

E 3511314 B 8154 P 749-763
RICHARD T. NAUGHAN
DAVIS COUNTY, UTAH RECORDER
12/15/2022 03:59 PM
FEE \$0.00 Pgs: 15
DEP RT REC'D FOR FARMINGTON CITY

**SECOND AMENDMENT TO
SUPPLEMENTAL DEVELOPMENT AGREEMENT
FOR THE PARK LANE COMMONS PROJECT**

08-622-0503
08-622-0504

This second amendment to Supplemental Development Agreement for the Park Lane Commons Project (this "Amendment") is made this 15th day of February, 2022, by and between PARK LANE COMMONS LLC a Utah limited liability company ("Developer"), and FARMINGTON CITY, a Utah municipal corporation (the "City"). Developer and City shall be referred to herein collectively as the "Parties" and individually as a "Party."

RETURNED

DEC 15 2022

RECITALS:

- A. The Parties entered into that certain Supplemental Development Agreement for the Park Lane Commons Project, dated June 23, 2014 (the "Development Agreement"), and first amendment thereto on January 2, 2016, in connection with the development and use of the Property described on Exhibit A attached hereto and incorporated herein.
- B. Developer applied (#PMP-4-21) to amend the Development Agreement and Park Lane Commons Project Master Plat (PMP) to change the use on Lots 503 and 504 of the Park Lane Commons – Phase 5 subdivision from commercial to residential. The City approved the Developers application on January 18, 2022, subject to a number of conditions, including but not limited to, its approval of an amendment to the Development Agreement.
- C. The Parties desire to amend the Development Agreement pursuant to the terms and conditions set forth below.

AGREEMENT

Now therefore, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:


- 1) Incorporation of Recitals. The foregoing recitals are hereby incorporated into this Amendment and made a part hereof.
- 2) Effective Date of Amendment. This Amendment shall be effective as of the date that the City approves the building permits for the apartments on lots 503 and 504 of the Park Lane Commons – Phase 5 subdivision. In the event the City does not approve the building permits on or before December, 31 2022, the Parties agree that this Amendment shall terminate and be of no further force or effect, and the Development Agreement shall continue unaffected by this Amendment.
- 3) Exhibit A-1. As of the Effective Date, "Exhibit A-1" of the Development Agreement is hereby deleted in its entirety and replaced with Exhibit A-3 attached hereto and incorporated herein, by reference.

- 4) Exhibit B. As of the Effective Date, that first part of "Exhibit B" of the Development Agreement, which does not include Attachments 1, 2, and 3, is hereby deleted in its entirety and replaced with Exhibit B-2 attached hereto and incorporated herein, by reference.
- 5) Attachment 1. As of the Effective Date, Section 1.1.1.3 Area B (TMU) of the Development Agreement shall be amended to add residential to specific lots 503 and 504 of the Park Lane Commons – Phase 5 subdivision of Area B as an allowed use.
- 6) Attachment 2. As of the Effective Date, attachments 2-1 and 2-2 and 2-3 and 2-5c that are part of Attachment 2 of the Development Agreement are deleted in their entirety and replaced with exhibits 2A-1, 2A-2, 2A-3 AND 2A-5c.
- 7) Attachment 3. As of the Effective Date, attachments C1 and C2 that are part of Attachment 3 of the Development Agreement are deleted in their entirety and replaced with exhibits C1A and C2A.
- 8) Exhibit C. As of the Effective Date, exhibit ART 2.0 that is part of "Exhibit C" of the Development Agreement are deleted in its entirety and replaced with exhibit ART 2.0A.
- 9) Ratification of Development Agreement. Except as expressly modified by this Amendment, the Parties hereby ratify the Development Agreement and agree that the Development Agreement shall remain in full force and effect.
- 10) Amendment to Development Agreement. To the extent that the terms and conditions of this Amendment modify or conflict with any provisions of the Development Agreement, including prior addenda, schedules and exhibits, the terms of this Amendment shall control. All other terms of the Development Agreement, including all prior addenda, schedules and exhibits, not modified by this Amendment shall remain the same.
- 11) Defined Terms. Capitalized terms used in this Amendment which are not otherwise defined herein shall have the same meanings given to such terms in the Development Agreement.
- 12) Counterparts. This amendment may be executed in counterparts and signed separately by the parties hereto, which when taken together shall constitute one original document. Signatures may be delivered electronically via email or by overnight delivery, and in either case shall bind the parties to this Amendment.

In Witness Whereof, the Parties have executed this Amendment as of the date first written above.

CITY:

FARMINGTON CITY,
A Utah municipal corporation

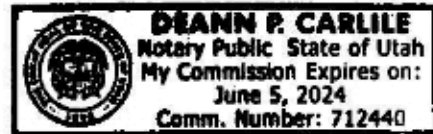
By: 
Name: Brett Anderson
Its: Mayor



STATE OF UTAH)
 :SS.
COUNTY OF DAVIS)

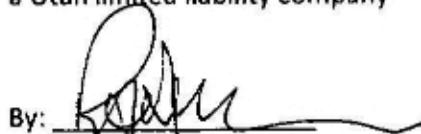
On this 19th day of February, 2022, personally appeared before me
Brett Anderson, as Mayor of the FARMINGTON CITY, a Utah municipal corporation, and
acknowledged to me that said corporate executed the same.


NOTARY PUBLIC



DEVELOPER:

Park Lane Commons, LLC
a Utah limited liability company

By: 
Name: Richard Haws
Its: Manager

STATE OF UTAH)
 :SS.
COUNTY OF DAVIS)

On this 23rd day of February, 2023 personally appeared before me
Richard Haws as Manager of PARK LANE COMMONS LLC a Utah limited liability company,
and acknowledged to me that said limited liability company executed the same.


NOTARY PUBLIC



Exhibit A

Subject Property

Serial Number: 08-622-0503

Property Address: 533 N Broadway – Farmington, UT 84025

Legal Description: ALL OF LOT 503, PARK LANE COMMONS - PHASE 5. CONT. 0.49000 ACRES.

Serial Number: 08-622-0504

Property Address: 1076 W Grand Ave or 1076 W 475 North or 507 N Broadway or 507 N 1075 W – Farmington, UT 84025

Legal Description: ALL OF LOT 504, PARK LANE COMMONS - PHASE 5. CONT. 0.49000 ACRES.

