96-33

POWDER POINT AT POWDER MOUNTAIN

LOCATED IN THE NORTHEAST QUARTER OF SECTION 8, AND NORTHWEST QUARTER OF SECTION 9
TOWNSHIP 7 NORTH, RANGE 2 EAST,
SALT LAKE BASE AND MERIDIAN,
WEBER COUNTY, UTAH
JULY 2023

PLAT NOTES:

1. THIS PLAT IS SUBJECT TO THAT CERTAIN NEIGHBORHOOD DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR POWDER POINT AT POWDER MOUNTAIN ("NEIGHBORHOOD DECLARATION") EXECUTED BY OVERLOOK POINT, LLC ("DECLARANT") AS WELL AS THAT CERTAIN MASTER DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR POWDER MOUNTAIN ("MASTER DECLARATION"), AS AMENDED, EXECUTED BY SUMMIT MOUNTAIN HOLDING GROUP, L.L.C. ("MASTER DEVELOPER") THAT HAVE BEEN 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. CERTAIN TERMS NOT OTHERWISE DEFINED IN THIS PLAT SHALL HAVE THE MEANINGS SET FORTH IN THE NEIGHBORHOOD DECLARATION OR MASTER DECLARATION.

2. PURSUANT TO THE NEIGHBORHOOD DECLARATION, POWDER POINT OWNERS ASSOCIATION, INC., A UTAH NONPROFIT CORPORATION ("NEIGHBORHOOD ASSOCIATION") IS RESPONSIBLE FOR MAINTAINING ALL COMMON AREA, IF ANY, AND SHALL HAVE A PERPETUAL NON-EXCLUSIVE EASEMENT OVER ALL LOTS AND PARCELS FOR SUCH MAINTENANCE PURPOSES AS FURTHER DESCRIBED IN THE NEIGHBORHOOD DECLARATION.

3. 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. 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 AND IN ACCORDANCE WITH APPLICABLE WEBER COUNTY ORDINANCES.

4. 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 AND RELATED IMPROVEMENTS ON SUCH OWNER'S LOT IN ACCORDANCE WITH THE REQUIREMENTS OF THE POWDER MOUNTAIN WATER AND SEWER IMPROVEMENT DISTRICT ("PMWSID"). IN ADDITION, OWNERS WILL BE RESPONSIBLE FOR THE PAYMENT OF ALL PMWSID CHARGES FOR SEWER AND WATER SERVICES INCLUDING CONNECTION FEES, IMPACT FEES, AND STANDBY FEES.

5. ALL UTILITIES WITHIN THE PROJECT SHALL BE UNDERGROUND. NOTWITHSTANDING THE GRANT OF BLANKET UTILITY EASEMENTS IN THIS PLAT, DECLARANT AND MASTER DEVELOPER RESERVE THE RIGHT TO RECORD ONE OR MORE INSTRUMENTS WHICH NARROW AND LIMIT SUCH GRANT OF UTILITY EASEMENT TO THE ACTUAL WIDTH OF THE UTILITY IN THOSE SPECIFIC 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.

6. DECLARANT HEREBY GRANTS TO ALL UTILITY PROVIDERS 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.

7. THIS PLAT ESTABLISHES POWDER POINT (SHOWN HEREON AS ROAD PARCEL A) AS A LEGALLY RECOGNIZED AND PROPERLY SUBDIVIDED SEPARATE PARCEL OF REAL PROPERTY AND AS A PUBLIC UTILITY EASEMENT. THIS PARCEL IS A PRIVATE ROAD TO BE CONVEYED TO AND OPERATED, MAINTAINED AND REPAIRED BY POWDER MOUNTAIN OWNER'S ASSOCIATION, INC. ("COMMUNITY ASSOCIATION") FOR THE USE AND BENEFIT AND AT THE EXPENSE OF ITS MEMBERS IN ACCORDANCE WITH THE MASTER DECLARATION, AND NEIGHBORHOOD DECLARATION, AS APPLICABLE. DECLARANT SHALL CONVEY ROAD PARCEL A TO THE COMMUNITY ASSOCIATION IN ACCORDANCE WITH THE MASTER DECLARATION. THIS PRIVATE ROAD MAY BE RELOCATED BY MASTER DEVELOPER AS DESCRIBED IN THE MASTER DECLARATION AND IN ACCORDANCE WITH APPLICABLE WEBER COUNTY ORDINANCES. THE PRIVATE ROAD 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 ROADS OR CREATE ANY OBLIGATIONS ON THE PART OF WEBER COUNTY TO MAINTAIN OR REPAIR. ALL SUCH USE AND MAINTENANCE SHALL BE GOVERNED BY THE TERMS AND PROVISIONS OF THE MASTER DECLARATION, AND NEIGHBORHOOD DECLARATION, AS APPLICABLE.

