

EXHIBIT H

Criminal Division

JOY NATALE
Prosecuting Attorney

MATTHEW D. BATES
Prosecuting Attorney

RYAN P. C. STACK
Prosecuting Attorney

DAVID R. BRICKEY
COUNTY ATTORNEY

SUMMIT
COUNTY

Summit County Courthouse • 60 North Main • P.O. Box 128 • Coalville, Utah 84017
Telephone (435) 336-3206 Facsimile (435) 336-3287
email: (first initial)(last name)@co.summit.ut.us

Civil Division

DAVID L. THOMAS
Chief Deputy

JAMI R. BRACKIN
Deputy County Attorney

HELEN STRACHAN
Deputy County Attorney

September 15, 2011

Office of the Property

SEP 16 2011

Right Ombudsman

Mr. Brent N. Bateman, Esq.
Mr. Elliott R. Lawrence, Esq.
Office of the Property Rights Ombudsman
160 East 300 South
P.O. Box 146702
Salt Lake City, Utah 84114-6701

Re: Advisory Opinion Request - George Mount

Dear Mr. Bateman & Mr. Lawrence:

Summit County is in receipt of your letter dated August 25, 2011 with the accompanying documents. This letter is to serve as a formal response the allegations and/or complaints made therein.

It is our understanding that Mr. Mount owns or represents owners of property in Summit County located in the Silver Creek Area. He has proposed a use for the property that is inconsistent with the Declarations and Restrictive Covenants ("Declarations") recorded against the property and with the Snyderville Basin Development Code ("Code") which is the land use code governing that area.

Brief Background

The Silver Creek Area was first platted and developed in 1965 by the Lewis family, and was an attempt to create a mixed use master planned community prior to any zoning ordinances or development codes being enacted for that part of the County.

As with any mixed use community, there were areas designated as single family residential only and those designated for multi-family and commercial uses. Unit I was platted and designated as a mixed use area with specifically enumerated multi-family, commercial, professional and industrial uses allowed. Because there were no zoning ordinances at the time, the uses, heights,

densities, set backs and other planning issues were also delineated in the Declarations recorded against all of the property. (A copy of which was provided to you by Mr. Mount). Those covenants are designed and intended to restrict the uses of the property to those listed and enumerated in the Declarations.

Since 1965 Summit County has adopted their general plan and development code for the area, the most recent iteration being the 2004 Snyderville Basin General Plan and Development Code. The general plan and code designate this area as allowing rural residential uses (single family homes) only.

1. Background of project

Summit County has received an application to build storage units on a parcel of ground located on Bitner road (see attached project documents), which is NOT the property owned by Mr. Mount. The application is requesting a re-zone to allow the use. While this application was (and is) pending with Summit County, the planning staff received inquiry as to whether the proposed use of storage units would be allowed within Block 2 of Unit I of Silver Creek. There is no current application to use these parcels, however. This property in questions (lots 42, 43, 44 and 45 of Block 2) are designated as C-1 commercial under the Declarations recorded against the property in 1965, which would allow specified retail commercial uses, multi-family uses and professional office uses. It does not allow storage units.

The Snyderville Basin Development Code ("Code") which is the applicable land use code for the area has designated this area as rural residential for single family homes. Notwithstanding the provisions of the Code, Summit County has long recognized the Declarations on this property and has been willing to allow the development of Unit I properties consistent with the Declarations in a fashion similar to grand-tatnered non-conforming uses, including the height and set back requirements in the declarations (rather than the adopted County standard). However, the County has consistently taken the position that those uses may not be expanded beyond the Declaration much like a non-conforming use may not be expanded under our Code. If at any time a property owner seeks to amend the subdivision plat or the Declarations, both will need to come into conformance with current County zoning laws.

Because the current proposed application seeks a use not allowed by either the Declarations or the Code, the applicant was informed that the proposed development would not be allowed and that any application would either have to comply with the Declarations or existing zoning. If they seek to amend the Declarations or the plat, then it would need to come into compliance with current zoning.

2. Architectural Committee

Contained within the 1965 Declarations is a provision which establishes a Committee of Architecture as Allan J. Lewis, E.P. Hackert and R.P. Shapiro. Vacancies on the committee were to be filled "on the nomination of Silver Creek Ranch Corporation or its successors in interest."

The purpose of the committee was to ensure a quality which would enhance the development and to ensure that nothing would be "detrimental to the public health, safety, general welfare of the community in which such use or uses shall be located".

Since the original Committee was designated in 1965, there has not been an active committee or any involvement by a committee in the development process for Silver Creek, nor were any members of the original committee ever replaced in the manner prescribed.

Nevertheless, in November of 2010, Summit County received a "courtesy notice" announcing that a committee had been formed by three property owners (or persons with interest in some parcels) and that they intended act as the official committee and to expand the allowed uses in the Unit I plat. There was nothing indicating that the persons creating the committee are the lawful successors in interest to Silver Creek Ranch Corporation, nor is there any basis in law which would allow the three (3) new designees to arbitrarily act contrary to the duly adopted land use laws of the community. Further, in 2011 we received word that one of the three members had resigned and abandoned all claim to the committee.

Because of the legal deficiencies, Summit County has not recognized this committee as having any legal authority to act contrary to the recorded declarations or the current zoning ordinances. However, the County is willing to allow this Committee to act as a recommending body, if they so desire, to ensure a continuity of building standards for development in the area. The County could then accept or reject the recommendations of that body in approving or rejecting land use applications. This position is consistent with the way other architectural committees in other development areas have been and are currently treated.

It is this position that Mr. Mount is disputing.

3. *Standing*

As stated above, the property for which Mr. Mount is seeking an opinion, has not and does not currently have any application for development on file with Summit County. His question to you is in essence a hypothetical one asking for your office to make a legal determination on whether a questionable architectural committee can designate uses of land greater than those listed in recorded Declarations and contrary to duly adopted land use ordinances.

Because there is no application pending, the Office of the Property Rights Ombudsman may not have jurisdiction to render an advisory opinion under §13-43-205(2) of the Utah Code. Thus, the only way to have jurisdiction is to consider an opinion under §13-43-205(1) on Summit County's compliance with the provisions of sections 17-27a-506 through 17-27a-510. Of those, none are really applicable, unless viewed as a nonconforming use under §17-27a-510.

If looked at as a non-conforming use type situation, the use would not be allowed to expand in violation of then existing zoning laws. [In fact, Summit County could make the

argument that after 40 years of non-development on those parcels, the use had been abandoned and that all lots in the subdivision must conform with existing zoning.]

Summit County has adopted provisions for dealing with non-conforming uses. Those provisions are found in §10-8-1 of the Summit County Code and are as follows:

10-8-1: NON-CONFORMING USES, STRUCTURES, LOTS:

A. Maintenance Permitted: Within the zone districts established in this Title, there may be existing lots, structures and uses of land and structures, which were lawfully established before the adoption of this Title, but which are now prohibited, regulated or restricted. It is the intent of this Section to allow these uses and structures to continue until such time as they are removed or otherwise brought into conformance with this Title.

B. The property owner bears the burden of establishing that any nonconforming use or non-conforming structure lawfully exists.

C. A non-conforming structure or non-conforming use shall not be enlarged in any way, unless it conforms to the provisions contained in this Title. [emphasis added]

D. A non-conforming structure or a non-conforming use may be repaired, maintained, or improved, provided that such repair, maintenance, or improvement is in compliance with the provisions of this Title. A nonconforming structure or non-conforming use may be altered to decrease its non-conformity or to be brought into compliance with the provisions of this Title.

E. Abandonment or Loss of Non-Conforming Use: A non-conforming use that is discontinued for a continuous period of one (1) year is presumed abandoned and shall not thereafter be re-established or resumed. The property owner shall have the burden of establishing that any claimed abandonment has not in fact occurred. Any party claiming that a nonconforming use has been abandoned shall have the burden of establishing such abandonment. Any subsequent use of the building, structure, or land must conform to the regulations specified in this Title for the zone district in which the use is located.

F. If any non-conforming use, non-conforming structure, or non-conforming portion thereof, is destroyed by fire or other natural cause, it may be replaced. If the structure or use is not repaired or replaced within one year from the date of loss, it shall not be reconstructed or replaced except in conformance with the provisions of this Title. The CDD or designated planning staff member may grant an extension of time based on demonstrated progress toward compliance with this requirement.