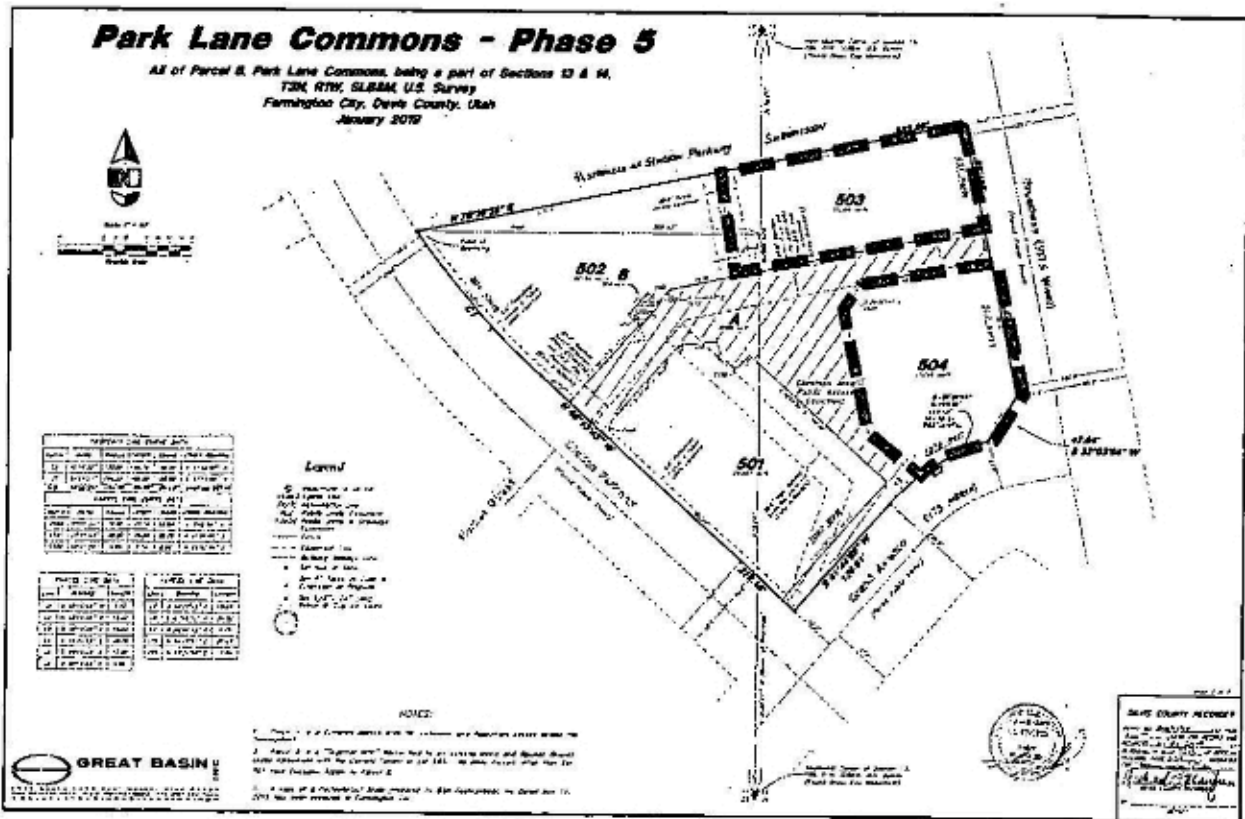
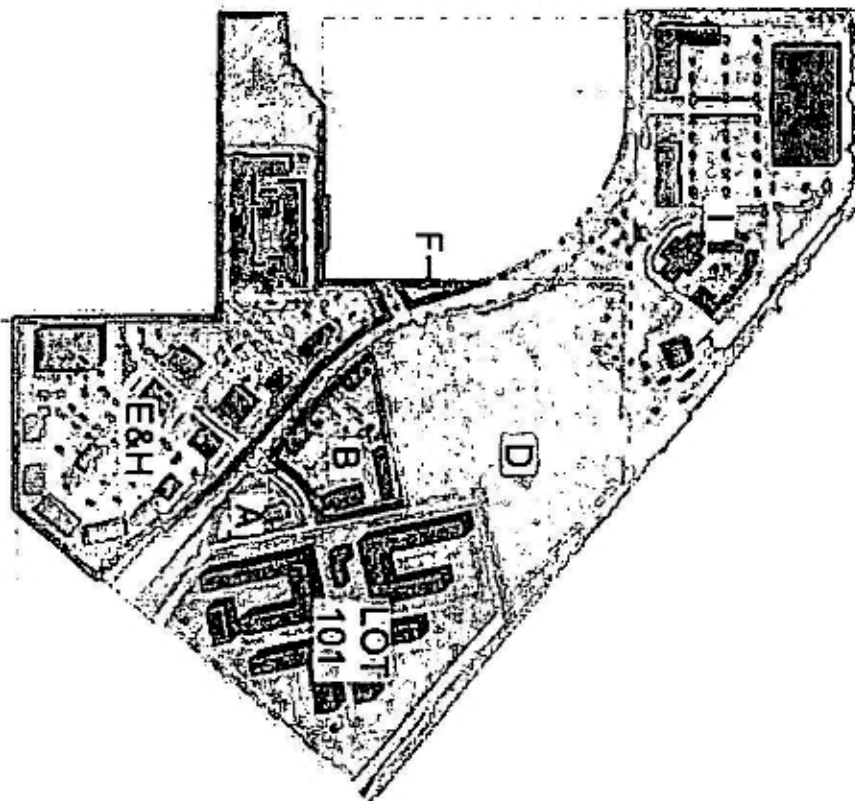


EXHIBIT A-3

3511314
BK 8154 PG 753

EXHIBIT A-3



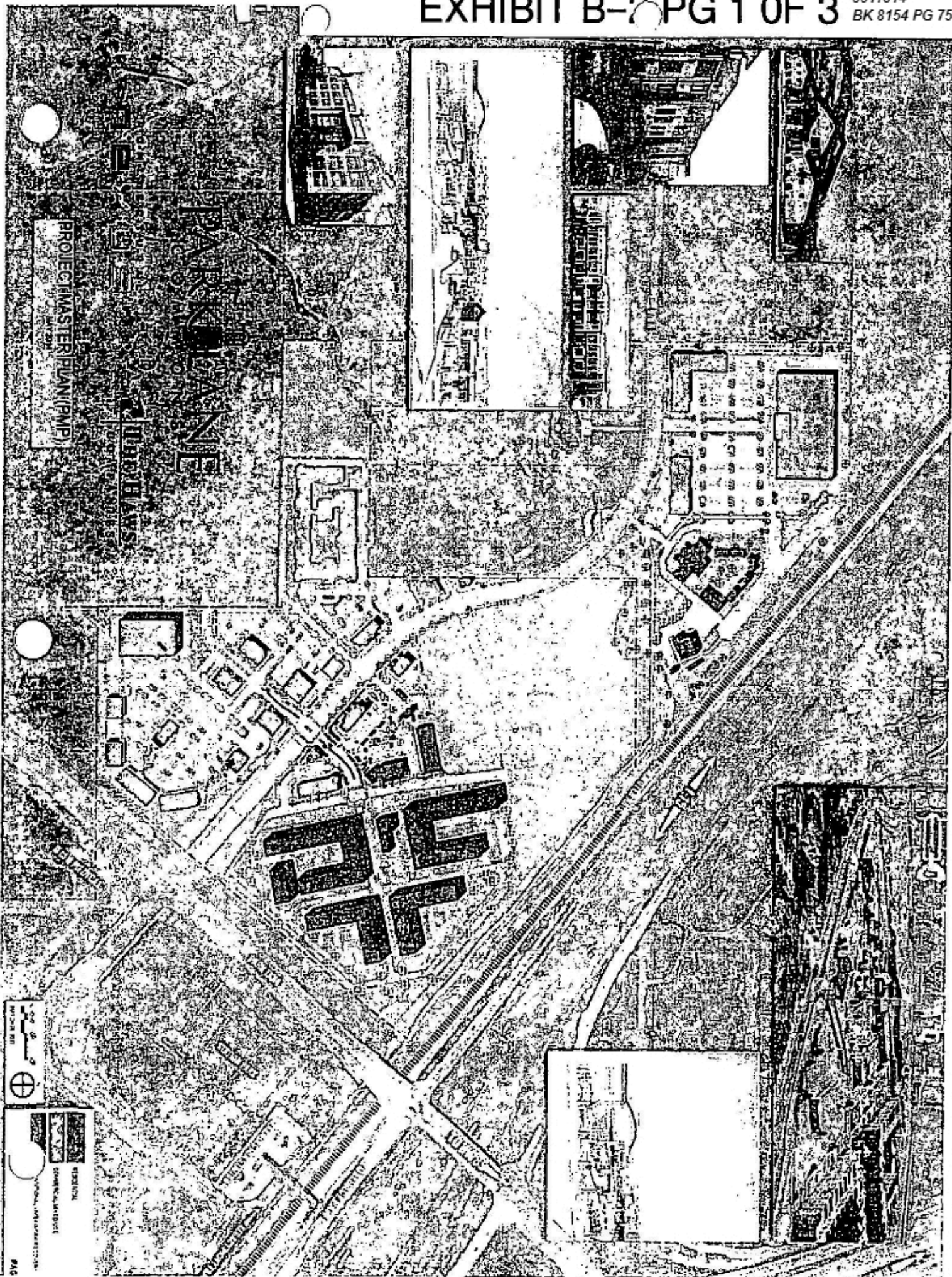
Park Lane Commons
Farmington, Utah
MAY 2013
PARK LANE
COMMONS

