

When Recorded Return To:

Read R. Hellewell  
Kirton McConkie  
50 East South Temple, Suite 400  
P.O. Box 45120  
Salt Lake City, UT 84145-0120

For Information Only: Affects Tax Parcel No. 00-0020-9341: Serial No. QWQ 1001-0-020-035

## NOTICE OF COMPLIANCE

### WASATCH COMMONS SUPPLEMENTAL DEVELOPMENT AGREEMENT

WASATCH COMMONS APARTMENTS, L.C., a Utah limited liability company ("Developer") and WASATCH COUNTY, a political subdivision of the State of Utah ("County"), executed that certain Wasatch Commons Supplemental Development Agreement, dated September [undated], 2010 and recorded on September 10, 2010, as Entry No. 362480, in Book 1021, beginning at Page 247, in the official records of the Wasatch County Recorder, State of Utah (the "Agreement"). Such Agreement pertained to the following described real property located in Wasatch County, State of Utah (the "Real Property"):

See Exhibit A attached hereto and made a part hereof by this reference.

As contemplated by Section 7.2(c) of the Agreement, the County hereby certifies, as follows (all Section references are to the Agreement, and all capitalized terms have the same meaning as in the Agreement):

1. The Agreement is unmodified and is in full force and effect as of the date            hereof;
2. Developer is in full compliance with the Agreement and there are no current uncured defaults by Developer or County under the            Agreement;
3. Developer has kept all disturbed areas within the Property weed free as provided in Section 4(c) and all areas within the Property that are improved in conjunction with the Apartment Project have been landscaped in accordance with the Landscape Plan as provided in Section 4(c);

4. Developer has caused Green Valley Road to be open to the public as provided in Section 4(d);

5. Outdoor lighting and fixture design of such lighting has been approved by the County and is installed dark sky compliant as provided in Section 4(e);

6. Improvements installed by the Developer to date has been authorized by the County Engineer as provided in Section 4(f); and

7. Developer has entered into the Bond Agreement required under Section 4(g), and County has not made and has no claims on such Bond Agreement.

*[Signatures on following page]*

SIGNATURE PAGE  
TO  
NOTICE OF COMPLIANCE

WASATCH COMMONS APARTMENTS – PHASE 1  
DEVELOPMENT AGREEMENT

IN WITNESS WHEREOF, this Notice has been given by the undersigned as of the date and year first above written.

**WASATCH COUNTY**

By: 

Michael K. Davis

Wasatch County

Manager

Attest: 

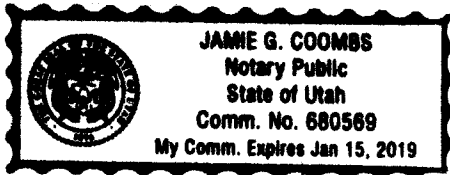


STATE OF UTAH )

: ss.:

COUNTY OF WASATCH )

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of March, 2015, by Michael K. Davis, who executed the foregoing instrument in his capacity as the Wasatch County Manager and by Michelle Creek ~~Brent Titcomb~~, who executed the foregoing instrument in his capacity as the Wasatch County Clerk Auditor.



*Jamie G. Coombs*

NOTARY PUBLIC

Residing at:

*Wasatch County, Utah*

My Commission Expires: 1/15/19

**EXHIBIT A  
TO  
NOTICE OF COMPLIANCE  
WASATCH COMMONS SUPPLEMENTAL DEVELOPMENT AGREEMENT**

(Legal Description of the Real Property)

The following two (2) parcels of real property located in Wasatch County, and more particularly described as follows:

**Parcel 1 (Overall Description):**

Beginning at a point which is South 00°06'58" East 147.69 feet (basis of bearing) from the West Quarter Corner of Section 20, Township 3 South, Range 5 East, Salt Lake Base and Meridian; thence running North 57°59'34" East 704.66 feet; thence North 48°11'11" East 1097.66 feet to the centerline of the Timpanogos Canal; thence along the center line of said canal the following eight (8) courses: (1) North 17°22'52" West 54.71 feet; (2) thence along a 57.21 foot radius curve to the left 62.66 feet, chord bearing North 48°45'29" West; (3) thence North 89°08'06" West 50.43 feet; (4) thence along a 77.16 foot radius curve to the right 80.09 feet, chord bearing North 50°23'57" West; (5) thence North 20°40'00" West 106.86 feet; (6) thence along a 73.22 foot radius curve to the left 26.35 feet, chord bearing North 30°57'51" West; (7) thence North 41°15'35" West 114.29 feet; (8) thence along a 3029.45 foot radius curve to the right 10.70 feet; chord bearing North 41°09'31" West; thence East 1519.44 feet; thence South 1745.17 feet to a point on the centerline of the Timpanogos Canal; thence along the centerline of said canal the following seven (7) courses; (1) North 27°31'00" West 14.12 feet; (2) thence along a 63.10 foot radius curve to the left 31.79 feet, chord bearing North 41°56'59" West (3)

thence North 56°22'57" West 51.03 feet; (4) thence along a 130.89 foot curve to the right 56.42 feet, chord bearing North 44°02'03" West; (5) thence North 31°41'08" West 60.09 feet; (6) thence along a 664.07 foot radius curve to the left 126.01 feet, chord bearing North 37°07'16" West; (7) thence North 42°33'26" West 9.57 feet; thence West 302.07 feet; thence South 557.00 feet; thence East 525.00 feet; thence South 1263.79 feet; thence West 1966.54 feet to the Easterly right of way line of U.S. Highway 40; thence along said right of way North 32°00'26" West 1906.36 feet; thence North 57°59'34" East 407.19 feet to the point of beginning.