G. The CDD or designated planning staff member may grant a one time, one (1) year extension for provisions E and F upon the findings that special circumstances, such as construction schedules, seasonal weather conditions, renewed business demand, or other

similar circumstances exist which warrant such an extension. In order to grant an extension, the property owner shall file a written request to the Community Development Department requesting such extension and be under due diligence in either re-building the structure, or re-establishing a commercial use, prior to the end of the original one (1) year period.

H. If any such non-conforming structure or non-conforming portion thereof is demolished or removed at the will of the property owner, any subsequent structure or portion thereof shall thereafter be required to conform to the regulations specified in this Title for the zone district in which the structure is located.

I. New Non-conforming Use, Structure Prohibited: No lot, parcel of land, or interest therein, shall be transferred, conveyed, sold, subdivided, or acquired either in whole or in part as to create a new non-conforming use, structure or lot/parcel, or to avoid or circumvent the requirements of this Title. No building permit will be issued for any lot, parcel or structure which has been transferred, conveyed, sold, subdivided or acquired in violation of this Title.

J. Non-conformance of Area Per Dwelling Unit: A parcel/lot that was lawfully created but does not conform to the minimum area per dwelling unit requirement of the zone district in which it is located shall be considered a lot of record and is entitled to one, but no more than one, dwelling unit thereon (lot of record).

Because our ordinances clearly articulate that an expansion of a non-conforming use must be compliant with existing laws, the use of storage units as proposed would not be allowed in this area. [Further, there is a valid argument to be made that after more than 45 years of non-development, the uses have been abandoned.]

4. *Other Argument*

If the question is studied from the perspective of whether Declarations can usurp duly enacted land use laws, that too requires an answer in the negative. While a developer may record Declarations which allow for certain uses and densities, they do not create rights in the property which are contrary to the duly enacted law. If a height of 42 feet is allowed under the declarations, but the land use ordinance limits the height to 32 feet, it is the land use law which controls the outcome. In the event there is no law, or the land use law allowed up to 50 feet, the Declarations would control and limit the height to 42 feet.

The police powers and legislative powers of the County granted by the State of Utah in §17-50-302 of the Utah Code, are designed to allow the County to “provide a service, exercise a power, or perform a function that is reasonably related to the safety, health, morals and welfare of county inhabitants . . .” §17-50-302(1)(a)(ii). Further, the purpose of the grant of authority to counties under §17-27a-102(1)(a) to adopt land use laws is “to provide for the health, safety and welfare . . .” of the county and its residents. As a result, the duly enacted laws of Summit County

are the declaration and adopted policies regarding what protects and/or is detrimental to the health, safety and welfare of its citizens.

The language of the Declarations specifically states that nothing in the Declarations should be "detrimental to the public health, safety, general welfare of the community in which such use or uses shall be located". Thus, if the provisions of the Declarations are in conflict or contrary to the declared policies or duly enacted laws, they would be subordinate to those laws and no action by a committee or otherwise should act contrary to the declared position regarding the public health, safety and welfare.

During the time period prior to an adopted land use general plan or development code, these Declarations would be the primary governing document. [However, Since the 1970's Summit County has had duly adopted general plans and development codes governing this area. It could be argued that with the adoption of these laws, anything contained within the Declarations that was contrary to those laws would no longer have any effect.] The Declarations cannot usurp the duly enacted laws of Summit County, or for that matter, the State of Utah, which gives to the County, the authority and obligations to enact those laws to protect the public. In this situation, the proposed storage unit use is contrary to existing land use law and is not specifically allowed under the Declarations, thereby making it a restriction on the land. Thus, alleging that a group of property owners can expand and dictate that use seems completely contrary to existing law and Summit County is correct in its response to the proposed use.

Summary

Summit County appreciates the opportunity to respond to the Ombudsman's request, but questions whether Mr. Mount's request for an advisory opinion has merit or jurisdiction at this time.

Nevertheless, we believe that when viewed under the facts and circumstances, the proposed use of storage units on the parcel in question is not consistent or allowed under either the Declarations or the land use ordinances and as such, Summit County has appropriately advised Mr. Mount that this use would not be allowed.

Further, the alleged architectural committee is not the proper successor in interest to Silver Creek Ranch Corporation and as such has no authority to act. Even assuming authority, this committee would have no authority to usurp duly enacted land use laws and allow a use greater than those allowed under law or under the restrictions in the Declarations.

Sincerely,



Jami R. Brackin
Deputy Summit County Attorney

EXHIBIT I

Snyderville Basin Planning Commission
Work Session Notes
October 23, 2001

Commissioner Barth agreed with the other Commissioners' comments and asked if the project would respect the Rasmussen Road and Highway 60 setbacks. The applicant stated that the project would adhere to the 60-foot easement on Rasmussen Road. Commissioner Barth believed a traffic study should be conducted and encouraged the applicant to work with the Sewer Improvement District on stream preservation and easements that may be required on the frontage. He stressed the importance of good architecture since the project is in the entry corridor.

Chair VanBuren suggested the applicant consider possibly contributing to a future solution for the entire Rasmussen community. She stressed the importance of landscaping and that, while the Planning Commission recognizes the need to plant drought-resistant landscaping, it should also be attractive. The re-use of water in landscaping irrigation was encouraged.

Director Jensen believed a traffic study should be required. Commissioner Barth suggested the traffic engineer be selected by the County and paid for by the applicant.

Mr. Allred stated that he was willing to do what was necessary to move the project forward in a timely fashion.

2. Discussion, Silver Creek Neighborhood, Marv Maxell

Planner White presented the staff report and stated that Silver Creek landowners voiced their concerns at a previous meeting about what portion of the neighborhood is designated as commercial. Since then, Deputy County Attorney Dave Thomas has determined that, since development has occurred in the area over the years and been somewhat sporadic, the entire plat is vested, and the designated uses are also vested with the recorded plat. Commissioner Greenhalgh had suggested the Commissioners have another work session to talk with Mr. Maxell. Mr. Thomas indicated that the Commissioners could define what commercial means, and if they define those uses, they will be defined for the entire Snyderville Basin. If another plat map is presented that has the same uses, that definition of commercial will also apply to it. Planner White reviewed the wetland and drainage maps and indicated that Staff currently has an application for Lots 1 and 2 for a commercial use. The current development standards make building in the area possible but somewhat tedious. Serious concerns with soil contamination, water contamination into East Canyon Creek, flooding, and road maintenance were discussed. Planner White explained that when commercial uses are brought in, it must be determined if they are viable and whether they work on a septic system.

Marv Maxell explained that there are single-family homes on the front lot, and another lot has been built up without regard for drainage, wetlands, or the road situation. The current owner is liable for

Snyderville Basin Planning Commission
Work Session Notes
October 23, 2001

fixing the problem. He stated that he met with 13 property owners representing 55 lots about four years ago. At that time they discussed re-platting because they recognized that, after the wetland study was done, the lots would be only .44 acres in size. In the past he has seen the whole area flooded for a three- to four-month period.

Planner White explained that the area has been accepted by the Army Corps of Engineers for designation as a wetland area. A septic system is not allowed within 200 feet of jurisdictional wetlands, and building cannot occur within 100 feet. Currently, one application for development has been submitted. A history of development in the area and road issues were discussed. Mr. Maxall stressed the need to protect the drainage and the wetlands. Planner White believed communication between agencies would be a big help.

Chair VanBuren suggested that the Commission find out exactly what can and cannot happen in the wetland areas, then set up a meeting with the Special Service District and Open Space Committee to see if an agreement can be reached.

Darrick Olsen introduced himself as representing the Lewis Trust and stated that they are very interested in a density transfer. He identified the property owned by the Trust.

3. Approval of Minutes: August 28, 2001, October 9, 2001

Commissioner Scoggan asked that the word "financially" be added to page 14, paragraph 4, before the word "viable" in the August 28 minutes.

Commissioner Barth asked that the vote on the motion at the top of page 2 be changed to 4 to 1, since he voted against the motion. He also wanted it reflected in the minutes that he made an impassioned plea as to why he voted against the motion due to the lack of financial assurances.

Commissioner Barth made a motion to approve the minutes of August 28, 2001, as amended. The motion was seconded by Commissioner Voht and passed unanimously, 4 to 0. Chair VanBuren abstained from the vote as she was not present at the August 28 meeting.

Commissioner Scoggan asked that the word "Commissions" be changed to "Commissioners" on page 8, paragraph 4, of the October 9 minutes. She asked that item 7 on page 9 be changed to state that the warranty shall last for two years after the restoration is completed.

Chair VanBuren asked that on page 10 after the vote that her comments be reiterated again that the almost split vote should give a very clear direction to the SCC as to how extremely important it was to resolve the condition of item 7 before final recommendation is made.