PROJECT SUMMARY

| AREA | USE |
|---------|-------|
| LOT 101 | TRAIL |
| D | TRAIL |
| B | TRAIL |
| A | TRAIL |
| F | TRAIL |
| E&H | TRAIL |
| 1 | TRAIL |
| 2 | TRAIL |
| 3 | TRAIL |
| 4 | TRAIL |
| 5 | TRAIL |
| 6 | TRAIL |
| 7 | TRAIL |
| 8 | TRAIL |
| 9 | TRAIL |
| 10 | TRAIL |
| 11 | TRAIL |
| 12 | TRAIL |
| 13 | TRAIL |
| 14 | TRAIL |
| 15 | TRAIL |
| 16 | TRAIL |
| 17 | TRAIL |
| 18 | TRAIL |
| 19 | TRAIL |
| 20 | TRAIL |
| 21 | TRAIL |
| 22 | TRAIL |
| 23 | TRAIL |
| 24 | TRAIL |
| 25 | TRAIL |
| 26 | TRAIL |
| 27 | TRAIL |
| 28 | TRAIL |
| 29 | TRAIL |
| 30 | TRAIL |
| 31 | TRAIL |
| 32 | TRAIL |
| 33 | TRAIL |
| 34 | TRAIL |
| 35 | TRAIL |
| 36 | TRAIL |
| 37 | TRAIL |
| 38 | TRAIL |
| 39 | TRAIL |
| 40 | TRAIL |
| 41 | TRAIL |
| 42 | TRAIL |
| 43 | TRAIL |
| 44 | TRAIL |
| 45 | TRAIL |
| 46 | TRAIL |
| 47 | TRAIL |
| 48 | TRAIL |
| 49 | TRAIL |
| 50 | TRAIL |
| 51 | TRAIL |
| 52 | TRAIL |
| 53 | TRAIL |
| 54 | TRAIL |
| 55 | TRAIL |
| 56 | TRAIL |
| 57 | TRAIL |
| 58 | TRAIL |
| 59 | TRAIL |
| 60 | TRAIL |
| 61 | TRAIL |
| 62 | TRAIL |
| 63 | TRAIL |
| 64 | TRAIL |
| 65 | TRAIL |
| 66 | TRAIL |
| 67 | TRAIL |
| 68 | TRAIL |
| 69 | TRAIL |
| 70 | TRAIL |
| 71 | TRAIL |
| 72 | TRAIL |
| 73 | TRAIL |
| 74 | TRAIL |
| 75 | TRAIL |
| 76 | TRAIL |
| 77 | TRAIL |
| 78 | TRAIL |
| 79 | TRAIL |
| 80 | TRAIL |
| 81 | TRAIL |
| 82 | TRAIL |
| 83 | TRAIL |
| 84 | TRAIL |
| 85 | TRAIL |
| 86 | TRAIL |
| 87 | TRAIL |
| 88 | TRAIL |
| 89 | TRAIL |
| 90 | TRAIL |
| 91 | TRAIL |
| 92 | TRAIL |
| 93 | TRAIL |
| 94 | TRAIL |
| 95 | TRAIL |
| 96 | TRAIL |
| 97 | TRAIL |
| 98 | TRAIL |
| 99 | TRAIL |
| 100 | TRAIL |

* OFFICE SPACE RELATED TO OFFICE AND TRAIL IMPROVEMENTS SET DEVELOPMENT AGREEMENT

THE HAWKS
CONSTRUCTION COMPANY
NEXUS





PROJECT MASTER PLAN (PMP)

