

RETURNED

MAY 18 2021

ADDENDUM NO. ONE
TO

DEVELOPMENT AGREEMENT FOR 1.32 ACRES OF PROPERTY AT
566 AND 561 WEST MUTTON HOLLOW ROAD

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RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
05/18/2021 01:25 PM
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DEP RTT REC'D FOR KAYSVILLE CITY C

11-760-0001 thru 0008

This ADDENDUM NO. ONE to the DEVELOPMENT AGREEMENT FOR 1.32 ACRES OF PROPERTY AT 566 AND 561 WEST MUTTON HOLLOW ROAD ("Development Agreement") is entered into as of May 10, 2021 (hereinafter the "Amendment Effective Date"), by and between KAYSVILLE CITY CORPORATION, a Utah municipal corporation organized and existing under the laws of the State of Utah (hereinafter, the "City") and Justin Bennett, (hereinafter, the "Developer," "Developer" includes successors and/or assigns of Justin Bennett).

RECITALS

The City and Developer entered into that certain "Development Agreement" for Property at 566 and 561 West Mutton Hollow Road on or about July 16, 2014.

This Addendum No. One is intended to supplement and modify the provisions of the Development Agreement, as to the matters explicitly addressed herein. All terms, conditions and definitions set forth in the Development Agreement apply equally to the terms and conditions set forth in this Addendum No. One; except that, if a conflict arises regarding the additions provided herein, then the terms hereof shall prevail.

AGREEMENT

Whereas, in consideration of the foregoing premises, the City and Developer agree as follows:

The property identified in the "Development Agreement" as parcel B located at 561 West Mutton Hollow Road currently identified as the Heritage Square Subdivision which includes parcel ID #s 11-760-0001 through 11-760-0008 shall no longer be subject to Section 2 of the "Development Agreement".

In place of the original restriction on the number of allowed dwelling units found in section 2 of the development agreement, Owner and City hereby agree to limit the number of dwelling units on the subject property to six (6) total units.

Similar as it applies to the subject property identified in this ADDENDUM NO. ONE, the limitation identified in section 3 of the "Development Agreement" shall be modified to allow a total of six (6) dwelling units rather than four (4).

"Developer" agrees that the additional units and Heritage Square development shall be completed in a manner to substantially resemble the drawings and details included with this ADDENDUM NO. ONE identified as Exhibit A.

More Specifically, "Developer" agrees that:

1. There shall be provided a minimum of 2 parking spaces per each new unit which may be in the garage and driveway while maintaining at least 8 parking stalls available for guest parking.

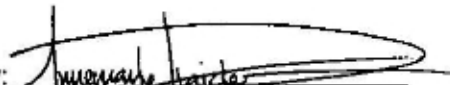
2. The square footage of the units identified as lot 1 and lot 6 shall be a minimum of 1,600 square feet on a 2 story structure or 1,200 square feet on single story structure.
3. The landscaping within the Heritage Square Subdivision installed and completed within 2 years of the date of this agreement.
4. The façade of lot 6 which faces Stonne Lane shall include windows as depicted in Exhibit A floor plans so that the façade is not simply a solid wall.
5. New homes on lot 1 and lot 6 shall include a variety of materials and colors similar to the depiction in Exhibit A.

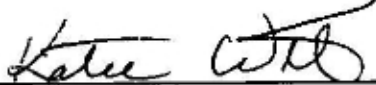
ONE

IN WITNESS WHEREOF, this Addendum No. ~~Six~~ is executed to be effective as the Amendment Effective Date.

Attest:

"City"
Kaysville City Corporation

By: 
Annemarie Plaizier, City Recorder

By: 
Katie Witt, Mayor

Date: 5/10/21

Date: 5/10/21



"Developer" 

By: _____
TITLE

Date: 5/7/2021

CITY ACKNOWLEDGEMENT

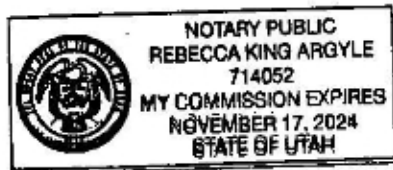
STATE OF UTAH)
 :SS
COUNTY OF DAVIS)

On the 10 day of MAY, 2021, personally appeared before me Katie Witt and Annemarie Plaizier, who being by me duly sworn did say, each for herself, that she, the said Katie Witt, is the Mayor of Kaysville City, Davis County, State of Utah, and that she, the said Annemarie Plaizier, is the City Recorder of Kaysville City, and that the within and foregoing instrument was signed on behalf of the said Kaysville City by authority of the city Council of Kaysville City and said Katie Witt, and Annemarie Plaizier, each duly acknowledged to me that the said Kaysville City executed the same and that the seal affixed is the seal of the said Kaysville City.


