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07/17/2018 10:03 AM \$0.00
Book - 10693 Pg - 9580-9586
ADAM GARDINER
RECORDER, SALT LAKE COUNTY, UTAH
DRAPER CITY
1020 E PIONEER ROAD
DRAPER UT 84020
BY: NDA, DEPUTY - WI 7 P.

When Recorded, Return to:
Bowler Properties, LC
Randy Bowler
P.O. Box 2111
West Jordan, Utah 84084

Affecting Tax Parcels No.: 27251000540000

FIRST AMENDMENT TO

JENSON FARMS
SUBDIVISION DEVELOPMENT AGREEMENT
(11875 South 700 West)

For ten dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, THIS FIRST AMENDMENT to SUBDIVISION DEVELOPMENT AGREEMENT FOR JENSON FARMS ("First Amendment") is made and entered into as of the ____ day of July, 2018, by and between Draper City, a municipal corporation of the State of Utah, ("City"), and Bowler Properties, L.C., a Utah limited liability company ("Developer"), sometimes referred to jointly herein as "Parties."

RECITALS:

- A. On or about October 3, 2017, City and Developer executed that certain Jenson Farms Subdivision Development Agreement (the "Development Agreement"), in connection with the development of real property within the City located at 11875 South and 700 West more particularly described in **Exhibit "A"** (legal description of the property) attached hereto and incorporated herein by this reference ("Property").
- B. The Development Agreement was recorded in the Salt Lake County Recorder's Office on October 10, 2017, as Entry 12633923, Book 10607, Page 5342.
- C. The Parties desire to amend the Development Agreement as set forth herein.

AGREEMENT:

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

1. **Amendment to Paragraph 2(c)**. Paragraph 2(c) of the Development Agreement is hereby amended to read as follows:
 - c. **Road Stubbing**. Developer agrees, as part of the Project, to construct two public roads, as shown on the concept plan, attached hereto as **Exhibit "B"**, to the northern edge in the development to better provide connectivity to the adjacent parcel to the north. The development may be phased as indicated on the attached concept plan, however a connection shall be made to the street shown as Junegrass Drive on the Willow Creek subdivision as part of Phase 1B of the

Project, as shown on the attached Exhibit "B". The remainder of the construction of the public roads will be constructed as part of Phase 1A of the Project, as shown on the attached Exhibit "B". Developer shall commence construction of the Junegrass Drive connection within thirty (30) days after obtaining all of the following: (i) city engineering approvals; (ii) a State of Utah stream alteration permit; (iii) Salt Lake County discharge and flood control permits; and (iv) approval from the Army Corps of Engineers. The Parties acknowledge and agree that until construction begins on Phase 1B, Developer may only apply for fifty percent (50%) of the otherwise available building permits in Phase 1A, Phase 2 and Phase 6. This restriction shall cease to apply upon the commencement of construction in Phase 1B.

2. Updated Exhibit "B".

The attached Exhibit "B" supersedes and replaces Exhibit "B" which is attached to the Development Agreement.

3. Incorporation of Terms.

The terms and conditions of the original Development Agreement are hereby incorporated in their entireties for all purposes and shall govern the development of the Property except insofar as same conflict with the express provisions of this First Amendment. To the extent any terms and conditions of this First Amendment conflict with the terms and conditions of the original Development Agreement the terms of this First Amendment shall govern.

[signatures on following page(s)]

A handwritten signature in black ink, appearing to be 'RHB', is located in the bottom right corner of the page.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment by and through their respective, duly authorized representatives as of the day and year first hereinabove written.

Developer:

BOWLER PROPERTIES L.C.,
a Utah limited liability company

By: [Signature]
Name: Randy H. Bowler
Its: Manager

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

On this 11th day of July, 2018, personally appeared before me Randy Bowler, known or satisfactorily proved to me to be the person who signed the foregoing instrument, and acknowledged to me that he/she is the manager of Bowler Development L.C., a Utah limited liability company, and acknowledged to me that said limited liability company executed the same.