ARLANE

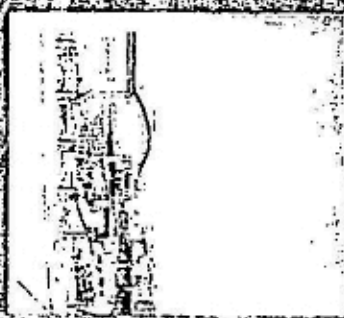
WILSON

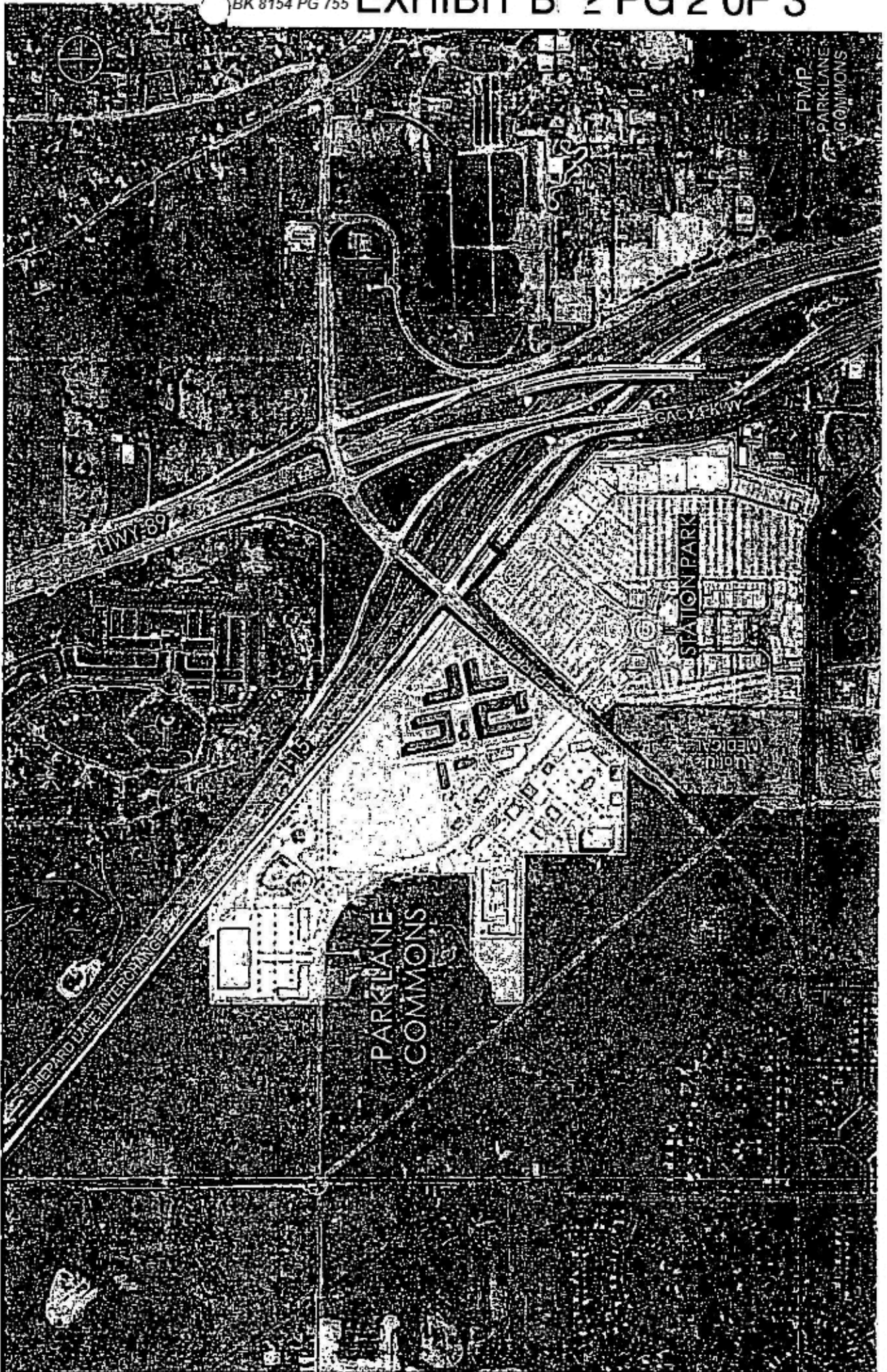
WILSON





 PROJECT MASTER PLAN (PMP)





Park Lane Commons
Farmington, Utah

MAY 2014

PARKLANE
COMMONS

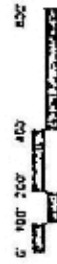
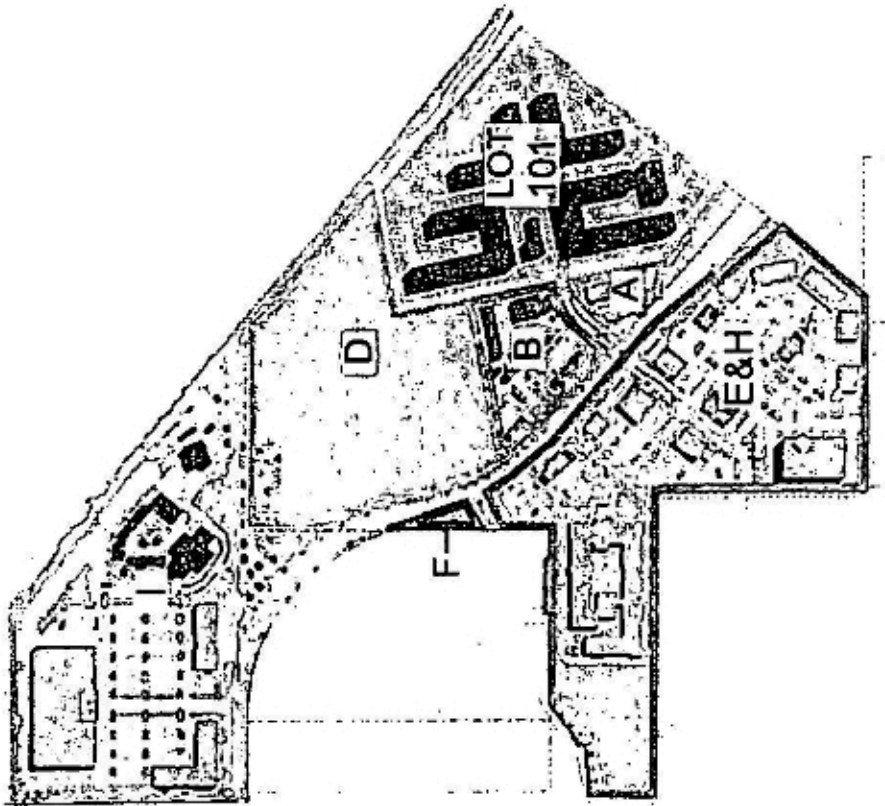
PROJECT SUMMARY

| AREA | USE |
|---------|------------|
| LOT 101 | 1900 |
| D | 1900 |
| B | 1900 |
| A | 1900 |
| F | 1900 |
| E&H | 1900 |
| T | 1900 |
| | OPEN SPACE |

