

**NIBLEY CITY
DEVELOPMENT AGREEMENT-SECOND AMENDMENT**

May 2025

THIS SECOND AMENDMENT ("Second Amendment") to that certain DEVELOPMENT AGREEMENT (the "Development Agreement") previously signed on February 10, 2022 and recorded on February 17, 2022, between 7 Point Royal, LLC, hereinafter referred to as "Developer" and Nibley City, here in after referred to as "City" as well amending the associated PARK DEVELOPMENT AGREEMENT (the "Park Agreement") signed and recorded on March 4, 2024 between the Developer and the City, and

WHEREAS, Nibley Meadows, hereinafter referred to as "the Development," was previously approved as a Residential Planned Unit Development ("R-PUD") under Nibley City Code Title 19, Chapter 32 ("R-PUD Ordinance") pursuant to the Development Agreement and other approvals issued by Nibley City; and

WHEREAS, according to the terms of the Development Agreement, the parties have entered into the Park Agreement which governs the development of a 4.5 acre City park space (the "Park Space");

WHEREAS, in order to accommodate regional stormwater infrastructure, changes to the design of the Development are necessary as well as deviations to applicable code; and

WHEREAS, Developer has agreed to dedicate additional land for public use, and to fund additional public infrastructure improvements, as depicted on Exhibit A;

WHEREAS, this First Amendment was passed pursuant to Ordinance No. 23-08;

WHEREAS, the parties desire to amend the Development Agreement and Park Agreement as set forth in this Second Amendment.

NOW, THEREFORE, the parties agree as follows:

Amendments to the R-PUD Development Agreement

1. *Exhibit A to the Development Agreement shall be supplemented with the revised Development Plans attached hereto as Exhibit A.*
2. *Section 3 of the Development Agreement shall read as follows:*
This Agreement, including the Development Plans attached hereto, shall govern the Development. The Developer shall develop, construct, improve, and maintain the Development in a way that is substantially similar to the Development Plans which

include townhome units and single family lots. In no event may the number of units in the Development exceed the number of units described in the Development Plans and/or depicted on Exhibit A, unless otherwise approved by the City Council and Planning Commission.

3. *Section 4 of the Development Agreement shall read as follows:*

The Developer shall develop and construct all open space, landscaping, housing units, utilities, amenities, roadways, and all other improvements in accordance with the standards listed within Nibley City Design Standards, Nibley City Code Title 21, Nibley City Code Title 19, Chapter 32, unless otherwise approved by the City Council and Planning Commission.

4. *Section 6.c. of the Development Agreement shall read as follows:*

The Developer shall pay for the design, development, and construction of the City Park Space as described in the Development Plans through park impact fees generated from the Development. The Park Development Agreement shall review and allocate the park impact fees generated from the Development in accordance with this section. At least 50% of park impact fees generated from the Development may be used to fund the design, development, and construction of the City Park Space. All other impact fees may be assessed, collected, and used as set forth in the Nibley City Code. The City may waive, offer a credit for, or reimburse impact fees as set forth in the Nibley City Code for Developer's provision of park amenities, infrastructure, landscaping, and improvements, provided that the Developer shall not receive a waiver, credit, or reimbursement of any impact fees due to the dedication of the park space. Any expenditure of park impact fees shall be in addition to the developer's required provision of open space and amenities.

5. *Section 6.d. of the Development Agreement shall read as follows:*

The Developer shall pay for all road cross-section improvements to the access road and 1200 West surrounding the park, and \$150,000 toward a park splash pad or equivalent amenity (the cost of which is indexed to inflation based upon February 25, 2021 costs).

Amendments to the Park Agreement

6. *Section 2.e of the Park Agreement shall be amended as follows*

Subsections iii, v. and vi. of Section 2. subparagraph e. of the Park Agreement shall be deleted.

In place of subsection iii, the following shall be added:

iii. pay the City \$40,000 towards the construction of a park amenity.

7. *Section 5 of the Park Agreement shall be amended as follows*

The Developer shall ensure that any stormwater facilities downstream of the park are sized to handle any stormwater flows generated from the Park Space.