Notary Public
Residing at:

Kaysville City, Utah

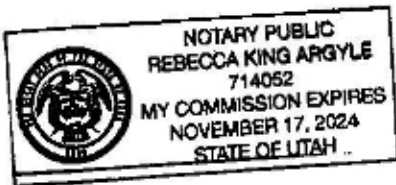
My Commission Expires:
November 17 2024



DEVELOPER ACKNOWLEDGEMENT

STATE OF UTAH)
 :SS
COUNTY OF DAVIS)

On the 7th day of May 2021, personally appeared before me,
Justin Bennett, the signer of the foregoing Development Agreement for
_____, who duly acknowledged to me that he executed the same for
and on behalf of _____.



Rebecca King Argyle
Notary Public
Residing at:
Kaysville, Ut

My Commission Expires:
November 17, 2024

When recorded please return to:

Kaysville City
23 E. Center St.
Kaysville, UT 84037

To Record Against the following:

Parcel ID: 11-760-0001

LEGAL: ALL OF LOT 1, HERITAGE SQUARE TOWNHOMES A PLANNED UNIT DEVELOPMENT (P.U.D.). CONT. 0.37000 ACRES.

Parcel ID: 11-760-0002

LEGAL: ALL OF LOT 2, HERITAGE SQUARE TOWNHOMES A PLANNED UNIT DEVELOPMENT (P.U.D.). CONT. 0.04000 ACRES.

Parcel ID: 11-760-0003

LEGAL: ALL OF LOT 3, HERITAGE SQUARE TOWNHOMES A PLANNED UNIT DEVELOPMENT (P.U.D.). CONT. 0.04000 ACRES.

Parcel ID: 11-760-0004

LEGAL: ALL OF LOT 4, HERITAGE SQUARE TOWNHOMES A PLANNED UNIT DEVELOPMENT (P.U.D.). CONT. 0.04000 ACRES.

Parcel ID: 11-760-0005

LEGAL: ALL OF LOT 5, HERITAGE SQUARE TOWNHOMES A PLANNED UNIT DEVELOPMENT (P.U.D.). CONT. 0.04000 ACRES.

Parcel ID: 11-760-0006

LEGAL: ALL OF PARCEL "A" OPEN SPACE, HERITAGE SQUARE TOWNHOMES A PLANNED UNIT DEVELOPMENT (P.U.D.). CONT. 0.04000 ACRES (NOTE: THE INFORMATION SHOWN ON THIS PARCEL NUMBER IS FOR REFERENCE PURPOSES ONLY AND THIS PARCEL IS NOT TO BE CONSTRUED AS A SEPARATELY TAXABLE PARCEL OF LAND.)