* OPEN SPACE RELATED TO CREEK
AND TRAIL IMPROVEMENTS. SEE
DEVELOPMENT AGREEMENT AT

COMPLIANCE WITH THE HAWKS
UNIFORMITY CODE

REVISIONS



PLAN SECURITY SUBMITTAL

Park Lane Commons
 Farmington, Utah
 02/27/2014

PARK LANE
 COMMONS

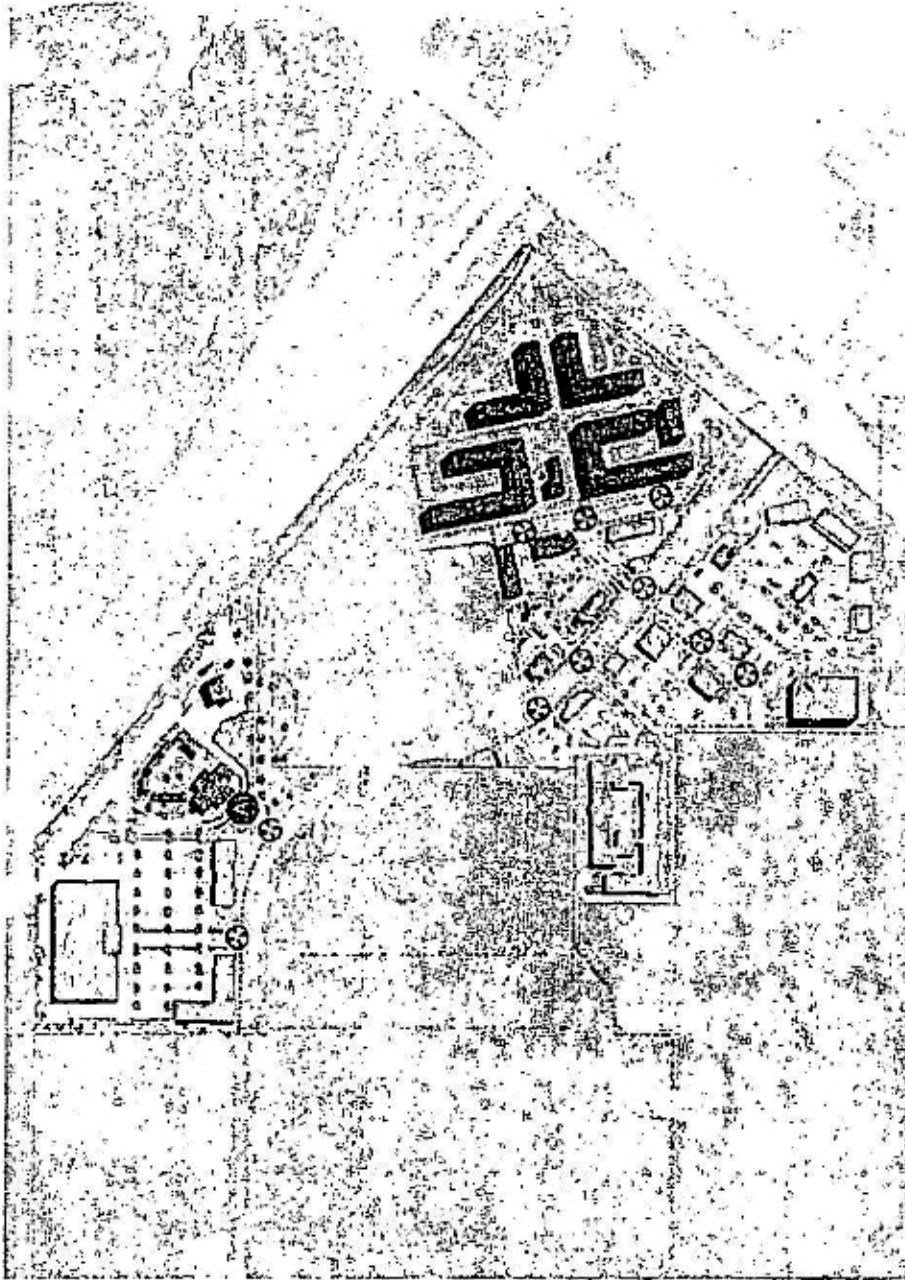
EXHIBIT 2-A

3511314
 BK 8154 PG 757

CONTRACTOR: **THE HAWKS**
 CONSULTANTS: **COMPUTER**
 ARCHITECTS: **NEXUS**

LEGEND

- PROPOSED ACCESS: (Symbol: circle with crosshair)
- STREET FRONTAGE IMPROVEMENTS ALONG STATION PARKWAY (Symbol: dashed line)
- STREET FRONTAGE IMPROVEMENTS ALONG GRAND AVENUE (Symbol: dashed line)
- STREET FRONTAGE IMPROVEMENTS ALONG BROADWAY (Symbol: dashed line)
- STREET IMPROVEMENTS ALONG STATION PARKWAY BY OTHERS (Symbol: dotted line)
- CRECK AND TRAIL IMPROVEMENTS PER DEVELOPMENT AGREEMENT (Symbol: dashed line)
- POINT A (Symbol: circle with crosshair)



ATTACHMENT X 2A-1

Park Lane Commons
 Farmington, Utah
 JUNE 2013

PARK LANE COMMONS

LEGEND

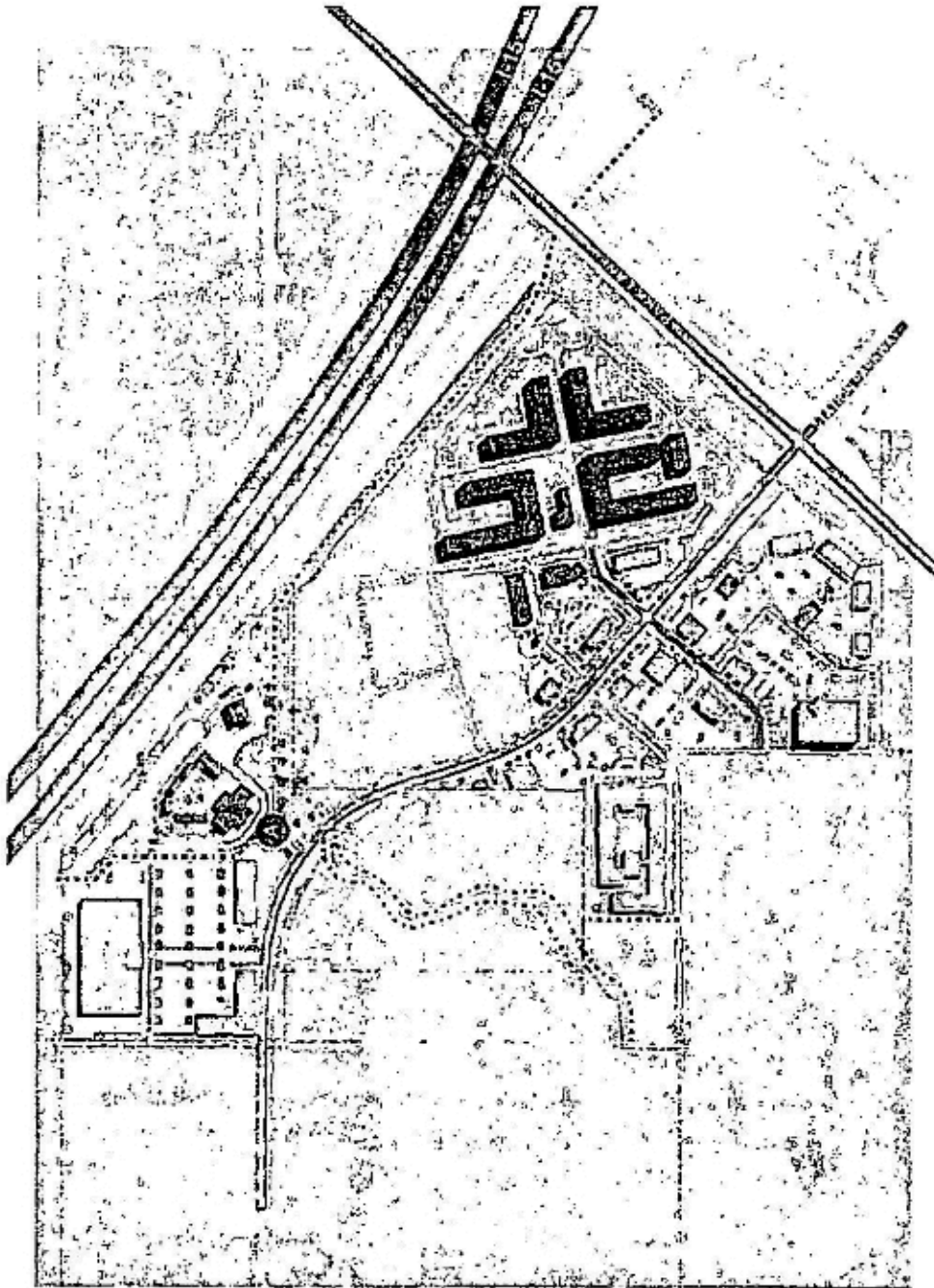
| | |
|--|-----------------------------|
| | FREEWAY |
| | ARTERIAL |
| | COLLECTOR |
| | NEIGHBORHOOD INTERNAL LOCAL |
| | FUTURE CONNECTION |
| | PEDESTRIAN PATH SYSTEM |
| | POINT A |

IT SHOULD BE NOTED THAT SOME STREETS WILL BE INITIALLY DEVELOPED AS "NO BUILD ZONES" UNTIL ADJACENT DEVELOPMENT CAUSED THE NEED FOR A DRIVE-UP-WAY.

