

ENTRY NO. 01229428

12/23/2024 04:03:39 PM B: 2844 P: 0875

Agreement PAGE 1/7

RHONDA FRANCIS, SUMMIT COUNTY RECORDER

FEE 40.00 BY COALVILLE CITY



WHEN RECORDED RETURN TO:

Coalville City
Attn: Sheldon Smith
P.O. Box 188
Coalville, UT 84017

**THIRD AMENDMENT
TO WOHALI MASTER PLANNED DEVELOPMENT:
DEVELOPMENT AGREEMENT**

This THIRD AMENDMENT TO WOHALI MASTER PLANNED DEVELOPMENT: DEVELOPMENT AGREEMENT (the “Amendment”) is made and entered into as of 12/23, 2024 (the “Amendment Date”) by and between COALVILLE CITY CORPORATION, a municipal corporation of the State of Utah (“City”), and WOHALI LAND ESTATES LLC, a Utah limited liability company (“WLE”).

RECITALS

A. Wohali Partners, LLC, a Utah limited liability company (“Wohali Partners”), an affiliate of WLE, and City entered into that certain Wohali Master Planned Development: Development Agreement, dated May 25, 2021 (the “DA”) and recorded on July 14, 2021 as Entry No. 01168499 with the Summit County Recorder’s Office (the “Official Records”). The DA governs the development of approximately 1,664 acres of real property located in Coalville City, Summit County, Utah, as more particularly described in Exhibit A attached hereto (the “Property”), which Property is being developed as a master planned development, as more particularly set forth in the DA, and is to be known or referred to as “Wohali” (the “Project”).

B. By (i) that certain Special Warranty Deed with Covenants, dated July 9, 2021, recorded on July 12, 2021 as Entry No. 01168146, and (ii) that certain Special Warranty Deed with Covenants, dated April 12, 2022, recorded on April 15, 2022 as Entry No. 01187314, Wohali Partners transferred the Property to WLE, who, as a result of these transfers and pursuant to Sections 15.6 and 14 of the DA, was fully substituted as a “Subdeveloper” and “Master Developer Transferee” under the DA (as those terms are defined in the DA).

C. In accordance with Section 10.4.2 of the DA, WLE, as the successor to Wohali Partners and the Master Developer Transferee, has requested this “Minor” amendment, which may be approved by the appropriate official within the City.

D. By this Amendment, WLE and City desire to amend the DA pursuant to the terms and provisions set forth herein.

AGREEMENT

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

1. Incorporation/Interpretation. All of the terms and exhibits of the DA, including the first and second amendment to the DA are incorporated into this Amendment, except as revised below. In the event of a conflict between the DA and this Amendment, this Amendment shall control. Capitalized terms in this Amendment shall have the same meaning given in the DA, except if there is a conflict, then this Amendment's definition shall control. The parties acknowledge the truth and accuracy of the above recitals and incorporate the same herein by this reference.

2. Exhibit E – Roadway Plan. Exhibit E of the DA is hereby amended and with the following:

a. The "private" roadway classification of Village View Drive is changed to a "public" roadway classification.

3. Ratification/Amendment of Plats. The DA, as amended herein, shall remain in full force and effect. City staff shall work with Master Developer to cause any plat roadway designations in the recorded plats for Phases 1A and 1B, to be amended or revised so that the Village View Drive roadway classification is "public".

4. Counterparts. This Amendment may be executed in counterparts, each of which, when so executed and delivered, shall constitute an original, and together shall constitute one and the same instrument.

DATED as of the Amendment Date.

CITY:

COALVILLE CITY,
a Utah municipal corporation

By: [Signature]
Name: Mark R Marsh
Its: Mayor

ATTEST:

[Signature]
City Recorder

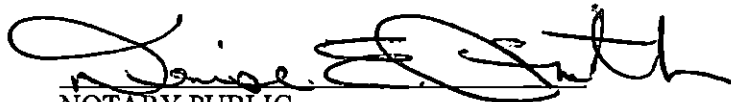
APPROVED AS TO FORM:

[Signature]
Sheldon Smith, City Attorney

ACKNOWLEDGMENT

STATE OF UTAH)
: ss
COUNTY OF SUMMIT

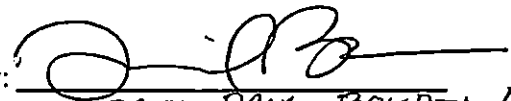
The foregoing ~~First~~ ^{3rd} Amendment to Wohali Master Planned Development: Development Agreement was acknowledged before me this ~~30~~ day of DEC., 2024 by the following individuals signing on behalf of Coalville City, a Utah municipal corporation: MARK MASH,
MAYOR

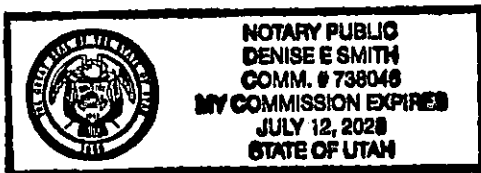

NOTARY PUBLIC

[Signatures continue on following page]

WLE:

WOHALI LAND ESTATES LLC,
a Utah limited liability company

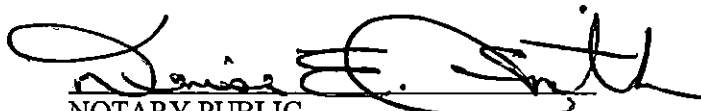
By: 
Name: DAVID PAUL BOYDEN
Its: MANAGING PARTNER



ACKNOWLEDGMENT

STATE OF UTAH)
: ss
COUNTY OF SUMMIT

The foregoing ~~First~~ ^{3rd} Amendment to Wohali Master Planned Development: Development Agreement was acknowledged before me this ~~30~~ day of DEC., 2024 by the MANAGING PARTNER, of Wohali Land Estates LLC, a Utah limited liability company.


NOTARY PUBLIC

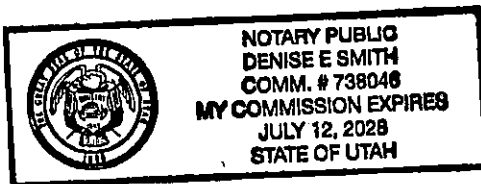


EXHIBIT A

Legal Description

Legal BEGINNING AT THE NORTHWEST CORNER OF SECTION 18, TOWNSHIP 2 NORTH, RANGE 5 EAST, SALT LAKE BASE & MERIDIAN AND RUNNING THENCE NORTH 89°11'21" EAST 3743.70 FEET; THENCE SOUTH 56°22'29" EAST 406.43 FEET; THENCE SOUTH 17°05'28" EAST 369.20 FEET; THENCE SOUTH 48°07'57" EAST 780.00 FEET; THENCE SOUTH 12°44'02" WEST 123.14 FEET; THENCE SOUTH 19°38'38" WEST 291.90 FEET; THENCE SOUTH 19°38'38" WEST 1180.02 FEET; THENCE SOUTH 19°38'38" WEST 160.08 FEET; THENCE SOUTH 23°08'38" WEST 700.00 FEET; THENCE SOUTH 0°42'14" EAST 201.86 FEET; THENCE SOUTH 0°42'14" EAST 387.14 FEET; THENCE SOUTH 89°59'49" EAST 387.39 FEET; THENCE SOUTH 21°37'45" WEST 483.72 FEET; THENCE SOUTH 21°37'45" WEST 960.50 FEET; THENCE SOUTH 88°26'37" WEST 1148.59 FEET; THENCE NORTH 89°17'17" WEST 2616.35 FEET; THENCE NORTH 0°11'51" WEST 746.45 FEET; THENCE SOUTH 89°14'02" WEST 245.57 FEET; THENCE SOUTH 89°14'02" WEST 1732.04 FEET; THENCE NORTH 24°14'35" EAST 114.04 FEET; THENCE SOUTH 61°22'24" WEST 4028.44 FEET; THENCE NORTH 57°24'30" WEST 5260.39 FEET; THENCE NORTH 69°41'17" EAST 935.37 FEET; THENCE NORTH 43°11'17" EAST 1900.00 FEET; THENCE NORTH 28°56'17" EAST 1025.00 FEET; THENCE NORTH 28°01'17" EAST 2293.08 FEET; THENCE NORTH 83°49'36" EAST 682.00 FEET; THENCE SOUTH 0°05'27" EAST 1048.23 FEET; THENCE SOUTH 88°52'20" EAST 5453.59 FEET; TO THE POINT OF BEGINNING. CONT 1525.72 AC.

