

SURVEYOR'S CERTIFICATE

I, RICHARD W. MILLER, REGISTERED LAND SURVEYOR, STATE OF UTAH, HOLDING LICENSE NUMBER 155641-2201, CERTIFY THAT I HAVE MADE A SURVEY OF THE FOLLOWING DESCRIBED TRACT OF LAND AND THAT I HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, STREETS, AND EASEMENTS AS SHOWN HEREON AND TO BE KNOWN AS SUMMIT AT POWDER MOUNTAIN PHASE 1A.



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

LEGAL DESCRIPTION:

BEGINNING AT A POINT THAT IS SOUTH 01°09'02" WEST 2,468.72 FEET AND EAST 2,031.16 FROM THE WEST QUARTER CORNER OF SECTION 5, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; RUNNING THENCE SOUTH 22°00'21" WEST 196.22 FEET; THENCE SOUTH 34°42'50" WEST 437.67 FEET; THENCE WEST 2,083.16 FEET; THENCE SOUTH 1,436.04 FEET; THENCE SOUTH 66°02'10" WEST 565.69 FEET; THENCE SOUTH 83°57'59" WEST 1,323.75 FEET; THENCE SOUTH 86°23'26" WEST 870.31 FEET; THENCE SOUTH 68°56'15" WEST 919.23 FEET; THENCE NORTH 01°29'36" EAST 623.17 FEET; THENCE NORTH 68°02'54" WEST 644.85 FEET; THENCE SOUTH 41°58'40" WEST 296.34 FEET; THENCE NORTH 88°30'24" WEST 233.06 FEET; THENCE SOUTH 55°49'44" WEST 850.73 FEET TO THE SOUTHERLY LINE OF SECTION 12, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 89°40'51" WEST ALONG THE CENTER SECTION LINE OF SECTION 12, 616.65 FEET; THENCE NORTH 00°12'06" WEST 693.84 FEET; THENCE NORTH 42°32'52" EAST 649.90 FEET; THENCE NORTH 47°31'16" EAST 525.96 FEET; THENCE NORTH 36°36'36" EAST 300.42 FEET; THENCE NORTH 10°09'08" EAST 352.63 FEET; THENCE NORTH 23°11'03" EAST 614.71 FEET TO THE NORTHEAST CORNER OF SAID SECTION 12; THENCE NORTH 26°21'06" EAST 669.33 FEET; THENCE NORTH 40°27'50" EAST 792.62 FEET; THENCE SOUTH 71°00'44" EAST 524.76 FEET; THENCE SOUTH 65°29'59" EAST 363.54 FEET; THENCE SOUTH 81°24'28" EAST 567.61 FEET TO THE SOUTHERLY LINE OF SUMMIT PASS; THENCE ALONG SAID SOUTHERLY LINE OF SUMMIT PASS THE FOLLOWING FORTY-THREE (43) COURSES: 1) SOUTHEASTERLY ALONG A 213.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, (CHORD BEARS SOUTH 26°23'17" EAST A DISTANCE OF 232.86 FEET), THROUGH A CENTRAL ANGLE OF 66°16'20", A DISTANCE OF 246.37 FEET, 2) SOUTH 59°31'27" EAST 20.07 FEET; 3) EASTERLY ALONG A 215.83 FOOT RADIUS TANGENT CURVE TO THE LEFT, (CHORD BEARS SOUTH 78°51'11" EAST A DISTANCE OF 116.58 FEET), THROUGH A CENTRAL ANGLE OF 31°20'18", A DISTANCE OF 118.05 FEET, 4) NORTH 89°08'14" EAST 27.32 FEET, 5) EASTERLY ALONG A 483.21 FOOT RADIUS TANGENT CURVE TO THE LEFT, (CHORD BEARS NORTH 82°46'27" EAST A DISTANCE OF 107.11 FEET), THROUGH A CENTRAL ANGLE OF 12°43'35", A DISTANCE OF 107.33 FEET, 6) NORTH 76°24'39" EAST 166.99 FEET, 7) EASTERLY ALONG A 147.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT, (CHORD BEARS SOUTH 80°40'01" EAST A DISTANCE OF 114.51 FEET), THROUGH A CENTRAL ANGLE OF 45°50'39", A DISTANCE OF 117.62 FEET, 8) SOUTH 57°44'42" EAST 14.03 FEET, 9) EASTERLY ALONG A 383.00 FOOT RADIUS TANGENT CURVE TO THE LEFT, (CHORD BEARS SOUTH 78°01'21" EAST A DISTANCE OF 265.47 FEET), THROUGH A CENTRAL ANGLE OF 40°33'19", A DISTANCE OF 271.10 FEET, 10) NORTH 81°42'00" EAST 53.97 FEET, 11) EASTERLY ALONG A 418.71 FOOT RADIUS TANGENT CURVE TO THE RIGHT, (CHORD BEARS NORTH 88°04'31" EAST A DISTANCE OF 93.18 FEET, 12) SOUTH 88°32'57" EAST 12.26 FEET, 13) EASTERLY ALONG A 733.00 FOOT RADIUS TANGENT CURVE TO THE LEFT, (CHORD BEARS NORTH 81°41'37" EAST A DISTANCE OF 323.72 FEET), THROUGH A CENTRAL ANGLE OF 25°30'52", A DISTANCE OF 326.41 FEET, 14) NORTH 68°56'11" EAST 94.64 FEET, 15) EASTERLY ALONG A 167.