EXHIBIT J

Jamie Brakin, Summit County Deputy Attorney
Planning Commission work session meeting 7-8-03

Time into recording (approximately 9:25 minutes) regarding intent of 1965 plat & vesting:

"The Silver Creek Plat is sort of a unique animal that we have out in the Snyderville Basin, in that by recording the plat and actually creating the zoning the way they did, in this particular plat, and then subsequently developing accordingly, it is the opinion of the County Attorneys Office that the zoning that has been placed according to the Declaration of Covenants and the zoning that is part of the plat map, is in fact the zoning that needs to be used. And while it is in conflict with what our current land use plan has and our current development code has, this actually does take precedence. And so I guess the bad news is, that if the developer wanted to come in and develop as indicated they have a lot of allowed uses that they may actually take control of the processes. So for those areas that are light industrial they can put industrial, except for the wetland issues obviously. In the shopping center they can put a shopping center. In multiple-family they can put multiple-family and all those permitted uses."

"My understanding is that the applicant actually in doing this master planning, is also going to be looking at a plat amendment, correct me if I'm wrong. But the idea is that through this master plan, we actually do a plat amendment. If we do a plat amendment, that does open the door for a change in the zoning with some encouragement. I guess, I'll point out a couple of things to you. In the exhibit B that Nora has provided, which is the Declaration of Protective Covenants. On the 6th page of that exhibit, it talks about current provisions that go along with the Unit "I" plat. And it talks about these conditions of zoning that actually *run with the land* and they automatically renew. After 1985 they automatically renew every ten years. So unless the majority of owners at that parcel decided that they want to come in and change it. But right now the majority of owners are these folks (referring to Anderson Development). And so if they wanted come in and apply and change it, great, that opens it up. Otherwise, it automatically renews and right now it's in renewal until 2005."

"So I think that in light of the broad uses, certainly that are allowed, I'm sure you have some concerns about what's going up in that meadow, especially since it's sort of meadow / view-shed area right now, as anticipated in our Land Use Map. But I think what the applicants are looking for here is sort of what is preferred and not preferred."

Jamie Brakin, Summit County Deputy Attorney
Board of Adjustment hearing 8-28-03

* *Time into recording (approximately 26 minutes) regarding intent of 1965 plat & vesting:*
"Silver Creek (plat) is very unique, but it does vest uses for industrial or commercial."

EXHIBIT K

*SUMMIT
COUNTY
GRADING
PERMIT*



APPLICANT: George Mount

ADDRESS: Silver Creek Lot 45

PERMIT NO. 08-G-11

DATE ISSUED: Nov. 13, 2008

EXPIRATION DATE: June 13, 2009

APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT
(33 CFR 325)

OMB APPROVAL NO. 0710-003

Public reporting burden for this collection of information is estimated to average 5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters Service Directorate of Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington VA 22202-4302; and to the Office of Management and Budget, Paperwork Reduction Project (0710-003), Washington, DC 20503. Do NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authority: 33 USC 401, Section 10; 1413, Section 404. Principal Purpose: These laws require permits authorizing activities in, or affecting, navigable waters of the United States; the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Routine uses: Information provided on this form will be used in evaluating the application for a permit. Disclosure: Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nor can a permit be issued.

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETED
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(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME GEORGE SKIP MOUNT	8. AUTHORIZED AGENT'S NAME & TITLE (an agent is not required)
6. APPLICANT'S ADDRESS PO BOX 3802 PARK CITY, UTAH 84060	9. AGENT'S ADDRESS
7. APPLICANT'S PHONE NUMBERS WITH AREA CODE a. Residence (435)649-0741 b. Business SAME	10. AGENT'S PHONE NUMBERS WITH AREA CODE a. Residence b. Business

11. STATEMENT OF AUTHORIZATION

I hereby authorize _____ to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

APPLICANT'S SIGNATURE

DATE

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions) MOUNT BUILDING	
13. NAME OF WATERBODY, IF KNOWN (if applicable) UNKNOWN	14. PROJECT STREET ADDRESS (if applicable) SILVER CREEK ROAD AND EARL ST. INTERSECTION. SILVER CREEK ESTATES SUMMIT COUNTY UTAH
15. LOCATION OF PROJECT SUMMIT COUNTY UTAH	
16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions)	

17. DIRECTIONS TO THE SITE

INTERSECTION OF HWY. 80 AND
ROUTE 40 SUMMIT COUNTY, UTAH

18. NATURE OF ACTIVITY (Description of project, include all features) BURY CULVERT ACROSS LOT 45 TO DISCHARGE RUNOFF FROM EXISTING PROPERTY LOCATED ACROSS SILVER CREEK ROAD.

PROJECT PURPOSE (Describe the reason or purpose of the project, see instructions) TO ALLOW A COMMERCIAL BUILDING OF APPROXIMATELY 15,295 SQ TO BE ERECTED ON PROPERTY. WORK TO BEGIN SPRING 2008 - COMPLETED SPRING 2009.

USE BLOCKS 20-22 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. REASON(S) FOR DISCHARGE TO ERECT A COMMERCIAL BUILDING.

21. TYPE(S) OF MATERIAL BEING DISCHARGED AND THE AMOUNT OF EACH TYPE IN CUBIC YARDS WATER RUNOFF WILL BE DISCHARGED AFFECTING .04 ACRES

22. SURFACE AREA IN ACRES OF WETLANDS OR OTHER WATERS FILLED (see instructions) NONE. EXISTING WATER DRAIN RUNOFF WILL CONTINUE

23. IS ANY PORTION OF THE WORK ALREADY COMPLETE? YES NO IF YES, DESCRIBE THE WORK

ADDRESSES OF ADJOINING PROPERTY OWNERS, LESSEES, ETC. WHOSE PROPERTY ADJOINS THE WATERBODY (if more than can be entered here, please attach a supplemental list) NO OTHER ADJOINING PROPERTY OWNERS HAVE THIS DISCHARGE RUNOFF.

25. LIST OF OTHER CERTIFICATIONS OR APPROVALS/DENIALS RECEIVED FROM OTHER FEDERAL, STATE, OR LOCAL AGENCIES FOR WORK DESCRIBED IN THIS APPLICATION

AGENCY TYPE APPROVAL* IDENTIFICATION NUMBER DATE APPLIED DATE APPROVED DATE DENIED

* Would include but is not restricted to zoning, building and flood plain permits.

26. Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

Signature of Applicant: [Handwritten Signature] DATE: 9-13-07 Signature of Agent: _____ DATE: _____

application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed. 18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

Summit County Engineering Division
 Division, Grading and Placement of Fill on Private Property
 "Grading" Permit Application
 60 North Main - P.O. Box 128, Coalville, UT 84017
 Coalville line (435) 336-3250 ~ Kamas line (435) 783-4351 x-3250 ~ Park City line (435) 615-3250 -- Fax (435) 336-3043
 www.summitcounty.org/engineering

Permit # 08-G-11
 Applicant: GEORGE MOUNT Mailing Address: PO BOX 3802
 Phone # 435 649-0741 / ~~435 649-0741~~ City PARK CITY Zip 84060
 Project Address: SILVER CREEK LOT 45 UNIT 1 Subdivision SILVER CREEK Serial Number SL-I-45
 Contractor: _____ Phone: _____ Contractors License #: _____
 Liability Insurance Carrier: _____ Policy #: _____
 Date Work To Begin: _____ Date of Completion: _____

The APPLICANT shall be the party responsible for the work and to whom all communications are to be directed.
 GRADING PERMITS are valid for a period of 180 days from the date received. Grading permits are not valid for work in the County right-of-way.
 ALL work under this permit requires a 48 hour notice prior to work. All restoration and a final inspection must be requested prior to expiration of permit, unless extended in writing by the Summit County Engineer.

EXCAVATION, GRADING AND PLACEMENT OF FILL ("GRADING") (Refer to Ordinance #315-B, Appendix 'A' for Requirements and Specifications)

PROJECT DESCRIPTION: Install culvert as per plan & approved permit (Army Corps)

GRADING PERMIT FEES

$\$25$ per Regular Grading Application \$ 25.00
 Regular Grading (less than 5000 Cu. Yd.)
 $\$100$ per Engineered Grading Application \$ _____
 Engineered Grading (more than 5000 Cu. Yd.)