3511314
 BK 8154 PG 758

COMPLBY THE HAYS COMPANIES

COMMUNITY CONNECTIONS



> ATTACHMENT X 2A-2

Park Lane Commons
 Farmington, Utah
 MAY 2014

PARK LANE
 COMMONS

LEGEND

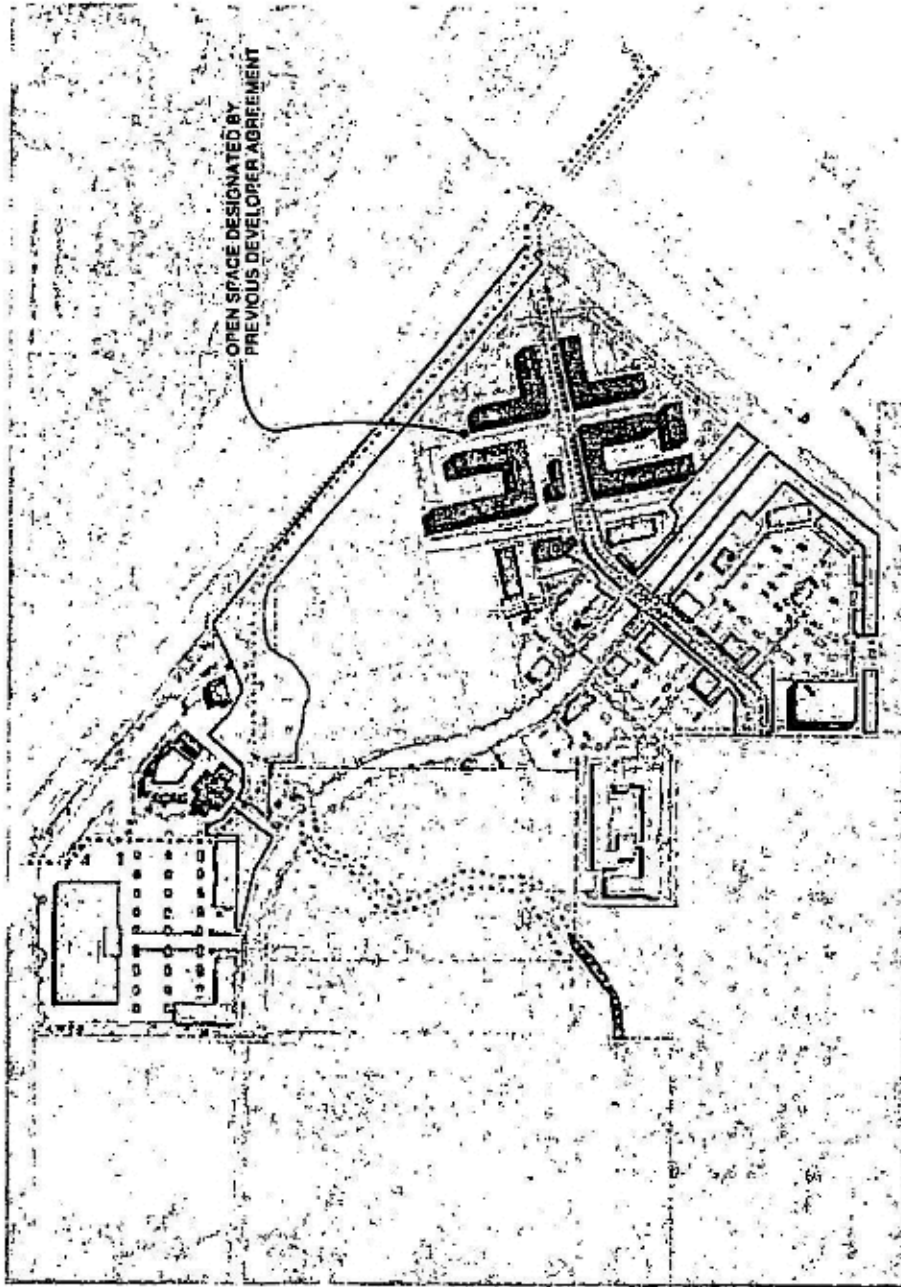
-  PEDESTRIAN CONNECTIONS
-  BICYCLE CONNECTIONS
-  BUS ROUTE
-  PEDESTRIAN TRAIL, STATED
-  OPEN SPACE

ADDITIONAL OPEN SPACE WILL BE COMPRISED OF LANDSCAPING, ARCHES, PERIMETER OF BUILDING FOOTPRINTS,

3511314
 BK 8154 PG 759

THE HAWKS
 COMMERCIAL CONTRACTORS

NEXUS
 COMMERCIAL CONTRACTORS



> ATTACHMENT X 2A-3



Part: Lann Commons
Farmington, Utah

PLANS 2014

PARKLANE
COMMONS

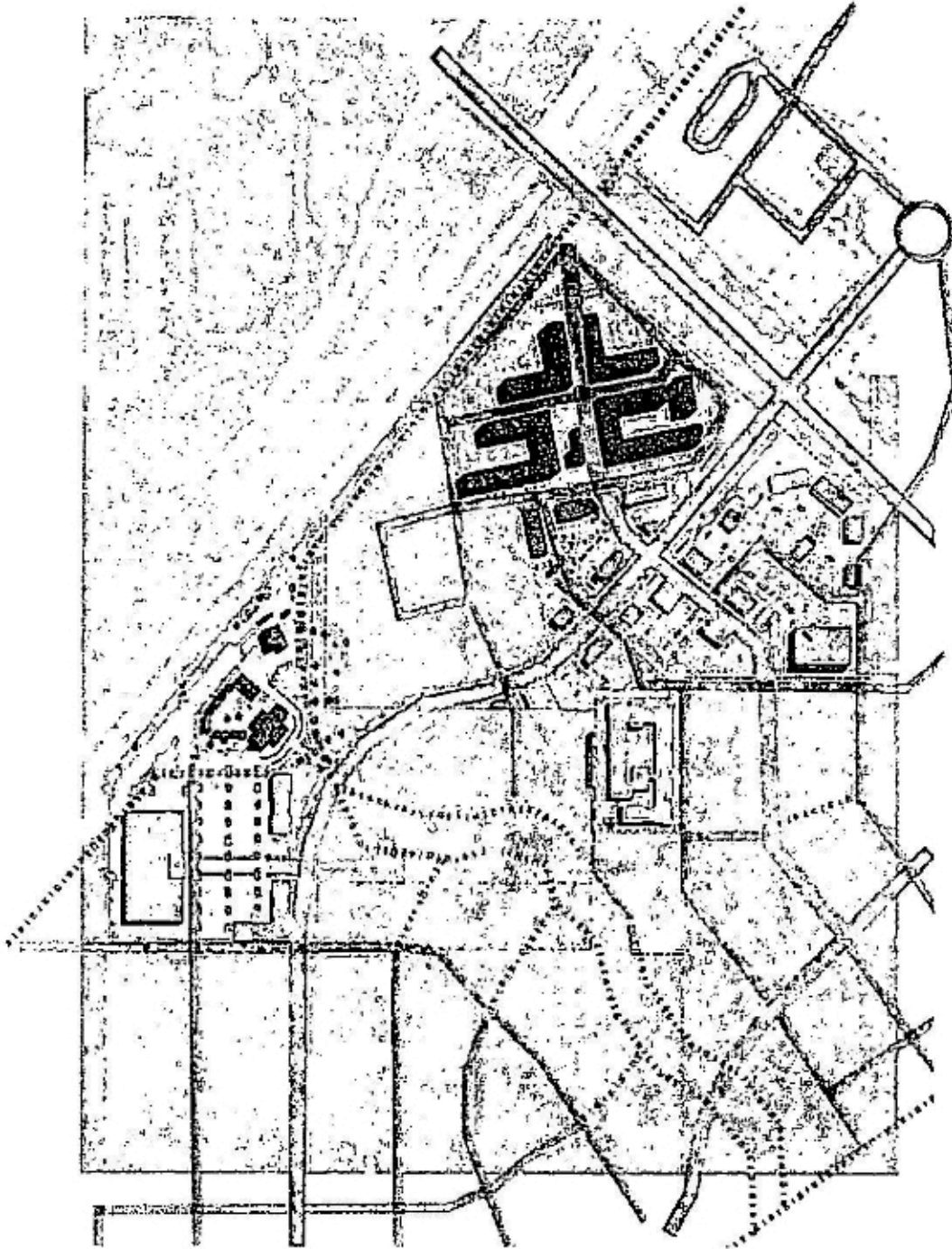


The amended and approved regulatory plan intent has been matched as shown by the overlay. Flexibility in the final location of the road network will accommodate open space and wetlands area will be defined by the site plans that develop with future tenants.