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT, (CHORD BEARS NORTH 85°01'33" EAST A DISTANCE OF 92.56 FEET), THROUGH A CENTRAL ANGLE OF 32°10'44", A DISTANCE OF 93.79 FEET, 16) SOUTH 78°53'05" EAST 41.36 FEET, 17) EASTERLY ALONG A 283.00 FOOT RADIUS TANGENT CURVE TO THE LEFT, (CHORD BEARS NORTH 86°13'07" EAST A DISTANCE OF 145.50 FEET), THROUGH A CENTRAL ANGLE OF 29°47'36", A DISTANCE OF 147.16 FEET, 18) NORTH 71°19'19" EAST 174.07 FEET, 19) EASTERLY ALONG A 967.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT, (CHORD BEARS NORTH 76°42'19" EAST A DISTANCE OF 181.44 FEET), THROUGH A CENTRAL ANGLE OF 10°45'59", A DISTANCE OF 181.70 FEET, 20) NORTH 82°05'18" EAST 101.93 FEET, 21) EASTERLY ALONG A 393.15 FOOT RADIUS TANGENT CURVE TO THE RIGHT, (CHORD BEARS NORTH 88°48'39" EAST A DISTANCE OF 92.04 FEET), THROUGH A CENTRAL ANGLE OF 13°26'42", A DISTANCE OF 92.26 FEET, 22) SOUTH 84°28'01" EAST 114.11 FEET, 23) EASTERLY ALONG A 3,056.76 FOOT RADIUS TANGENT CURVE TO THE LEFT, (CHORD BEARS SOUTH 85°24'51" EAST A DISTANCE OF 101.09 FEET), THROUGH A CENTRAL ANGLE OF 01°53'41", A DISTANCE OF 101.09 FEET, 24) SOUTH 86°21'42" EAST 297.63 FEET, 25) EASTERLY ALONG A 300.82 FOOT RADIUS TANGENT CURVE TO THE LEFT, (CHORD BEARS NORTH 82°56'30" EAST A DISTANCE OF 111.67 FEET), THROUGH A CENTRAL ANGLE OF 21°23'37", A DISTANCE OF 112.32 FEET, 26) NORTH 72°14'41" EAST 103.92 FEET, 27) EASTERLY ALONG A 267.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT, (CHORD BEARS NORTH 88°38'40" EAST A DISTANCE OF 150.79 FEET), THROUGH A CENTRAL ANGLE OF 01°52'07" EAST A DISTANCE OF 152.87 FEET, 28) SOUTH 74°57'04" EAST 46.14 FEET, 29) EASTERLY ALONG A 483.00 FOOT RADIUS TANGENT CURVE TO THE LEFT, (CHORD BEARS SOUTH 88°17'33" EAST A DISTANCE OF 222.90 FEET), THROUGH A CENTRAL ANGLE OF 26°40'57", A DISTANCE OF 224.93 FEET, 30) NORTH 78°21'59" EAST 163.17 FEET, 31) EASTERLY ALONG A 467.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT, (CHORD BEARS NORTH 87°57'27" EAST A DISTANCE OF 155.62 FEET), THROUGH A CENTRAL ANGLE OF 19°10'57", A DISTANCE OF 156.35 FEET, 32) SOUTH 82°27'04" EAST 241.01 FEET, 33) EASTERLY ALONG A 467.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT, (CHORD BEARS SOUTH 76°12'08" EAST A DISTANCE OF 101.66 FEET), THROUGH A CENTRAL ANGLE OF 12°24'53", A DISTANCE OF 101.87 FEET, 34) SOUTH 69°57'12" EAST 128.40 FEET, 35) EASTERLY ALONG A 333.00 FOOT RADIUS TANGENT CURVE TO THE LEFT, (CHORD BEARS SOUTH 81°03'41" EAST A DISTANCE OF 128.31 FEET), THROUGH A CENTRAL ANGLE OF 22°12'58", A DISTANCE OF 129.12 FEET, 36) NORTH 87°49'50" EAST 231.14 FEET, 37) EASTERLY ALONG A 367.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT, (CHORD BEARS SOUTH 70°02'50" EAST A DISTANCE OF 276.41 FEET), THROUGH A CENTRAL ANGLE OF 44°14'39", A DISTANCE OF 283.40 FEET, 38) SOUTH 47°55'31" EAST 81.02 FEET, 39) SOUTHEASTERLY ALONG A 567.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT, (CHORD BEARS SOUTH 36°08'41" EAST A DISTANCE OF 231.52 FEET), THROUGH A CENTRAL ANGLE OF 23°33'40", A DISTANCE OF 233.16 FEET, 40) SOUTH 24°21'51" EAST 113.52 FEET, 41) SOUTHERLY ALONG A 567.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT, (CHORD BEARS SOUTH 15°29'46" EAST A DISTANCE OF 174.82 FEET), THROUGH A CENTRAL ANGLE OF 17°44'11", A DISTANCE OF 175.52 FEET, 42) SOUTH 06°37'40" EAST 118.34 FEET, 43) SOUTHERLY ALONG A 603.42 FOOT RADIUS TANGENT CURVE TO THE LEFT, (CHORD BEARS SOUTH 06°55'18" EAST A DISTANCE OF 6.19 FEET), THROUGH A CENTRAL ANGLE OF 00°35'15", A DISTANCE OF 6.19 FEET; THENCE SOUTH 83°22'20" WEST 385.15 FEET TO THE POINT OF BEGINNING.