(LESS 72.48 AC #1168146 NKA WOHALI SUBDIVISION PH 1) BAL 1453.24 AC

(LESS 62.65 AC #1211487 WOHALI PHASE 1B SUBDIVISION) BAL 1,390.59 AC

(LESS 7.22 AC #1212847 WOHALI PHASE 2A RESORT UNIT PROJECT) BAL 1,383.37 AC.

(LESS 3.43 AC # 1212848 WOHALI PHASE 2B RESORT UNIT PROJECT) BAL 1,1379.94 AC,

(LESS 2.61 AC #1212849 WOHALI PHASE 2C RESORT UNIT PROJECT) BAL 1,377.33 AC.

2678-0405 2719-0562 2735-068 2799-0211 2802-696-697-698

Parcel No. CT-WOH-COMB

BEGINNING AT THE NORTHWEST CORNER OF SECTION 17, TOWNSHIP 2 NORTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 88°36'14" EAST 1,803.94 FEET ALONG THE SECTION LINE, MORE OR LESS, TO THE USA PROPERTY; THENCE SOUTH 06°59'54" EAST 237.06 FEET; THENCE SOUTH 18°53'54" EAST 502.00 FEET; THENCE SOUTH 28°19'54" EAST 190.60 FEET; THENCE SOUTH 01°08'06" WEST 182.65 FEET TO PARCEL NS-440; THE NEXT (3) COURSES ARE ALONG THE EXISTING FENCE LINE COMMON TO PARCEL NS-440; THENCE NORTH 88°40'16" WEST 1,902.33 FEET; THENCE SOUTH 00°58'29" EAST 992.30 FEET; THENCE SOUTH 88°37'54" EAST 1,039.76 FEET TO A 3 WAY FENCE CORNER; THENCE SOUTH 15°31'34" EAST 636.72 FEET ALONG AN EXISTING LINE OF FENCE COMMON TO PARCEL NS- 437; THENCE NORTH 89°06'43" WEST 1,363.89 FEET ALONG THE PROJECTION OF AN EXISTING LINE OF FENCE TO THE WEST QUARTER CORNER OF SAID SECTION 17, SAID QUARTER CORNER BEING MARKED WITH AN ORIGINAL STONE; THENCE NORTH 00°55'18" WEST 2,670.12 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING. CONT 68.68 AC. M6-665 M57-576 M126-505 1219-394-402 (REF:1265-597)1265-604 2493-1330 2735-368

Parcel CT-441

BEGINNING AT THE NORTHEAST CORNER OF SECTION 18, TOWNSHIP 2 NORTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 89°10'22" WEST 138.00 FEET ALONG THE SECTION LINE; THENCE SOUTH 08°20'22" WEST 168.00 FEET; THENCE SOUTH 03°10'22" WEST 128.00 FEET; THENCE SOUTH 16°55'22" WEST 788.00 FEET; THENCE SOUTH 13°28'41" WEST 71.32 FEET; THE NEXT (5) COURSES ARE ALONG THE ADJACENT WOHALI PARTNERS BOUNDARY AS DELINEATED BY AN EXISTING RECORD OF SURVEY; THENCE SOUTH 12°43'34" WEST 123.14 FEET; THENCE SOUTH 19°38'10" WEST 1,632.00 FEET; THENCE SOUTH 23°08'10" WEST 700.00 FEET; THENCE SOUTH 00°42'42" EAST 589.00 FEET; THENCE NORTH 89°59'43" EAST 1,313.27 FEET, MORE OR LESS, TO THE SECTION LINE; THENCE NORTH 00°29'49" WEST 1,339.27 FEET ALONG SAID LINE TO THE EAST QUARTER CORNER OF SECTION 18, SAID QUARTER CORNER BEING MARKED WITH AN ORIGINAL STONE; THENCE NORTH 00°55'18" WEST 2,670.12 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING. CONT 69.66 AC. RWD-237 1219-394-402 (REF:1265-597) 1265-604 2493-1330 2735-368

Parcel CT-449