SWP3 & ECP FEE

Area to be disturbed
 $\$25$ Sites of 1 Acre or less \$ _____
 $\$10$ per additional Acre \$ _____

TOTAL FEES DUE \$ _____

BOND REQUIREMENTS

Completion Bond (120% of Estimated Cost) \$ 790
 SWP3 & ECP Bond (120% of Estimated Cost) \$ 680
 Re-veg/stabilization $\$1.10$ sq ft = $245 \times 10 =$ \$ 490
 Silt Fence $\$1.50$ x 50 ft = \$ 75.00
 Weed Control Bond (\$300/Acre)
 $\$300$ X 1 acres = \$ 30

TOTAL BONDS DUE \$ 1580

TOTAL DUE \$ 1580

SUBMITTAL REQUIREMENTS

- 1. Completed Application
- 2. Detail Drawing of Work, includes silt fence, (3 copies)
- 3. Completion Bond ([] Cash, [] Surety, [] Standing, [] Letter of Credit, [] Other _____)
- 4. Permit Fee

Notations and/or Conditions of Approval: PIPE MUST TERMINATE WITHIN PROPERTY. APPROVAL DOES NOT CONSTITUTE FUTURE STORMWATER PERMIT/APPROVAL

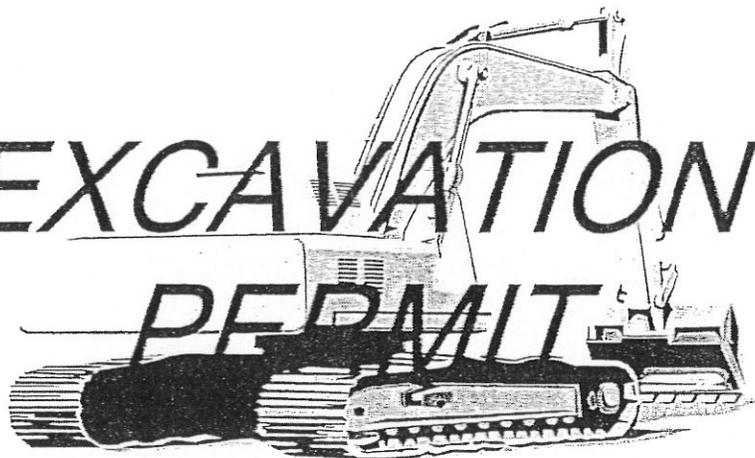
By signing this application, the Applicant agrees to comply with all State and Federal Laws and Summit County Construction Standards and Ordinances.

Applicant's Signature: [Signature] Date: 2-20-08
 Engineering Approved by: [Signature] Date: 5/28/08
 Planning Approved by: [Signature] Date: 5/20/08
 Weed Dept Approved by: [Signature] Date: 3/28/08
 Final Inspection: _____ Date: _____

Bond Money Posted	Date Released
Completion <u>790</u>	_____
ECP/SWP3 <u>680</u>	_____
Weeds <u>30</u>	_____

SUMMIT COUNTY RIGHT-OF-WAY

EXCAVATION PERMIT



APPLICANT: George Mount

ADDRESS: Silver Creek Lot 45

LOT: SL-1-45

PERMIT NO.: 08-G-11

DATE: May 13, 2008

**SUMMIT COUNTY COMMUNITY DEVELOPMENT
DRIVEWAY GRADING PERMIT FORM**

(for applicants requesting a grading permit for a driveway who do not have building plans submitted to the Building Division)

Name of Applicant: GEORGE MOUNT

Mailing Address: PO BOX 3802

Phone Number: 435 649-0741

Project Address/Location: SILVER CREEK UNIT I ^{LOT #} 45

Parcel Serial #: _____

Project

Description: Install a 15" culvert pipe buried to a depth of 3-4 ft. from an existing culvert pipe under Silver Creek Rd. to daylight at West property line. After pipe is installed the grade will be put back to original.

Reason for

Request: to convey the runoff from existing culvert underground the length of the property & deposit to north/south channel.

I SUBMIT THAT I FULLY UNDERSTAND THAT APPROVAL FROM THE COMMUNITY DEVELOPMENT DEPARTMENT FOR A GRADING PERMIT IS NOT APPROVAL OF A BUILDING SITE LOCATION. I FURTHER UNDERSTAND THAT, UPON SUBMITTAL OF BUILDING PLANS TO THE BUILDING DIVISION, AN ALTERNATE ACCESS TO THE BUILDING SITE MAY HAVE TO BE CONSTRUCTED. FURTHERMORE, I UNDERSTAND THAT NATURAL GRADE (i.e. before any grading is done) IS USED TO CALCULATE BUILDING HEIGHT.

Dated this 2nd day of FEB, 2008.

Parcel Owner(s) signature George Mount

Please print name: GEORGE (SKIP) MOUNT

EXHIBIT L

Summit County Engineering Division
 Excavation, Grading and Placement of Fill on Private Property
 "Grading" Permit Application
 60 North Main - P.O. Box 128, Coalville, UT 84017
 Coalville line (435) 336-3250 - Kamas line (435) 783-4351 x-3250 - Park City line (435) 615-3250 - Fax (435) 336-3043
 www.summitcounty.org/engineering

Permit # _____
 Applicant: GEORGE MOUNT Mailing Address: PO BOX 3802
 Phone # 435 649-0741 City PARK CITY Zip 84060
 Project Address: SILVER CREEK LOT 45 UNIT 1 Subdivision: SILVER CREEK Serial Number _____
 Contractor: _____ Phone: _____ Contractors License #: _____
 Liability Insurance Carrier: _____ Policy #: _____
 Date Work To Begin: _____ Date of Completion: _____

The APPLICANT shall be the party responsible for the work and to whom all communications are to be directed.
 GRADING PERMITS are valid for a period of 180 days from the date received. Grading permits are not valid for work in the County right-of-way.
 ALL work under this permit requires a 48 hour notice prior to work. All restoration and a final inspection must be requested prior to expiration of permit, unless extended in writing by the Summit County Engineer.

EXCAVATION, GRADING AND PLACEMENT OF FILL ("GRADING") (Refer to Ordinance #315-B, Appendix 'A' for Requirements and Specifications)

PROJECT DESCRIPTION: Install culvert as per plan & approved permit (Armylet)

GRADING PERMIT FEES

\$25 per Reg.
 Regular C
 \$100 per En.
 Engineer

GEORGE SKIP MOUNT 06-90
 P.O. BOX 3802 435-649-0741
 PARK CITY, UT 84060

4465
 31-297/1240 2797
 1411050857

2-20-08 Date

SWP3 & ECP FE

Area to be disturbe
 \$25 S
 \$10 P

Pay to the
 Order of

Summit County
Twenty five and

\$ 25.00

no 100 Dollars



Wells Fargo Bank, N.A.
 Utah
 wells Fargo.com

SUBMITTAL REQUIRE

- 1. Compl
- 2. Detail
- 3. Compl
- 4. Permit fee

For #45
 1240029711 1411050857 04465

George Mount MP

Notations and/or Conditions of Approval: _____

By signing this application, the Applicant agrees to comply with all State and Federal Laws and Summit County Construction Standards and Ordinances

Applicant's Signature: George Mount Date: 2-20-08
 Engineering Approved by: _____ Date: _____
 Planning Approved by: _____ Date: _____
 Weed Dept Approved by: _____ Date: _____
 Final Inspection: _____ Date: _____

Bond Money Posted	Date Released
Completion _____	_____
ECP/SWP3 _____	_____
Weeds _____	_____

Summit County Engineering Division
60 North Main
Coalville, UT 84017

Oct 20, 2008

Re: Grading permit # 08-G-11, lot SL-I-45 (Silver Creek)

This letter is to request an amendment to our grading permit. Due to groundwater and existing slope conditions, it is physically impossible to install this culvert below grade.

We respectfully request an amendment indicating installation of this drain with the flow line approximately 3" below existing grade. This will require importation of approximately 1500 cubic yards of fill in order to complete our installation properly.

We regret this information was not specified in our original application.

