ENTRY NO. 01160609 04/09/2021 10:50:54 AM B: 2655 P: 1114 Agreement PAGE 1/7 RHONDA FRANCIS, SUMMIT COUNTY RECORDER FEE 96.00 BY CU LARSEN VILLAGE LLC

#ALF__PROPTLEAGUE PROPS_LINEAL_SALECTETED_TYMETY HARTY N. YSLUNGTYTHERDAN I

WHEN RECORDED, RETURN TO:

Summit County Engineering PO 128 – 60 N. Main Coalville, Utah 84017

Affecting Parcel No.: SEE EXHIBIT A

FIRST AMENDMENT TO DEVELOPMENT IMPROVEMENTS AGREEMENT

THIS FIRST AMENDMEND TO DEVELOPMENT IMPROVEMENTS AGREEMENT (the "First Amendment") is made and entered into as of the date first set forth below (the "Effective Date") by and between SUMMIT COUNTY, a political subdivision of the State of the Utah (the "County") and CW LARSEN VILLAGE, LLC, a Utah limited liability company (the "Developer"). Developer and County may be referred to herein individually as a "Party" or collectively, as the "Parties".

RECITALS

- A. Developer is the fee title owner and developer of that certain parcel of real property located within the Silver Creek Village Center Subdivision and more particularly described on **Exhibit A** attached hereto.
- B. The Parties entered into that certain *DEVELOPMENT IMPROVEMENTS* AGREEMENT on or about August 3, 2020, which was subsequently recorded in the office of the Summit County Recorder on November 13, 2020 as Entry No. 01147484 in Book 2617 at Page 1033 to govern development of the Project (the "**DIA**").
- C. The *PERFORMANCE BOND* attached to the DIA as Exhibit D identified an incorrect Entry Number for the DIA and, as a result, County has requested Developer to amend the same.
- D. Pursuant to 22 of the DIA, the same may be amended or modified by written instrument executed by the County and Developer.
 - E. The Parties desire to amend the DIA as set forth herein.

AGREEMENT

NOW, THEREFORE, for and in consideration of the promises contained herein and for good and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties to hereby agree as follows:

1. Recitals. The foregoing recitals are hereby incorporated and made part of this First Amendment.

- 2. **Performance Bond Amendment**. The first recital in the Performance Bond here hereby deleted in entirety and replaced with the following. All changes are *italicized* for reference purposes only.
 - "WHEREAS, the Principal has entered into a certain written Development Improvements Agreement with the Oblige, dated the 3rd day of August, 202, recorded in the Office of the Summit County Recorder as Entry No. 01147484, Book 2617, beginning at Page 1033 (the "DIA"), to construct and install improvements as set forth therein (the "Improvements") in the County of Summit, State of Utah, Project No. SCVC-15, for the approximate sum of Six Hundred Thirty Thousand One Hundred Twenty Six and 61/100 Dollars (\$630,126.61) [includes both the Cost of Completion and 10% warranty], which DIA is hereby incorporated herein by this reference."
- 3. <u>Scope of Changes</u>. To the extent that the terms or provisions of this First Amendment conflict or are inconsistent with the terms and conditions of the DIA, the terms and provisions of this First Amendment shall control. County and Developer hereby ratify the terms of the DIA, as amended by this First Amendment, and acknowledge that, except as herein modified, the DIA shall remain in full force and effect in accordance with its terms.
- 4. <u>Binding Effect</u>. Upon full execution by the Parties and following recordation in the office of the Summit County Recorder, this First Amendment shall be binding on the Parties and their successors, heirs, and permitted assigns.

[SIGNATURE AND ACKNOWLEDGEMENT PAGES FOLLOW]

IN WITNESS WHEREOF, the Parties hereto have executed this DIA as of the 30 day of MARCH, 2021.
DEVELOPER
CW LARSEN VILLAGE, LLC, a Utah limited liability company
Name: COLIN WEIGHT
Title: MANAGER
STATE OF UTAH) § COUNTY OF DAVIS)
The foregoing instrument was acknowledged before me this 20 day
of MARCH, 2021 by COLIN WRIGHT.
Witness my hand and official seal. TONY HILL
My commission expires: OS 07 2024 My commission expires: OS 07 2024 Notary Public, State of Utah Commission #711935 My Commission Expires 05:07/2024
Notary Public) (Seal)

[COUNTY SIGNATURE AND ACKNOWLEDGEMENT PAGE FOLLOWS]

SUMMIT COUNTY

County Manager
By: Kignature Signature
STATE OF <u>UTA-4</u>)) ss. COUNTY OF <u>Swmmit</u>)
The foregoing instrument was acknowledged before me this <u>OAH</u> day of <u>APPLL</u> 2021 By Thomas C. FISHER
Witness my hand and official seal.
My commission expires: 2 27 2024



Notery Public

Approved as to form:

Deputy County Attorney

EXHIBIT A

(Legal Description)

Formally known as Lot 15 Silver Creek Village Center Subdivision

ALL UNITS WITHIN SILVER CREEK VILLAGE CONDOMINIUMS

0516625 SCVCON-A101 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516656 SCVCON-A104 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516687 SCVCON-A202 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516719 SCVCON-A205 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516740 SCVCON-A208 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516771 SCVCON-A303 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516803 SCVCON-A306 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516834 SCVCON-B103 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516865 SCVCON-B201 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516896 SCVCON-B204 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014 0516632 SCVCON-A102 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516663 SCVCON-A105 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516694 SCVCON-A203 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516726 SCVCON-A206 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516757 SCVCON-A301 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516788 SCVCON-A304 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516810 SCVCON-B101 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516841 SCVCON-B104 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516872 SCVCON-B202 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516904 SCVCON-B205 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014 0516649 SCVCON-A103 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516670 SCVCON-A201 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516702 SCVCON-A204 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516733 SCVCON-A207 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516764 SCVCON-A302 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516795 SCVCON-A305 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516827 SCVCON-B102 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516858 SCVCON-B105 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516889 SCVCON-B203 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516911 SCVCON-B206 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

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0516928 SCVCON-B207 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516959 SCVCON-B302 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516980 SCVCON-B305 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014 0516935 SCVCON-B208 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516966 SCVCON-B303 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516997 SCVCON-B306 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014 0516942 SCVCON-B301 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014

0516973 SCVCON-B304 CW LARSEN VILLAGE LLC 1222 W LEGACY CROSSING BLVD STE 6 CENTERVILLE, UT 84014