

\*W2216378\*

EN 2216378 PG 1 OF 1
DOUG CROFTS, WEBER COUNTY RECORDER
20-OCT-06 1210 PM FEE \$.00 DEP SGC
REC FOR: OGDEN CITY

Noncomplying Structure Certificate

Re: Land Serial #: 13-113-0031

Property Description: BEGINNING AT A POINT NORTH 0D23'33" EAST 457.67 FEET FROM THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 89D02'00" EAST 560.46 FEET, THENCE NORTH 0D58' EAST 164.01 FEET, THENCE SOUTH 89D02' EAST 464.00 FEET, THENCE NORTH 0D58' EAST 33.00 FEET, THENCE SOUTH 89D02' EAST 33.00 FEET, THENCE NORTH 0D58' EAST 264.03 FEET, THENCE NORTH 89D02' WEST 335.00 FEET, THENCE NORTH 82D00' WEST 85.00 FEET, THENCE NORTH 47D30' WEST 8.00 FEET, THENCE NORTH 42D30' EAST 199.02 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF VALLEY DRIVE, THENCE SOUTH 82D35' WEST 86.86 FEET ALONG SAID RIGHT OF WAY LINE, THENCE SOUTH 7D38'30" EAST 7.00 FEET ALONG SAID RIGHT OF WAY LINE, THENCE SOUTH 82D08' WEST 626.24 FEET ALONG SAID RIGHT OF WAY LINE TO A POINT OF A 859.00 FOOT RADIUS CURVE TO THE RIGHT, THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE AND RIGHT OF WAY LINE 65.87 FEET, THE BEARING OF THE LONG CHORD BEING SOUTH 84D19'48" WEST A DISTANCE OF 65.85 FEET, THENCE SOUTH 0D23'33" WEST 502.40 FEET TO THE POINT OF BEGINNING.

This is to certify that Ogden City acknowledges the non-complying structures at Canyon Cove Apartments (1455 Valley Drive). The property is located in the R-4/SA zone. This zone allows for a Planned Residential Unit Development (PRUD), however, the non-complying conditions of the structures are the following:

The non-complying structures are limited to:

- 194 units where 97 units are allowed with the tennis courts and swimming pool in an R-4 Zone. If the tennis courts and swimming pool are removed the PRUD Ordinance would require 19 units to be eliminated for an overall density of 175 units. (The 24 unit building that was destroyed by fire on November 9, 2005 has until February 28, 2007 to submit a complete building permit application or otherwise the nonconforming right is reduced by 24 units.)
281 parking stalls shown where 388 parking stalls are required.
7' side yard setback where a 10' side yard setback is required.

THE RIGHT OF THE NON-COMPLYING STRUCTURES SHALL BE LOST IF THE STRUCTURES ARE VOLUNTARILY REMOVED OR DEMOLISHED.

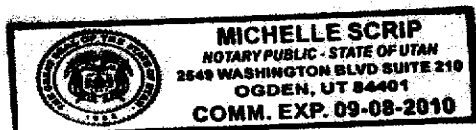
In the event that the structures are involuntarily damaged or destroyed by natural disaster or calamity, it may be rebuilt, provided the restoration is started within a period of one year from the damage and is diligently pursued to completion, and the non-complying conditions are not increased.

These non-complying structures shall not be added to, nor enlarged in any manner, except by permit of Ogden City.

Greg Montgomery
Manager, Planning Division

State of Utah )
County of Weber ) :SS

On this, the 18th day of October, 2006, personally appeared before me, Greg Montgomery, Manager of the Planning Division of the Community and Economic Development Department of Ogden City, Utah who acknowledged that he signed the above certificate on behalf of said City and that the statements contained therein are true.



Michelle Scrip
Notary Public