CONTAINING 19,477,239 SQUARE FEET OR 447.136 ACRES.

Mix 1.57 ± (see previous review)

SUMMIT AT POWDER MOUNTAIN PHASE 1A

LOCATED IN THE NORTHEAST QUARTER OF SECTION 12, AND SOUTHEAST QUARTER OF SECTION 1, T 7N, R 1E, SLBM, AND THE SOUTH HALF OF SECTION 6, AND SECTION 7, AND THE SOUTH HALF OF SECTION 5, AND THE NORTH HALF OF SECTION 8, T 7N, R 2E, SLBM., WEBER COUNTY, UTAH.

SUMMIT EDEN ESTATES SUBDIVISION PLAT NOTES

- THIS PLAT IS SUBJECT TO THAT CERTAIN NEIGHBORHOOD DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR SUMMIT EDEN ESTATES ("NEIGHBORHOOD DECLARATION") EXECUTED BY SMHG PHASE 1, LLC ("DECLARANT") AS WELL AS THAT CERTAIN MASTER DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR SUMMIT EDEN ("MASTER DECLARATION") THAT HAVE BEEN OR WILL BE RECORDED IN THE OFFICE OF THE WEBER COUNTY RECORDER WHICH SHALL SET FORTH THE RESTRICTIONS AND GENERAL PLAN OF IMPROVEMENT FOR THE PROPERTY DESCRIBED IN THIS PLAT. CAPITALIZED TERMS NOT OTHERWISE DEFINED IN THIS PLAT SHALL HAVE THE MEANINGS SET FORTH IN THE NEIGHBORHOOD DECLARATION OR MASTER DECLARATION.
- PURSUANT TO THE NEIGHBORHOOD DECLARATION, THE SUMMIT EDEN ESTATES ASSOCIATION, INC., A UTAH NONPROFIT CORPORATION ("NEIGHBORHOOD ASSOCIATION") IS RESPONSIBLE FOR MAINTAINING ALL COMMON AREA, AND SHALL HAVE A PERPETUAL NON-EXCLUSIVE EASEMENT OVER THE NEIGHBORHOOD FOR SUCH MAINTENANCE PURPOSES AS FURTHER DESCRIBED IN THE NEIGHBORHOOD DECLARATION. SUCH RESPONSIBILITY AND EASEMENT MAY BE DELEGATED AND ASSIGNED TO THE SUMMIT EDEN OWNERS ASSOCIATION, INC., A UTAH NONPROFIT CORPORATION ("COMMUNITY ASSOCIATION").
- DECLARANT HEREBY RESERVES FOR THE BENEFIT OF ITSELF, ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO REALIGN AND ADJUST LOT BOUNDARY LINES IN ACCORDANCE WITH THE PROVISIONS OF THE NEIGHBORHOOD DECLARATION FOR PURPOSES OF PROPER CONFIGURATIONS OF ALL LOTS AS PERMITTED BY THE NEIGHBORHOOD DECLARATION. ALL OWNERS OF LOTS IN THE NEIGHBORHOOD AGREE TO SUBMIT TO BOUNDARY LINE ADJUSTMENTS TO BE ACCOMPLISHED BY RECORDATION OF A DEED BY THE OWNERS OF THE AFFECTED LOTS, ADJUSTING LOT BOUNDARY LINES, AND THAT NO AMENDMENT TO THIS PLAT SHALL BE REQUIRED. UPON ANY SUCH ADJUSTMENT, ALL REQUIRED OWNERS SHALL EXECUTE A DEED UPON REQUEST OF DECLARANT AS PROVIDED BY THE NEIGHBORHOOD DECLARATION. NOTWITHSTANDING THE FOREGOING, IN THE EVENT AN AMENDMENT TO THIS PLAT IS REQUIRED BY WEBER COUNTY, EACH OWNER AGREES TO EXECUTE SUCH AMENDMENT.
- THE PROPERTY AS DEPICTED ON THIS PLAT IS SUBJECT TO THE RIGHTS OF DECLARANT AS DESCRIBED IN THE NEIGHBORHOOD DECLARATION, AND THE RIGHTS OF MASTER DEVELOPER AS DESCRIBED IN THE MASTER DECLARATION, AND DECLARANT AND MASTER DEVELOPER SHALL HAVE THE RIGHT TO EXERCISE ANY APPLICABLE RIGHTS PROVIDED FOR IN SAID DECLARATIONS, INCLUDING, WITHOUT LIMITATION, RESERVATION AND GRANTING OF CERTAIN EASEMENTS, REDUCING OR RELOCATING IMPROVEMENTS WITHIN THE COMMUNITY, ADDING ADDITIONAL FACILITIES AND MAKING SUCH OTHER DEVELOPMENT DECISIONS AND CHANGES AS DECLARANT OR MASTER DEVELOPER SHALL DETERMINE IN EACH OF THEIR SOLE AND EXCLUSIVE DISCRETION.
- THE LOTS ARE SERVED BY PRIVATE WATER AND WASTEWATER LATERAL LINES. EACH OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REPLACEMENT OF ALL WATER AND SANITARY SEWER LATERALS SERVING THE RESIDENCE ON SUCH OWNER'S LOT.