Deviations from Applicable Code

8. The City has approved the following specific deviations from the Nibley Municipal Code (“NMC”) pursuant to Utah Code § 10-9a-532 and in accordance with the legislative procedures outlined in Utah Code § 10-9a-502. These deviations are adopted to support and advance the objectives of a master planned development and planned unit development, and to facilitate the public-private coordination required to implement regional infrastructure solutions.
 - a. Area and Density. To accommodate regional stormwater infrastructure needs and site-specific design constraints, the City hereby approves a modification NMC § 19.32.040 as applied to the Development as follows (i) the maximum allowable residential density shall be increased to seven (7) units per net developable acre; (ii) the percentage of total dwelling units permitted to be townhomes shall be increased to sixty-five percent (65%); and (iii) the requirement for a minimum of 120 total units shall remain unchanged.
 - b. Townhome Parcels. Notwithstanding the provisions of NMC § 19.32.020(O), the townhome units within the Development may, at the election of Developer, be located on a single, undivided parcel, which may be developed, financed, and maintained as a single multifamily project.
9. The amendments listed above in this First Amendment to the Development Agreement and Park Agreement shall be incorporated into said Development Agreement and Park Agreement as if they had been incorporated into the Documents themselves and integrated with all the terms thereof as of the execution of this First Amendment, and shall be binding on the parties and recordable against the property as if it were part of those agreements.
10. For recording purposes, the property to which this Agreement applies is described in Exhibit A. Upon recordation, the terms and conditions of this Agreement shall run with the land and shall be binding upon the Developer, its successors, assigns, and any future owners or developers of the property. The City and Developer agree to execute any additional documents reasonably necessary to effectuate such recordation.

Conditions

11. The Developer shall be required to provide 50% of any increase in the total number of units provided as result of this amendment at a rate equal to or less than 80% of the Area

Median Income (AMI) of the Logan, UT-ID Metropolitan Statistical Area (MSA), according to income limits set by the US Department of Housing and Urban Development (HUD). The Development Plans as shown in Exhibit "A" of this amendment show an increase from the 273 units previously approved to 295 units, for an increase of 22 total units.

- a. The rent limit shall be set using the following calculation: HUD annual 4-person 80% AMI Income Limit * 0.3 (30 %).
- b. Upon receiving certificate of occupancy for all townhome buildings within the subdivision, the property owner will be required to provide annual documentation of rent collected for the minimum required housing units for a minimum of twenty (20) years. Such documentation shall be delivered to the City as well as the HOA. The HOA and the City shall be given power to enforce the obligations in this Second Amendment against the property owners as spelled out in this second amendment with any legal remedy available under law including but not limited to fines and specific performance and those listed under the Park Agreement and any subsequent amendments. The HOA shall be obligated by contract or by their bylaws to enforce these obligations and the City shall participate in enforcement at their discretion. Lack of enforcement of the obligations under this Second Amendment shall not constitute a waiver of the obligations hereunder. These obligations shall run with the land.

IN WITNESS HEREOF, the parties hereto have set their hands the day and year first above written.

NIBLEY CITY

By: JUSTIN MAUGHAN
Its: City Manager

DEVELOPER

By: T Point Royal, LLC
By: Westates Asset Management, LLC
Its Manager
By: S&E Investments, LLC
By: Its Manager
By: Stan T. Rowlan
Its Manager

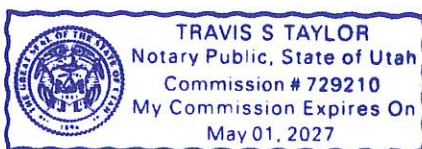
STATE OF UTAH)
:SS
County of Cache)

On this 2 day of July, 2024, personally appeared before me JUSTIN MAUGHAN, City Manager, the signer of the within instrument, who duly acknowledged to me that he executed the same as City Manager for Nibley City Corporation.

Cheryl Bodily
NOTARY PUBLIC

STATE OF UTAH)
:SS
County of Cache)

On the 2 day of July, 2024, personally appeared before me, Stan T. Rowlan Developer, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.