Parcel ID: 11-760-0007

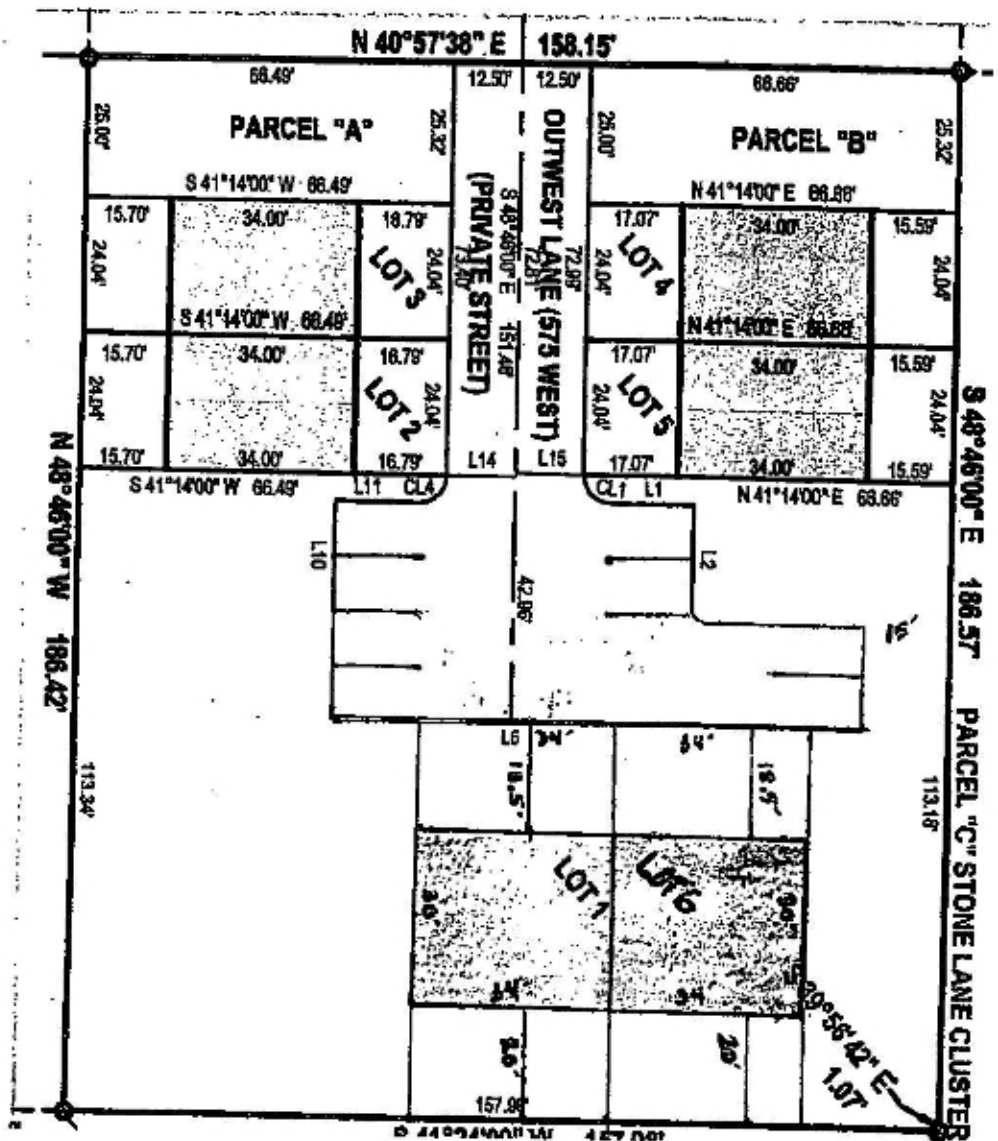
LEGAL: ALL OF PARCEL "B" OPEN SPACE, HERITAGE SQUARE TOWNHOMES A PLANNED UNIT DEVELOPMENT (P.U.D.). CONT. 0.04000 ACRES (NOTE: THE INFORMATION SHOWN ON THIS PARCEL NUMBER IS FOR REFERENCE PURPOSES ONLY AND THIS PARCEL IS NOT TO BE CONSTRUED AS A SEPARATELY TAXABLE PARCEL OF LAND.)

