

ORDINANCE NO. O- -2016

**AN ORDINANCE OF THE CITY COUNCIL OF EAGLE MOUNTAIN CITY, UTAH,
AMENDING THE EVANS RANCH MASTER DEVELOPMENT AGREEMENT
AND MASTER DEVELOPMENT PLAN
(SECOND AMENDMENT)**

PREAMBLE

The City Council of Eagle Mountain City, Utah, finds that it is in the public interest to approve the Second Amendment to the Evans Ranch Master Development Agreement and Master Development Plan, as set forth more specifically in Exhibit A.

BE IT ORDAINED by the City Council of Eagle Mountain City, Utah:

1. The City Council finds that all required notices and hearings have been completed as required by law to consider and approve the proposed Second Amendment to the Evans Ranch Master Development Agreement and Master Development Plan, as set forth in Exhibit A.
2. The Second Amendment to the Evans Ranch Master Development Agreement and Master Development Plan is hereby approved, as set forth more specifically in Exhibit A.
3. This Ordinance shall take effect upon its first publication or posting.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 2nd day of August, 2016.

EAGLE MOUNTAIN CITY, UTAH

Chris Pengra, Mayor

ATTEST:

Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above ordinance was adopted by the City Council of Eagle Mountain City on the 2nd day of August, 2016.

Those voting aye:

- Adam Bradley
- Colby Curtis
- Stephanie Gricius
- Benjamin Reaves
- Tom Westmoreland

Those voting nay:

- Adam Bradley
- Colby Curtis
- Stephanie Gricius
- Benjamin Reaves
- Tom Westmoreland

Fionnuala B. Kofoed, MMC
City Recorder

EXHIBIT A



Eagle Mountain City
City Council Staff Report
August 2nd 2016

Project: **Evans Ranch**
Applicant: Nate Shipp/DAI
Request: (1) Master Development Plan (MDP) Amendment
(2) Master Development Agreement (MDA) Amendment
Type of Action: Action Item

Preface

This is one of two Staff Reports related to the Evans Ranch Development that the City Council will be reviewing at the August 2nd 2016 meeting. This staff report evaluates the application to amend the approved Evans Ranch Master Development Plan and Master Development Agreement (MDP/MDA), the proposed changes include:

- Changing the layout of the Master Development Plan for the area to the north of the school and townhome site, east of the church, modifying the curvilinear layout to produce more traditional shaped lots.
- ***Reducing*** the overall number of units in the development from **421** to **409** by:
 - ***Reducing*** the number of townhomes from **149** units to **112** units
 - *This may be done without an MDP Amendment*
 - ***Increasing*** the number of single family lots from **272** units to **297** units
 - *Adding 15 cottage lots and 10 standard single family lots*
 - *The addition of the 15 cottage lots may be done without an MDP Amendment*
- An amendment to Exhibit 4 of the development agreement (Parks Map) showing the new park plans. Proposed park plans include details for townhome portion of the development.
- An amendment to Exhibit 7 of the development agreement changing the elevations of the townhome units.

Planning Commission Recommendation

On July 12th 2016 the Eagle Mountain Planning Commission reviewed the application for a Master Development Plan Amendment and a Master Development Agreement Amended for the Evans Ranch Project, and held a public hearing. Ultimately the Planning Commission voted (5-0) to recommend approval with the following conditions:

1. A walking path connection must be provided between the two cul-de-sacs.
2. The townhomes require upgraded garage doors with windows.

History

The Evans Ranch Master Development Plan is located south of Pony Express Parkway and east of Porter's Crossing Parkway. The original Master Development Plan was approved on June 18, 2002, when the property was annexed into the city. The Master Development Agreement was signed on October 16th 2013, and was last amended on March 1st, 2016. In total, the plan includes approximately 120.45 acres and provides a mix of single family residential, townhomes, a church site, and elementary school site, parks, trails, and the Tickville Wash.

Master Development Plan Amendment

The new proposal changes the layout of the Evans Ranch Master Development Plan, modifying the road layout for future phases of development, in the areas to the north of the school and townhome sites, and to the east of the Church site. This proposal will result in a total of 10 additional single family lots. The applicant is also proposing to reduce the number of townhomes by 37 units, replacing 15 of the units with Single Family Cottage Lots. The applicant is able to reduce the number of townhome lots and increase the number of Cottage Lots under the existing MDA/MDP; however, the alteration to the road alignment and the additional single family homes does require approval of an Amendment to the Master Development Plan.