- ALL UTILITIES WITHIN THE PROJECT SHALL BE UNDERGROUND. NOTWITHSTANDING DECLARANT'S GRANT OF BLANKET UTILITY EASEMENTS, DECLARANT RESERVES THE RIGHT TO RECORD ONE OR MORE INSTRUMENTS WHICH NARROW AND LIMIT SUCH GRANT OF UTILITY EASEMENT TO THE NORMAL EASEMENT WIDTH OF THE UTILITY IN THOSE SPECIFIC AREAS OF THE COMMON AREAS WHICH ACTUALLY CONTAIN THE UTILITY FACILITIES AS DESCRIBED IN SUCH INSTRUMENT AND FOR THE PURPOSES DESCRIBED THEREIN. SUCH RESERVED RIGHT IS SUBJECT TO THE UTILITY COMPANIES' RIGHTS THEN LOCATED UNDER THE REAL PROPERTY DEPICTED ON THIS PLAT.
- DECLARANT HEREBY GRANTS TO THE UTILITY PROVIDERS IDENTIFIED BELOW AN EASEMENT OVER AND ACROSS ALL AREAS SHOWN HEREON AS PUBLIC UTILITY EASEMENTS FOR THE PURPOSE OF INSTALLING, MAINTAINING AND OPERATING EQUIPMENT AND FACILITIES ABOVE AND BELOW GROUND AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES, AND VEGETATION THAT MAY HAVE BEEN PLACED WITHIN THE EASEMENTS. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE PUBLIC UTILITY EASEMENTS WHICH INTERFERES WITH THE USE OF THE EASEMENTS WITHOUT THE PRIOR WRITTEN APPROVAL OF THE APPLICABLE UTILITY PROVIDERS. FOR PURPOSES HEREIN, UTILITY PROVIDERS SHALL INCLUDE WEBER COUNTY WITH RESPECT TO STORM AND DRAINAGE, POWDER MOUNTAIN WATER AND SEWER IMPROVEMENT DISTRICT WITH RESPECT TO SEWER AND WATER, ROCKY MOUNTAIN POWDER WITH RESPECT TO ELECTRICAL, CENTURY LINK WITH RESPECT TO COMMUNICATIONS FACILITIES, AND ANY OTHER PUBLIC UTILITY PROVIDER.
- THIS PLAT ESTABLISHES HORIZON RUN, SHOWN HEREON AS "ROAD PARCEL A," AS A LEGALLY RECOGNIZED AND PROPERLY SUBDIVIDED SEPARATE PARCEL OF REAL PROPERTY AND AS A PUBLIC UTILITY EASEMENT. HORIZON RUN IS A PRIVATE ROAD, TO BE OPERATED, MAINTAINED AND REPAIRED BY THE COMMUNITY ASSOCIATION FOR THE USE AND BENEFIT AND AS THE EXPENSE OF ITS MEMBERS IN ACCORDANCE WITH THE NEIGHBORHOOD DECLARATION AND MASTER DECLARATION. HORIZON RUN MAY BE RELOCATED BY DECLARANT AS DESCRIBED IN THE NEIGHBORHOOD DECLARATION. HORIZON RUN IS NOT A PUBLIC ROAD OR RIGHT OF WAY. THIS PLAT SHALL NOT BE DEEMED TO GRANT ANY RIGHTS IN THE PUBLIC TO USE HORIZON RUN OR CREATE ANY OBLIGATIONS ON THE PART OF WEBER COUNTY TO MAINTAIN OR REPAIR THE ROAD. SUCH USE AND MAINTENANCE SHALL BE GOVERNED BY THE TERMS AND PROVISIONS OF THE NEIGHBORHOOD DECLARATION.
- ALL PROPERTY CORNERS TO BE SET ALONG THE PERIMETER BOUNDARY AS SHOWN HEREON.
- ALL COMMON WATER AND SEWER MAINS WITHIN THE COMMUNITY WILL BE OWNED AND MAINTAINED BY POWDER MOUNTAIN WATER SERVICE DISTRICT.
- AS FURTHER DESCRIBED IN THE MASTER DECLARATION, ALL LOTS, AND ALL RESIDENCES AND IMPROVEMENTS CONSTRUCTED THEREON, SHALL COMPLY WITH THE DESIGN GUIDE. NO CONSTRUCTION, INSTALLATION, OR OTHER WORK WHICH IN ANY WAY ALTERS THE APPEARANCE OF ANY PROPERTY OR LOT WITHIN THE PROJECT, OR ANY RESIDENCES OR IMPROVEMENTS LOCATED THEREON, SHALL BE MADE OR DONE WITHOUT COMPLIANCE WITH THE DESIGN GUIDE AS DESCRIBED IN THE MASTER DECLARATION.
- DECLARANT RESERVES THE RIGHT TO UNILATERALLY AMEND THE PLAT, WITHOUT THE CONSENT OF THE AFFECTED OWNER, AT ANY TIME AND FROM TIME TO TIME IF SUCH AMENDMENT IS NECESSARY TO SATISFY THE REQUIREMENTS OF ANY GOVERNMENTAL AUTHORITY, TO CORRECT MISTAKES, REMOVE/CLARIFY AMBIGUITIES OR FOR ANY OTHER PURPOSE SO LONG AS SUCH AMENDMENT TO THE PLAT DOES NOT MATERIALLY ADVERSELY AFFECT TITLE TO ANY PROPERTY.