3511314
BK 8154 PG 760

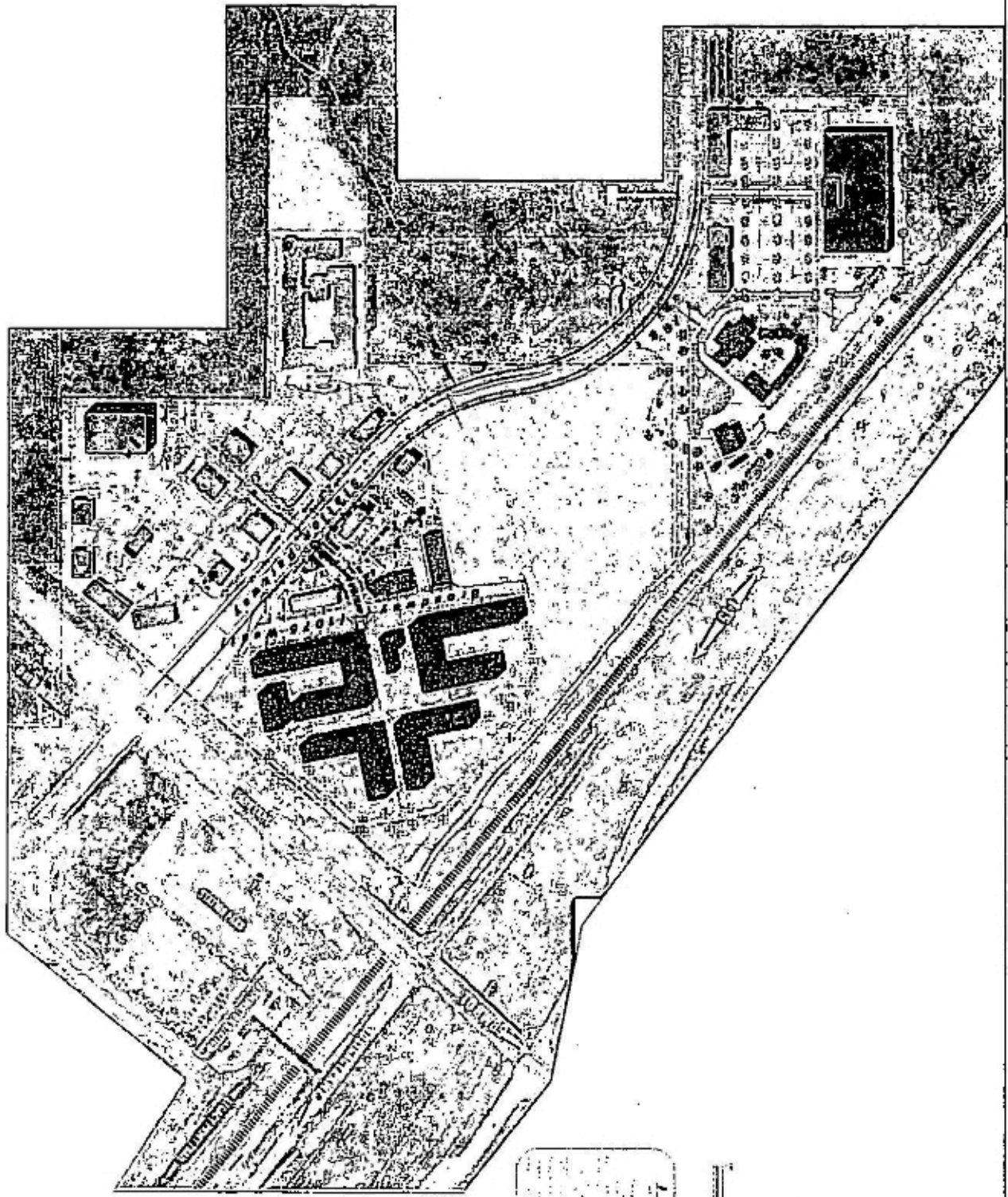
THE HAWKS
CONSULTING
COMPANIES

THE UNIVERSITY OF UTAH
NEXUS



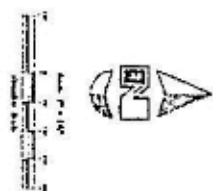
ATTACHMENT 2A-5C





Legend

| | |
|----------|-----------------------|
| [Symbol] | Water Main |
| [Symbol] | Sewer Main |
| [Symbol] | Gas Main |
| [Symbol] | Water Service |
| [Symbol] | Sewer Service |
| [Symbol] | Gas Service |
| [Symbol] | Water Valve |
| [Symbol] | Sewer Valve |
| [Symbol] | Gas Valve |
| [Symbol] | Water Meter |
| [Symbol] | Sewer Meter |
| [Symbol] | Gas Meter |
| [Symbol] | Water Hydrant |
| [Symbol] | Water Tower |
| [Symbol] | Water Treatment Plant |
| [Symbol] | Sewer Treatment Plant |
| [Symbol] | Gas Treatment Plant |