Ent 410361 Bk 1125Pg 1786

LESS AND EXCEPTING FROM PARCEL 1, THE FOLLOWING (Wasatch Commons Subdivision Phase 1 Plat):

Beginning at a point being North 00°06'58" West 686.96 feet along the Section Line and East 928.93 feet from the Southwest Corner of Section 20, Township 3 South, Range 5 East, Salt Lake Base and Meridian; and running thence North 32°00'26" West 544.02 feet; thence Northwesterly 92.27 feet along the arc of a 2,517.50 foot radius curve to the right (center bears North 57°59'34" East and the chord bears North 30°57'26" West 92.26 feet with a central angle of 02°06'00"); thence North 29°54'26" West 24.60 feet; thence Northwesterly 59.80 feet along the arc of a 447.00 foot radius curve to the left (center bears South 60°05'34" West and the chord bears North 33°44'24" West 59.76 feet with a central angle of 07°39'55"); thence North 37°34'21" West 36.75 feet; thence Northwesterly 14.86 feet along the arc of a 153.00 foot radius curve to the right (center bears North 52°25'39" East and the chord bears North 34°47'23" West 14.86 feet with a central angle of 05°33'55"); thence North 32°00'26" West 44.05 feet; thence South 57°59'34" West 12.00 feet; thence North 32°00'26" West 10.00 feet; thence Northwesterly 34.27 feet along the arc of a 35.50 foot radius curve to the left (center bears South 57°59'34" West and the chord bears North 59°39'32" West 32.95 feet with a central angle of 55°18'12"); thence Northwesterly 31.12 feet along the arc of a 94.50 foot radius curve to the right (center bears North 02°41'22" East and the chord bears North 77°52'35" West 30.98 feet with a central angle of 18°52'06"); thence Southwesterly 33.19 feet along the arc of a 35.50 foot radius curve to the left (center bears South 21°33'28" West and the chord bears South 84°46'31" West 31.99 feet with a central angle of 53°33'54"); thence South 57°59'34" West 145.41 feet to the Easterly Right-of-Way Line of State Highway No. 40; thence North 32°00'26" West 100.00 feet along the Easterly Right-of-Way Line of said State Highway No. 40; thence North 57°59'34" East 26.05 feet; thence Northeasterly 26.20 feet along the arc of a 165.00 foot radius curve to the right (center bears South 32°00'26" East and the chord bears North 62°32'31" East 26.17 feet with a central angle of 09°05'55"); thence North 67°05'29" East 52.01 feet; thence Northeasterly 21.44 feet along the arc of a 135.00 foot radius curve to the left (center bears North 22°54'31" West and the chord bears North 62°32'32" East 21.42 feet with a central angle of 09°05'55"); thence North 57°59'34" East 24.11 feet; thence Northeasterly 31.61 feet along the arc of a 35.50 foot radius curve to the left (center bears North 32°00'26" West and the chord bears North 32°29'14" East 30.57 feet with a central angle of 51°00'41"); thence Northeasterly 26.91 feet along the arc of a 94.50 foot radius curve to the right (center bears South 83°01'07" East and the chord bears North 15°08'20" East 26.82 feet with a central angle of 16°18'53"); thence Northwesterly 34.27 feet along the arc of a 35.50 foot radius curve to the left (center bears North 66°42'14" West and the chord bears North 04°21'20" West 32.95 feet with a central angle of 55°18'12"); thence North 32°00'26" West 1.29 feet; thence North 50°09'54" East 77.72 feet; thence South 32°00'26" East 11.87 feet; thence Southeasterly 34.27 feet along the arc of a 35.50 foot radius curve to the left (center bears North 57°59'34" East and the chord bears South 59°39'32" East 32.95 feet with a central angle of

