LAKE POINT HEIGHTS SUBDIVISION

A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 10 AND THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, LAKE POINT, TOOELE COUNTY, UTAH

OWNER'S DEDICATION, GRANT, AND DECLARATION

KNOW ALL MEN by these presents, that SADDLEBACK PASTURES, L.C., a Utah limited liability company, ("Grantor"), the undersigned owner of the tract of land described herein under the heading "Boundary Description" (the "Tract"), does hereby create a subdivision to be hereafter known as "Lake Point Heights Subdivision " (the "Subdivision" or when referring to this document, the "Plat"), and, subject to the "Notice to Purchasers" contained herein and any matters of record, does hereby:

1. Cause the Tract to be subdivided into lots (singularly, a "Lot", or if more than one, the "Lots").
2. Grant, convey and dedicate to Tooele County, a body corporate and politic (the "County") those areas identified on this Plat as "Dedicated Public Road".
3. Grant, convey, and dedicate to the County and to public and private providers of utility services perpetual, non-exclusive easements and rights-of-way, for the purpose of installing, maintaining, operating, and replacing buried utilities and facilities necessary or convenient to provide underground or buried utility services, over, through, and across Parcels A and B and all areas identified on this Plat as "PUDE" ("Public Utility and Drainage Easements").
4. Grant, convey and dedicate to the County perpetual, non-exclusive easements and rights-of-way, for purposes of installing, repairing maintaining, and replacing storm drainage conveyance, retention, and/or detention improvements or structures over, through, and across all areas identified on this Plat as PUDEs.
5. Subject to the provisions of Item #3 hereinabove, Grant, convey, and dedicate Parcel A to to the County as right-of-way for a future dedicated public road.
6. Subject to the provisions of #3 hereinabove, Grant, convey and dedicated Parcel B to the County and to the public as perpetual open space for and for the purpose of installing, maintaining, operating, and replacing public trails and public facilities, over, through and across Parcel B.