Thank you,

George Mount, property owner

435/649-0741

EXHIBIT B

Joseph E. Tesch (A3219)
TESCH LAW OFFICES, P.C.
314 Main Street, Suite 200
P.O. Box 3390
Park City, Utah 84060-3390
Telephone: (435) 649-0077
Facsimile (435) 649-2561

GEORGE MOUNT
VESTED RIGHTS DETERMINATION
APPLICATION

AFFIDAVIT OF GEORGE MOUNT

State of Utah)
County of Summit :ss

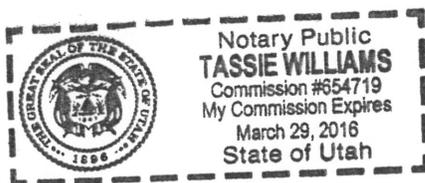
Being first duly sworn, George Mount hereby states as follows:

1. I am an adult over the age of 18.
2. I am the owner of the properties known as: SL-I-2-42-43; SL-I-2-44; SL-I-2-45. Based upon communication from Summit County that this property was zoned for commercial uses, I improved the property and incurred other expenses as listed below.
3. I have been working on this project for over 18 years. During that time I have incurred expenses related to this project. These expenses include approximately \$4000 in architectural expenses to design additional drainage, approximately \$4160 in culverts, approximately \$15,226 in culvert installation and additional expenses including marketing, telephone expenses, auto expenses, postage, etc. totaling \$68,826.00.
4. In addition to the above expenses, I have invested an exorbitant amount of time into this project as shown through detailed notes and journal entries beginning 2004. *See Exhibit A attached hereto.*

Dated this 6th day of October, 2015.

George Mount
George Mount

Subscribed and sworn before me this 6th day of October, 2015.



Tassie Williams
Notary Public

EXHIBIT A

ALL INFO FROM NOW ON UNTIL END IS SILVERCREEK

Silver Creek ads ran ad 5 times 10-23/24-04
Impressions Record, # of calls

* ① 10-25 SL paper ad Marsha Paul, Standard for
SC Involvement have 2,000,000 in 1031 \$, & 5 days
to declare where to place (801) 582-3333. ~~2~~
want 4.47 & 1.32 acres. She gets confused. Not sure
where I-80 was or 40???) SL call for life.

~~888 5330 9130~~

② 10-31-04 SL paper ad call from a seminar caller.

SC X

(203) 910 0805 SILVER CREEK International SAT
* I called & left ← DAVE LYONS 11-14-04
message 4-19-05 13

I quoted 775,000 I think??

I called Dave Lyon 12-9-04
He is still extremely interested. Has called Jason
Lapson 3 times (no return call). If to hear
from Jason, he'll call me. We would like to
talk to Jason together (1-17-05 Has ^{VERY} still interested)

He'll call me 1-19-05 regarding
meeting with Jason. Jason
750,000 in the (paper!!)
2-16-05, met with Dave
Lyon, H. showed 1 quarter. Can
we mitigate? Use
call me often to talk
with Jason. He can

SC * June 40 6001 SC.
called 4-19-05 Tatten # 750,000

He said to call back if
I could lower the price.

= 847 920 - 4653 ← call in Dec 04
& Jan 3-2005

SC *
1-23-05 658-0 0
795,000
1- (801) 2329440

Linger Craigland SC
1-25-05 Joe 801 631 0404
Dave Rose

probably going to list land in a week or 10 days. I'm not
(\$875,000 fixed, do you want to be a partner?)

SC Don Season on 4-18-05 → 256-9139 FAX (ask for me)
638 Decree → 23-05 → 801 787 9917 # 4-18-05
SF, UT → 795,000
84660

Don Season called from Tubuni ad. He's an investor wants to buy land hold and sell later.

SC. 2-24-05

called requested 875,000 with 1/2 year lease Mike (801) 598-1110 SC late
left message, represent a family partnership. May be interested in
not sure.

3-2-05 Dave Rose called again (801) 232-9440 ^{see over}

SC. I'm meeting for lunch 3-7-05 #795,000

4-19-05 → He wants to spend 100,000 piece of land for 30 acres
→ have client → I sent a fax 3-5-05

SC. 3-4-05 Alan Cutler 1031 etc → 801 356 9600

CECCARELLI DENNIS 3-7-05 Dennis ~~Call~~ 649 2317 (513 1313) → 368 5388
(EXCL) ↓ I called 4-19-05 left message call # ↑ (SKIP) SC

OFFICES & SHOP SPACE 3-21-05 205 1840 S. John Carl Ed ~~Call~~ SPERRY
SC REAL ESTATE BROKER

* 3-23-05 I mailed plat map 2660 S Hegland Dr
called Ed Sperry in name Mike played he knows how to do with
4-21-05 left message - I called SLC, UT 84106

Jim Mc 435 513 1316 NOT INTERESTED

Candace Korda 415 6825 SC

4-6-05 → Larry Hazzell - 903 342 9816 KR. SC

4-8-05 SC (801) 573 1204 I called 4-19-05. I told him
→ Mike Nelson with P. Hoony guy. He knows Hegland
I quoted 975,000. want storage units

~~4-9-05 513 0368 12 DIGITS BUY~~

~~4-12-05 513-1562 Bill~~

Dennis

513-1313 &

SC

Dandra Hold

4-20-05 Ryan Sepp SC

649-1783 31 year old

4-20-05 Gerald Anderson - has offer from Woodbury Cop
SC 801 990 4995 (Sepp) SC

5-2-05 Robert Pennington (435) 602 9856 - called 2 times
SC

5-3-05 Steve (801) 652 1294 - called 3 times
SC

5-6-05 (435) 901 5030 - called property agent
SC

~~901 2321~~

6-6-05 Boebe 901-2321 wants to talk to each returned call 6-10-05
SC call 401 474 9166

6-7-05 → Driven Fax# 401 274 8995. need to send a fax of info
SC 6-9-05 → Frigman

6-8-05 → Patty Wells 901-4300. She'll call me back
SC 6-9-05 →

6-9-05 Maureen Crosby 640-1621. returned call & left message
SC

6-9-05 Mable Huber (Equal Co) Make copy of large plat map & deliver

6-13-05 Dave Page said \$49,500 + I'll call him in 3 weeks
SC he said \$100,000 with 6 months

7-13-05 640 4770 Jeff Spencer
SC

7-13-05 Norm 640-8300 call #
SC

7-22-05 Dennis Paccorelli
SC wanted 513-1313 he said
lot 45 only - had \$95,000

T-20-05 #6.00 - 8.00 to Richard
 APPROX DATE ← in one year "Hunt"
 OF QUOTE TO ME 1,168,279 - 1,557,706
 "His thinking"

~~T-20-05~~
 T-29-05 702-407 9636 9633 from Las Vegas
 SC Bill Dieb was in Park City looking for land.

~~1,7000~~ ~~\$20,658~~
~~TECO 517441~~

8-1-05 Jim Taylor \$849,500 Woodbury
 SC Broker SL Realty. Needs to move on
 Property. #1 push. 699 4500
 Move now. (801) 990 4918 (801)

8-1-05 Larry Maynard 435901-0209 is going to
 SC make an offer, maybe, on Silver Creek.

SC
 8-2-05 Mike Shaw 640-7752

SC
 8-17-05 Mark Huber 6402520

9-6-05 Steve Martin (801) 577 5394 wants 100 acres for
 SC investors. Agree him Harold Anderson - tel
 #. I quoted \$1,450,000

Wayne

9-9-05 801 573 2535 wants to build a large
 SC equestrian center. I told him about wetlands &
 advised him to go to the county. Also said 1.32 add'l ac
 maybe cool

9-13-05 Jeff Palmer (801) 953-5300. Teesa's partner.
 SC (\$1,000,000 OFFER) Costco referral

SC Service at Internet Prop

9-24-05 Lywanta - 649-1884

SC

794-1321 cell

9-27-05 Jim Taylor called (801) 990-4918. I called back 10-3-05

9-28-05 (801) ^{SC} 558-8900 Jay Mrazek (accounting)

10-10-05 Investment Banker called has clients 1.5 million
to buy this week. From New York

10-10-05 I got note from Jim Taylor & called him.
He's aware of ads of mine in Enterprise. I told him
it has since been listed for \$1,450,000. Several owners
want to sell w/ get it by Christmas.

11-2-05 Mike Messeri called about SC. He has investor

11-3-05 (801) 232-0322 ROCKY. He called twice

11-3-05 Dave Lyons (203) 910-0805 (3.9 acres \$9.50)

11-13-05 → He has investor real anxious for Park City property.
I'll call

They are offering \$9.50 for 3.9 acres south of 80/40

interceptor. Summit told him they would fight

Anderson Deal and that only 1/2 my land could be

built on. He let said my land wasn't buildable??

11-15-05 Jeff C-21 wants lot 45 only. will call back. what
do I want first ~~550,000~~ \$549,500

11-30-05 - Ryan Dagg called. I quoted \$1,450,000

12-6-05 - agent called for church

to sell

640-3379
Birch

~~640-7752~~

2-14-06 Mike Shaw 640-7752

1-14-06 ① COLDWELL BANKER TONY MILLER 9089126

1-19-06 649-5551 Betty Brown

1-23-06 513 2626 Nick Fielding ??

