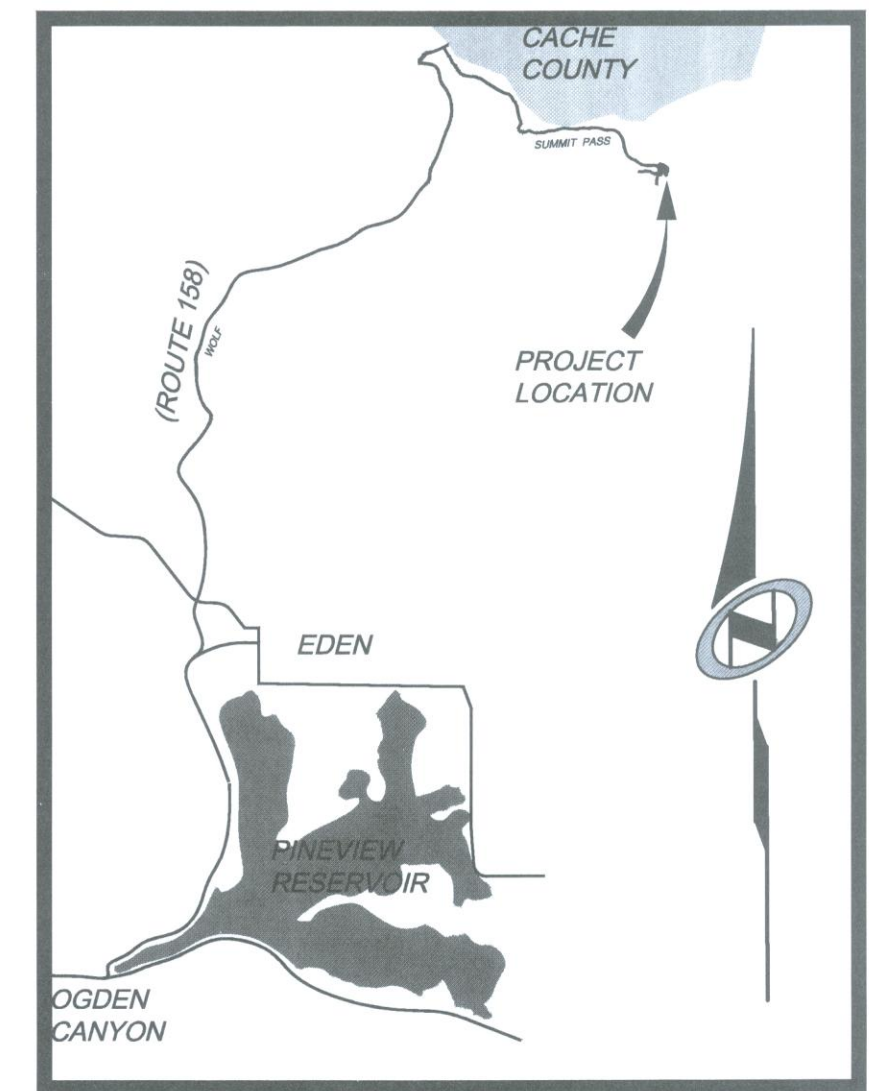


SUMMIT AT POWDER MOUNTAIN PHASE 1D

LOCATED IN THE NORTH HALF OF SECTION 8, T 7N, R 2E, 51B1.

VICINITY MAP

N.T.S.



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 1D.