NOTICE TO PURCHASERS

1. CC&Rs. The Lots and Parcels created by this Plat are subject to: (a) that certain Declaration of Covenants, Conditions, and Easements for ~~Pastures at Saddleback~~ Point Lake Heights Subdivision dated October 22nd 2020, and recorded October 22nd 2020, as Entry No. 524893 (the "LPH Declaration") in the Office of the Tooele County Recorder (the "Recorder's Office"); and (b) that certain "Declaration of Covenants, Conditions and Restrictions for Water Conservation at Lake Point Heights Subdivision"(the "Water Declaration") dated October 22nd 2020, and recorded October 22nd 2020, as Entry No. 524894 in the Recorder's Office. The LPH Declaration and the Water Declaration are collectively referred to herein as the "CC&Rs". The CC&Rs specify, among other things, the manner in which approval for construction of all structures within the Plat will occur. No building permits may be applied for and no construction commenced until written approval under the CC&Rs of the building, drainage swale crossings, drainage retention, and site plans has been granted, stating that the plans comply with the applicable requirements of the CC&Rs.
2. DEVELOPMENT AGREEMENT. The Subdivision and Lots created by this Plat are a portion of the lands covered by that certain Development Agreement by and between the County and Saddleback Partners, L.C., a Utah limited liability company, (the "Developer") dated July 5, 1998, and recorded August 13, 1999, as Entry No. 135787 in Book 583, beginning at Page 254 n the Recorder's Office (the "1998 Agreement"); as amended by that certain First Amendment to Development Agreement dated December 8, 1998 and recorded August 13, 1999, as Entry No. 135788 in Book 583, beginning at Page 390 in the Recorder's Office (the "First Amendment"); as further amended by that certain Development Agreement Property Release dated August 30, 2001 and recorded September 11, 2001, as Entry No. 168923 in Book 703, beginning at Page 60 in the Recorder's Office (the "Release"), as further amended by that certain Second Amendment to Development Agreement dated September 25, 2018 and recorded September 26, 2018, as Entry No. 474730 (the "Second Amendment"), as further amended by that certain Third Amendment to Development Agreement dated February 18, 2020 and recorded March 6, 2020, as Entry No. 505169 (the "Third Amendment" and collectively with the 1998 Agreement, the First Amendment, the Second Amendment, and the Release and as may be amended from time to time in the future, the "Development Agreement"). The Development Agreement provides for the development of the Tract and other lands in the vicinity, as described in the Development Agreement, or as may be added or expanded from time to time (collectively, the "Lands"). Pursuant to that certain Assignment and Assumption Agreement dated October 22nd 2020, and recorded in the Recorder's Office on October 22nd 2020, as Entry No. 524892 (the "Assignment"), the Developer has assigned all of the rights necessary or desirable under the Development Agreement to the Grantor in order for the Grantor develop the Tract pursuant to this Plat. By signing and accepting this Plat, the County hereby consents to the Assignment. Each purchaser or Owner of Lots in this Subdivision takes title to the Lots with an acknowledgment that the Developer and Grantor and their successors and assigns have the right to develop the Lands pursuant to the rights granted to them in the Development Agreement and such purchasers or Owners hereby agree not to challenge, oppose, file a complaint, complain about, or otherwise try to prohibit the Developer's or Grantor's exercise of its rights to develop the Lands pursuant to the Development Agreement.
3. OPEN SPACE. As provided for in the Assignment, this Plat uses the residential density units attached to nine point zero three three (9.033) acres of open space "banked" pursuant to Sections 2 and 3(b) of the Release, which banked open space was created by the Greer Ravine Conservation Easement dated August 30, 2001 and recorded October 4, 2001, as Entry No. 170013 in Book 707 beginning at Page 798 in the Recorder's Office, which also satisfies the requirement of Section 4(a) of the 1998 Agreement to set aside at least fifty percent (50%) of the Tract as open space [50% of eighteen point three zero six (18.306) acres, which equates to nine point one five three (9.153) acres], as allowed pursuant to Section 7(e) of the 1998 Agreement, by using zero point one two (0.12) acres created by Parcel B and by using nine point zero three three (9.033) acres of said banked open space.
4. WATER SERVICE. Indoor and outdoor water service to the Lots is provided by Oquirrh Mountain Water Company, a private mutual watir company ("OMWC"), based upon the quantity of Class B Shares of OMWC owned by the Owner(s) of each Lot. The Water Declaration further governs how such water may be used, including the implementation of certain water conservation measures to prevent wasting water and the promotion of water conservation.
5. RURAL AREA. The Subdivision is locatec in the Lake Point area of the County which enjoys a semi-rural lifestyle, including the boarding, caring for, grazing, feeding, riding, and training of horses and other livestock, farm animals, and pets often found in rural areas (collectively, "Livestock"), and their attendant noises, odors, and sights. The CC&Rs govern the degree to which Livestock may be permitted by the Owners within the Subdivision. Each Owner takes title to the Lots or Parcels with an acknowledgment that the Lake Point area surrounding the Subdivision is a rural area which allows and welcomes Livestock and that such Owners hereby agree not to challenge, oppose, complain about, or otherwise try to prohibit, outlaw, or restrict Livestock in the Lake Point area.
6. STORM DRAINAGE MANAGEMENT. All runoff from each individual Lot shall be contained within such Lot by its Owner. Except for the Retention Pond referenced in Notice to Purchaser # 9 hereinbelow, runoff shall not be allowed to discharge onto adjacent Lots. Grading within each Lot will likely be required to contain the runoff within such Lot. Runoff can either be retained within the Lot, discharged into the drainage swales constructed along the Dedicated Public Roads, or into the drainage channels or detention areas constructed within the PUDE along the rear Lot lines (as allowed by grades).
7. PIPING AND PROTECTION OF DRAINAGE SWALES. Each Owner of a Lot hereby agrees to not fill-in, block, regrade or in any way decrease the capacity of the drainage swales that are constructed within the PUDE's as shown on this Plat. All drainage swales which are crossed by driveways or other hard surfaces must be piped at the Owner's expense with an eighteen-inch (18") reinforced concrete pipe with a concrete flared end section on the inlet end of the pipe.
8. COLLECTOR ROADS. Pole Canyon Road and 1200 East Street as dedicated by this Plat are designated as collector roads by Tooele County. By this Plat, the Grantor has dedicated right-of-way for these collector roads and a future collector road located in the southwes: portion (Parcel A) of the Subdivision in the area identified as "Future Collector Road". The Future Collector Road will have a grade-separated (overpass) crossing over the railroad tracks. At the time the grade separated crossing is made, that portion of Pole Canyon Road west of 1200 East Street will no longer be accessible from the Plat and vehicles using Pole Canyon Road will have to continue north on 1200 East Street. Lot owners: (a) are by this reference notified of the proposed Future Collector Road, including its potential risks and potential impacts on views, noise, traffic, and other impacts as may be associated therewith (both during construction and when completed), (b) hereby agree not to challenge, oppose, file a complaint, complain about, or otherwise try to prohibit the construction and use of the Future Collector Road, and (c) for those Lots abutting 1200 East Street, Pole Canyon Road, and/or the Future Collector Road, acknowledge that there is no access from such Lots onto the 1200 East Street, Pole Canyon Road, or the Future Collector Road.
9. RETENTION POND. A retention pond (the "Retention Pond") has been constructed in the northwest corner of the Subdivision, affecting portions of Lots 17 through 21 and portions of adjacent lots to the north in Lake Point Vistas Plat 2, as shown on the cross-hatched area on Sheet 2 of this Plat. The Retention Pond is designed to receive storm water runoff from the Subdivision and will receive water after most precipitation events (rain or snowstorms). The volume of water flowing to the Retention Pond will be dependent upon the intensity and duration of the precipitation event. The Retention Pond is designed to fill during major precipitation events and water depths could reach five feet or more. The Owners of Lots 17-21 are cautioned that they may utilize the Retention Pond area as desired, with the understanding that water flowing into the Retention Pond can be expected after any precipitation event and the duration of the water in the Retention Pond could be days as the water evaporates and infiltrates. No filling or modification of the Retention Pond is allowed.
10. MINING PROTECTION AREA. The Lots are located within the vicinity of an established mining protection area in which normal mining uses and activities have been afforded the highest priority use status. It can be anticipated that the mining uses and activities may now or in the future be conducted on property included in the mining protection area. The use and enjoyment of the Lots is expressly conditioned on acceptance of any annoyance or inconvenience that may result from the normal mining uses and activities.