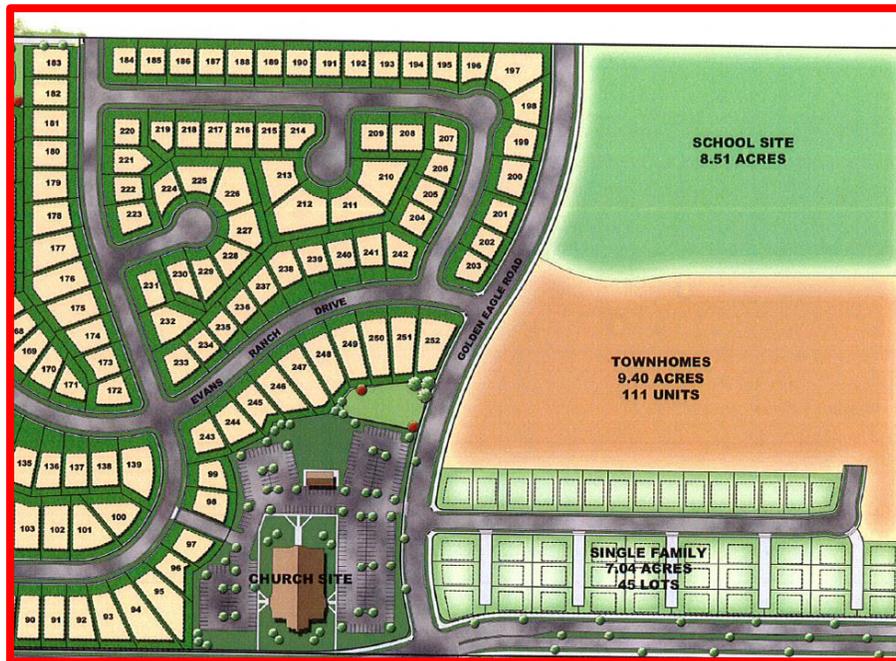
Current MDP



Proposed Amended MDP



The images above show the proposed change to the Master Development Plan. In addition to realigning the street the proposal adds additional single family lots abutting the Church, and proposes smaller, more standard shaped lots on the east boundary of the Evans Ranch Development.



Items for Consideration

Townhome Pod Changes: As mentioned above, the applicant is proposing to reduce the number of townhomes from 149 units to the 112 units, while also increasing the number of single family dwellings to the west of the townhome units from 30 to 45 units. The applicant is able to accomplish this through the platting process as a reduction in density is allowed in the existing Master Development Agreement, without any changes to the Master Development Plan.

Walkability: One of the hallmarks and selling points of the Evans Ranch Development was the walkability of the project. The proposal does maintain a large pedestrian easement on the front of properties providing for walkability.

Cul-de-Sacs: Cul-de-Sacs are discouraged in the city, and where they are present they should provide pedestrian connections. For this reason staff feels that the two cul-de-sacs should be connected via a walking path. The applicant has indicated that they think a walking path between the cul-de-sacs is a good idea and they will include one.

Road Layout: Residents have complained that the curvilinear road concept has caused problems particularly for large vehicles (school buses, and sod trucks). The proposed road layout is more typical and seemingly addresses concerns from elsewhere in the development.

Master Development Agreement Amendment

In addition to the changes to the Master Development Plan the applicant is also proposing to amend two exhibits to the Master Development Agreement, specifically Exhibits 4 and 7 regarding townhome elevations and the park plan. The existing exhibits and the proposed amendments are provided below, along with staff comments and concerns.

Exhibit 4 Parks Map

Existing Parks Map



Proposed Parks Map



Exhibit 7 Multifamily Design

The applicant is proposing fairly significant changes to the approved multifamily design.

Current Exhibits



FRONT ELEVATION CONCEPT
3/24/17



LEFT ELEVATION CONCEPT
3/24/17



Proposed Exhibits





Items for Consideration

Elevations: *Chapter 17.72.030 Site Design C. Multifamily Parking/Garages* states:

“Garages and parking areas should be placed to the rear of buildings, accessed by a service drive. If garages are placed on the front façade, they shall be staggered and setback so as to minimize their appearance from the street. Garages shall never dominate the street-facing façade of a building.”

Garages are a major feature of the proposed elevations for the townhomes; however, the applicant has included upgraded garage doors that include windows in the garage doors to minimize the visual impact of the garages. The Planning Commission is comfortable with the proposed elevations.

Attachments

- Executive Summary of Traffic Impact Study
- Proposed Exhibit 4
- Proposed Exhibit 7
- Proposed Map (Master Development Plan)
- Cottage Lots Setback Diagram
- Evans Ranch Fencing Exhibit
- Proposed Amendments to the Evans Ranch MDA

EXECUTIVE SUMMARY

This study addresses the traffic impacts associated with the proposed Evans Ranch development located in Eagle Mountain, Utah. The proposed residential project is located south of Pony Express Parkway and east of Porters Crossing Parkway.

Included within the analyses for this study are the traffic operations and recommended mitigation measures for existing conditions and plus project conditions (conditions after development of the proposed project) at key intersections and roadways in the vicinity of the site. Future (2020) conditions are also analyzed.

TRAFFIC ANALYSIS

The following is an outline of the traffic analysis performed by Hales Engineering for the traffic conditions of this project.

Existing (2016) Background Conditions Analysis

Hales Engineering performed weekday morning (7:00 to 9:00 a.m.) and afternoon (4:00 to 6:00 p.m.) peak period traffic counts at the following intersections:

- Porters Crossing Parkway / Pony Express Parkway
- Smith Ranch Road / Porters Crossing Parkway
- Park Place / Porters Crossing Parkway
- Clark Street / Porters Crossing Parkway
- Golden Eagle Road / Porters Crossing Parkway

These counts were performed on Tuesday, December 1, 2015. The morning peak hour was determined to be between the hours of 7:15 and 8:15 a.m.; detailed count data are included in Appendix A. The weekday morning counts were found to be approximately the same as the evening counts, however, the morning peak hour was used in the analysis because the trip generation rate for the morning peak hour was greater than the evening peak hour by approximately 100 trips. With the added traffic volume from the proposed development, the morning peak hour was determined to be the worst case scenario.

