

BUILDING PERMIT PRE-REVIEW AGREEMENT and NOTICE
("AGREEMENT") for
Sequoia Apartments at Turner Mill ("PROJECT")
DATED May 27, 2021

WHEREAS: Heber City as CITY, and Wadsworth dbUrban Heber, LLC, and/or its assigns as APPLICANT/DEVELOPER/OWNER, ("APPLICANT"), are parties to the PROJECT above; and

WHEREAS: APPLICANT has requested to be allowed to submit documents to begin the building permit review process ahead of completing all essential facilities for the PROJECT, which is technically different from the requirements of Heber City Code 15.08.020, and

WHEREAS, notwithstanding said requirement, in consideration for the acknowledgments, releases and obligations by and of the Applicant, contained in this Building Permit Pre-Review Agreement and Notice ("Agreement"), Heber City is willing to allow the building permit review process to initiate prior to the completion of all essential facilities;

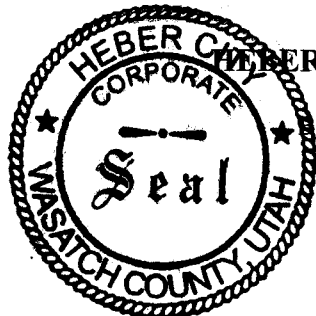
NOW, THEREFORE, CITY agrees to accept for review only, building permit documents for this PROJECT described in Exhibit A, and APPLICANT agrees to release Heber City from any obligation or requirement to issue building permits, and acknowledge(s) that none shall be issued, until, at City's sole discretion, it deems the essential facilities and review process have been completed, all requirements met, and that building permits may be approved.

Notwithstanding the forgoing and anything to the contrary in this AGREEMENT, CITY agrees to allow APPLICANT to construct any on-site grading, water, sewer, drainage, and irrigation improvements shown on the PROJECT signed civil site drawings, outside of 10 feet from any structures requiring a building permit. APPLICANT acknowledges that any on-site improvements constructed that subsequently found to be in conflict with the final approved building permits will be corrected by APPLICANT at its expense.

"Applicant", as used in this Agreement, shall also refer to the heirs, executors, administrators, successors, and/or assigns of Applicant respectively.

An additional requirement of the review process for this PROJECT, pursuant to and as a condition of this Agreement and Notice, shall be that Applicant shall cause this Notice to be recorded against the Plat and all lots, specifically to serve as a public record notice of this building permit issuance restriction. It is the specific intention of this notice, to notify these parties and any potential purchasers of the Development and individual lots, of this restriction.

All lot owners of this PROJECT shall be required to sign this Agreement. Release of this Notice shall be recorded only after the PROJECT has been accepted by the City.



HEBER CITY:
 By: Kelleen Potter
 Kelleen Potter, Mayor

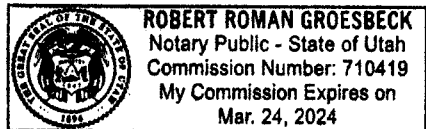
ATTEST:
Trina Cooke
 Trina Cooke, Recorder

Ent 501455 Bk 1358 Pg 1165-1166
 Date: 03-JUN-2021 10:50:07AM
 Fee: \$40.00 Check Filed By: HP
 MARCY M MURRAY, Recorder
 WASATCH COUNTY CORPORATION
 For: WADSWORTH DBURBAN HEBER LLC

APPLICANT AND OWNER:
 By: [Signature]
KIP L. WADSWORTH, MANAGER (INDIRECT)
 (Printed Name)
WADSWORTH DBURBAN HEBER, LLC.

STATE OF Utah
)
 : ss.
 COUNTY OF S.L.

On the 11th day of May, 2021, personally appeared before me KIP L. WADSWORTH, the landowner of the property described in the above document and duly acknowledged to me that they executed the same.



[Signature]
 NOTARY PUBLIC

EXHIBIT A

(Legal Description of Subdivision)

Lot 2, TURNER MILL MASTER SUBDIVISION PLAT, according to the official plat thereof recorded August 28, 2020 as Entry No. 483557 in Book 1309 at Page 807 in the office of the Wasatch County Recorder.