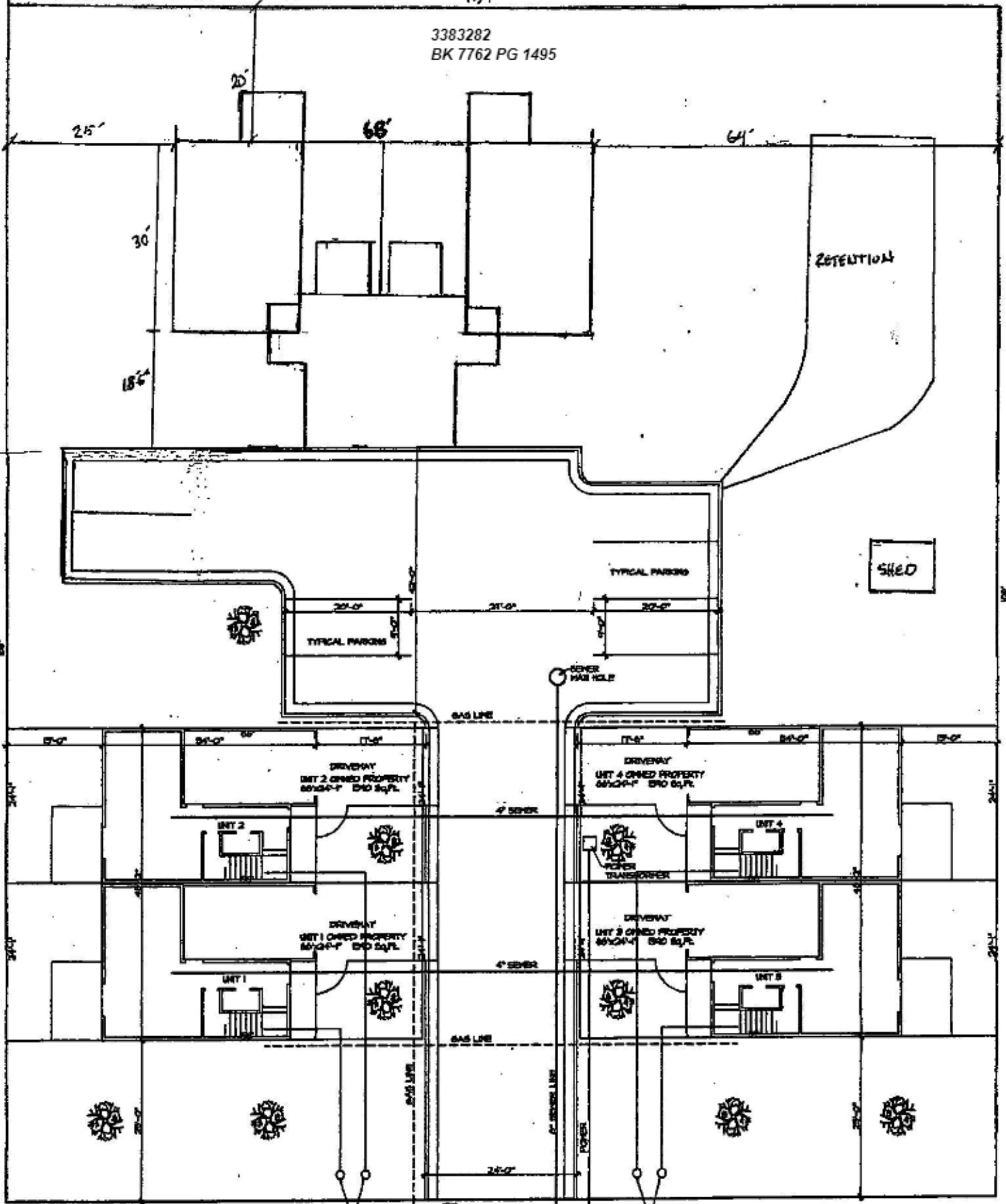
Parcel ID: 11-760-0008

LEGAL: ALL OF PRIVATE STREET, HERITAGE SQUARE TOWNHOMES A PLANNED UNIT DEVELOPMENT (P.U.D.). CONT. 0.08000 ACRES (NOTE: THE INFORMATION SHOWN ON THIS PARCEL NUMBER IS FOR REFERENCE PURPOSES ONLY AND THIS PARCEL IS NOT TO BE CONSTRUED AS A SEPARATELY TAXABLE PARCEL OF LAND.)