IN WITNESS WHEREOF, we have hereunto set our hands this 30th day of June, 2020

Saddleback Pastures, L.C., a Utah limited liability company

By: Christopher F. Robinson
Christopher F. Robinson, Manager

STATE OF UTAH)
: SS.
COUNTY OF SaltLake)

The foregoing instrument was acknowledged before me this 30 day of June, 2020, by Christopher F. Robinson, as the Manager of Saddleback Pastures, L.C., a Utah limited liability company.

My Commission Expires: 6-12-24
Carol Paul
Notary Public
Residing at: Salt Lake

Notary Public - State of Utah
CAROL PAULI
Comm. #712138
My Commission Expires
June 12, 2024

SURVEYOR'S CERTIFICATE

I, D. Gregg Meyers, a Professional Land Surveyor licensed under Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act holding License No. 312770, do hereby certify that by the authority of the owners, I have made a survey of the tract of land shown on this plat and described hereon, and have subdivided said tract of land into Public Utility and Drainage Easements, Lots and streets (public rights-of-way), and that the same has been surveyed and staked on the ground as shown on this plat.

BOUNDARY DESCRIPTION

A parcel of land located in the Southeast Quarter of Section 10 and the Southwest Quarter of Section 11, Township 2 South, Range 4 West, Salt Lake Base and Meridian, Tooele County, Utah, more particularly described as:

Beginning at the intersection of the south line of Lake Point Vistas Plat 2 as recorded in the Office of the Tooele County Recorder as Entry No. 497659 and the West Section Line of Section 11, Township 2 South, Range 4 West, Salt Lake Meridian, said point lies South 00°11'20" West along said section line 1,327.94 feet from the West Quarter Corner of said Section 11, (basis of bearing being S 00°11'20" W between the West Quarter Corner and the Southwest Corner of Section 11, T2S, R4W, SLB&M), and running thence South 89°31'58" East along said south line of said Plat 2 1,324.51 feet to the southeast corner of said Plat 2; thence South 00°12'01" West 94.78 feet to the northwesterly right-of-way line of the Oregon Short Line Railroad, approved November 5th, 1903, Serial File No. 36; thence South 53°59'08" West along said right-of-way 1,641.39 feet to said West Section Line; thence North 00°11'20" East along said West Section Line 479.68 feet; thence northwesterly along the arc of a 958.00 foot radius non-tangent curve to the left, through a central angle of 02°36'04" a distance of 43.49 feet (chord bearing N 74°46'27" W, chord length 43.49'); thence North 00°11'20" East 355.02 feet; thence northwesterly along the arc of a 15.00 foot radius tangent curve to the left, through a central angle of 89°43'16" a distance of 23.49 feet (chord bearing N 44°40'20" W, chord length 21.16'); thence North 00°02'59" East 60.00 feet; thence northeasterly along the arc of a 1500 foot non-tangent curve to the left, through a central angle of 90°16'42" a distance of 23.63 feet (chord bearing N 45°19'41" E, chord length 21.26'); thence North 00°11'20" East 134.61 feet to the south line of Lake Point Estates Phase 2, Lot 211 as recordec in said office as Entry No. 293407, said line also being the extension of said south line of said Lake Point Vistas Plat 2; thence South 89°58'12" East along said south line of said Lot 211 and said south line of said Lake Point Vistas Plat 2 42.00 feet to the point of beginning.