[Signature]
Notary Public



City:
DRAPER CITY
By: [Signature]
Troy K. Walker, Mayor

Attest and Countersign:

[Signature]
City Recorder

Dated: 7.11.18



Approved as to Form:
[Signature]
City Attorney

EXHIBT A

JENSON FARMS - COMMITMENT DESCRIPTION

COMMENCING AT THE NORTHWEST CORNER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 89°53'20" EAST ALONG THE NORTH LINE OF SAID SECTION FOR 344.35 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°53'20" EAST ALONG THE NORTH LINE OF SAID SECTION FOR 1438.67 FEET TO THE WEST RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE SOUTH 05°19'33" WEST ALONG SAID RIGHT-OF-WAY FOR 1339.98 FEET TO THE SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE SOUTH 89°52'47" WEST ALONG SAID SOUTH LINE FOR 1405.90 FEET; THENCE NORTH 00°05'01" WEST FOR 190.88 FEET; THENCE SOUTH 89°29'59" WEST FOR 217.80 FEET; THENCE NORTH 00°05'01" WEST FOR 444.76 FEET; THENCE NORTH 89°54'59" EAST FOR 146.85 FEET; THENCE SOUTH 00°05'01" EAST FOR 149.00 FEET; THENCE NORTH 89°54'59" EAST FOR 292.35 FEET; THENCE NORTH 00°05'01" WEST FOR 249.00 FEET; THENCE SOUTH 89°54'59" WEST FOR 439.20 FEET; THENCE NORTH 00°05'01" WEST FOR 450.02 FEET; THENCE NORTH 89°53'20" EAST FOR 311.35 FEET; THENCE NORTH 00°05'01" WEST FOR 150.00 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THAT PORTION OF THE ABOVE DESCRIBED PROPERTY:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 00°05'01" EAST ALONG THE WEST LINE OF SAID SECTION FOR 318.58 FEET; THENCE NORTH 89°54'59" EAST FOR 485.67 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°54'59" EAST FOR 153.20 FEET; THENCE SOUTH 00°05'01" EAST FOR 297.71 FEET; THENCE SOUTH 88°38'12" WEST FOR 99.90 FEET; THENCE NORTH 14°41'44" WEST FOR 50.14 FEET; THENCE SOUTH 89°54'59" WEST FOR 40.67 FEET; THENCE NORTH 00°05'01" WEST FOR 251.42 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING THEREFROM THAT PORTION OF LAND CONVEYED TO UTAH DEPARTMENT OF TRANSPORTATION BY THAT CERTAIN WARRANTY DEED RECORDED OCTOBER 17, 2002 AS ENTRY NO. 8388130 IN BOOK 8666 AT PAGE 8676 OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND IN FEE FOR THE PURPOSE OF RAILROAD RECONSTRUCTION AND THE EXPANSION OF THE RAILROAD RIGHT OF WAY FOR THE UNION PACIFIC RAILROAD, IN CONJUNCTION WITH THE WIDENING OF 12300 SOUTH STREET, KNOWN AS PROJECT NO. 0071, BEING PART OF AN ENTIRE TRACT OF PROPERTY SITUATE IN THE NORTH HALF OF NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN. THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WESTERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD, WHICH POINT IS THE SOUTHEAST CORNER OF SAID ENTIRE TRACT, WHICH POINT IS

ALSO 1781.48 FEET, MORE OR LESS, EAST AND 1350.95 FEET, MORE OR LESS SOUTH 5°18'20" WEST (RECORD: SOUTH 9°11'23" WEST) FROM THE NORTHWEST CORNER OF SAID SECTION 25; AND RUNNING THENCE WEST 42.81 FEET ALONG THE SOUTHERLY BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE NORTH 13°49'40" EAST 287.55 FEET TO THE WESTERLY RIGHT OF WAY LINE OF SAID RAILROAD; THENCE SOUTH 5°18'20" WEST (RECORD: SOUTH 9°11'23" WEST) 280.42 FEET ALONG SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING THEREFROM THAT PORTION OF LAND CONVEYED TO UTAH DEPARTMENT OF TRANSPORTATION BY THAT CERTAIN WARRANTY DEED RECORDED APRIL 21, 2003 AS ENTRY NO. 8619542 IN BOOK 8781 AT PAGE 3788 OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND IN FEE FOR THE PURPOSE OF RAILROAD RECONSTRUCTION AND THE EXPANSION OF THE RAILROAD RIGHT OF WAY FOR THE UNION PACIFIC RAILROAD, IN CONJUNCTION WITH THE WIDENING OF 12300 SOUTH STREET, KNOWN AS PROJECT NO. 0071, BEING PART OF AN ENTIRE TRACT OF PROPERTY SITUATE IN THE NORTH HALF OF NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN. THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WESTERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD, WHICH POINT IS THE SOUTHEAST CORNER OF SAID ENTIRE TRACT, WHICH POINT IS ALSO 1781.48 FEET, MORE OR LESS, EAST AND 1350.95 FEET, MORE OR LESS SOUTH 5°18'20" WEST (RECORD: SOUTH 9°11'23" WEST) AND 42.81 FEET WEST FROM THE NORTHWEST CORNER OF SAID SECTION 25; AND RUNNING THENCE WEST 7.03 FEET ALONG THE SOUTHERLY BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE NORTH 5°19'10" EAST 43.31 FEET; THENCE NORTH 13°51'49" EAST 333.35 FEET TO THE WESTERLY RIGHT OF WAY LINE OF SAID RAILROAD; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) THENCE SOUTH 5°18'20" WEST (RECORD: SOUTH 9°11'23" WEST) 87.92 FEET; (2) THENCE SOUTH 13°49'40" WEST 287.55 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING THAT PORTION OF LAND CONVEYED TO THERON E. JENSON AND JODI JENSON BY THAT CERTAIN QUITCLAIM DEED RECORDED DECEMBER 30, 2003 AS ENTRY NO. 8934898 IN BOOK 8928 AT PAGE 5421 OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 00°05'01" EAST ALONG THE WEST LINE OF SAID SECTION FOR 600.00 FEET; THENCE NORTH 89°54'59" EAST FOR 472.20 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°54'59" EAST FOR 41.30 FEET; THENCE SOUTH 14°41'44" EAST FOR 61.54 FEET; THENCE SOUTH 02°33'09" EAST FOR 40.48 FEET; THENCE SOUTH 89°54'59" WEST FOR 58.57 FEET; THENCE NORTH 00°05'01" WEST FOR 100.00 FEET TO THE POINT OF BEGINNING.

