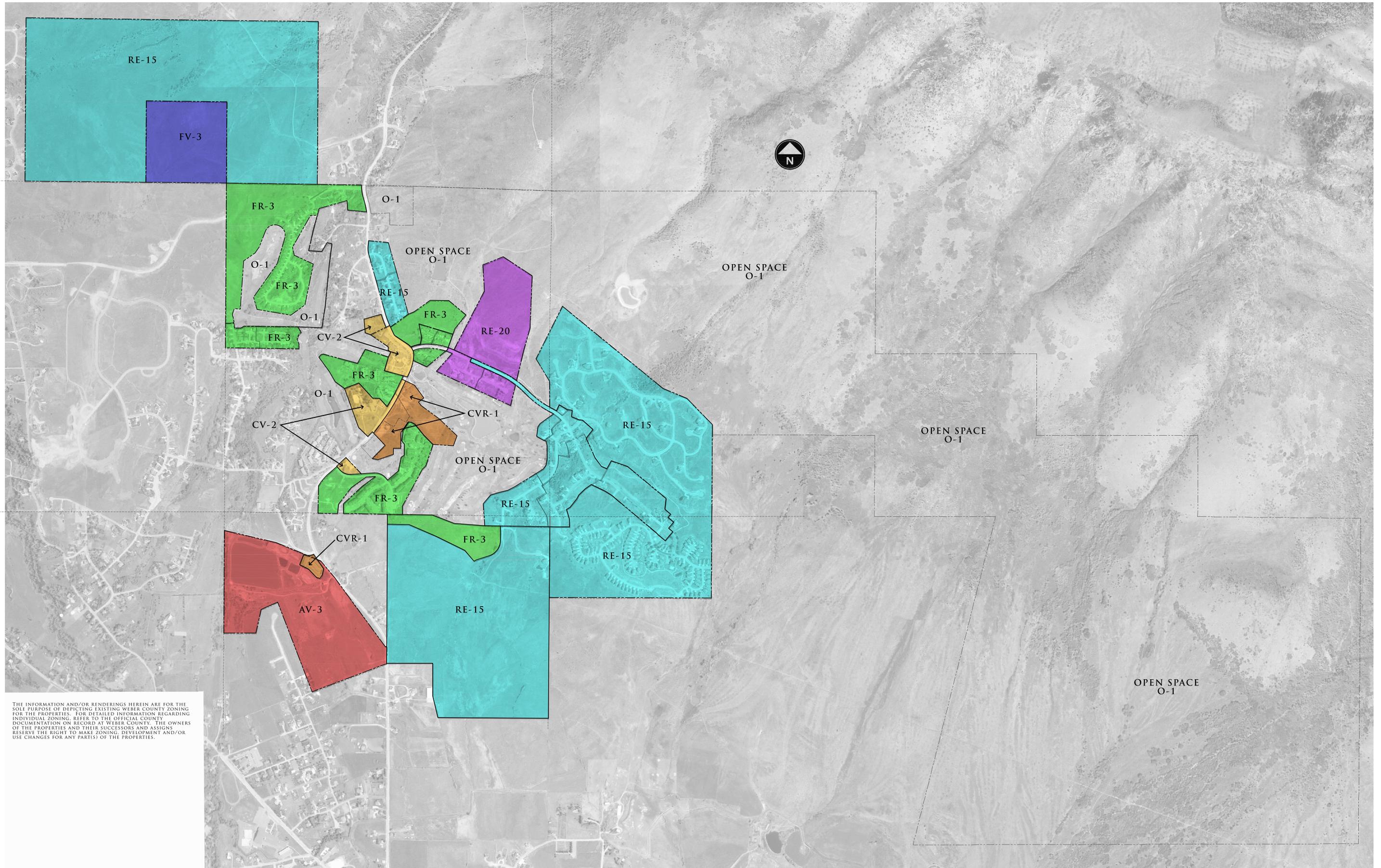
LAND USE LEGEND

EXISTING DEVELOPMENT SINGLE FAMILY	1,442 UNITS
EXISTING DEVELOPMENT MULTI FAMILY	
FUTURE DEVELOPMENT SINGLE FAMILY	816 UNITS
FUTURE DEVELOPMENT MULTI FAMILY	
FUTURE DEVELOPMENT RESORT CORE	
TOTAL	2,258 UNITS

THE INFORMATION AND/OR RENDERINGS HEREIN ARE FOR THE SOLE PURPOSE OF DEPICTING A POSSIBLE USE OF THE PROPERTIES. FOR DETAILS OF EXISTING DEVELOPED PROPERTIES, REFER TO THE RECORDED PLATS AT WEBER COUNTY. THE OWNERS OF THE PROPERTIES AND THEIR SUCCESSORS AND ASSIGNS RESERVE THE RIGHT TO MAKE ZONING, DEVELOPMENT AND/OR USE CHANGES FOR ANY PART(S) OF THE PROPERTIES.

WOLF CREEK RESORT

FEBRUARY 2016



THE INFORMATION AND/OR RENDERINGS HEREIN ARE FOR THE SOLE PURPOSE OF DEPICTING EXISTING WEBER COUNTY ZONING FOR THE PROPERTIES. FOR DETAILED INFORMATION REGARDING INDIVIDUAL ZONING, REFER TO THE OFFICIAL COUNTY DOCUMENTATION ON RECORD AT WEBER COUNTY. THE OWNERS OF THE PROPERTIES AND THEIR SUCCESSORS AND ASSIGNS RESERVE THE RIGHT TO MAKE ZONING, DEVELOPMENT AND/OR USE CHANGES FOR ANY PART(S) OF THE PROPERTIES.