SURVEY NARRATIVE:

1-THIS SURVEY WAS SUBDIVIDE THE AFORESAID TRACT OF LAND INTO LOTS, STREETS, PARCELS, AND EASEMENTS AS SHOWN HEREON AND AS DIRECTED BY THE CLIENT

2-THE BASIS OF BEARINGS FOR THIS PLAT IS NORTH 89°55'51" WEST BETWEEN THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND A FOUND WEBER COUNTY LINE MONUMENT SET BY THE WEBER COUNTY SURVEYOR'S OFFICE.

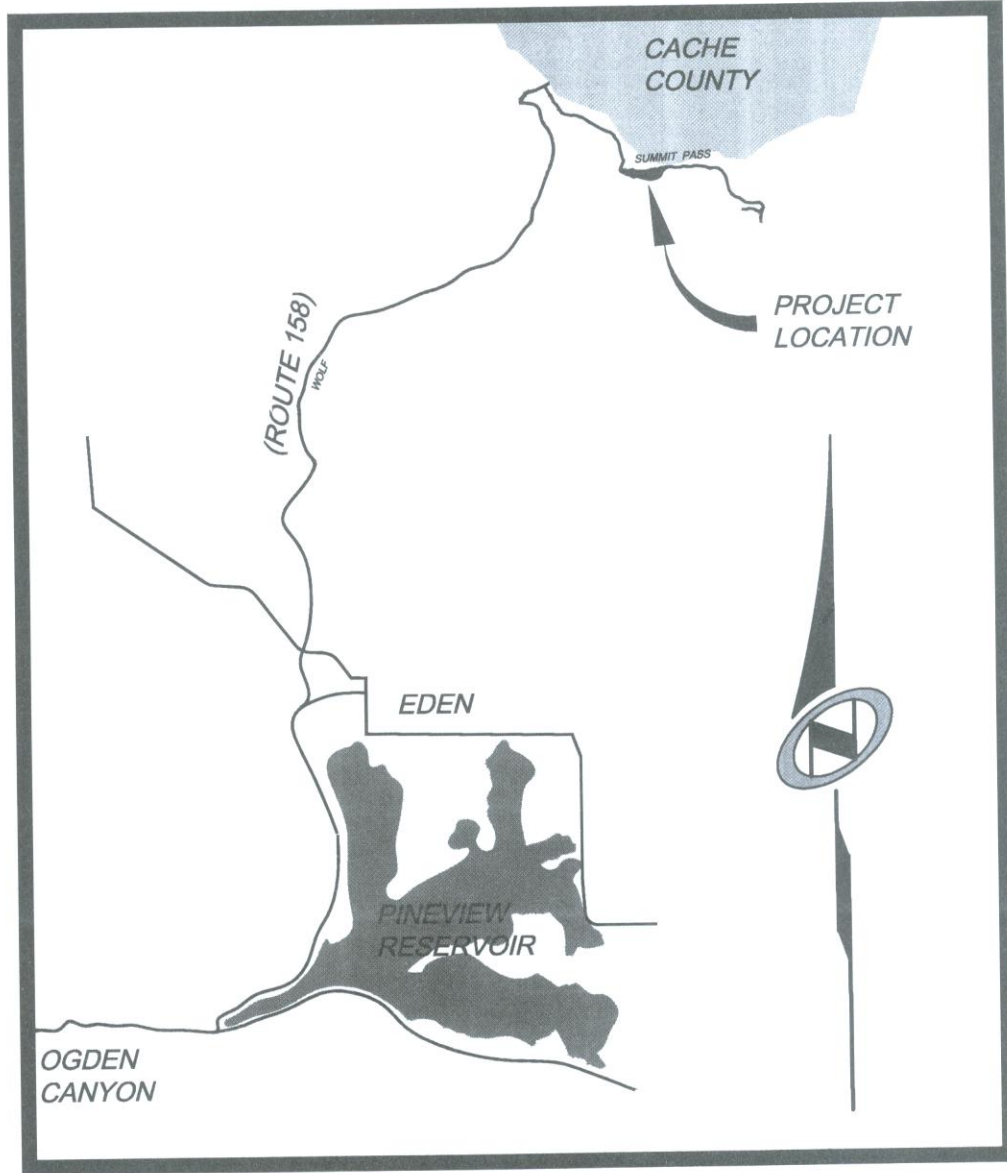
SUMMIT EDEN ESTATES SUBDIVISION PLAT NOTES