As shown in Table ES-1, all study intersections have acceptable levels of service during the weekday morning peak period. Some queuing is anticipated in the north- and southbound direction at Porters Crossing Parkway / Pony Express Parkway of approximately 290 and 260 feet respectively. No other significant queuing was observed within the study area.

Project Conditions Analysis

The proposed land use for the development has been identified as follows:

- Single Family Dwelling Units: 252 Houses
- Townhouses: 107 Units
- Cottages: 45 Units
- Elementary School: 600 Students

The projected gross trip generation for the development is as follows:

- Daily Trips: 4,420
- Morning peak Hour Trips: 558
- Evening Peak Hour Trips: 448

Existing (2016) plus Project Conditions Analysis

As shown in Table ES-1, all study intersections are anticipated to have acceptable levels of service except the Pony Express Parkway / Porters Crossing Parkway intersection. Some Queueing is anticipated for the northbound through/right-turn movement at the Porters Crossing Parkway / Pony Express Parkway intersection and is anticipated to be greater than 1,000 feet in length. This queue will block the left-turn pocket at this intersection causing queue starvation. This queue will also block upstream intersections. No other significant queueing is anticipated.

Future (2020) Background Conditions Analysis

As shown in Table ES-1, all study intersections are anticipated to have acceptable levels of service in year 2020. Some queueing is anticipated to occur at the intersection of Porters Crossing Parkway / Pony Express Parkway in the north- and eastbound through/right-turn directions of approximately 175 feet and 270 feet respectively. No other significant queueing is anticipated.

Future (2020) Plus Project Conditions Analysis

As shown in Table ES-1, all intersections are anticipated to operate at acceptable levels of service. Some queueing is anticipated to occur at the intersection of Porters Crossing Parkway / Pony Express Parkway in the north- and eastbound through/right-turn directions of greater than 470 feet and 280 feet respectively. There is also some queueing anticipated at Smith Ranch Road in the north bound direction of approximately 410 feet. No other significant queueing is anticipated.

TABLE ES-1				
Morning Peak Hour				
Eagle Mountain - Evans Ranch TIS				
Intersection	Existing 2016 Background	Existing 2016 Plus Project	Future 2020 Background	Future 2020 Plus Project
Description	LOS (Sec/Veh ¹)			
Porters Crossing Pkwy / Pony Express Pkwy	C (18.8)	F (> 50)	C (22.1)	C (26.1)
Smith Ranch Rd / Porters Crossing Pkwy	A (5.5)	B (12.4)	A (6.7)	C (15.7)
Park Place / Porters Crossing Parkway	A (5.7) / EB	A (9.1) / EB	A (6.3) / EB	C (15.4) / EB
Clark Street / Porters Crossing Parkway	A (5.6)	A (6.6)	A (6.1)	A (8.0)
Golden Eagle Road / Porters Crossing Parkway	A (4.7) / EB	A (7.3) / EB	A (5.2) / EB	B (12.3) / EB
1. Intersection LOS and delay (seconds/vehicle) values represent the overall intersection average for roundabout, signalized, all-way stop controlled intersections and the worst approach for all other unsignalized intersections. 2. This intersection is a project access and was only analyzed in "plus project" scenarios. 3. This intersection was eliminated as part of the proposed project and was only analyzed in "background" scenarios. Source: Hales Engineering, June 2016				

RECOMMENDATIONS

The following mitigation measures are recommended:

Existing (2016) Background Conditions Analysis

No mitigation measures are recommended.

Existing (2016) Plus Project Conditions Analysis

The intersection of Porters Crossing Parkway / Pony Express Parkway is anticipated to perform at a poor LOS. It is recommended that a signal be constructed at this location when traffic signal warrants are met.

According to a traffic study done by Hales Engineering for an adjacent development to the north, a signal is recommended at this location by year 2020, or as soon as it is warranted in accordance with Utah Manual on Uniform Traffic Control Devices (UMUTCD).

Future (2020) Background Conditions Analysis

Although not apparent in this morning study, it is anticipated that there will be a large amount of traffic that wants to make a westbound left-turn from Pony Express Parkway to southbound Porters Crossing Parkway during the evening peak hour. The volumes are anticipated to be the reverse of morning peak hour northbound right-turning movement. It was also recommended in a previous study completed by Hales Engineering for the adjacent project, that dual left-turns be constructed for the westbound left-turn movement at the intersection of Pony Express Parkway / Porters Crossing Parkway.

Future (2020) Plus Project Conditions Analysis

During the morning peak hour, there many northbound right-turning vehicles at the intersection of Porters Crossing Parkway / Pony Express Parkway. Although there is no significant queueing or poor LOS at this intersection, a right-turn over lap should be considered for the northbound right-turn movement when the traffic signal is installed.

Previously it was recommended that the north- and southbound stop signs be removed at the intersection of Smith Ranch Road / Porters Crossing Parkway. This was based on significant queueing that was anticipated. In the updated analysis, queueing is still present, however, it is only approximately 380 feet in the northbound direction. The LOS at this intersection is acceptable, although some drivers may have to wait in a queue to travel through Smith Ranch Road. This queue is anticipated to last only a short amount of time due to the nature of school traffic.

