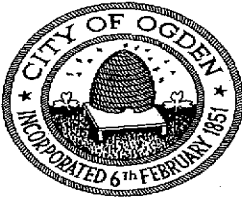





\*W2290850\*

E# 2290850 PG 1 OF 2  
ERNEST D ROWLEY, WEBER COUNTY RECORDER  
10-SEP-07 1254 PM FEE \$.00 DEP 56C  
REC FOR: OGDEN CITY



## AMENDED Nonconforming Use & Noncomplying Structure Certificate

Re: Noncomplying Structure Certificate issued October 18, 2006  
Recorded October 20, 2006 E# 2216378 PG 1 of 1

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 **nonconforming use and non-complying structures at 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 use of the property is subject to the following:

**The nonconforming use is limited to:**

- 167 dwelling 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 148 units.

**The non-complying structure is limited to:**

- 281 parking stalls shown where 334 parking stalls are required.
- 7' side yard setback where a 10' side yard setback is required.

*This certificate amends the Noncomplying Structure Certificate issued October 20, 2006 due to:*

- *An error in the total units shown as 194 when the actual total was 192 units.*
- *One building (24 units) was destroyed by fire 11-8-05 and restoration was not started within one year as required by ordinance resulting in loss of right for 24 units.*
- *Recent expansion of office space in the Clubhouse resulted in elimination of one unit (reduced from 12 units to 11 units).*

**THE RIGHT OF THE NONCONFORMING USE SHALL BE LOST IF:**

1. The buildings are allowed to deteriorate to a condition that renders them uninhabitable;
2. The owner voluntarily demolishes a majority of a building;
3. The use of the property is discontinued for a continuous period of one year; or
4. The building with the nonconforming use remains vacant for a continuous period of one year.

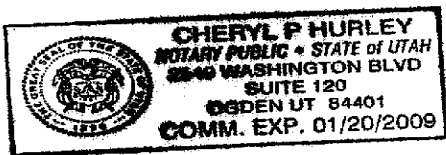
In the event that the structures are involuntarily damaged or destroyed by natural disaster or calamity, they may be rebuilt, provided the restoration is started within a period of one year from the damage and is diligently pursued to completion, and the non-complying conditions are not increased.

This nonconforming use or these non-complying structures shall not be added to, nor enlarged in any manner, except by permit of the Ogden City Planning Commission.

  
 \_\_\_\_\_  
 Greg Montgomery  
 Manager, Planning Division

State of Utah            )  
                                   :SS  
 County of Weber        )

On this, the 21 day of August, 2007, 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



  
 \_\_\_\_\_  
 Notary Public