- DECLARANT HEREBY RESERVES TO ITSELF A BLANKET EASEMENT ACROSS ALL LOTS AND PARCELS, EXCLUDING THE BUILDING ENVELOPES, FOR CONSTRUCTING AND MAINTAINING HIKING AND BIKING TRAILS ("TRAIL EASEMENT"). THE EXACT LOCATION OF THE TRAILS MAY BE DESIGNATED, ADDED TO, DELETED, OR MODIFIED BY DECLARANT WITHOUT AN AMENDMENT TO THIS PLAT AS MORE FULLY DESCRIBED IN THE NEIGHBORHOOD DECLARATION. DECLARANT HEREBY GRANTS TO THE NEIGHBORHOOD ASSOCIATION, COMMUNITY ASSOCIATION, AND THEIR MEMBERS AN EASEMENT FOR USE AND ENJOYMENT OF THE TRAIL EASEMENT, IN THE AS-CONSTRUCTION LOCATIONS, IN ACCORDANCE WITH ANY RULES AND REGULATIONS ADOPTED BY DECLARANT.
- DECLARANT HEREBY RESERVES TO ITSELF A BLANKET EASEMENT ACROSS ALL LOTS AND PARCELS, EXCLUDING THE BUILDING ENVELOPES, FOR CONSTRUCTING AND MAINTAINING SKI TRAILS AND OTHER SKI IMPROVEMENTS ("SKI EASEMENT"). DECLARANT MAY DESIGNATE, DEFINE, LOCATE, RELOCATE, AND MODIFY THE EXACT LOCATION OF THE SKI EASEMENT WITHOUT AN AMENDMENT TO THIS PLAT AS MORE FULLY DESCRIBED IN THE NEIGHBORHOOD DECLARATION. DECLARANT HEREBY GRANTS AN EASEMENT IN FAVOR OF THE NEIGHBORHOOD ASSOCIATION, COMMUNITY ASSOCIATION, AND THEIR MEMBERS FOR USE AND ENJOYMENT OF THE SKI EASEMENT IN ACCORDANCE WITH ANY RULES AND REGULATIONS ADOPTED BY DECLARANT.
- DECLARANT HEREBY RESERVES TO ITSELF A TEMPORARY EASEMENT ALONG EACH SIDE OF THE ROADS SHOWN HEREON IN A WIDTH AS DEEMED NECESSARY BY WEBER COUNTY AND CONSISTENT WITH THE ROAD DEDICATION PLAT FOR SUMMIT PASS AND SPRING PARK ("SLOPE EASEMENT") AS MORE FULLY DESCRIBED IN THE NEIGHBORHOOD DECLARATION. SUCH SLOPE EASEMENT IS FOR THE BENEFIT OF DECLARANT, ITS EMPLOYEES, AND CONTRACTORS, FOR THE PURPOSE OF STABILIZING, CUTTING SLOPES, AND PERFORMING OTHER CONSTRUCTION AND MAINTENANCE TO PREVENT EROSION ALONG THE PRIVATE ROADS. THE PORTION OF THE SLOPE EASEMENT ON EACH LOT SHALL AUTOMATICALLY TERMINATE AT SUCH TIME AS A CERTIFICATE OF OCCUPANCY IS ISSUED FOR A RESIDENTIAL BUILDING CONSTRUCTED ON SUCH LOT.
- DECLARANT HEREBY RESERVES TO ITSELF A BLANKET EASEMENT AND RIGHT ON, OVER, UNDER AND ACROSS ROAD PARCEL A FOR THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF TUNNELS, BRIDGES AND/OR SKI LIFTS OVER AND UNDER THE ROAD. DECLARANT MAY CONVEY, TRANSFER, OR ASSIGN ITS RIGHTS WITH RESPECT TO SUCH EASEMENT.
- CERTAIN PARCELS MAY BE DESIGNATED HEREON AS "OPEN SPACE." HOWEVER, NOTWITHSTANDING SUCH DESIGNATION, THE PERMITTED USES AND ANY APPLICABLE RESTRICTIONS FOR SUCH PARCELS SHALL BE AS SET FORTH IN THE NEIGHBORHOOD DECLARATION AND MASTER DECLARATION. DECLARANT RESERVES THE RIGHT TO BUILD FACILITIES AND AMENITIES WITHIN ANY AREA DESIGNATED AS OPEN SPACE, AND RESERVES THE RIGHT TO AMEND, RELOCATE, REDUCE, OR OTHERWISE CHANGE THE AREAS DESIGNATED AS OPEN SPACE SO LONG AS THE DESIGNATED OPEN SPACE COMPLIES WITH THE OPEN SPACE REQUIREMENTS IMPOSED BY WEBER COUNTY.
- DECLARANT GIVES NOTICE THAT THE LOTS SHOWN HEREON ARE IN A SKI RESORT AREA ("SKI RESORT") IN WHICH HEAVY SNOW FALLS, WIND PATTERNS, AND OTHER CONDITIONS HAVE THE POTENTIAL TO CAUSE AVALANCHES IN CERTAIN AREAS. NO STUDIES HAVE BEEN CONDUCTED TO DETERMINE WHETHER ANY OF THE LOTS OR BUILDING ENVELOPES SHOWN HEREON ARE WITHIN POTENTIAL AVALANCHE INFLUENCE AND AVALANCHE CONTROL ZONES. CERTAIN AREAS WITHIN THE SKI RESORT MAY BE SUBJECT TO AVALANCHE CONTROLS BY THE OPERATOR OF THE SKI RESORT AND SUCH CONTROL PROCEDURES MAY INVOLVE THE USE OF EXPLOSIVE CHARGES AND MAY TRIGGER AVALANCHES AS WELL AS OCCASIONAL ROAD CLOSURES. DECLARANT MAKES NO REPRESENTATION WITH RESPECT TO THE OPERATIONS OF THE SKI RESORT OR THE POTENTIAL RISKS OR HAZARDS ASSOCIATED WITH AVALANCHES OR AVALANCHE CONTROL. EACH OWNER OF A LOT SHOULD CONDUCT ITS OWN STUDIES PRIOR TO CONSTRUCTING ANY IMPROVEMENTS ON A LOT.
- DECLARANT HEREBY GRANTS A TWENTY FOOT (20') WIDE EASEMENT CENTERED OVER THE AS-CONSTRUCTED LOCATION OF THE PRIVATE DRIVEWAY SHOWN HEREON ("PRIVATE DRIVEWAY EASEMENT") FOR THE USE AND BENEFIT AND AT THE EXPENSE OF THE OWNERS OF LOTS 1, 2, 3, 4, 7A, 7B, 9, AND 10 AS MAY BE NECESSARY FOR ACCESS TO SUCH LOTS, IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THE NEIGHBORHOOD DECLARATION AND MASTER DECLARATION. USE OF THE PRIVATE DRIVEWAY EASEMENT, INCLUDING THE TYPES OF VEHICLES THAT MAY BE USED OR OPERATED THEREON, MAY BE LIMITED AS SET FORTH IN THE NEIGHBORHOOD DECLARATION. THE PRIVATE DRIVEWAY EASEMENT MAY BE RELOCATED BY DECLARANT AS DESCRIBED IN THE NEIGHBORHOOD DECLARATION. THE PRIVATE DRIVEWAY EASEMENT IS NOT A PUBLIC ROAD OR RIGHT OF WAY. THIS PLAT SHALL NOT BE DEEMED TO GRANT ANY RIGHTS IN THE PUBLIC TO USE THE PRIVATE DRIVEWAY EASEMENT OR CREATE ANY OBLIGATIONS ON THE PART OF WEBER COUNTY TO MAINTAIN OR REPAIR THE PRIVATE DRIVEWAY EASEMENT. ALL SUCH USE AND MAINTENANCE SHALL BE GOVERNED BY THE TERMS AND PROVISIONS OF THE NEIGHBORHOOD DECLARATION. THE PRIVATE DRIVEWAY EASEMENT IS ALSO HEREBY DESIGNATED AS A PUBLIC UTILITY EASEMENT.
- DECLARANT HEREBY RESERVES TO ITSELF AN EASEMENT OVER LOTS 10, 11, AND 12, AS WELL AS ROAD PARCEL A FOR THE CONSTRUCTION, MAINTENANCE, OPERATION, AND USE OF A SKI LIFT ("SKI LIFT EASEMENT"). AS MAY BE FURTHER SET FORTH IN A SEPARATE EASEMENT AGREEMENT RECORDED AGAINST SUCH PROPERTY. DECLARANT HEREBY GRANTS AN EASEMENT IN FAVOR OF THE NEIGHBORHOOD ASSOCIATION, COMMUNITY ASSOCIATION, AND THEIR MEMBERS FOR USE AND ENJOYMENT OF THE SKI LIFT EASEMENT IN ACCORDANCE WITH THE NEIGHBORHOOD DECLARATION AND COMMUNITY DECLARATION.