If the northbound queue at the intersection of Porters Crossing Parkway / Smiths Ranch Road is unacceptable the following measures could be taken:

- Remove the north- and southbound stop signs
- Construct a roundabout
- Widen Porters Crossing Parkway to two lanes in the northbound direction

SUMMARY OF KEY FINDINGS/RECOMMENDATIONS

The following is a summary of key findings and recommendations:

- All study intersections currently experience acceptable levels of service during the weekday morning peak hour
- It is anticipated that the school traffic from the Silver Lake development will have to use Pony Express Parkway and that the existing westbound left-turns that are difficult with current conditions, will only get worse with added traffic in the future
- With project traffic added, all study intersections are anticipated to operate at acceptable LOS except Porters Crossing Parkway / Pony Express Parkway

- At Porters Crossing Parkway / Pony Express Parkway, it is recommended that a signal be constructed at this location when traffic signal warrants are met
- In the 2020 background condition, all intersections are anticipated to operate at acceptable LOS
 - Although not apparent in this morning study, it is anticipated that there will be a large amount of traffic that wants to make a westbound left-turn from Pony Express Parkway to southbound Porters Crossing Parkway during the evening peak hour. The volumes are anticipated to be the reverse of morning peak hour northbound right-turning movement. It was also recommended in a previous study completed by Hales Engineering for the adjacent project, that dual left-turns be constructed for the westbound left-turn movement at the intersection of Pony Express Parkway / Porters Crossing Parkway.
- With project traffic added in year 2020, all intersections are anticipated to operate at acceptable LOS, provided that the Pony Express Parkway / Porters Crossing Parkway intersection is signalized
- Traffic on Porters Crossing Parkway is anticipated to continue growing beyond year 2020. As the area develops, making turning movements from Golden Eagle Road onto Porters Crossing Parkway may become more difficult. With an elementary school in close proximity to this intersection, a westbound left-turn pocket should be considered. Currently, there is approximately 38 feet of pavement allowing for two egress lanes and a single ingress lane
- For the future 2020 plus project conditions, Porters Crossing Parkway is anticipated to have enough capacity to handle the demand

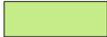


**ENGINEERS
SURVEYORS
PLANNERS**

3302 N. Main Street
Spanish Fork, UT 84660
Phone: 801.798.0555
Fax: 801.798.9393
office@lei-eng.com
www.lei-eng.com

EVANS RANCH
EAGLE MOUNTAIN, UTAH
EXHIBIT 4 - PARK PLAN



SUMMARY TABULATIONS	LEGEND
PRIVATE CHURCH / SCHOOL 13.12 AC	PRIVATE SINGLE FAMILY OPEN SPACE 
PRIVATE TOWNHOME OPEN SPACE 0.54 AC	PUBLIC OPEN SPACE 
PRIVATE SINGLE FAMILY OPEN SPACE 7.04 AC	CHURCH 
PUBLIC OPEN SPACE 8.71 AC	SCHOOL 
TICKVILLE WASH 6.41 AC	TOWNHOMES 
BENCH 10 EA	SINGLE FAMILY COTTAGES 
SHADE STRUCTURE 2 EA	
1/2 BASKETBALL COURT 2 EA	
TREES 195 EA	
ASPHALT TRAIL 5,573 LF	
PLAYGROUND EQUIPMENT \$80,000	
LIGHT BOLLARDS 39 EA	