2-21-06 Alexander 659-9399 2430 Meadows Drive
Left PC, UT 84060
cap Real Est Group 435-659-9549

FAX. 435 608-6314

3-6-06 Susan 1,750,000 6558574 Boat storage? *REPAIR

3-21-06 Mike 640 5758 Prudential agent
3-28-06 (801)232 5041 left little

4-3-06 435 640 4560 Mike Smith

4-4-06 Shore wants plot (435)714 9225 (will call lead for contact)

4-10-06 ① 640-1591 Scopes?

② Bob Bentley (801) 514 6926 - Quoted 625,000 lot 45 4-11-06

4-17-06 (801) 944-0744

4-26-06 Mary (435) 640 5822 - quoted 400,000 lot #42
4375,000

5-29-06 Ted has lead from Charlotte N.C. may be interested. - He was quoted 420,000 lot #9

6-09-06 Mike Bahurin 801-599-9702

7-12-06 645 8199 John Thibner. He wants cheap land!!
called lead

7-13-06 901 2272 Barb Stamford

7-26-06 (SAM) 801-891 7997 (415)
879-1724

498557

253 680 9332 250000 # 7787 3 pm bridge
RALPH # 800 800000

Pete Smith 450-7023
(435) (801)

8-29-06 801-230 1718 Stefanie Blater - agent storage unit
~~9-2-06~~

6883161

~~Frank~~
~~557-2127~~
~~640-321-DAN SCOFFIELD~~

11-2 (435) 731-0131 TOM CONISH

11-1-06 901 4220 Kathy Richey

11-15-06 640-8906 John Lambert III

11-21-06 513 1171 Jess Reed, Berkeley Calif # QUOTED 800,000 lot 45

12-12-06 TYLER HEATH wants to buy land in [unclear]

12/14/06 640 0379 Carol Agle Main St PA Box 8000 840,60
12/14 658 3666 Alan Blackledge Park City, UT

12/15/06 649 6569 100-200 leads
[of dirt]

1-17-07 Carol Agle - call Jason Gibson
640-0379

3-10-07 Debra Maffield (Keller Williams) \$ 2,250,000

gave copies of plot PCR,
3-27-07 & quoted LEASH 2,000,000 BOTTOM #. Steel head wood
finance at 450,000
5-13-09

Trick Call 640-3445 Keller Williams

4/14/07 801 9474 7472 BEN SILVER CREEK
(801) 597-4272

~~5/9/07 John Spencer [unclear] 6576 246 "cayote"~~

5/10/07 Joe Jackson 10 acres 729 0020 quoted \$ 2,500,000
(801) adam 244 - 5340 Joe Jackson
Mater ?

6-5-07 Mike (801) 949-5883 Silver Club
6-18-07 Scott (435) 640-6214 Calgary

NOT DIRECTED 7-17-07 Current \$13.75 !!
↓ \$2,700,000

7-19 801 597 4272 call BE
7-19 Mrs Richardson 602 2348
7-19 Eric Nelson - 575 5212 - told Eric would finance lot #45 4-1-09
7-24 ? 640 2061

7-26 Tim Clark 640 3445 call
7-26 Paul agent 901-2500 call 4 pages ago #5
7-27 Candice 645 6153

7-27 Eric Nelson 640-2061 meet Monday
7-27 Frank Baker
7-27 Bob Smith "Bogging" 435 640 8415
8-1 Nathan 801 9790 372

8-2 Scott 513 1100
8-6 Candice 480 220 7070 Dave
8-6 Bob Johnson 901 8235 Keller Williams "GEORGE" → 2.7

8-6 Candice Kristina 45 6153
8-9 Annie Neil Signature Real Est. 513-1745
8-14 640 289 Individual told me Eric Nelson sold all 1 ac lots
8-17 BOB 901 3851 Home phone ~~644 5997~~
8-28 Duane Vance 649 8209 (801) 518 6009 call

8-31 Wade (801) 891 5227 office
9-13 (801) 268 2555 text 8.50^{sq} - 15.00^{sq} price has been in SC area.

9-16 I called Bob. He said I'm interested
10-2 Greg Robbins (435) 714 0542 - 1,100,000

10-3 Candice 645-6153
*10-11 Trent (801) 656-7148. He'll give in the \$12.00^{sq} range. Call if interested
12.00 x 66646.8 = 799,762 lot #45 - left message would finance 5-13-09
STEVE RYAN 640-3059

11-19/07 Susan & Richard at lot site
12-8-07 He called about 2 weeks ago. Has Hotel client. "SKIP"
Chris Jensen (801) 940 1447 Caldwell Banker (476 0777 HOME

12-12 ~~Lydia~~ Butterfield (CB) 940 1501
12-12 Brandon ~~Butterfield~~ (801) 673 3093 (told would finance 950,000 5-13-09)
12-12 Vic ~~Butterfield~~ (801) 979 5556
~~12-17~~ TRENT ~~Butterfield~~ (801) 268 2555

4.47 AC

9-16
9-17
9-18

~~4.47~~ ACRES
#2 750,000 TOTAL
#1 5,213 AC
14.12
\$4.47
~~15.15~~
~~2,950,000~~
216.70
3,250,000



"Money
author"
Challinor

12-18-07 Jessa Keller Williams 801 6350158

12-20-07 Lynn Butterfield 4401501 495 0281

1-24-08 Cluffy Rodman 640-3285, Park City Realty, IP

2-25-08 (PO) 550 9925 John Wayne

3-10-08 John

3-17-08 Paul Edward PO BOX 96831
Las Vegas NV 89193

4-18-08 Nancy Neigler (901) 8235

5-1-08 Scott Kelly condo storage 86,000 1152

5-14-08 Craig Miller (303) 901 3322

5-28-08

6-3-08 801 550 1728 Investor - 901-0788

6-12-08 Joey Butterfield

6-24-08 Dwayne - atty wants 4 or 5 slots for client
I'll pay 3%
644-8209

7-8-08 Deeq 4.47 acres (303) 503 2245
TERRY CT ARVADA, CO 80007

DAHMS I sent plat info 7-14-08
GARY Scott # quoted 2,750,000

8-14-08 801 292 6070 ESEW PECH
FAX 801 292 6767 N
I called & let & now
was 50,000
let # 45

GARY 239N 1250W Unit #3

Cottleville 84014

9-2 Ryan 640 5780 575,000 small lot

9-10 Mike Shaw 525,000 AC for 4.47 acres
? MARIS? 640 1752 (2,350,000 quoted)

9-11 Andy Shaw 640-3850

9-24 Developer will talk to County. "Point Venture"
435 655 0360 TOM PONICH lot 10 8600

9-24-08 647 6800 Natalie

10/27/08 I called Andy & Mike Shaw. still interested.

10/27/08 901-3322 Craig Miller President agent 500,000
lot # 44

12-1/08 Truck lease 640 3445

CALLS 2009 call # 3,000,000

250 ACRES

- 2-1-09 801 836 5395 Nathan
- 2-29-09 801 836 5395 Nathan 950,000 250 acres
- 2-16-09 Doug Clyde 333 3000 Camp 13.370
- 3-17-09 Craig Miller 901 3322
- 3-17-09 Doug Clyde 333 3000
- 4-13-09 BOB DONALDSON 901 8235
- 5-13-09 baby want to lease red dog?? 6598910
- 8-25-09 (301) 230 1000 intel Jennifer
- 10-5-09 640 3445 Trish Clark

2010 CALLS SILVER CREEK

- 3-8-10 435 575 5246 Tybo Duxton Commerce Circle
- 3-11-10 366 398 0098 Mike Melancon
- 3-11-10 435 671 6888 Rent herd?
- 4-2-10 Mike called again (see above) COSTAR agent
- 4-12-10 ~~4001~~ CHARLIE ALBARRAN * (435) 962 6515 quoted \$2,100,000 quoted 1,100,000 7-23-2011
- 5-11-10 JR Holbrook * 501 598 0474 355 5552
- 6-6-10 CONSTAT 866 398 0098
- 6-6-10 TIM 801 755 6737
- 6-15-10 * 640 4770 Jeff Spencer
- 6-16-10 SCOTT ROBBINS CALLED AGENT (301) 553-7914
- 7-1-10 Jeff Spencer still interested. He called
- 7-8-10 I called Jeff. He's on his way to Del. He called again 7-24-10. He's still chiding
- 8-13-10 Elaine (301) 901-3924 lot # 45 only
- 9-13-10 (435)
- 10-26-10 Jensen 801 879 2275 called and Muffett (801) 947-8300 want 1/2 ac. Fought 8.5K

11-3-10 KENT CLEMAN
BIG-O * 801 725-4906
SEE BOTTOM RIGHT

12-14-2010 Nathan * 599-0207
Anderson called on SC

agent
wants

* 1-4-2011 Dave Lyons called wants all 4 parcels with median offer in a package, 250 acres across from me with 3 mil (800) 780-4343 - LOOKING AT 2 1/4 AC # 575,000 (2-1-11)

1-8-2011 - TOLD KENT COLEMAN #475,000 (7.12^{ac}) 2570 P...
 * 101 3001 quote 7.75^{ac} 4.47^{ac}
 "SPECTRUM DA" → quoted # 8.96^{ac} 1.53^{ac}
 → quoted 750,000 45644
 → 1-13-2011 500,000 42143 → 2-1-11 CALLED

435 604-7675 PROVO
 3-11-11 CALL → 3761343

SC ESTATES HOLDINGS LLC
 3-29-11 - Jim called & quoted 450,000 for 45
 1,100,000 for all 4 lots.