8. PMWSID WILL OWN ALL COMMON WATER AND SEWER MAINS AND APPURTENANCES WITHIN THE COMMUNITY.

9. AS FURTHER DESCRIBED IN THE MASTER DECLARATION, ALL LOTS AND ALL RESIDENCES AND IMPROVEMENTS CONSTRUCTED ON THE LOTS, SHALL COMPLY WITH THE SUMMIT POWDER MOUNTAIN DESIGN GUIDELINES VERSION 3.6 DATED JANUARY 2021 (AS MAY BE AMENDED OVER TIME) AND SHALL COMPLY WITH THE SPECIFIC GUIDELINES PERTAINING TO THE MOUNTAIN HOUSE DISTRICT. NO OWNER MAY CONSTRUCT, INSTALL, OR PERFORM OTHER WORK THAT IN ANY WAY ALTERS THE APPEARANCE OF ANY PROPERTY OR LOT WITHIN THE PROJECT, AND NO OWNER MAY CONSTRUCT ANY RESIDENCES OR IMPROVEMENTS WITHOUT COMPLIANCE WITH THE DESIGN GUIDE AS DESCRIBED IN THE MASTER DECLARATION.

10. DECLARANT RESERVES FOR THE BENEFIT OF ITSELF, ITS SUCCESSORS AND ASSIGNS, 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 OR CLARIFY AMBIGUITIES, OR FOR ANY OTHER PURPOSE SO LONG AS SUCH AMENDMENT TO THE PLAT DOES NOT MATERIALLY ADVERSELY AFFECT TITLE TO ANY PROPERTY AND IS IN ACCORDANCE WITH WEBER COUNTY ORDINANCES AND UTAH LAW. BY ACCEPTANCE OF A LOT, EACH OWNER IRREVOCABLY APPOINTS DECLARANT AS ATTORNEY IN FACT TO REALIGN AND ADJUST THE BOUNDARY LINES OF HIS OR HER LOT BY AMENDMENT TO THIS PLAT.

11. DECLARANT RESERVES FOR THE BENEFIT OF ITSELF, ITS SUCCESSORS AND ASSIGNS AND MASTER DEVELOPER, A BLANKET EASEMENT ACROSS ALL LOTS AND PARCELS FOR CONSTRUCTING AND MAINTAINING HIKING AND BIKING TRAILS ("TRAIL EASEMENT"). MASTER DEVELOPER MAY DESIGNATE, ADD TO, DELETE, OR MODIFY THE EXACT LOCATION OF THE TRAILS WITHOUT AN AMENDMENT TO THIS PLAT AS MORE FULLY DESCRIBED IN THE MASTER 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 FUTURE AS-CONSTRUCTED LOCATIONS, AS MAY BE MODIFIED OR RELOCATED FROM TIME TO TIME, IN ACCORDANCE WITH THE MASTER DECLARATION AND ANY RULES AND REGULATIONS ADOPTED BY MASTER DEVELOPER.