1099 W. SOUTH JORDAN PARKWAY
SOUTH JORDAN, UT 84095
(801) 495-3414

REVISIONS
1
2
3
4
5

LEI PROJECT #:
2012-1845
DRAWN BY:
BLS
CHECKED BY:
GDM
SCALE:
1" = 150'
DATE:
6/22/2016

EXHIBIT
4



CONCEPT RENDERING - 01



DAI UTAH EVANS RANCH TOWNHOMES

EAGLE MOUNTAIN, UTAH

22 June, 2016



CONCEPT RENDERING - 02



DAI UTAH EVANS RANCH TOWNHOMES

EAGLE MOUNTAIN, UTAH

22 June, 2016



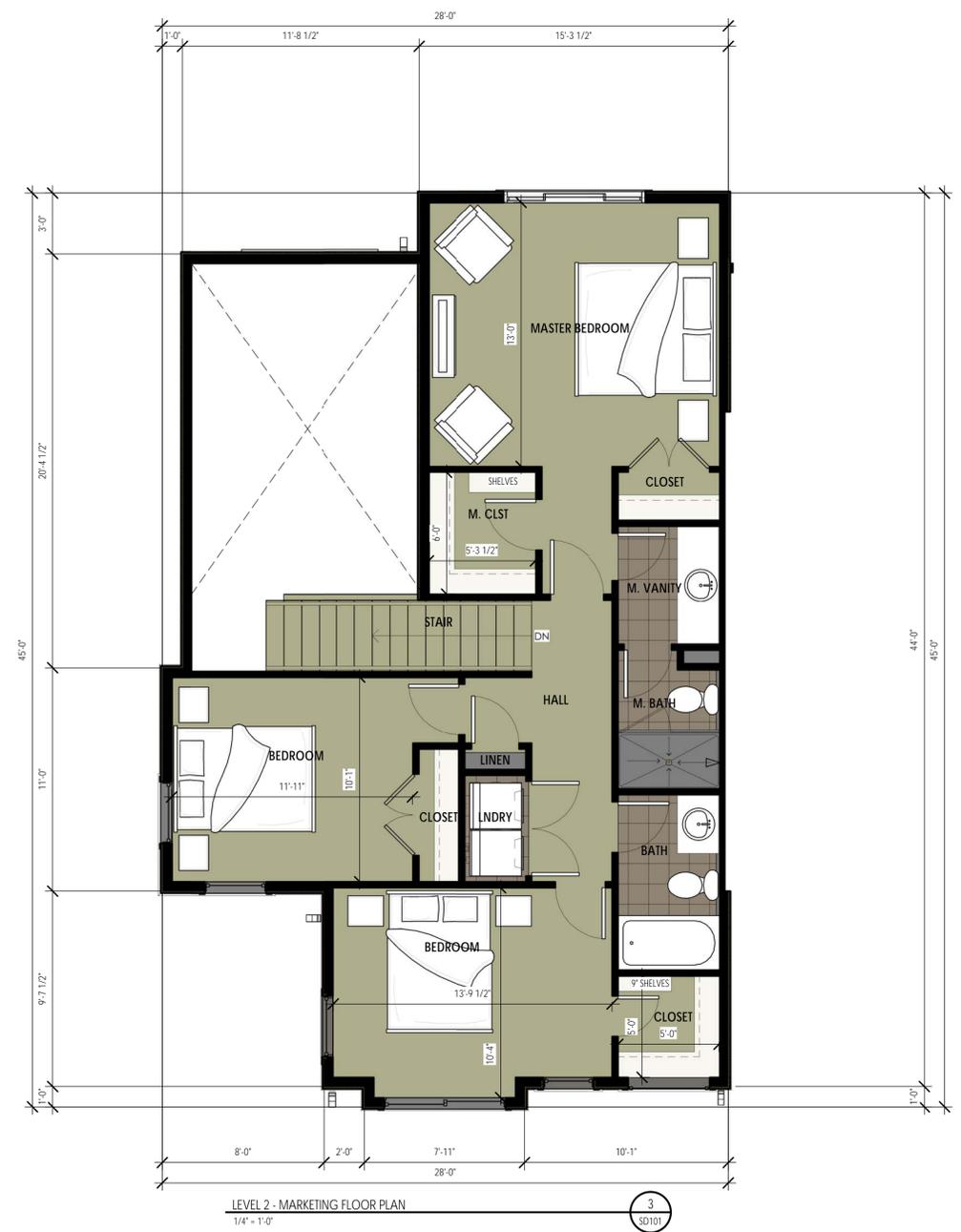
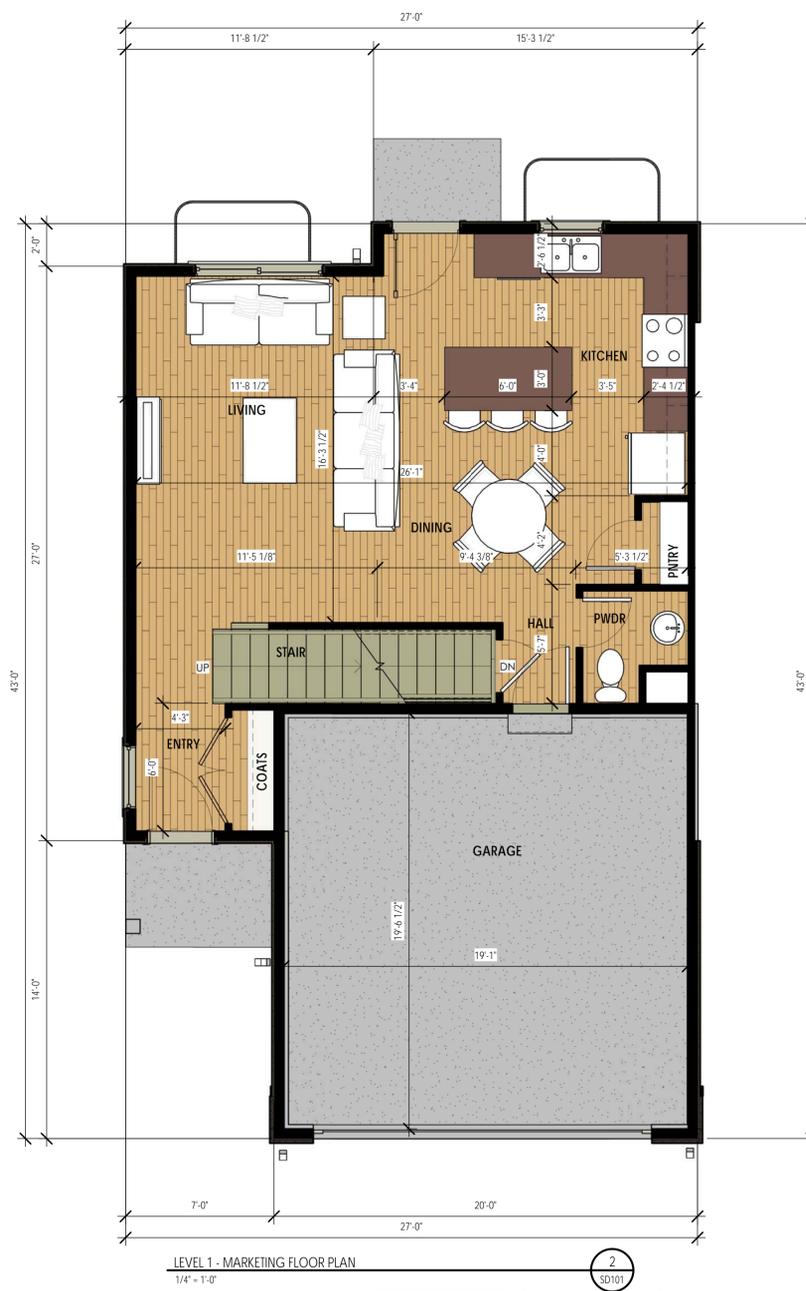
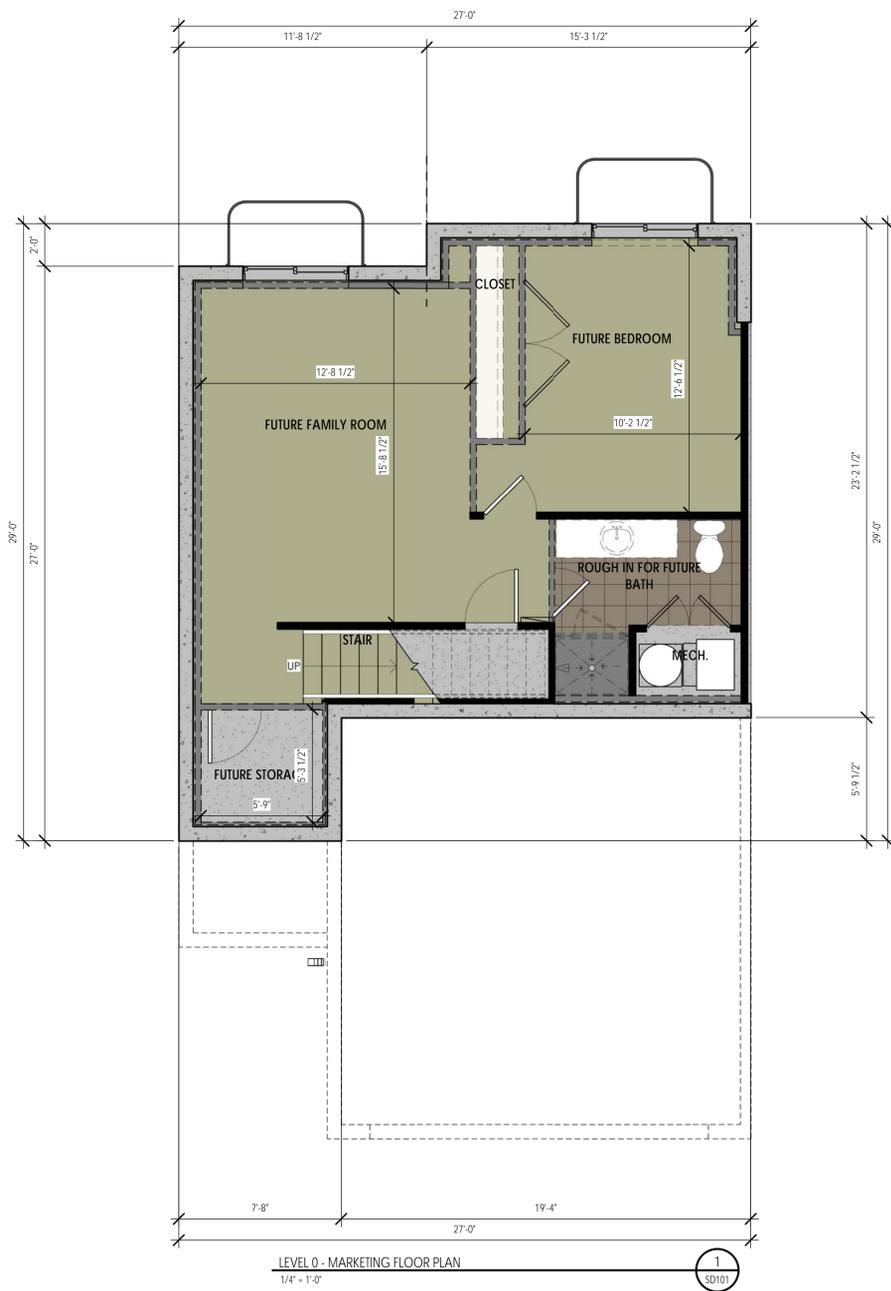
CONCEPT RENDERING - 03