RICHARD W. MILLER
PROFESSIONAL LAND SURVEYOR

LEGAL DESCRIPTION

BEGINNING AT A POINT THAT IS ON THE EASTERLY RIGHT OF WAY LINE OF SUMMIT PASS, SAID POINT BEING SOUTH 3,424.35 FEET AND EAST 4,053.56 FEET FROM THE WEST QUARTER CORNER OF SECTION 5, TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN; RUNNING THENCE NORTH 43°58'09" EAST 130.63 FEET; THENCE NORTH 43°58'09" EAST 23.00 FEET; THENCE SOUTH 46°01'51" EAST 43.00 FEET; THENCE SOUTHERLY ALONG A 23.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, (CHORD BEARS SOUTH 01°01'52" EAST A DISTANCE OF 32.53 FEET), THROUGH A CENTRAL ANGLE OF 90°00'01", A DISTANCE OF 36.13 FEET; THENCE NORTH 43°58'09" EAST 40.00 FEET; THENCE SOUTH 83°27'23" EAST 77.29 FEET; THENCE SOUTH 53°50'59" EAST 246.81 FEET; THENCE SOUTH 05°42'44" EAST 163.75 FEET; THENCE SOUTH 59°58'58" WEST 65.49 FEET; THENCE SOUTH 13°45'23" WEST 123.76 FEET; THENCE SOUTH 59°58'58" WEST 5.57 FEET; THENCE SOUTH 59°58'58" WEST 36.00 FEET; THENCE NORTH 30°01'02" WEST 126.68 FEET; THENCE NORTHWESTERLY ALONG A 343.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT, (CHORD BEARS NORTH 21°30'01" WEST A DISTANCE OF 101.57 FEET), THROUGH A CENTRAL ANGLE OF 170°04'23", A DISTANCE OF 101.94 FEET; THENCE SOUTH 85°44'00" WEST 87.02 FEET; THENCE SOUTHERLY ALONG A 218.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, (CHORD BEARS SOUTH 10°22'29" WEST A DISTANCE OF 74.77 FEET), THROUGH A CENTRAL ANGLE OF 19°44'57", A DISTANCE OF 75.14 FEET; THENCE SOUTH 20°14'58" WEST 79.14 FEET; THENCE SOUTHWESTERLY ALONG A 58.50 FOOT RADIUS TANGENT CURVE TO THE RIGHT, (CHORD BEARS SOUTH 65°14'58" WEST A DISTANCE OF 82.73 FEET), THROUGH A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 91.89 FEET; THENCE NORTH 64°45'02" WEST 36.55 FEET TO SAID EASTERLY RIGHT OF WAY LINE OF SUMMIT PASS; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING TWO (2) COURSES: 1) NORTH 20°16'24" EAST 132.23 FEET, 2) NORTHERLY ALONG A 283.00 FOOT RADIUS TANGENT CURVE TO THE LEFT, (CHORD BEARS NORTH 02°28'52" EAST A DISTANCE OF 172.95 FEET), THROUGH A CENTRAL ANGLE OF 35°35'04", A DISTANCE OF 175.76 FEET; THENCE NORTH 85°44'00" EAST 52.01 FEET; THENCE NORTHERLY ALONG A 118.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, (CHORD BEARS NORTH 15°18'44" EAST A DISTANCE OF 78.73 FEET), THROUGH A CENTRAL ANGLE OF 38°58'23", A DISTANCE OF 80.26 FEET; THENCE NORTH 34°47'56" EAST 61.00 FEET; THENCE NORTHERLY ALONG A 23.00 FOOT RADIUS TANGENT CURVE TO THE LEFT, (CHORD BEARS NORTH 05°36'59" WEST A DISTANCE OF 29.82 FEET), THROUGH A CENTRAL ANGLE OF 80°49'44", A DISTANCE OF 32.45 FEET; THENCE NORTH 46°01'51" WEST 5.45 FEET; THENCE NORTH 46°01'51" WEST 64.33 FEET; THENCE WESTERLY ALONG A 23.00 FOOT RADIUS TANGENT CURVE TO THE LEFT, (CHORD BEARS SOUTH 88°58'09" WEST A DISTANCE OF 32.53 FEET), THROUGH A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 36.13 FEET; THENCE SOUTH 43°58'09" WEST 71.63 FEET TO SAID EASTERLY RIGHT OF WAY LINE OF SUMMIT PASS; THENCE NORTHWESTERLY ALONG A 283.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, (CHORD BEARS NORTH 46°01'51" WEST A DISTANCE OF 50.00 FEET), THROUGH A CENTRAL ANGLE OF 10°08'10", ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 50.07 FEET TO THE POINT OF BEGINNING.

CONTAINING 138,293 SQUARE FEET OR 3.175 ACRES.

Description doesn't close or match annotations.

SURVEY NARRATIVE:

1-THE 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.

NO.	BY	DATE	REVISIONS:
1	TD	2013-09-17	PLAT NOTES & LEGAL DESCRIPTIONS

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

LOCATED IN SECTION 1 TOWNSHIP 7 NORTH, RANGE 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

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 I, 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 CONFIGURATION OF ALL LOTS AS PERMITTED BY THE NEIGHBORHOOD DECLARATION. ALL OWNERS OF LOTS IN THE NEIGHBORHOOD AGREE THAT ANY SUCH LOT BOUNDARY LINE ADJUSTMENTS SHALL BE ACCOMPLISHED BY RECORDED 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, MERIDIAN AVENUE, DAYBREAK RIDGE AND ROLLING DRIVE 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 AT 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 HORIZON RUN. ALL 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.

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 HAS 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

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, DRIVEWAY, AND SKI TRAIL 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 RESERVES TO ITSELF A TEMPORARY EASEMENT AT THE END OF DAYBREAK ROAD FOR EMERGENCY ACCESS AND VEHICLE TURNAROUND ("TURNAROUND EASEMENT"). THE TURNAROUND EASEMENT SHALL AUTOMATICALLY TERMINATE AT SUCH TIME AS THE EXTENSION OF DAYBREAK RIDGE IS COMPLETED AND WEBER COUNTY ACCEPTS SUCH EXTENSION.
- DEVELOPMENT PARCEL D IS INTENDED FOR FUTURE DEVELOPMENT INTO LOTS, UNITS, OR OTHER SUBDIVIDED PROPERTY INTERESTS, AND IS VESTED WITH TWENTY (20) EQUIVALENT RESIDENTIAL UNITS OF DENSITY.

① See notes on phase 1B (notes # 1, 2, 3, 6, 7, 8 + 9) and make any changes common to this phase. (uploaded to miradi 10-29-13)
② There are many missing or incorrect annotations. Please check legal description and all lots for closure and correct annotations so that they may be checked by this office. (see previous reviews)

SUMMIT EDEN ESTATES OWNER'S DEDICATION:

SMHG PHASE I, 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 HEREON 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, GRANTEEES 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 ERRECTED WITHIN SUCH EASEMENTS.
- PRIVATE EASEMENTS. GRANT AND DEDICATE THOSE CERTAIN EASEMENTS DESCRIBED IN NOTES 7, 13, 14, 15, AND 16 OF THIS PLAT. SUCH NOTES AND THE RESERVATION AND GRANT OF EASEMENTS DESCRIBED THEREIN ARE INCORPORATED HEREBY 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 I, 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 I, 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: _____

NV15

NOLTE VERTICALFIVE

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

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 2