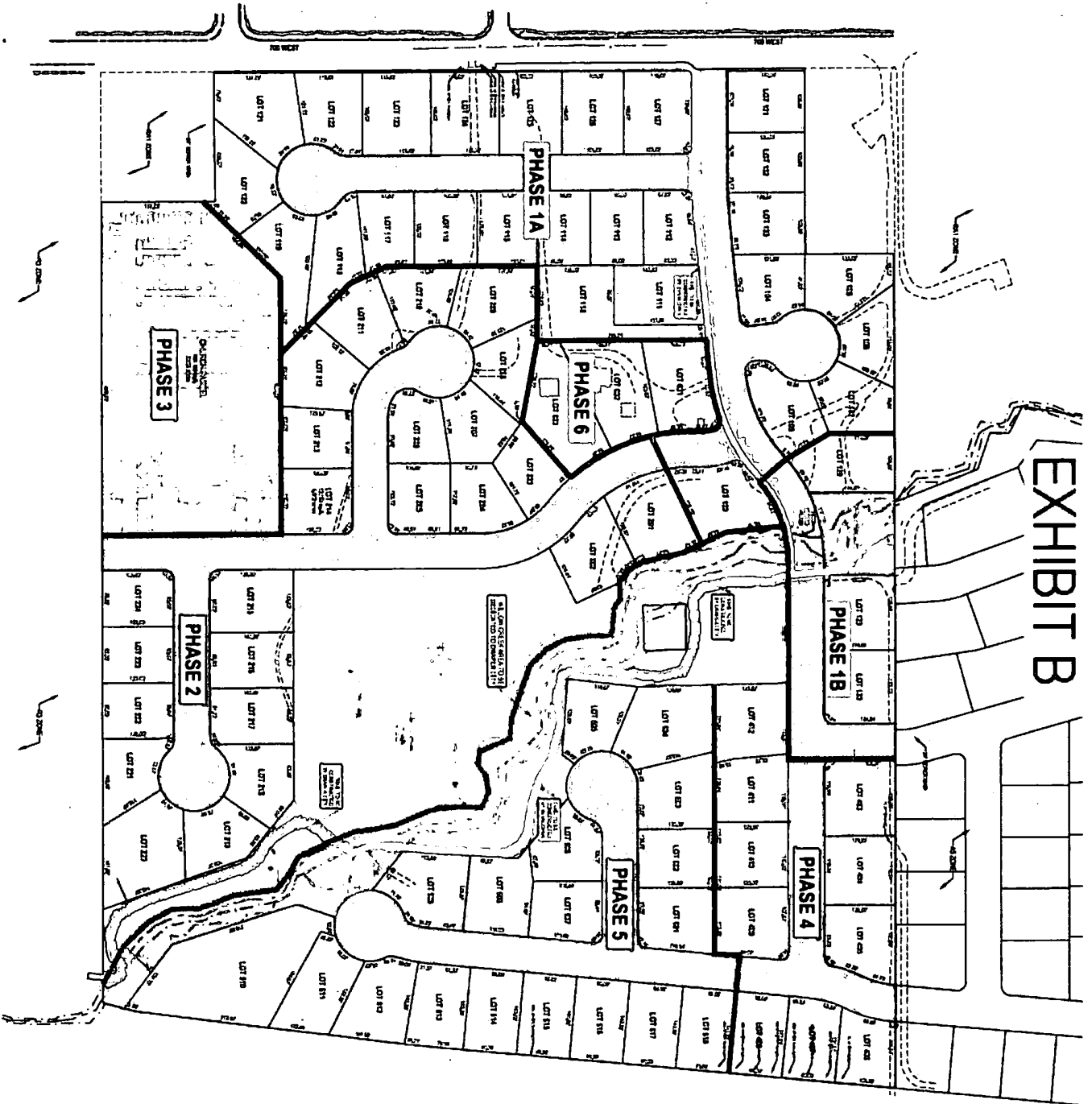
ALSO LESS AND EXCEPTING THAT PORTION OF LAND CONVEYED TO TIMOTHY A. JENSON AND KATHY W. JENSON BY THAT CERTAIN QUITCLAIM DEED RECORDED DECEMBER 30, 2003 AS ENTRY NO. 8934899 IN BOOK 8928 AT PAGE 5423 OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 00°05'01" EAST ALONG THE WEST LINE OF SAID SECTION FOR 700.00 FEET; THENCE NORTH 89°54'59" EAST FOR 472.20 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°54'59" EAST FOR 58.57 FEET; THENCE SOUTH 02°33'09" EAST FOR 149.14 FEET; THENCE SOUTH 89°54'59" WEST FOR 64.99 FEET; THENCE NORTH 00°05'01" WEST FOR 149.00 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING THEREFROM THAT PORTION OF GRANTOR'S LAND IN FEE FOR THE "FRONTRUNNER SOUTH COMMUTER RAIL", A UTAH TRANSIT AUTHORITY PROJECT, BEING PART OF THE GRANTOR'S PROPERTY DEFINED IN THAT CERTAIN QUIT CLAIM DEED RECORDED MAY 3, 2005, AS ENTRY NUMBER 9365721, LYING AND SITUATE IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF THE UNION PACIFIC RAILROAD, AND THE NORTHEAST CORNER OF THE GRANTOR'S PROPERTY, SAID POINT BEING NORTH 89 54'25" EAST 1783.05 FEET ALONG THE SECTION LINE FROM THE NORTHWEST CORNER OF SAID SECTION 25; THENCE SOUTH 05°19'52" WEST 165.74 FEET ALONG SAID RAILROAD RIGHT OF WAY; THENCE SOUTH 05°19'35" WEST 813.99 FEET ALONG SAID RAILROAD RIGHT OF WAY; THENCE SOUTH 13°46'46" WEST 309.59 FEET ALONG THE GRANTOR'S SOUTHEAST LINE; THENCE NORTH 07°10'24" EAST 479.52 FEET; THENCE NORTH 05°19'52" EAST 803.84 FEET TO A POINT ON THE GRANTOR'S NORTH PROPERTY LINE; THENCE NORTH 89°54'25" EAST 30.13 FEET ALONG SAID NORTH LINE TO SAID NORTHEAST CORNER OF THE GRANTOR'S PROPERTY AND THE POINT OF BEGINNING.