12. DECLARANT RESERVES FOR THE BENEFIT OF ITSELF, ITS SUCCESSORS AND ASSIGNS, AND MASTER DEVELOPER A BLANKET EASEMENT ACROSS ALL LOTS AND PARCELS FOR CONSTRUCTING AND MAINTAINING SKI TRAILS AND OTHER SKI IMPROVEMENTS, AND FOR THE GENERAL USE OF SKIERS FOR INGRESS, EGRESS, AND RECREATIONAL PURPOSES OVER AND ACROSS THE LOTS ("SKI EASEMENT"). MASTER DEVELOPER MAY DESIGNATE, DEFINE, LOCATE, RELOCATE, AND MODIFY THE EXACT LOCATION OF THE SKI TRAILS WITHIN THE SKI EASEMENT WITHOUT AN AMENDMENT TO THIS PLAT AS MORE FULLY DESCRIBED IN THE MASTER DECLARATION. DECLARANT GRANTS AN EASEMENT IN FAVOR OF THE NEIGHBORHOOD ASSOCIATION, COMMUNITY ASSOCIATION, AND THEIR MEMBERS FOR USE AND ENJOYMENT OF THE SKI EASEMENT ACROSS, OVER, AND UNDER THE LOTS AND IN THE FUTURE AS-CONSTRUCTED LOCATIONS OF THE SKI TRAILS, AS MAY BE MODIFIED OR RELOCATED FROM TIME TO TIME, IN ACCORDANCE WITH THE MASTER DECLARATION AND ANY RULES AND REGULATIONS ADOPTED BY MASTER DEVELOPER.

13. DECLARANT RESERVES FOR THE BENEFIT OF ITSELF, ITS SUCCESSORS AND ASSIGNS, AND MASTER DEVELOPER, A TEMPORARY BLANKET EASEMENT ACROSS ALL LOTS ADJACENT TO A PRIVATE ROAD ("SLOPE EASEMENT") AS MORE FULLY DESCRIBED IN THE MASTER DECLARATION, AND NEIGHBORHOOD DECLARATION AS APPLICABLE. SUCH SLOPE EASEMENT IS FOR THE BENEFIT OF DECLARANT AND MASTER DEVELOPER, ITS EMPLOYEES, AND CONTRACTORS, FOR THE PURPOSE OF STABILIZING, CONSTRUCTING CUT SLOPES AND FILL SLOPES, AND PERFORMING OTHER CONSTRUCTION AND MAINTENANCE TO PREVENT EROSION ALONG THE PRIVATE ROADS. 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, AT WHICH TIME A SUBSTITUTE EASEMENT MAY BE REQUIRED FOR ONGOING MAINTENANCE AND REPAIR.

14. DECLARANT RESERVES FOR THE BENEFIT OF ITSELF, ITS SUCCESSORS AND ASSIGNS, AND MASTER DEVELOPER A BLANKET EASEMENT AND RIGHT ON, OVER, UNDER AND ACROSS ALL PRIVATE ROADS 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.

15. CERTAIN PARCELS MAY BE DESIGNATED AS "COMMON AREA." SUCH COMMON AREA PARCELS SHALL BE INITIALLY OWNED BY DECLARANT AND EVENTUALLY CONVEYED BY DECLARANT TO THE NEIGHBORHOOD ASSOCIATION AS FURTHER DESCRIBED IN THE NEIGHBORHOOD DECLARATION. NOTWITHSTANDING THE DESIGNATION AS COMMON AREA, THE PERMITTED USES AND ANY APPLICABLE RESTRICTIONS FOR SUCH PARCELS SHALL BE AS SET FORTH IN THE NEIGHBORHOOD DECLARATION. DECLARANT RESERVES THE RIGHT, FOR ITSELF, ITS SUCCESSORS AND ASSIGNS, TO BUILD FACILITIES AND AMENITIES WITHIN ANY AREA DESIGNATED AS COMMON AREA, AND RESERVES THE RIGHT TO AMEND, RELOCATE, REDUCE, OR OTHERWISE CHANGE THE AREAS DESIGNATED AS COMMON AREA. DECLARANT GRANTS A BLANKET PUBLIC UTILITY AND DRAINAGE EASEMENT OVER ALL COMMON AREA PARCELS AS FURTHER DESCRIBED IN THE OWNER'S DEDICATION OF THIS PLAT.

16. DECLARANT GIVES NOTICE THAT THE LOTS SHOWN ON THIS PLAT 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 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.