See notes 1-7 on phase 1B review  
⑧ THE PLAT NOTES WILL BE REVIEWED IN DETAIL WHEN THE NEXT SUBMITAL IS PROVIDED.

Vicinity Map

N.T.S.



SUMMIT EDEN ESTATES OWNER'S DEDICATION:

SMHG PHASE 1, LLC ("DECLARANT"), AS THE OWNER OF THE HEREIN DESCRIBED TRACT OF LAND, DOES HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND PARCELS AS SHOWN HERON AND NAME SAID TRACT, TO BE KNOWN AS SUMMIT EDEN ESTATES, AND DOES HEREBY:

- PRIVATE STREETS, ACCESS, RIGHTS-OF-WAY. DEDICATE AND RESERVE UNTO DECLARANT, ITS HEIRS, GRANTEES AND ASSIGNS, A RIGHT-OF-WAY TO BE USED IN COMMON WITH ALL OTHERS WITHIN SAID SUBDIVISION (AND THOSE ADJOINING SUBDIVISIONS THAT MAY BE SUBDIVIDED BY THE UNDERSIGNED OWNER, ITS SUCCESSORS OR ASSIGNS) ON, OVER AND ACROSS ALL THOSE PORTIONS OR PARTS OF SAID TRACT OF LAND DESIGNATED ON SAID PLAT AS PRIVATE STREETS AS ACCESS TO THE INDIVIDUAL LOTS, TO BE MAINTAINED BY SUMMIT EDEN ESTATES ASSOCIATION, INC., A UTAH NONPROFIT CORPORATION ("NEIGHBORHOOD ASSOCIATION"), WHOSE MEMBERSHIP CONSISTS OF DECLARANT AND THE OWNERS OF THE LOTS DEPICTED HEREON.
- PUBLIC UTILITY AND DRAINAGE EASEMENTS. GRANT AND DEDICATE A PERPETUAL RIGHT AND EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED HEREOF AS PUBLIC UTILITY, STORM WATER DETENTION PONDS AND DRAINAGE EASEMENTS, THE SAME TO BE USED FOR THE INSTALLATION MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINE, STORM DRAINAGE FACILITIES, OR FOR THE PERPETUAL PRESERVATION OF WATER CHANNELS IN THEIR NATURAL STATE WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY THE GOVERNING AUTHORITY, WITH NO BUILDINGS OR STRUCTURES BEING ERECTED WITHIN SUCH EASEMENTS.
- PRIVATE EASEMENTS. GRANT AND DEDICATE THOSE CERTAIN EASEMENTS DESCRIBED IN NOTES 7, 13, 14, 15, 16, AND 19 OF THIS PLAT. SUCH NOTES AND THE RESERVATION AND GRANT OF EASEMENTS DESCRIBED THEREIN ARE INCORPORATED HEREIN BY REFERENCE. (DRAFTING NOTE: UPDATE CROSS REFERENCES TO PLAT NOTES FOR EACH PHASE.)