Preliminary Plat

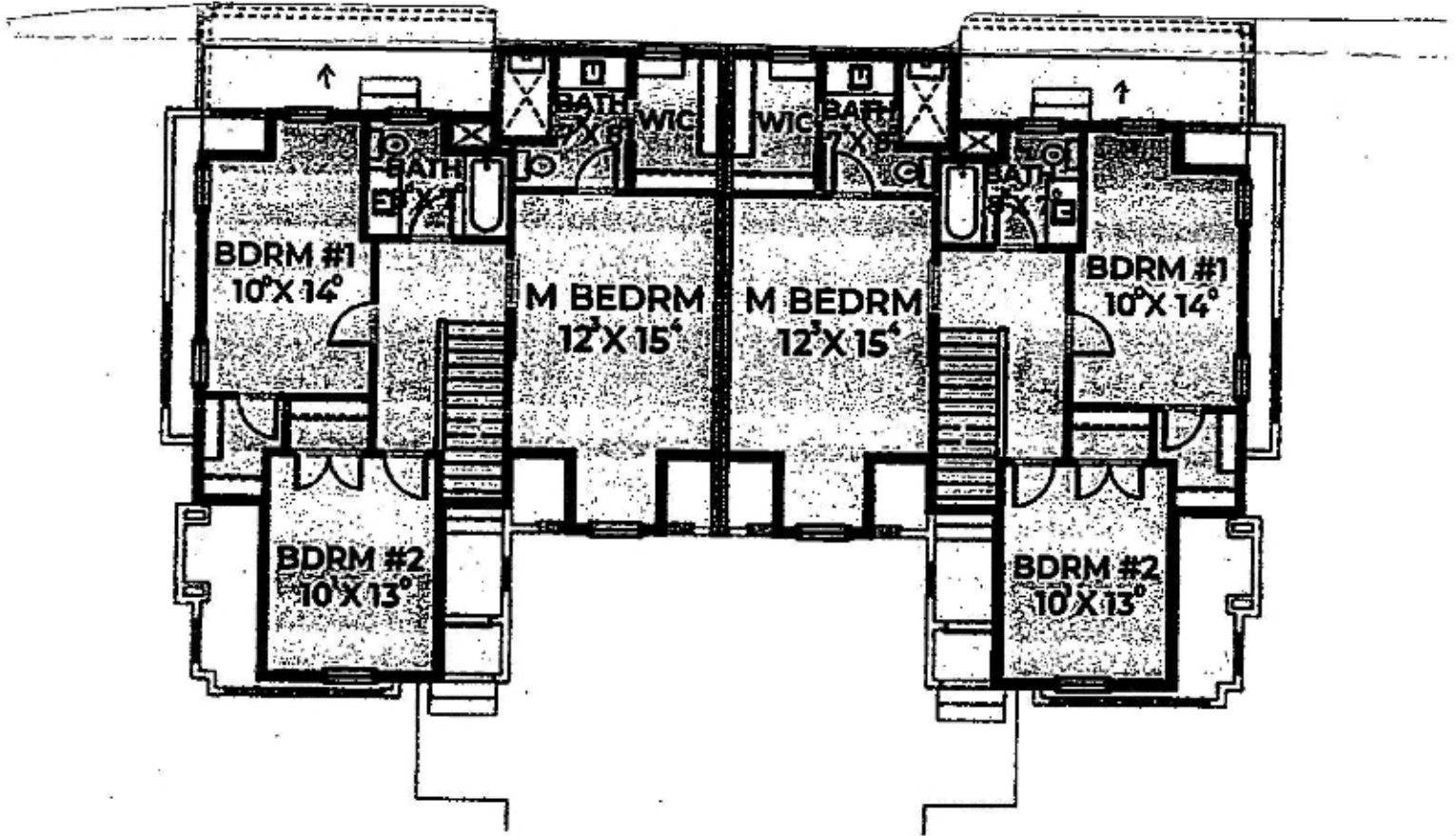
Land use Table		
Parcel A	Open Space	1649 SQFT
Parcel B	Open Space	1651 SQFT
Parcel C	Open Space	2919.24 SQFT
Parcel D	Open Space	6721.76 SQFT
Lot 1	Private Lot	2329 SQFT
Lot 2	Private Lot	1582 SQFT
Lot 3	Private Lot	1584 SQFT
Lot 4	Private Lot	1589 SQFT
Lot 5	Private Lot	1591 SQFT
Lot 6	Private Lot	2329 SQFT
Heritage Lane	Private Street	5350 SQFT
Total		29295 SQFT