17. ALL LOTS DEPICTED ON THIS PLAT ARE LOCATED IN A LIGHTLY DEVELOPED SEMI-WILDERNESS AREA CONTAINING ANIMALS TYPICALLY FOUND IN THE MOUNTAINS, INCLUDING WITHOUT LIMITATION, BEARS, MOUNTAIN LIONS, MOOSE, DEER, ELK, SKUNKS, SQUIRRELS, RACCOONS, AND OTHER ANIMALS, BIRDS, INSECTS, AND REPTILES NATIVE OR MIGRATORY TO THE AREA. SUCH ANIMALS ROAM FREELY AND MAY ENTER THE LOTS AND OTHER PRIVATELY OWNED PROPERTIES, SCAVENGING, EATING AND DAMAGING PLANTS, FLOWERS, SHRUBS AND TREES, AND CREATING POTENTIAL HAZARDS, NUISANCES AND DAMAGE TO PERSONS AND PROPERTY. EACH OWNER SHALL ASSUME ALL SUCH RISKS AND CONDITIONS FOR ANY SUCH DAMAGE.

18. DUE TO THE TOPOGRAPHY AND THE LOCATION OF THIS SUBDIVISION, ALL OWNERS WILL ACCEPT RESPONSIBILITY FOR ANY STORM WATER RUNOFF FROM THE ROAD ADJACENT TO THEIR LOT AND THE REMAINDER OF THIS PROPERTY.

19. THIS NOTE HAS BEEN DELETED INTENTIONALLY.

20. PARKING ON ANY STREETS AND ROADS SHOWN ON THIS PLAT IS PROHIBITED.

PLAT NOTES (CONTINUED):

21. THE NEIGHBORHOOD DECLARATION AND MASTER DECLARATION SET FORTH THE TERMS AND RESTRICTIONS FOR NIGHTLY RENTALS AND LEASING OF LOTS IN THE PROJECT.

22. ACCESS TO THE PROJECT IS BY WAY OF A STATE HIGHWAY (MAINTAINED BY THE UTAH DEPARTMENT OF TRANSPORTATION), WEBER COUNTY PUBLIC ROADS (MAINTAINED BY WEBER COUNTY), AS WELL AS PRIVATE ROADS (MAINTAINED BY THE COMMUNITY ASSOCIATION). SEVERE WEATHER CONDITIONS MAY MAKE CERTAIN ROADS IMPASSABLE OR SUBJECT TO REDUCED VISIBILITY, SNOW, ICE, AND OTHER RISKS, AND ROADS MAY BE CLOSED DURING CERTAIN PERIODS.

23. DECLARANT RESERVES FOR THE BENEFIT OF ITSELF, ITS SUCCESSORS AND ASSIGNS, AND MASTER DEVELOPER A SNOW STORAGE EASEMENT AS A BLANKET SNOW RELOCATION AND SNOW STORAGE EASEMENT OVER AND ACROSS ALL LOTS AND PARCELS FOR THE RELOCATION, MOVEMENT, AND STORAGE OF SNOW ("SNOW STORAGE EASEMENT"). PARTICULAR SNOW STORAGE ZONES, WHICH ARE LOCATED WITHIN THE SNOW STORAGE EASEMENT, ARE IDENTIFIED ON THE PLAT. MASTER DEVELOPER MAY DESIGNATE, DEFINE, LOCATE, RELOCATE, AND MODIFY THE EXACT LOCATION OF THE SNOW STORAGE EASEMENT WITHOUT AN AMENDMENT TO THIS PLAT AS MORE FULLY DESCRIBED IN THE MASTER DECLARATION.

24. THE PROPERTY AS DEPICTED ON THIS PLAT IS LOCATED WITHIN THE NATURAL HAZARDS AREA. A GEOTECHNICAL AND GEOLOGIC INVESTIGATION HAS BEEN PERFORMED BY "CMT ENGINEERING LABORATORIES" DATED DECEMBER 7, 2021, PROJECT #17623. THIS REPORT IS AVAILABLE FOR PUBLIC REVIEW AT THE WEBER COUNTY PLANNING DIVISION OFFICE.