IN WITNESS WHEREOF, DECLARANT HAS EXECUTED THIS OWNER'S DEDICATION AS OF THE \_\_\_\_ DAY OF \_\_\_\_\_, 2013.

SMHG PHASE 1, LLC, A \_\_\_\_\_ LIMITED LIABILITY COMPANY

BY: \_\_\_\_\_  
NAME: \_\_\_\_\_  
ITS: \_\_\_\_\_

ACKNOWLEDGEMENT  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013 BY \_\_\_\_\_, THE \_\_\_\_\_ OF SMHG PHASE 1, LLC, A \_\_\_\_\_ LIMITED LIABILITY COMPANY.

NOTARY PUBLIC  
MY COMMISSION EXPIRES: \_\_\_\_\_  
RESIDING IN: \_\_\_\_\_

ACKNOWLEDGEMENT:

State of Utah } S.S.  
County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_ day  
of \_\_\_\_\_ A.D., 20\_\_\_\_, by \_\_\_\_\_,  
who is the \_\_\_\_\_ of \_\_\_\_\_.

Notary

My commission expires: \_\_\_\_\_

Residing at: \_\_\_\_\_

NV5

NOLTE VERTICALFIVE

5217 SOUTH STATE STREET, SUITE 300 MURRAY, UT 84107  
801.743.1300 TEL 801.743.0300 FAX WWW.NOLTE.COM

RECORDED #

STATE OF UTAH, COUNTY OF WEBER,  
RECORDED AND FILED AT THE

REQUEST OF:

ENTRY NO: \_\_\_\_\_

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_

FEE \$

WEBER COUNTY RECORDER

Sheet 1 of 5

**SUMMIT AT POWDER MOUNTAIN PHASE 1A**  
**COVER SHEET, SIGNATURES, & VICINITY MAP**

LOCATED IN SECTION 1 TOWNSHIP 7 NORTH,  
RANGE 1 EAST, AND SECTIONS 6, 5 AND 8 OF  
TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND  
MERIDIAN, WEBER COUNTY, UTAH

**PLAT PREPARED FOR:**  
SUMMIT MOUNTAIN HOLDING GROUP, LLC.  
1355 NORTH 5900 EAST  
EDEN, UTAH 84310

**WEBER COUNTY ATTORNEY**

I HAVE EXAMINED THE FINANCIAL GUARANTEE AND OTHER DOCUMENTS ASSOCIATED WITH THIS SUBDIVISION PLAT AND IN MY OPINION THEY CONFORM WITH THE COUNTY ORDINANCE APPLICABLE THERETO AND NOW IN FORCE AND AFFECT.

SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

SIGNATURE \_\_\_\_\_

**WEBER COUNTY SURVEYOR**

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

COUNTY SURVEYOR \_\_\_\_\_

**WEBER COUNTY ENGINEER**

I HEREBY CERTIFY THAT THE REQUIRED PUBLIC IMPROVEMENT STANDARDS AND DRAWINGS FOR THIS SUBDIVISION CONFORM WITH COUNTY STANDARDS AND THE AMOUNT OF THE FINANCIAL GUARANTEE IS SUFFICIENT FOR THE INSTALLATION OF THESE IMPROVEMENTS.

SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

SIGNATURE \_\_\_\_\_

**WEBER COUNTY PLANNING COMMISSION APPROVAL**

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED BY THE WEBER COUNTY PLANNING COMMISSION ON THE DAY OF \_\_\_\_\_, 20\_\_\_\_.

CHAIRMAN-WEBER COUNTY PLANNING COMMISSION \_\_\_\_\_

**WEBER COUNTY COMMISSION ACCEPTANCE**

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT, THE DEDICATION OF STREETS AND OTHER PUBLIC WAYS AND FINANCIAL GUARANTEE OF PUBLIC IMPROVEMENTS ASSOCIATED WITH THIS SUBDIVISION THEREON ARE HEREBY APPROVED AND ACCEPTED BY THE COMMISSIONERS OF WEBER COUNTY, UTAH.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

CHAIRMAN, WEBER COUNTY COMMISSION \_\_\_\_\_