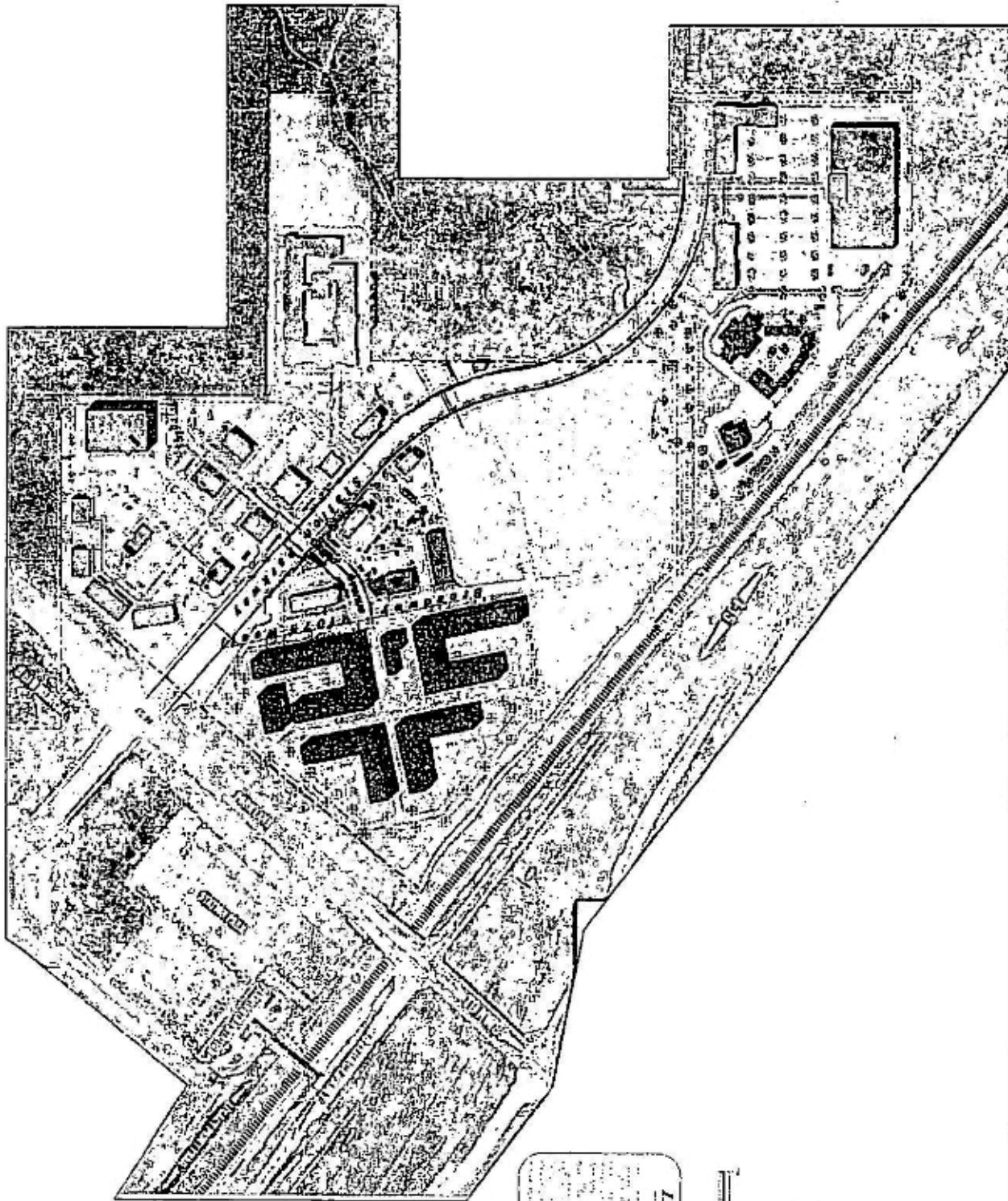


C1-A

3
1/2
1/2
C1

Water Utilities
Park Lane Commons
Utility Master Plan

G B ENGINEERING
5746 South Park East Denver, Utah 80231
Phone: 415-241-1111 Fax: 415-241-1111



Legend

- Water Main
- Sanitary Sewer
- Storm Sewer
- Gas
- Electric
- Telephone
- Optical Fiber
- Other



C2-A

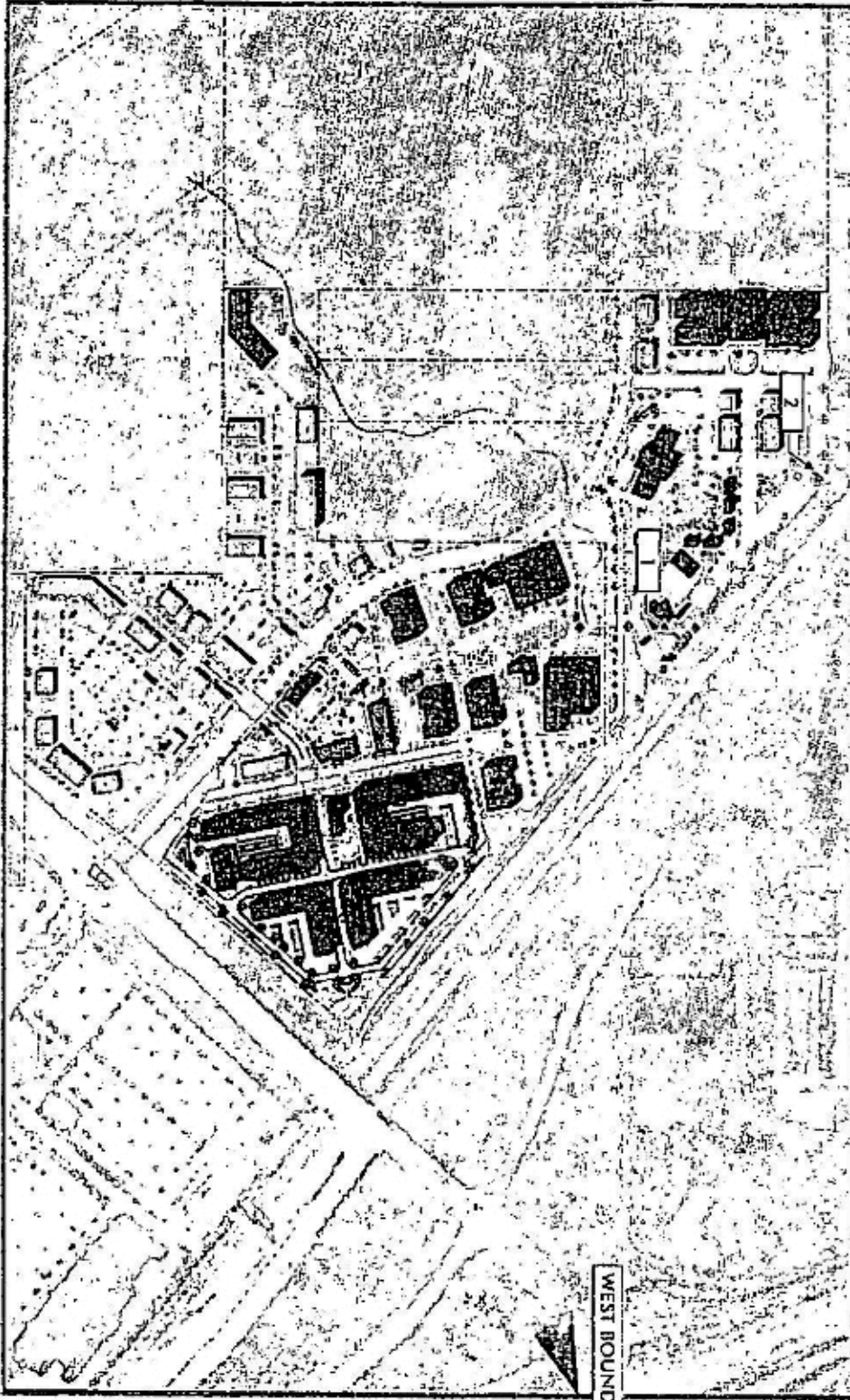
C2
3 APR 2014

Dry Utilities
Park Lane Commons
Utility Master Plan
Water 2014
Attachment 3A - C2-A

ENGINEERING

3700 SOUTH 147TH EAST, SUITE 1000, LITTLE ROCK, AR 72205
PH: 501-261-1111 FAX: 501-261-1112
WWW.ENGINEERING.COM

EXHIBIT C-A



WEST BOUND VIEW

ART 2.0A

H VESCO
DESIGN

1505 South Dunwoody Ave.
Suite 100, Atlanta, GA 30328
404.271.2881
www.hvesco.com

Revisions

| No. | Description | Date |
|-----|----------------|-----------|
| 1 | Initial Design | 6/12/2013 |
| 2 | Final Design | 6/12/2013 |

Approval

Project Info.
 TRANSMITTOR OF

Date: 6-12-2013

PARK LANE COMMON
 42107 R7

ART 2.0