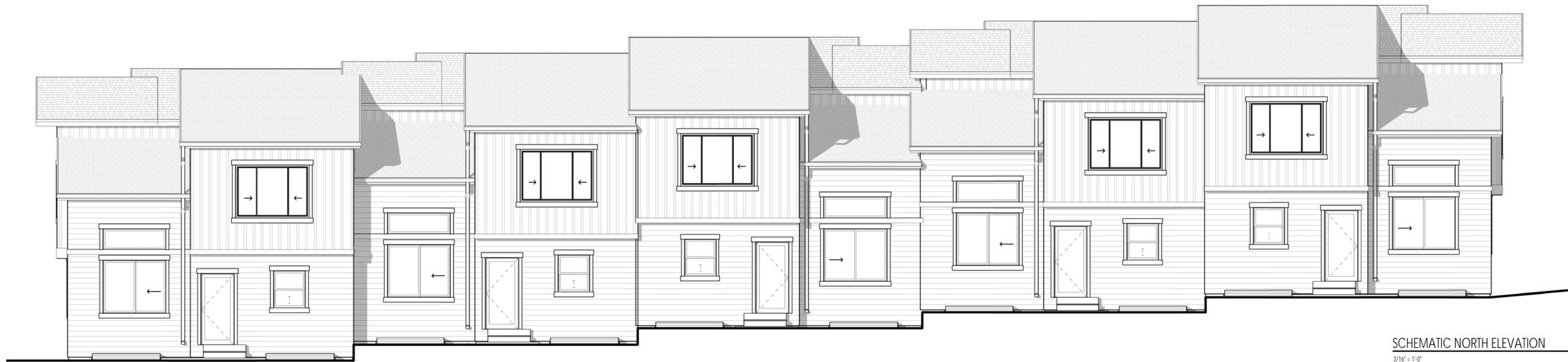
DAI UTAH EVANS RANCH TOWNHOMES

EAGLE MOUNTAIN, UTAH

22 June, 2016



UNIT A AREAS	
NAME	AREA
LEVEL 1 FINISHED	642 SF
LEVEL 2 FINISHED	843 SF
LEVEL 0 UNFINISHED	584 SF
GARAGE	397 SF
Grand total	2466 SF



SCHMATIC NORTH ELEVATION
3/16" = 1'-0"

1
0201



SCHMATIC SOUTH ELEVATION
3/16" = 1'-0"

2
0201



SCHMATIC EAST ELEVATION
3/16" = 1'-0"

3
0201



SCHMATIC WEST ELEVATION
3/16" = 1'-0"

4
0201



DAI UTAH EVANS RANCH TOWNHOMES

EAGLE MOUNTAIN, UTAH



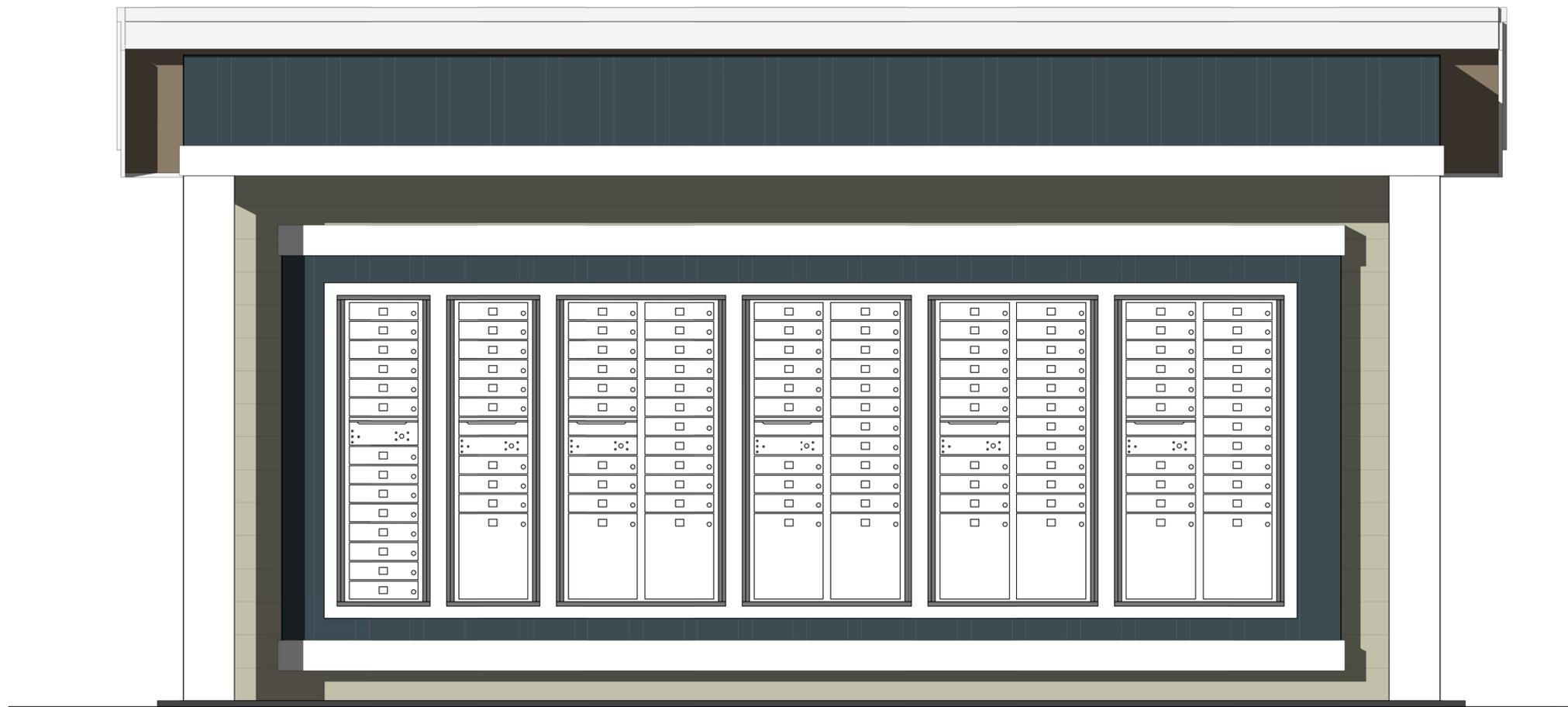
SCHEMATIC MATERIALS FRONT ELEVATION
3/16" = 1'-0"