[Signature]
NOTARY PUBLIC

Exhibit A
Development Plans

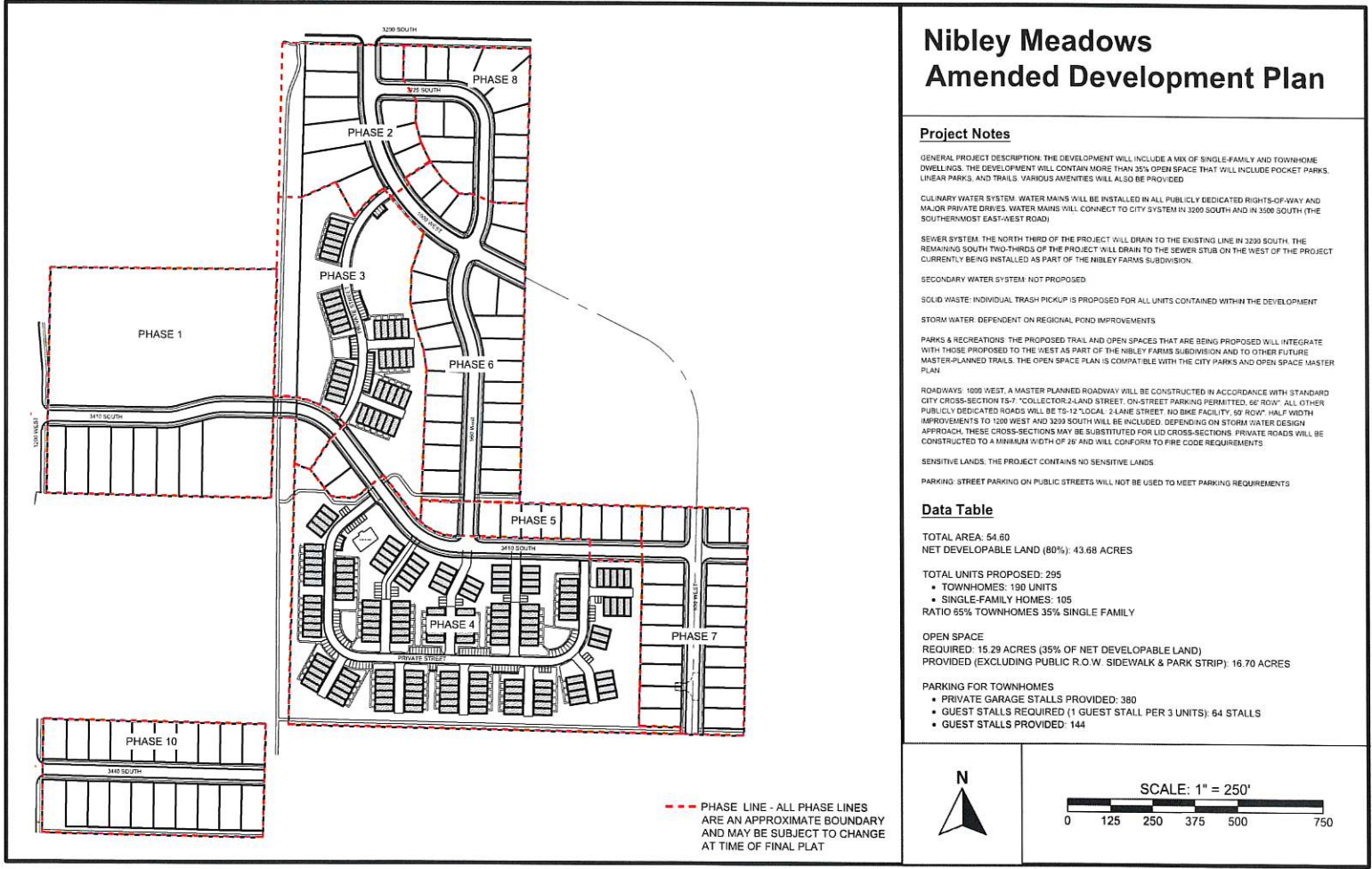


Exhibit B

Affected Parcels:

Tax Id: 03-229-8001

Property Description: ALL OF PARCEL 1 OF NIBLEY MEADOWS SUBDIVISON PHASE 1
CONT 0.22 AC

Tax Id: 03-229-1001

Property Description: ALL OF LOT 1001 OF NIBLEY MEADOWS SUBDIVISON PHASE 1
CONT 0.31 AC

Tax Id: 03-229-1002

Property Description: ALL OF LOT 1002 OF NIBLEY MEADOWS SUBDIVISON PHASE 1
CONT 0.31 AC

Tax Id: 03-229-1003

Property Description: ALL OF LOT 1003 OF NIBLEY MEADOWS SUBDIVISON PHASE 1
CONT 0.31 AC

Tax Id: 03-229-1004

Property Description: ALL OF LOT 1004 OF NIBLEY MEADOWS SUBDIVISON PHASE 1
CONT 0.31 AC

Tax Id: 03-229-1005

Property Description: ALL OF LOT 1005 OF NIBLEY MEADOWS SUBDIVISON PHASE 1
CONT 0.31 AC

Tax Id: 03-229-1006

Property Description: ALL OF LOT 1006 OF NIBLEY MEADOWS SUBDIVISON PHASE 1
CONT 0.34 AC