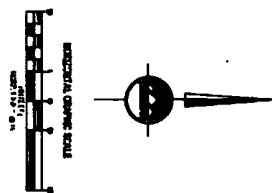
EXHIBIT B



LOT BREAKDOWN	
LOT TYPE	NO. OF LOTS
9' x 12'	48
9' x 11'	4
24' x 12'	1
TOTAL LOTS	53
TOTAL AREA	4,511
TOTAL LOT AREA	4,511
TOTAL OPEN SPACE	1,875
TOTAL LOT AREA	1,111

LOT BREAKDOWN - ANDRY	
LOT TYPE	NO. OF LOTS
9' x 12'	41
9' x 11'	4
24' x 12'	1
TOTAL LOTS	46
TOTAL AREA	4,511
TOTAL LOT AREA	1,111

SHALL BE CONSTRUCTED PER PERMITS
 SHALL BE CONSTRUCTED BY OWNER



ENSIGN
 THE PROFESSIONAL DESIGNERS
 4417 LAKE CITY
 DR., SUITE 200
 SALT LAKE CITY, UT 84119
 PHONE: (801) 487-1212
 FAX: (801) 487-1211

JENSON FARMS PROPERTY

DRAPER, UTAH

CONCEPT PLAN
 OPTION B

1 OF 1