25. OWNERS SHALL ENSURE THAT ALL CONSTRUCTION CONTRACTS FOR EARTHWORK ON ANY LOT SHALL CONTAIN, AND OWNERS SHALL ENFORCE, THE FOLLOWING PROVISION: "CONTRACTORS DURING EARTHWORK - IF PERSISTENT AND RECOGNIZABLE GROUNDWATER FLOW, DEFINED AS CONTINUOUS SUBSURFACE FLOW INTO AN EXCAVATION THAT PERSISTS FOR FORTY-EIGHT (48) HOURS, IS ENCOUNTERED DURING EXCAVATION, THE CONTRACTOR SHALL HIRE A QUALIFIED GEOTECHNICAL AND/OR GROUNDWATER HYDROLOGY PROFESSIONAL TO PERFORM A SITE-SPECIFIC GROUNDWATER HYDROLOGY STUDY AND RECOMMEND APPROPRIATE MITIGATION TECHNIQUES. THESE MITIGATION TECHNIQUES SHALL BE INCORPORATED INTO THE CONTRACTOR'S CONSTRUCTION PLANS AND PROPERLY IMPLEMENTED AND MONITORED. THE CONTRACTOR SHALL ALSO IMMEDIATELY CONTACT THE MASTER DEVELOPER TO ADVISE HIM THAT PERSISTENT AND RECOGNIZABLE GROUNDWATER FLOW WAS ENCOUNTERED AND TO SHARE THE RESULTS OF THE GEOTECHNICAL/HYDROLOGY STUDY AND WHAT MITIGATION MEASURES ARE BEING UNDERTAKEN. EXCAVATION AND BLASTING FOR THE INSTALLATION OF ROADS, FOUNDATIONS AND/OR UTILITIES SHALL BE PERFORMED SUCH THAT TRENCHES OR FRACTURES CREATED DURING BLASTING PROCEDURES WILL NOT DRAIN OR REDIRECT GROUNDWATER THAT PROVIDES WETLAND SOURCE HYDROLOGY.

26. ALL LOTS DEPICTED IN THIS PLAT ARE SUBJECT TO AN ASSESSMENT LIEN PURSUANT TO WEBER COUNTY ASSESSMENT ORDINANCE NO. 2013-21, AS AMENDED BY ORDINANCE NO. 2013-24 (AS AMENDED, THE "ORDINANCE") WHEREBY EACH LOT SHALL BE ASSESSED ONE EQUIVALENT RESIDENTIAL UNIT AS DEFINED IN THE ORDINANCE.

27. THE MASTER DECLARATION RESTRICTS THE USE OF THE LOTS TO ONE PRIVATE DWELLING UNIT (AS DEFINED IN THE MASTER DECLARATION). NO ACCESSORY BUILDINGS OR GUEST HOUSES MAY BE CONSTRUCTED WITHOUT THE PRIOR WRITTEN APPROVAL OF MASTER DEVELOPER.

OWNER'S DEDICATION:

OVERLOOK POINT 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, SUBJECT TO ALL OF THE RESTRICTIONS, RIGHTS AND LIMITATIONS SET FORTH IN THE PLAT NOTES, AND NAME SAID TRACT, TO BE KNOWN AS POWDER POINT AT POWDER MOUNTAIN, AND DOES HEREBY:

- PRIVATE STREETS, ACCESS, RIGHTS-OF-WAY. DEDICATE AND RESERVE UNTO DECLARANT, ITS HEIRS, GRANTEES AND ASSIGNS, AND SUMMIT MOUNTAIN HOLDING GROUP, L.L.C. AS MASTER DEVELOPER A RIGHT-OF-WAY TO BE USED IN COMMON WITH ALL OTHERS WITHIN SAID SUBDIVISION (AND THOSE ADJOINING SUBDIVISIONS, EXISTING OR FUTURE) 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 POWDER MOUNTAIN OWNERS ASSOCIATION, INC., A UTAH NONPROFIT CORPORATION ("COMMUNITY ASSOCIATION"), WHOSE MEMBERSHIP CONSISTS OF DECLARANT AND THE OWNERS OF THE LOTS DEPICTED ON THIS PLAT.
- PUBLIC UTILITY AND DRAINAGE EASEMENTS. GRANT AND DEDICATE A PERPETUAL RIGHT AND EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED 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 2, 11, 12, 13, 14, AND 23 OF THIS PLAT. SUCH NOTES AND THE RESERVATION AND GRANT OF EASEMENTS DESCRIBED THEREIN ARE INCORPORATED HEREIN BY REFERENCE.