Tax Id: 03-229-8005

Property Description: ALL OF PARCEL 4 OF NIBLEY MEADOWS SUBDIVISON PHASE 1
CONT 1.09 AC

Tax Id: 03-229-1008

Property Description: ALL OF LOT 1008 OF NIBLEY MEADOWS SUBDIVISION PHASE 1
CONT 0.14 AC

Tax Id: 03-229-1007

Property Description: ALL OF LOT 1007 OF NIBLEY MEADOWS SUBDIVISION PHASE 1
CONT 0.14 AC

Tax Id: 03-229-8003

Property Description: ALL OF PARCEL 3A OF NIBLEY MEADOWS SUBDIVISION PHASE
1 CONT 1.24 AC

Tax Id: 03-229-8002

Property Description: A portion of the SE1/4 of Section 20, Township 11 North, Range 1 East,
Salt Lake Base & Meridian, Nibley, Utah, more particularly described as follows:

Beginning at a point located N89°51'19"W 1,841.55 feet and South 1,237.52 feet to the south right-of-way line of 3200 South Street and the northeast corner of Parcel 03-018- 0028 and southerly along said parcel the following 2 (two) courses and distances; (1) S1°26'52"W 132.00 feet and (2) and S88°52'07"E 120.00 feet and S1°26'52"W 402.11 feet from the East 1/4 Corner of Section 20, T11N, R1E, SLB&M to the point of beginning; thence S1°26'52"W 125.96 feet to the north line of NIBLEY MEADOWS Subdivision, Phase 1, according to the Official Plat thereof on file in the Office of the Cache County Recorder; thence N89°41'33"W along said plat 197.71 feet to the northeast corner of Parcel 2 of said Subdivision; thence along said Parcel 2 the following 12 (twelve) courses and distances: (1) S1°14'12"W 22.21 feet; (2) thence N89°21'39"E 197.73 feet; (3) thence S1°26'52"W 5.00 feet; (4) thence S89°21'39"W 197.71 feet; (5) thence S1°14'12"W 271.55 feet; (6) thence S89°11'45"E 27.96 feet; (7) thence S1°14'34"W 73.16 feet; (8) thence southwesterly along the arc of a 230.00 foot radius non-tangent curve (radius bears: S4°56'47"E) to the left 36.88 feet through a central angle of 9°11'15" (chord: S80°27'36"W 36.84 feet); (9) thence S75°51'58"W 83.34 feet; (10) thence southwesterly along the arc of a 170.00 foot radius curve to the right 44.32 feet through a central angle of 14°56'17" (chord: S83°20'06"W 44.20 feet); (11) thence N89°11'45"W 337.75 feet; (12) thence N0°55'52"E 401.67 feet; thence N89°41'33"W 34.39 feet to the east right-of way line of 1200 West Street; thence northwesterly along said east line and along the arc of a 636.00 foot radius non-tangent curve (radius bears: S76°21'56"W) to the left 70.00 feet through a central angle of 6°18'21" (chord: N16°47'15"W 69.96 feet); thence N67°21'24"E 17.15 feet; thence northeasterly along the arc of a 170.00 foot radius curve to the right 68.10 feet through a central angle of 22°57'03" (chord: N78°49'56"E 67.64 feet); thence S89°41'33"E 397.20 feet; thence northeasterly along the arc of a

130.00 foot radius curve to the left 107.47 feet through the central angle of 47°22'02" (chord: N66°37'26"E 104.44 feet); thence S88°33'08"E 152.60 feet to the point of beginning.

CONT 5.99 AC

Tax Id: 03-229-8004

Property Description: ALL OF PARCEL 3B OF NIBLEY MEADOWS SUBDIVISION PHASE 1
CONT 0.09 AC

Tax Id: 03-229-2006

Property Description: ALL OF LOT 2006 IN NIBLEY MEADOWS SUBDIVISION PHASE 2
CONT 0.28 AC

Tax Id: 03-229-2005

Property Description: ALL OF LOT 2005 IN NIBLEY MEADOWS SUBDIVISION PHASE 2
CONT 0.27 AC

Tax Id: 03-229-2004

Property Description: ALL OF LOT 2004 IN NIBLEY MEADOWS SUBDIVISION PHASE 2
CONT 0.27 AC

Tax Id: 03-229-2003

Property Description: ALL OF LOT 2003 IN NIBLEY MEADOWS SUBDIVISION PHASE 2
CONT 0.31 AC