55°18'12"); thence Southeasterly 50.41 feet along the arc of a 94.50 foot radius curve to the right (center bears South 02°41'22" West and the chord bears South 72°01'42" East 49.82 feet with a central angle of 30°33'53"); thence Southeasterly 30.50 feet along the arc of a 35.50 foot radius curve to the left (center bears North 33°15'15" East and the chord bears South 81°21'31" East 29.57 feet with a central angle of 49°13'32"); thence Southeasterly 391.17 feet along the arc of a 488.50 foot radius curve to the right (center bears South 15°58'17" East and the chord bears South 83°01'53" East 380.80 feet with a central angle of 45°52'49"); thence South 60°05'28" East 103.22 feet; thence Southeasterly 13.57 feet along the arc of a 17.50 foot radius curve to the left (center bears North 74°19'27" East and the chord bears South 37°53'00" East 13.23 feet with a central angle of 44°24'55"); thence South 60°05'28" East 50.00 feet; thence South 29°54'32" West 67.00 feet; thence South 60°05'28" East 29.46 feet; thence Southeasterly 259.90 feet along the arc of a 483.50 foot radius curve to the left (center bears North 29°54'32" East and the chord bears South 75°29'25" East 256.78 feet with a central angle of 30°47'55") to the Westerly Line of the Wasatch Canal; thence Southeasterly 93.41 feet along a the arc of 201.49 foot radius curve to the left (center bears North 66°49'47" East and the chord bears South 36°27'04" East 92.57 feet with a central angle of 26°33'41") along said Westerly Line of the Wasatch Canal; thence South 49°44'54" East 30.70 feet along said Westerly Line of the Wasatch Canal; thence Southeasterly 27.92 feet along a the arc of 75.00 foot radius curve to the right (center bears South 40°15'06" West and the chord bears South 39°04'58" East 27.76 feet with a central angle of 21°19'52") along said Westerly Line of the Wasatch Canal; thence South 28°24'59" East 46.48 feet along said Westerly Line of the Wasatch Canal; thence Southeasterly 59.68 feet along a the arc of 100.00 foot radius curve to the left (center bears North 61°35'01" East and the chord bears South 45°30'48" East 58.80 feet with a central angle of 34°11'38") along said Westerly Line of the Wasatch Canal; thence South 62°36'33" East 31.01 feet along said Westerly Line of the Wasatch Canal; thence Southeasterly 24.90 feet along a the arc of 52.16 foot radius curve to the right (center bears South 27°23'27" West and the chord bears South 48°55'52" East 24.67 feet with a central angle of 27°21'23") along said Westerly Line of the Wasatch Canal; thence South 35°15'16" East 32.66 feet along said Westerly Line of the Wasatch Canal; thence Southeasterly 52.18 feet along a the arc of 139.48 foot radius curve to the left (center bears North 54°44'44" East and the chord bears South 45°58'21" East 51.88 feet with a central angle of 21°26'09") along said Westerly Line of the Wasatch Canal; thence South 56°41'26" East 141.96 feet along said Westerly Line of the Wasatch Canal; thence Southeasterly 59.38 feet along a the arc of 244.36 foot radius curve to the right (center bears South 33°18'34" West and the chord bears South 49°43'47" East 59.23 feet with a central angle of 13°55'19") along said Westerly Line of the Wasatch Canal; thence South 42°46'10" East 243.31 feet along said Westerly Line of the Wasatch Canal; thence Southeasterly 32.50 feet along a the arc of 180.84 foot radius curve to the left (center bears North 47°13'50" East and the chord bears South 47°55'04" East 32.46 feet with a central angle of 10°17'49") along said Westerly Line of the Wasatch Canal; thence West 981.15 feet to the point of beginning.

[Contains 696,863 Square Feet or 15.998 Acres]

**Parcel 2 (Green Valley Road):**

Beginning at a point being North 00°06'58" West 686.96 feet along the Section Line and East 928.93 feet from the Southwest Corner of Section 20, Township 3 South, Range 5

East, Salt Lake Base and Meridian; and running thence North 32°00'26" West 544.02 feet; thence Northwesterly 92.27 feet along a the arc of 2517.50 foot radius curve to the right (center bears North 57°59'34" East and the chord bears North 30°57'26" West 92.26 feet with a central angle of 02°06'00"); thence North 29°54'26" West 24.60 feet; thence Northwesterly 59.80 feet along a the arc of 447.00 foot radius curve to the left (center bears South 60°05'34" West and the chord bears North 33°44'24" West 59.76 feet with a central angle of 07°39'55"); thence North 37°34'21" West 36.75 feet; thence Northwesterly 14.86 feet along the arc of a 153.00 foot radius curve to the right (center bears North 52°25'39" East and the chord bears North 34°47'24" West 14.86 feet with a central angle of 05°33'55"); thence North 32°00'26" West 44.05 feet; thence North 57°59'34" East 59.00 feet; thence South 32°00'26" East 46.21 feet; thence South 33°00'52" East 66.80 feet; thence South 29°54'26" East 68.75 feet; thence Southeasterly 86.43 feet along the arc of a 2465.00 foot radius curve to the left (center bears North 60°05'34" East and the chord bears South 30°54'43" East 86.43 feet with a central angle of 02°00'32"); thence South 32°00'26" East 123.74 feet; thence South 32°00'26" East 457.01 feet; thence West 61.92 feet to the point of beginning. [Contains 44,328 Square Feet or 1.018 Acres]