5-17-11 TIM SMITH (RICKS SON) CALLED (208 275-9466)
 5-24-11 TIA ANCHOR REAKTOR CALLED. WANTS 20,000^{lot} FOR BLDE
 5-29-11 KURT PETERSEN 435 9018866
 6-3-11 ERIC NELSON CALLED * 40-2061
 6-17-11 I called KURT. He has the client talking directly with a planner.

6-23-11 Dave 801 808 8222 (TEBBS) RURAL RESIDENTIAL
 COURLY
 7-5-11 Alex - Trent BREWERY (510) 830 8350
 7-12-11 (801) 5838367 BYRON AMBROSS (Scott Robbins)
 7-23-11 I talked to Kent (BIG-O) & told him of my price reduction to 399,500 #6.00^{ac} referral

35058-10-11 KATIE MOORE - agent called Scott Robbins
 @ my land, MATT MOLLIN IS PRINCIPAL 940-0147
 CELL 901-4707
 9-2-11 (435) ~~654-2442~~ BRAD BAIRD → (801) 323-4244
 9-2-11 (435) 625-1175 BILL SANDERS
 10-20-11 Elizabeth - agent SALMON
 10-28-11 801 647-7456

BYRON AMBROSIE 801 5838367
 12-29-11 DOUG 435 602 2867 "SKIP"

* I left message that I reduced prices 7-23-11

DONALDSON

3-5-12

(1) 640-1488 catrina Caldwell Banker

3-16 435 640 9950 Vincent

3-20 860-5587

PAM wants to rent long driveway

BOB DONALDSON

173 E Vermont way

4-27-12

ILLIS
Murray, VT way

- ① Store trailers for goats
 - ② needs acre & want to grow
- 6-3-4 acre Brown "crafts"
brewing. Includes 9 yrs.

84049 435 9018235

5-9-12 COSTAR GREG 1-866 3983140

8-11-12 6402061 Eric Nelson. He said 395,000 for lot #

#45 is in the ballpark. He has 2 potential buyers. I said make an offer!! He has 2 clients interested but not ready to pull the trigger"

8-12-12 Matt Mullin called meet 9:00 MONDAY. 940-0147

8-27-12 Mike (801) 3812474 JACK CELL# 901-4707 #970 376 2622

8-28-12 (801)? 5991823 call at 8:45 agent called about SC Bank she had a client that saw my sign. Michelle I quoted 200,000 x 3 + 300,000

9-4-12 Matt called. I left mess to call me back.

9-11-12 JACK called (801) ~~573 9181~~ offered 2.00 Δ (801) 534-4410
I met him at 2:00 PM

9-20 - Eric called told 45x44 U/C 475,000 for 42-43

9-25 - 435 754 5917 BOB (LOGAN) 500,000 1.96 AC

10-28 PAUL 801 217 3056 (APPRAISER)
ADDEL YON

LEA
5-24-2013

2013 SILVER CREEK CALLS

- 3-9-P MIKE KERMISIS CALLED OFF PR RD 399,900
THOUGHT CHEAP WILL TELL SISTER IN A WEEK, 645 5753
- 3-11 Eric returned call contrary 1 acre. I quoted \$349,900
lot #45 or \$6.00/A. still has interested buyers.
- 3-18-13 SHAWN 202 346-6563 CO-STAR CALLED
- 3-22-13 I called Mike K. told him price is \$349,900. He'll tell sister 76455753
- 3-22-13 I called Eric N. + left message of price to \$349,900
- 3-26-13 Steve Heryon 312 485-7444 quoted 5.00/A for all
- * 4-2 I called ZACK 485 7444
(801) 5739181. He said they want to build this summer, working with the county constantly. mentioned estate on my land. said don't sell in the next 6 months; my land values will increase soon. But take \$3.00 ?? . 110 HOMES of 600,000 4000 - 4500 sq ft.
- 4-2 Mike Coster 866 398 0072
- 4-5 ~~970~~ 640 1636 his friend wants all 4 lots for school? I quoted \$4.50/A or \$76,209.
- 4-8-13 called Eric Nelson. I forwarded to call lead if wants to know about Panagiotis' zone. I told Eric about what Zack said, quoted
- 4-9 195,000 for 1 ac site 300,000 for 1.53 ac site.
- 4-11 TOLD ~~MIKE~~ MIKE K. price now 300,000 lot #45.
- 4-17 (801) 859-5850 called for info - I called lead. No answer.
- * * SARRET SEELY (801) 299-6700 WOODSIDE HOMES
- 4-17, 801 859-5850 Realtor Norman Burt \$75,000 for all 4
30% comm.
- 4-17 801 259-1366 Realtor called
- 4-17 Eric Nelson called offered 225,000 cash #45 on 4-19.
HE ASKED CONWAY AND WAS QUOTED 350,000 FOR .85 AC 640 2061
- 5-6-2013 BOB DONALDSON WANTS 2 AC. ~~quoted~~ lot 45+44 (901) 8235)
I told him I see know more after ombudsman rules. ^{OPINION}
- 5-10-2013 Eric called & said \$299,000. He knows it's a deal!
- 5-10-2013 Bob Donaldson wants all 4 lots & quoted \$900,000
- 5-13-2013 JOHN TRAPP 402 2972 Realtor called on SC, quoted \$7.50
- 5-17-2013 602 8230143 wants 1 AC ONLY. TO STORE CARS NOT INTERESTED
- 5-29-13 Nathan 801 836 5395 SC LOTS - I told \$495,000 #45
- 6-18-13 Eric Nelson called 640-2061. HE wants to buy \$250,000 42-43-44
each
- 7-9-13 DAVID (JESS REIP) 640-6018. 495,000 LOT #45
"WILL BUY A RESIDENTIAL HOME AND USE FOR COMMERCIAL"
- 7-2-13 Mike Coster 866 398 0072 - 399,000 226,000 EACH
FOR ALL. ^{sum was offered 9.450 2 weeks ago}
- 7-13-13 JOHN TRAVIS 640 2972 \$6.25/A ?? ^{sum of best offer 79.362 floor}
- 7-15-13 I QUOTED 400,000 LOT #45
- 7-25-13 agent called (801) 859-5850 Norm Burt As price ~~was~~
- 8-2-13 I told Norm that ombudsman had called lot commercial. ^{7.50/A} 6.40 8/19/13
- 8-10-13 They want office bldg. I said no sweat to date. ^{7.50/A} 6.00 6040733

8-22-13 757 406 8288 MULTI-FAMILY HARLIN

10-23-13 ~~10-21-13~~ called ~~Garrett~~ ~~Norm~~ MADE OFFER ON 4 LOTS
2087219789 PAUL JOHNSON QUOTE \$6.75

11-30-13 80 LOADS 301 560 2789 "TREN"
FILL DIRT

12-2-13 Told John of 10.13 offer for east side lot. Will sell 45 same.

12-3-13 I called Norm & told him of the 10.13 deal. He seemed interested

* 12-3-13 Told Garrett about land fill.

* 12-20-13 I called ~~Garrett~~ ~~Garrett~~ a called if anything new with him or I told him land up of 10.13 across the street. agent doesn't want lot #45 & told agent that's my price

1-3-14 called John quoted \$535,000 \$225,000 x 3

1-6-14 PATTY HORIE 901-0400 ~~understands~~ understands a Target Home coming.

* 1-2-14 left word for Harrett (WOODSIDE) to call 801 372 2077.