Tax Id: TARYN TRENT PIKE

Property Description: ALL OF LOT 2002 IN NIBLEY MEADOWS SUBDIVISION PHASE 2
CONT 0.45 AC

Tax Id: 03-229-2007

Property Description: ALL OF LOT 2007 IN NIBLEY MEADOWS SUBDIVISION PHASE 2
CONT 0.15 AC

Tax Id: 03-229-2008

Property Description: ALL OF LOT 2008 IN NIBLEY MEADOWS SUBDIVISION PHASE 2
CONT 0.17 AC

Tax Id: 03-229-2009

Property Description: ALL OF LOT 2009 IN NIBLEY MEADOWS SUBDIVISION PHASE 2
CONT 0.15 AC

Tax Id: 03-229-2010

Property Description: ALL OF LOT 2010 IN NIBLEY MEADOWS SUBDIVISION PHASE 2
CONT 0.14 AC

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3020

Property Description: ALL OF LOT 3020 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3019

Property Description: ALL OF LOT 3019 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3018

Property Description: ALL OF LOT 3018 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3017

Property Description: ALL OF LOT 3017 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3016

Property Description: ALL OF LOT 3016 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3015

Property Description: ALL OF LOT 3015 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3015

Property Description: ALL OF LOT 3015 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3014

Property Description: ALL OF LOT 3014 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3013

Property Description: ALL OF LOT 3013 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3012

Property Description: ALL OF LOT 3012 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3011

Property Description: ALL OF LOT 3011 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3010

Property Description: ALL OF LOT 3010 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3009

Property Description: ALL OF LOT 3009 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3008

Property Description: ALL OF LOT 3008 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3007

Property Description: ALL OF LOT 3007 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3006

Property Description: ALL OF LOT 3006 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3005

Property Description: ALL OF LOT 3005 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3004

Property Description: ALL OF LOT 3004 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3003

Property Description: ALL OF LOT 3003 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3001

Property Description: ALL OF LOT 3001 (COMMON AREA) AS SEEN IN THE PLAT
NIBLEY MEADOWS SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3002

Property Description: ALL OF LOT 3002 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3021

Property Description: ALL OF LOT 3021 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3022

Property Description: ALL OF LOT 3022 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3023

Property Description: ALL OF LOT 3024 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3025

Property Description: ALL OF LOT 3025 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3026

Property Description: ALL OF LOT 3026 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3027

Property Description: ALL OF LOT 3027 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3028

Property Description: ALL OF LOT 3028 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3029

Property Description: ALL OF LOT 3029 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3030

Property Description: ALL OF LOT 3030 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3031

Property Description: ALL OF LOT 3031 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3032

Property Description: ALL OF LOT 3032 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3033

Property Description: ALL OF LOT 3034 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3035

Property Description: ALL OF LOT 3035 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3036

Property Description: ALL OF LOT 3036 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3037

Property Description: ALL OF LOT 3037 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3038

Property Description: ALL OF LOT 3038 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3039

Property Description: ALL OF LOT 3039 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3040

Property Description: ALL OF LOT 3040 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-3041

Property Description: ALL OF LOT 3041 AS SEEN IN THE PLAT NIBLEY MEADOWS
SUBDIVISION PHASE 3

CONT 0.02 AC (CCRO)

Tax Id: 03-229-9003

Property Description: ALL OF PARCEL 6 AND LIMITED COMMON AREA WITHIN
PARCEL 6 AS SEEN IN THE PLAT NIBLEY MEADOWS SUBDIVISION PHASE 3

CONT 1.71 AC (CCRO)

Tax Id: 03-229-9002

Property Description: ALL OF PARCEL 5 AND LIMITED COMMON AREA WITH PARCEL
5 AS SEEN IN THE PLAT NIBLEY MEADOWS SUBDIVISION PHASE 3

CONT 2.50 AC (CCRO)

Tax Id: 03-229-9001

Property Description: ALL OF LOT 3001 (COMMON AREA) AS SEEN IN THE PLAT
NIBLEY MEADOWS SUBDIVISION PHASE 3

CONT 0.15 AC (CCRO)

Tax Id: 03-050-0017

Property Description: Beginning on the southwest corner of Parcel B, NIBLEY MEADOWS
Subdivision, Phase 1, according to the Official Plat thereof on file in the Office of the Cache
County Recorder, located N89°51'19"W along the 1/4 Section line 1,686.59 feet and South

