

WHEN RECORDED, RETURN TO:

Rulon C. Gardner
North Side Creek, LLC
201 South Main Street, Suite 2015
Salt Lake City, Utah 84111
Affects Tax Parcel Nos.:

Ent **156025** Bk **375** Pg **1548**
Date: 18-MAR-2021 4:36:09PM
Fee: \$84.00 Credit Card Filed By: CKR
BRENDA NELSON, Recorder
MORGAN COUNTY
For: NORTHSIDE CREEK LLC

DEVELOPMENT AGREEMENT

(Morgan County/North Side Creek)

This Development Agreement (“**Agreement**”) is entered into as of February 10, 2021, by and between North Side Creek, LLC, a Utah limited liability company (“**Developer**”), and Morgan County, a Utah political subdivision (“**County**”). Developer and the County are referred to in this Agreement individually as a “**Party**” and collectively as the “**Parties**”.

RECITALS

A. Developer owns approximately 100 acres of land located in Morgan County, Utah, a legal description of which is attached as **Exhibit A** (“**Property**”). Developer previously proposed to develop the Property as a planned residential unit development (“**PRUD**”).

B. In accordance with Chapters 4, 18, and 20 of the Morgan County Land Use Management Code (2007) (“**PRUD Ordinance Provisions**”), the Developer submitted a concept plan for development of the Property to the County; and after appropriate public hearings, the County Council approved the same.

C. In accordance with the PRUD Ordinance Provisions, the Developer submitted a final plat of subdivision for the Property, which final plat was approved by the County and recorded in the office of the Morgan County Recorder on February 10, 2009 as Entry No. 115391 (the “**Final Plat**”).

D. The County has required Developer to enter into this Agreement in connection with the County’s approval of the PRUD and the Amended Final Plat (defined below). This Agreement and the County’s approval of the PRUD advance the policies, goals, and objectives of the Morgan County General Plan (“**General Plan**”), and the Morgan County Land Use Management Code (“**Land Use Code**”), including the PRUD Ordinance Provisions, and will result in capital improvements and development that will substantially benefit the County.