Containing 797,403 square feet or 18.306 acres. 21 Lots, 4 Streets, and 2 Parcels.

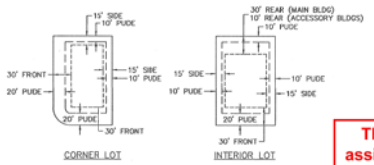
Date: June 29, 2020

D. Gregg Meyers
P.L.S. 312770

PROFESSIONAL LAND SURVEYOR
LICENSE #312770
D. GREGG MEYERS
06/24/20
STATE OF UTAH

NOTES:
1.) The street monuments shown herein are to be set as a part of any road construction done subsequent to the recording of this plat.
2.) Front and rear Lot corners will be located and marked on the ground with a 5/8"x24" rebar with a plastic cap labeled "BINGHAM ENG".
3.) Lots designated with (R) are restricted access. Lots 1, 3-6, 11-13, and 21 shall not access 1200 East Street or Pole Canyon Road.

TYPICAL SETBACK & PUDE DETAILS



This map is provided solely for the purpose of assisting in locating the property and Cottonwood Title Insurance Agency, Inc. assumes no liability for variation, if any, with any actual survey.

OQUIRRH MOUNTAIN WATER COMPANY	LAKE POINT IMPROVEMENT DISTRICT	NORTH TOOELE FIRE DISTRICT	BOARD OF HEALTH
APPROVED THIS 30th DAY OF June A.D. 2020.	APPROVED THIS 30th DAY OF June A.D. 2020.	APPROVED THIS 30 DAY OF June A.D. 2020.	APPROVED THIS 30 DAY OF June A.D. 2020.
OFFICER, OQUIRRH MOUNTAIN WATER COMPANY	CHAIRMAN, LAKE POINT IMPROVEMENT DISTRICT	NORTH TOOELE FIRE DISTRICT	DIRECTOR, TOOELE COUNTY BOARD OF HEALTH

TOOELE COUNTY ENGINEERING	TOOELE COUNTY SURVEY DEPARTMENT	TOOELE COUNTY PLANNING COMMISSION	TOOELE COUNTY TREASURER	TOOELE COUNTY ATTORNEY	DEPARTMENT OF COMMUNITY DEVELOPMENT
APPROVED THIS 30 DAY OF June A.D. 2020	APPROVED THIS 30 DAY OF June A.D. 2020. R.O.S.# 2020-0029	APPROVED THIS 1 DAY OF July A.D. 2020.	APPROVED THIS 30TH DAY OF June A.D. 2020.	APPROVED AS TO FORM THIS 22nd DAY OF Oct A.D. 2020.	APPROVED AS TO FORM THIS 22nd DAY OF October A.D. 2020.
TOOELE COUNTY ENGINEER	TOOELE COUNTY SURVEY DIRECTOR chief Deputy	CHAIRMAN, TOOELE COUNTY PLANNING COMMISSION	TOOELE COUNTY TREASURER	TOOELE COUNTY ATTORNEY	DIRECTOR OR PLANNER

BINGHAM ENGINEERING
262 N. Right Brethren Dr. Ste 120, Salt Lake City, UT 84116
(801) 532-2520 www.binghamnet.com

Design: JJS
Drawn: JJS
Checked: CM
Reviewed: JRL

LAKE POINT HEIGHTS SUBDIVISION
A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 10 AND THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, LAKE POINT, TOOELE COUNTY, UTAH