2,467.60 feet from the East 1/4 Corner of Section 20, T11N, R1E, S.L.B. & M.; thence S69°51'54"E along said Plat 49.03 feet to the south westerly corner of NIBLEY MEADOWS Subdivision, Phase 3, according to the Official plat thereof on file in the Office of the Cache County Recorder; thence along said Plat and the extension thereof the following 4 (four) courses and distances: S37°43'55"E 99.21 feet; thence S87°14'42"E 69.74 feet; thence N51°35'34"E 46.64 feet; thence S37°14'31"E 65.09 feet; thence S52°47'41"W 99.95 feet; thence S37°12'19"E 72.00 feet; thence S45°11'59"E 92.32 feet; thence S61°09'55"E 92.32 feet; thence S77°48'14"E 99.01; thence S88°56'05"E 288.00 feet; thence N1°03'02"E 100.00 feet; thence S88°56'05"E 158.29 feet; thence S1°26'52"W 152.40 feet; thence S21°27'46"W 140.88 feet; thence S9°26'09"E 111.71 feet; thence S41°34'10"E 108.15 feet; thence S1°11'36"W 26.17 feet to the southerly line of Lot 7, Block 16, MILLVILLE WEST FIELD SURVEY; thence along said Survey the following 2 (two) courses and distances: N88°48'24"W 960.99 feet; thence N1°26'52"E 759.09 feet to the point of beginning.

CONT 10.36 AC (CCRO)

Tax Id: 03-050-0007

Property Description: ALL LOT 7 BLK 16 MILLVILLE WEST FIELD SEC 29 T 11N R 1E 20 AC B405 LESS AND EXCEPTING THE FOLLOWING DESCRIBED PARCEL: Beginning on the southwest corner of Parcel B, NIBLEY MEADOWS Subdivision, Phase 1, according to the Official Plat thereof on file in the Office of the Cache County Recorder, located N89°51'19"W along the 1/4 Section line 1,686.59 feet and South 2,467.60 feet from the East 1/4 Corner of Section 20, T11N, R1E, S.L.B. & M.; thence S69°51'54"E along said Plat 49.03 feet to the south westerly corner of NIBLEY MEADOWS Subdivision, Phase 3, according to the Official plat thereof on file in the Office of the Cache County Recorder; thence along said Plat and the extension thereof the following 4 (four) courses and distances: S37°43'55"E 99.21 feet; thence S87°14'42"E 69.74 feet; thence N51°35'34"E 46.64 feet; thence S37°14'31"E 65.09 feet; thence S52°47'41"W 99.95 feet; thence S37°12'19"E 72.00 feet; thence S45°11'59"E 92.32 feet; thence S61°09'55"E 92.32 feet; thence S77°48'14"E 99.01; thence S88°56'05"E 288.00 feet; thence N1°03'02"E 100.00 feet; thence S88°56'05"E 158.29 feet; thence S1°26'52"W 152.40 feet; thence S21°27'46"W 140.88 feet; thence S9°26'09"E 111.71 feet; thence S41°34'10"E 108.15 feet; thence S1°11'36"W 26.17 feet to the southerly line of Lot 7, Block 16, MILLVILLE WEST FIELD SURVEY; thence along said Survey the following 2 (two) courses and distances: N88°48'24"W 960.99 feet; thence N1°26'52"E 759.09 feet to the point of beginning.

CONT 10.36 AC (CCRO)

NET 9.85 AC IN ALL (CCRO)