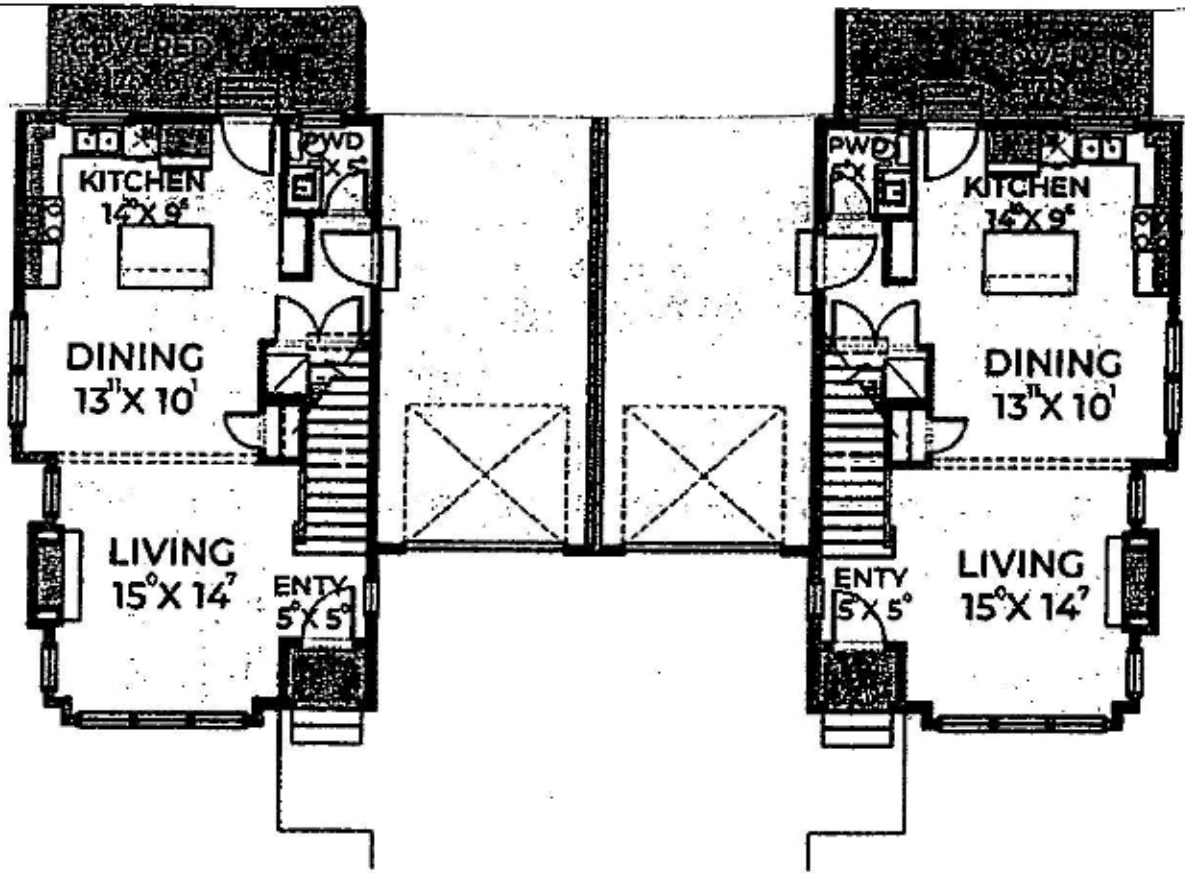




THE FINISHED GRADE SHALL
SLOPE AWAY FROM ALL
FOUNDATION WALLS A MINIMUM OF
2% OR 1" WITHIN THE FIRST 10'

Mutton Hollow Road





Plan Details

Square Footage Breakdown

Total Heated Area: 3,070 sq. ft.	1st Floor: 1,372 sq. ft.	2nd Floor: 1,698 sq. ft.	Porch, Combined: 210 sq. ft.
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Beds/Baths

Bedrooms: 6	Full bathrooms: 4	Half bathrooms: 2
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Foundation Type:

Standard
Foundations:
Crawl

Exterior Walls

Standard Type(s):
2x6

Dimensions

Width: 67' 0"	Depth: 50' 0"	Max ridge height: 28' 0"
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Garage

Type: Attached	Area: 523 sq. ft.	Count: 4 Cars	Entry Location: Rear, Front
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Ceiling Heights

Floor / Height:
First Floor / 9' 0"
Second Floor / 8' 0"

Roof