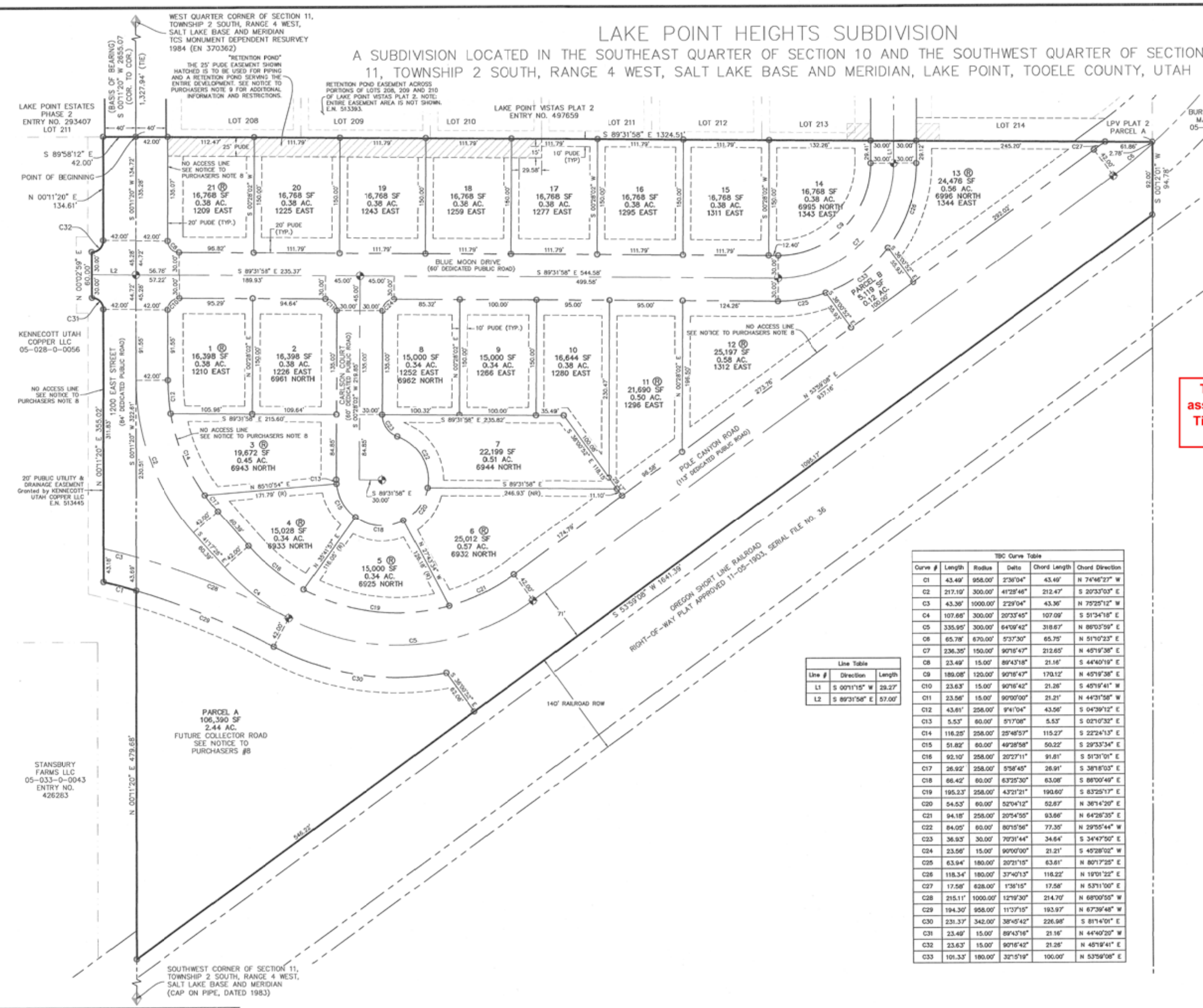
RECORDED ENTRY No. 524897

State of Utah, County of Tooele,
Recorded and Filed at the request of: Saddleback Pastures L C
Date: 10/22/2020 Time: 3:04 pm Book: 21 Page: 44
Fee $ 154.00
Tooele County Recorder
By: Rubina Vim Deputy

Date 06/24/2020 | Proj. # 5423 | Sht 1 of 2

LAKE POINT HEIGHTS SUBDIVISION

A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 10 AND THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, LAKE POINT, TOOELE COUNTY, UTAH



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Line Table		
Line #	Direction	Length
L1	S 00°11'15" W	29.27'
L2	S 89°31'58" E	57.00'