Tax Id: 03-018-0017

Property Description: THE EAST 13.07 AC OF THE FOLLOWING DESCRIBED PARCEL COMMENCING AT THE WEST QUARTER CORNER OF SECTION SECTION 20, TOWNSHIP 11 NORTH, RANGE 1 EAST; THENCE S89°51'19"E 5306.64 FEET TO THE EAST QUARTER CORNER OF SAID SECTION; THENCE S14°43'22"W 1305.54 FEET TO THE NORTHEAST CORNER OF LOT 9, BLOCK 16, OF THE MILLVILLE WEST FIELD SURVEY; THENCE N88°52'07"W 662.02 FEET ALONG THE NORTH LINE OF SAID LOT 9 TO TRUE POB THENCE S1°23'06"W 1327.32 FEET TO THE SOUTH LINE OF LOT 8, BLOCK 16 OF THE MILLVILLE WEST FIELD SURVEY; THENCE N88°54'29"W 663.48 FEET TO THE SOUTHWEST CORNER OF SAID LOT 8; THENCE N1°26'52"E 1327.79 FEET TO THE NORTHWEST CORNER OF SAID LOT 9; THENCE S88°52'07"E 662.02 FEET TO THE TRUE POB . LESS AND EXCEPTING THE FOLLOWING DESCRIBED PARCEL: Beginning at a point on the west line of Lot 9, Block 16, MILLVILLE WEST FIELD SURVEY, located N89°51'19"W along the 1/4 Section line 1,666.92 feet and South 1,689.62 feet from the East 1/4 Corner of Section 20, T11N, R1E, S.L.B.& M.; thence N66°15'24"E 109.86 feet; thence S29°10'23"E 115.89 feet; thence along the arc of a 291.00 foot radius non-tangent curve (radius bears: S56°27'55"E) to the right 122.71 feet through a central angle of 24°09'35" (chord: N45°36'53"E 121.80 feet); thence along the arc of a 533.00 foot radius non-tangent curve (radius bears: N58°26'46"E) to the left 175.65 feet through a central angle of 18°52'54" (chord: S40°59'41"E 174.86 feet); thence S18°47'23"W 114.02 feet; thence S1°38'32"W 97.00 feet; thence S15°54'09"E 140.04 feet; thence S8°01'41"E 60.57 feet; thence S2°15'00"W 353.63 feet; thence N84°34'19"W 83.09 feet; thence S52°45'29"W 60.00 feet; thence N37°14'31"W 47.05; thence S51°35'34"W 46.64 feet; thence N87°14'42"W 69.74 feet; thence N37°43'55"W 99.21 feet; thence N33°11'31"E 106.99 feet; thence N50°52'14"E 60.00 feet; thence along the arc of a 230.00 foot radius non-tangent curve (radius bears: S50°52'14"W) to the left 171.95 feet through a central angle of 42°50'05" (chord: N60°32'49"W 167.97 feet) to the west line of said Lot 9 and Lot 8; thence N1°26'52"E along said west line 585.00 feet to the point of beginning.

CONT 6.49 AC (CCRO)

LESS AND EXCEPTING THE FOLLOWING DESCRIBED PARCEL:

Beginning on the southwest corner of Parcel B, NIBLEY MEADOWS Subdivision, Phase 1, according to the Official Plat thereof on file in the Office of the Cache County Recorder, located N89°51'19"W along the 1/4 Section line 1,686.59 feet and South 2,467.60 feet from the East 1/4 Corner of Section 20, T1 1N,

R1E, S.L.B. & M.; thence S69°51'54"E along said Plat 49.03 feet to the south westerly corner of NIBLEY MEADOWS Subdivision, Phase 3, according to the Official plat thereof on file in the Office of the Cache County Recorder; thence along said Plat and the extension thereof the following 4 (four) courses and distances: S37°43'55"E 99.21 feet; thence S87°14'42"E 69.74 feet; thence N51°35'34"E 46.64 feet; thence S37°14'31"E 65.09 feet; thence S52°47'41"W 99.95 feet; thence S37°12'19"E 72.00 feet; thence S45°11'59"E 92.32 feet; thence S61°09'55"E 92.32 feet; thence S77°48'14"E 99.01; thence S88°56'05"E 288.00 feet; thence N1°03'02"E 100.00 feet; thence S88°56'05"E 158.29 feet; thence S1°26'52"W 152.40 feet; thence S21°27'46"W 140.88 feet; thence S9°26'09"E 111.71 feet; thence S41°34'10"E 108.15 feet; thence S1°11'36"W 26.17 feet to the southerly line of Lot 7, Block 16, MILLVILLE WEST FIELD SURVEY; thence along said Survey the following 2 (two) courses and distances: N88°48'24"W 960.99 feet; thence N1°26'52"E 759.09 feet to the point of beginning.

CONT 10.35 AC (CCRO)

LESS NIBLEY MEADOWS SUBD PHASE 2

NET 9.81 AC (CCRO)

Tax Id: 03-050-0001

Property Description: BEG NE COR LOT 13 BLK 15 S 20 RDS W 40 RDS N 20 RDS E 40 RDS TO BEG 5 AC NE/4 SEC 29 T 11N R 1E B417