IN WITNESS WHEREOF, DECLARANT HAS EXECUTED THIS OWNER'S DEDICATION AS OF THE ____ DAY OF ____________, 2023

ACKNOWLEDGEMENT:

IN WITNESS WHEREOF, DECLARANT HAS EXECUTED THIS OWNER'S DEDICATION AS OF THE 31 DAY OF AUGUST, 2023
OVERLOOK POINT LLC, A UTAH LIMITED LIABILITY COMPANY

BY: [signature]

NAME: RYAN BYRNE

TITLE: MANAGER

STATE OF UTAH
} S.S.
COUNTY OF WEBER

ON THIS 31 DAY OF Aug 2023 BEFORE ME June Nelson, A NOTARY PUBLIC, PERSONALLY APPEARED Ryan Byrne AS THE AUTHORIZED SIGNATORY OF OVERLOOK POINT LLC, A UTAH LIMITED LIABILITY COMPANY, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS INSTRUMENT, AND DULY ACKNOWLEDGED THAT HE/SHE EXECUTED THIS INSTRUMENT IN HIS/HER AUTHORIZED CAPACITY ON BEHALF OF SAID COMPANY, INTENDING TO BE LEGALLY BOUND. WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC SIGNATURE: [signature]

RESIDING IN: Weber County

COMMISSION #: 720438

MY COMMISSION EXPIRES: 9-13-25

SEE RECORD OF SURVEY # 7597

SURVEYOR'S CERTIFICATE

I, NATHAN CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR AND HOLD A LICENSE IN THE STATE OF UTAH IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS ACT, AND THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS AND HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAT, IN ACCORDANCE WITH STATE CODE AND COUNTY ORDINANCE WCO 106-1-8(C)(2), AND THAT THIS PLAT, POWDER POINT AT POWDER MOUNTAIN, IN WEBER COUNTY, UTAH, HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE HEREON DESCRIBED LANDS, BASED UPON DATA COMPILED FROM RECORDS IN THE WEBER COUNTY RECORDER'S OFFICE AND FROM SAID SURVEY MADE ON THE GROUND. I FURTHER CERTIFY THAT THE REQUIREMENTS OF APPLICABLE STATUTES AND ORDINANCES OF WEBER COUNTY CONCERNING ZONING REQUIREMENTS REGARDING LOT MEASUREMENTS HAVE BEEN COMPLIED WITH.

[signature] [seal: PROFESSIONAL LAND SURVEYOR, NATHAN CHRISTENSEN, 10175991, STATE OF UTAH; 8/17/23]

NATHAN CHRISTENSEN
PROFESSIONAL LAND SURVEYOR
UTAH CERTIFICATE NO. 10175991

LEGAL DESCRIPTION

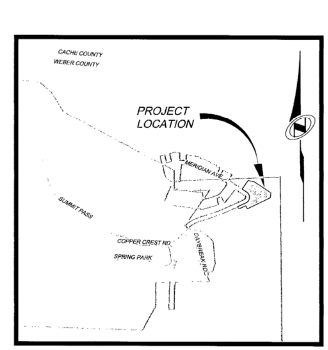
LOCATED IN THE NORTH QUARTER OF SECTION 8, TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN

BEGINNING AT A POINT BEING SOUTH 333.42 FEET AND EAST 2044.86 FEET FROM THE NORTH QUARTER CORNER OF SECTION 8, TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN (BASIS OF BEARING FOR THIS DESCRIPTION IS NORTH 89°55'51" WEST ALONG THE LINE BETWEEN THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN AND THE MONUMENT AT THE INTERSECTION OF THE WEBER/CACHE COUNTY LINE, TIE FROM THE NORTHWEST CORNER OF SECTION 6 TO THE NORTH QUARTER CORNER OF SECTION 8 IS SOUTH 53°43'38" EAST 9312.68 FEET),AND RUNNING THENCE ALONG THE SOUTHERLY RIGHT OF WAY OF MERIDIAN AVENUE NORTH 65°24'29" EAST 265.51 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 75.00 FEET, THROUGH A CENTRAL ANGLE OF 122°39'51" (CHORD BEARS NORTH 04°04'34" EAST 131.61 FEET) FOR AN ARC DISTANCE OF 160.57 FEET; THENCE NORTH 57°15'22" WEST 90.44 FEET; THENCE LEAVING SAID RIGHT OF WAY, NORTH 35°24'48" EAST 126.56 FEET; THENCE SOUTH 77°12'23" EAST 208.00 FEET, THENCE SOUTH 54°35'12" EAST 320.21 FEET, THENCE SOUTH 14°24'39" EAST 39.18 FEET, THENCE SOUTH 63°33'31" WEST 573.18 FEET, THENCE NORTH 20°23'29" WEST 148.79 FEET, THENCE SOUTH 69°36'31" WEST 88.13 FEET, THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 64.00 FEET THROUGH A CENTRAL ANGLE OF 74°10'50" (CHORD BEARS NORTH 73°18'04" WEST 77.19 FEET) FOR AN ARC DISTANCE OF 82.86 FEET TO THE POINT OF BEGINNING.