TBC Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C1	43.49'	958.00'	2°36'04"	43.49'	N 74°46'27" W
C2	217.10'	300.00'	41°28'46"	212.47'	S 20°33'03" E
C3	43.36'	1000.00'	2°29'04"	43.36'	N 75°25'12" W
C4	107.66'	300.00'	20°33'45"	107.09'	S 51°34'18" E
C5	335.95'	300.00'	64°09'42"	318.67'	N 86°03'59" E
C6	65.78'	670.00'	5°37'30"	65.75'	N 51°10'23" E
C7	236.35'	150.00'	90°16'47"	212.65'	N 45°19'38" E
C8	23.49'	15.00'	89°43'18"	21.16'	S 44°40'19" E
C9	189.08'	120.00'	90°16'47"	170.12'	N 45°19'38" E
C10	23.63'	15.00'	90°16'42"	21.26'	S 45°19'41" W
C11	23.56'	15.00'	90°00'00"	21.21'	N 44°31'58" W
C12	43.61'	258.00'	9°41'04"	43.56'	S 04°39'12" E
C13	5.53'	60.00'	5°17'08"	5.53'	S 02°10'32" E
C14	116.25'	258.00'	25°48'57"	115.27'	S 22°24'13" E
C15	51.82'	60.00'	49°28'58"	50.22'	S 29°33'34" E
C16	92.10'	258.00'	20°27'11"	91.61'	S 51°31'01" E
C17	26.92'	258.00'	5°58'45"	26.91'	S 38°18'03" E
C18	66.42'	60.00'	63°25'30"	63.08'	S 86°00'49" E
C19	195.23'	258.00'	43°21'21"	190.60'	S 83°25'17" E
C20	54.53'	60.00'	52°04'12"	52.67'	N 36°14'20" E
C21	94.18'	258.00'	20°54'55"	93.66'	N 64°26'35" E
C22	84.05'	60.00'	80°15'56"	77.35'	N 29°55'44" W
C23	36.93'	30.00'	70°31'44"	34.64'	S 34°47'50" E
C24	23.56'	15.00'	90°00'00"	21.21'	S 45°28'02" W
C25	63.94'	180.00'	20°21'15"	63.61'	N 80°17'25" E
C26	118.34'	180.00'	37°40'13"	116.22'	N 19°01'22" E
C27	17.58'	628.00'	1°36'15"	17.58'	N 53°11'00" E
C28	215.11'	1000.00'	12°19'30"	214.70'	N 68°00'55" W
C29	194.30'	958.00'	11°37'15"	193.97'	N 67°39'48" W
C30	231.37'	342.00'	38°45'42"	226.98'	S 81°14'01" E
C31	23.49'	15.00'	89°43'16"	21.16'	N 44°40'20" W
C32	23.63'	15.00'	90°16'42"	21.26'	N 45°19'41" E
C33	101.33'	180.00'	32°15'19"	100.00'	N 53°59'08" E

PROFESSIONAL LAND SURVEYOR LICENSE #312770 D. GREGG MEYERS 06/24/20 STATE OF UTAH

SCALE (FT) 0 60 120 180

LEGEND:

- ALL SECTION CORNERS ARE TOOELE COUNTY DEPENDANT RESURVEY MONUMENTS UNLESS OTHERWISE NOTED
- STREET MONUMENT (TO BE SET OR AS NOTED)
- EXISTING STREET MONUMENT
- SET REBAR 5/8"x24" W/ CAP STAMPED "BINGHAM ENG." AT ALL LOT & BOUNDARY CORNERS
- RIGHT-OF-WAY DEDICATION BOUNDARY LINE
- SECTION LINE
- SUBDIVISION BOUNDARY LINE
- LOT LINE
- (PUDE) PUBLIC UTILITY AND DRAINAGE EASEMENT
- ADJOINING LOT LINES
- CENTERLINE
- ® RESTRICTED ACCESS. LOTS 1, 3-6, 11-13, AND 21 SHALL NOT ACCESS 1200 EAST STREET OR POLE CANYON ROAD

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RECORDED ENTRY No. 524897

State of Utah, County of Tooele,
Recorded and Filed at the request of:
Date: 10/22/2020 Time: 3:04 pm Book: 21 Page: 44
Rylisha Ulm Deputy
Tooele County Recorder

BINGHAM ENGINEERING
392 N. Wright Brothers Dr. Ste 120, Salt Lake City, UT 84116
(801) 532-2520 www.binghamnet.com

Design: GM
Drawn: JJS
Checked: JRL
Reviewed: JRL

Date 06/24/2020 | Proj. # 5423 | Sht 2 of 2