Tax Id: 03-018-0017

Property Description: THE EAST 13.07 AC OF THE FOLLOWING DESCRIBED PARCEL COMMENCING AT THE WEST QUARTER CORNER OF SECTION SECTION 20, TOWNSHIP 11 NORTH, RANGE 1 EAST; THENCE S89°51'19"E 5306.64 FEET TO THE EAST QUARTER CORNER OF SAID SECTION; THENCE S14°43'22"W 1305.54 FEET TO THE NORTHEAST CORNER OF LOT 9, BLOCK 16, OF THE MILLVILLE WEST FIELD SURVEY; THENCE N88°52'07"W 662.02 FEET ALONG THE NORTH LINE OF SAID LOT 9 TO TRUE POB THENCE S1°23'06"W 1327.32 FEET TO THE SOUTH LINE OF LOT 8, BLOCK 16 OF THE MILLVILLE WEST FIELD SURVEY; THENCE N88°54'29"W 663.48 FEET TO THE SOUTHWEST CORNER OF SAID LOT 8; THENCE N1°26'52"E 1327.79 FEET TO THE NORTHWEST CORNER OF SAID LOT 9; THENCE S88°52'07"E 662.02 FEET TO THE TRUE POB . LESS AND EXCEPTING THE FOLLOWING DESCRIBED PARCEL: Beginning at a point on the west line of Lot 9, Block 16, MILLVILLE WEST FIELD SURVEY, located N89°51'19"W along the 1/4 Section line 1,666.92 feet and South 1,689.62 feet from the East 1/4 Corner of Section 20, T11N, R1E, S.L.B. & M.; thence N66°15'24"E 109.86 feet; thence S29°10'23"E 115.89 feet; thence along the arc of a 291.00 foot radius non-

tangent curve (radius bears: S56°27'55"E) to the right 122.71 feet through a central angle of 24°09'35" (chord: N45°36'53"E 121.80 feet); thence along the arc of a 533.00 feet radius non-tangent curve (radius bears: N58°26'46"E) to the left 175.65 feet through a central angle of 18°52'54" (chord: S40°59'41"E 174.86 feet); thence S18°47'23"W 114.02 feet; thence S1°38'32"W 97.00 feet; thence S15°54'09"E 140.04 feet; thence S8°01'41"E 60.57 feet; thence S2°15'00"W 353.63 feet; thence N84°34'19"W 83.09 feet; thence S52°45'29"W 60.00 feet; thence N37°14'31"W 47.05; thence S51°35'34"W 46.64 feet; thence N87°14'42"W 69.74 feet; thence N37°43'55"W 99.21 feet; thence N33°11'31"E 106.99 feet; thence N50°52'14"E 60.00 feet; thence along the arc of a 230.00 feet radius non-tangent curve (radius bears: S50°52'14"W) to the left 171.95 feet through a central angle of 42°50'05" (chord: N60°32'49"W 167.97 feet) to the west line of said Lot 9 and Lot 8; thence N1°26'52"E along said west line 585.00 feet to the point of beginning.

CONT 6.49 AC (CCRO)

LESS AND EXCEPTING THE FOLLOWING DESCRIBED PARCEL:

Beginning on the southwest corner of Parcel B, NIBLEY MEADOWS Subdivision, Phase 1, according to the Official Plat thereof on file in the Office of the Cache County Recorder, located N89°51'19"W along the 1/4 Section line 1,686.59 feet and South 2,467.60 feet from the East 1/4 Corner of Section 20, T1 1N, R1E, S.L.B.& M.; thence S69°51'54"E along said Plat 49.03 feet to the south westerly corner of NIBLEY MEADOWS Subdivision, Phase 3, according to the Official plat thereof on file in the Office of the Cache County Recorder; thence along said Plat and the extension thereof the following 4 (four) courses and distances: S37°43'55"E 99.21 feet; thence S87°14'42"E 69.74 feet; thence N51°35'34"E 46.64 feet; thence S37°14'31"E 65.09 feet; thence S52°47'41"W 99.95 feet; thence S37°12'19"E 72.00 feet; thence S45°11'59"E 92.32 feet; thence S61°09'55"E 92.32 feet; thence S77°48'14"E 99.01; thence S88°56'05"E 288.00 feet; thence N1°03'02"E 100.00 feet; thence S88°56'05"E 158.29 feet; thence S1°26'52"W 152.40 feet; thence S21°27'46"W 140.88 feet; thence S9°26'09"E 111.71 feet; thence S41°34'10"E 108.15 feet; thence S1°11'36"W 26.17 feet to the southerly line of Lot 7, Block 16, MILLVILLE WEST FIELD SURVEY; thence along said Survey the following 2 (two) courses and distances: N88°48'24"W 960.99 feet; thence N1°26'52"E 759.09 feet to the point of beginning.

CONT 10.35 AC (CCRO)

LESS NIBLEY MEADOWS SUBD PHASE 2

NET 9.81 AC (CCRO)