CONTAINING 166,288 S.F. OR 3.817 AC.

SURVEYOR'S NARRATIVE:

1. THE PURPOSE FOR THIS SURVEY AND PLAT IS TO 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-BEARING FOR THIS PLAT IS N 89°55'51"W ALONG THE NORTH SECTION LINE BETWEEN THE NORTHEAST CORNER OF SECTION 1, T.7N., R.1E., S.L.B.&M., AND A FOUND WEBER COUNTY MONUMENT AT THE INTERSECTION OF THE WEBER/CACHE COUNTY LINE AND SAID SECTION SECTION LINE. (THIS BEARING DIFFERS FROM THE WEBER COUNTY SURVEYOR'S BEARING BY 00°00'14" AS SHOWN ON THE COUNTY LINE DECLARATION RECORD PLAT BOOK 74, PAGE 64.)
3. A PORTION OF THE WESTERLY BOUNDARY WAS DETERMINED BY MERIDIAN AVE, AS SHOWN ON OVERLOOK AT POWDER MOUNTAIN PHASE 1. THE LOCATION OF SAID PLAT WAS DETERMINED BY THE FOUND SECTION CORNER MONUMENTS AS REFERENCED ON SAID EXISTING PLAT. FOUND SURVEY MONUMENTS USED ARE SHOWN HEREON.



VICINITY MAP

N.T.S.

Sheet 1 of 2

TALISMAN
CIVIL CONSULTANTS
1588 SOUTH MAIN STREET
SUITE 200
SALT LAKE CITY, UT 84115
801.743.1300

OWNER	WEBER COUNTY ATTORNEY	WEBER COUNTY SURVEYOR	WEBER COUNTY ENGINEER	WEBER COUNTY PLANNING COMMISSION APPROVAL	WEBER COUNTY COMMISSION ACCEPTANCE
OVERLOOK POINT LLC 3923 N. WOLF CREEK DR. EDEN, UT 84310	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 31st DAY OF August, 20 23. [signature] SIGNATURE	I HEREBY CERTIFY THAT THE WEBER COUNTY SURVEYOR'S OFFICE HAS REVIEWED THIS PLAT AND ALL CONDITIONS FOR APPROVAL BY THIS OFFICE HAVE BEEN SATISFIED. THE APPROVAL OF THIS PLAT BY THE WEBER COUNTY SURVEYOR DOES NOT RELIEVE THE LICENSED LAND SURVEYOR WHO EXECUTED THIS PLAT FROM THE RESPONSIBILITIES AND/OR LIABILITIES ASSOCIATED THEREWITH. SIGNED THIS 30TH DAY OF August, 20 23 [signature] COUNTY SURVEYOR	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 31st DAY OF July, 20 23. [signature] SIGNATURE	THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED BY THE WEBER COUNTY PLANNING COMMISSION ON THIS 30 DAY OF AUGUST 20 23. [signature] CHAIRMAN-WEBER COUNTY PLANNING COMMISSION	~~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 ATTEST: ________ TITLE:~~

RECORDED #

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

REQUEST OF: OVERLOOK POINT

ENTRY NO. 3296615

DATE: 31-AUG-23 TIME: 3:29 PM

BOOK: 96 PAGE: 33 & 34

FEE $ $118.00

Leann H. Kilts

WEBER COUNTY RECORDER

96-33

N:\SLB0793\CADD\22-126 - OVERLOOK POINT\CADD\SURVEY\PLATS
2014-1-16 NONE
2023-06-26 FINAL OVERLOOK POINTE SUBDIVISION.C Sheet1