1-15-14 801 913 4990 "STEW KNIGHT" AGENT HAS BUYER. AGENT KNOWS FIRM IS ASKING \$10.67 & MAB ASKING \$10.80. HE TALKED TO FIRM 1-14-13.

1-27-14 (402) 320 3868 JOHN # 8.75 LOT #45. FILL? KASUN

* 2-4-14 NORM CALLED. WILL MEET 2-6-14 AT SILVER CREEK.

* 2-6-14 FLISTED FOR 1,600,000 3mos. 5% COMM.

* 2-26-14 GARRETT CALLED OFFERED \$175,000 3 LOTS + 1 LOT

3-11-14 NORM CALLED FOR COPIES OF OMBUDSMAN OPINION

3-15-14 18014841300 agent called on sign I called Bob

3-23-14 LANDSCAPER WANTS LOT 44 250,000 801 755 3123

4-1-14 BOB DONALDSON CALLED LOT 45 \$300,000 quoted

4-7-14 DENNIS POOLSEN 801 576 0529 10% YEAR TO LEASE. I QUOTE 2 YRS 1,600,000

I called Bob 4-14 LWTO

4-18-14 Bob Olson confirmed that I'll have water either by mtn Regional or sewer. Lots 42, 43, 44, 45 EARLST. PAVED ALSO "HE UNDERSTANDS WOODSIDE WANTS ALL LOTS"

* 4-21-14 STEW KNIGHT (SEE 1-15-14) CALLED. UNDERSTANDS I WANT \$10.00/A. for lot 45. also quoted \$9.25 for lot 44 (\$395,000)

* 4-22-14 I called Garrett (left voice message) got closer to \$225,000

5-3-14 801 558 8800 I called Bob. SALT LAKE AGENT. 42-43-44 5-6

5-9-14 435 901 8935 BOB DONALDSON I called & left word later approved

5-27-14 801 558 8800 BRAD RENARDS called. I answered "BOB HAS LOTS OF INTEREST"

5-28-14 " " " I quoted \$700,000 or \$600,000 FOR ALL, 42-43-44

5-28-14 I called Stew Knight left word that I'm reducing # one to \$300,000 for a quick close at \$1,450,000 for all lots.

6-6-14 Met Brad at site \$1,450,000 for all lots.

* 6-5-14 called Garrett left word to "hurry up" if interested

* 6-9-14 GARRETT CALLED - I QUOTED \$675,000 42-43-44.

6-13-14 I called Brad for status & told of woodside's call to me.

* 6-17-14 I called Garrett LWTO. Also called #6-20

6-18-14 agent called 640 0666 on lot 45. I quoted \$750,000 HILLARY she wants all lots. maybe. I quoted \$1,450,000

5-28-14 FIRM UP AT 405,000 (\$10.94)

DAWN CALLED FOR PRICES 4357299349 1.6 MIL FOR 750 FOR 45

7-9 SHAWN KEITH (CINN) quoted 1,450,000. Under offerable wants to BUILD. will set up meeting soon.

513 253 3633

7-24-14 Malorie ~~David~~ 801.755 8334 #750,000 LOT 45 1.53 AC DEALERSHIP DAVID

"GEORGE" JEFF SPENCER

2.94 AC #675,000 WOTS - 72-43-44 #1425,000

8-26-14 4356404770 called I quoted #730,000 LET# 45. # quoted 1,450,000

8-27-14 BRAD REYNOLDS CALLED "TOUCH BASE" 801 558 8800 1,450,000 PO 179 58 SL 84 117 SEND PLAT - 8-30-14

8-28-14 Stew to mail packet to me. stated no paying on sewer on deal at

9-16-14 called 640 4770 Jeff Spencer quoted 644,300 at 1,450,000

9-18-14 Brad Reynolds we are real serious. He'll get back to me in a couple of days.

9-21-14 "SOL I" 6551204 wants lot 45 #644,300 quoted price

9-23-14 Jeff Spencer called me I quoted 1,450,000 at 644,300. He said year ago it was cheaper & said yes it was but now will approve at 11.17. He said pencil it a make an offer.

9-27-14 TRICIA BERKSHIRE HATHAWAY AGENT. I QUOTED #1750000. WETLANDS ?? - 435 272-1948.

9-28-14 Met Brad & site I quoted 9.00. He said no. I said pencil and make offer

9-30-14 I called Brad & said 10,000 water hook up MTR Required approx

10-10 TOLD "SOL I" #599,500

10-10 TOLD BRAD'S. 599,500 MAIL BOX FULL OFFICE GAL

10-16-14 Brad called said too much \$, Doesn't want at 1,450,000

10-18-14 left message with Jeff. tele #1250,000

10-20-14 TOLD BRAD 1,250,000 CLOSE 2014

10-20-14 " TRISH CLARK 1250,000 CLOSE 2014

11-10-14 JANET WEST CALLED 801 884 3914 WANTS 50,000 FOR BLDG. I QUOTED 599,500 FOR LOT 45. OTHER LOTS MAY BECOME COMM

11-14 MARION CROSBY 640-1621

2015

1-5-15 KEITH COSTAR CALLED 575,000 225,000 SEWER CLOSE "SELL BR MOTIVATED. SELL FINANCING AVAILABLE" (443) 2855000

2-16-15 Elec Contractor called. LOT# 45 575,000 (435) 6717741

"He liked price well but to partners. BODDEN ASKING #766438 COMP. Casey Lewis CASEY LEWIS. The finance & sewerage to ??

3-4-15 took Richard Mercer to Silver Creek road 45. He may want full. A total sim 11.50 2.5 AC Bodden, I mail 8.60 approx. He'll call later. 435 901 3016

3-12-15 Met with Stew Best Western 1:30 PM aptn SOJOURN DEV

3-13-15 Met with Stew & SOJOURN Pat Putt and Jennifer 4:00 CCVILLE

3-21-15 Chris called (Rob Record Cal) 901 2572 I called Bob MURRAY He'll look at floor & land & may call back.

"He feels that SC. will be the next lot spot" 11

3-21-15 Text message "where is comm land? 435 7310127

- 3-24-15 CHRIS CALLED. WILL MEET AT LOT 45 1:00 PM
QUOTED \$575,000 \$250,000 x 3. "I may help finance"
- 3-28-4357310127 text again. I called he'll go look at lot.
- 4-1-15 I called Chris Murray. he has talked to the County. He's been busy will pursue again after vacation next week.
- 4-15-15 LADY CALLED 3125236742. will take a look & get files PCAD
- 4-27-15 GAIL ROBINSON CALLED 775 400 0852 NOT INTERESTED. PET FACILITY
- 4-29-30 AMY (COSTAR) 443 2855360 \$1250,000 ALL LISTED SINCE 2010
- 5-12-15 HANK LEWIS 801 557 4987 will look at lot.
wants apt, not 50 UNITS !! PCAD
- 5-15 agent called of 4.47 AC. client saw land & called agent.
640243# Andy Kelly ~~800 158 7765~~ / 8.50 = 1,655,062 QUOTED
- 5-20 Jeff Binion 801 644 7288. wants all lots \$8.50 quote
HANK apartment
- 6-13 HANK LEWIS CALLED (AGAIN). HE HAS TALKED TO PAT PUTT
* LIS GOING TO MAKE AN OFFER. 9:30 AM
WANT BANK QUOTE \$8.50
- 6-16 → JON WILKING AGENT 901-1985 → HANK LEWIS REALTOR
- 6-29 Letter from GARY BOSWELL FOR \$603,750 CALLED STEW FOR COUNTER. HE'LL PRESENT TO BUYER. 7-10-15.
I called Gary 7-23-15. He seems interested. Hold him would copy a contract. He'll get back to me.
- 8-10 STEW KNIGHT GOT CALL BERK HATH AGENT.
WANT BANK QUOTE \$8.50
- 8-12 DAN GRIFFET (TIME MGMT) CALLED. I QUOTE \$8.50 FOR ALL 4.47 AC
- 8-19 Stew said he had 2 potential clients 1 for all 4.47 - 1 for 1.53
- 8-20 I called Dan & said I would lower price of 8.50 to \$575,000
- 8-24 RAISED PRICE TO \$699,790 \$10.50 \$5.50 but will increase soon
- 9-1 PARK CITY GUTTERS INTERESTED. CO. SAID NO. I CALLED BOB OLSEN
- 9-17 SERVICE STATION INTEREST.
- 9-17 BOB OLSEN SAID EARL ST NEEDS REPAVING "DIDN'T DO RIGHT"
- 9-23 Co said SERVICE STATION OK. "PEOPLE ARE LOOKING AROUND"