1
D202



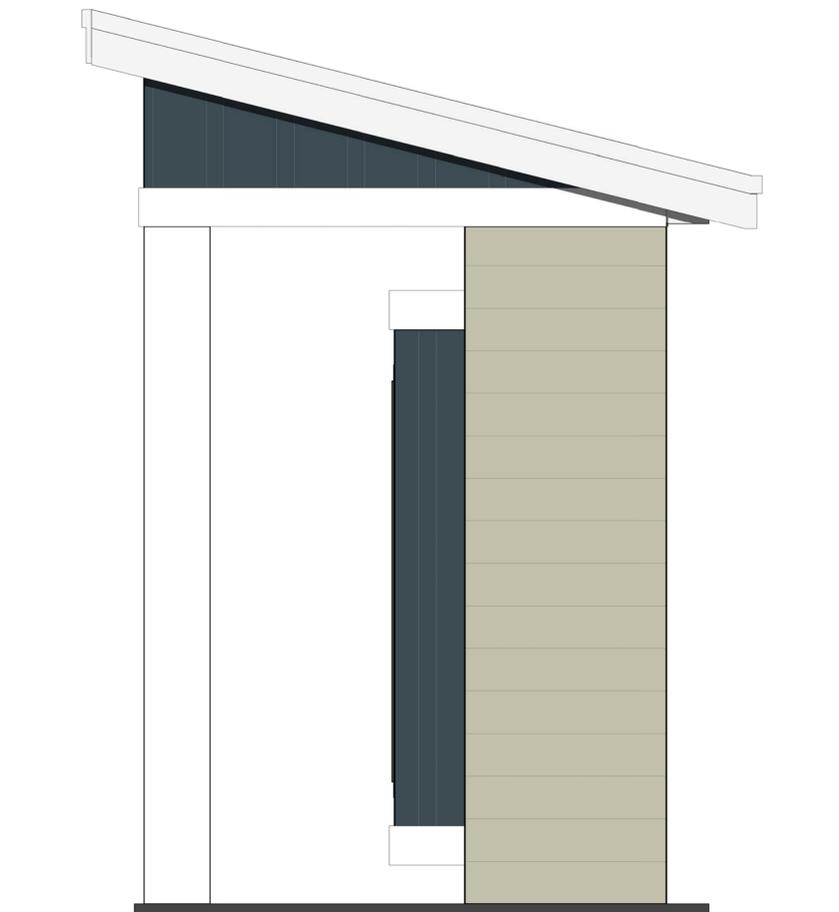
SCHEMATIC MATERIALS REAR ELEVATION
3/16" = 1'-0"

2
D202



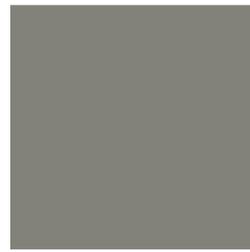
MAILBOX FRONT ELEVATION
1" = 1'-0"

1
D205

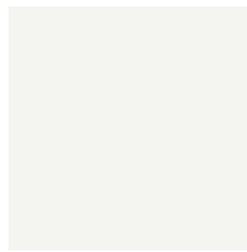


MAILBOX SIDE ELEVATION
1" = 1'-0"

2
D205



Front Door
 Manufacturer:
 Kwat
 Color:
 Elf CL3215D



Fiber Cement Trim
 Manufacturer:
 Hardie Color Plus
 Color:
 Arctic White



Hardie - Color 1
 Manufacturer:
 Hardie Color Plus
 Color:
 Evening Blue



Hardie - Color 2
 Manufacturer:
 Hardie Color Plus
 Color:
 Aged Pewter



Hardie - Color 1
 Manufacturer:
 Hardie Color Plus
 Color:
 Cobblestone



Stone
 Manufacturer:
 Dutch Quality
 Color:
 Ashen Dry Stack



Gar. Door Panel
 Manufacturer:
 Wayne Dalton
 Color:
 Aged Pewter



Gar. Door Frame
 Manufacturer:
 Wayne Dalton
 Color:
 White

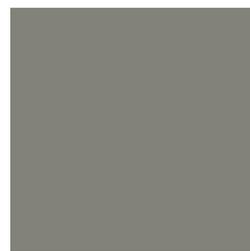


Alum Fascia/Sofit
 Manufacturer:
 Mastic
 Color:
 30 Degree White

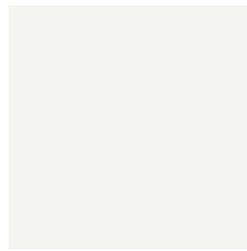


Roofing
 Manufacturer:
 CertianTeed
 Color:
 Moire Black

COLOR SCHEME - 01



Front Door
 Manufacturer:
 Kwat
 Color:
 Elf CL3215D



Fiber Cement Trim
 Manufacturer:
 Hardie Color Plus
 Color:
 Arctic White



Hardie - Color 1
 Manufacturer:
 Hardie Color Plus
 Color:
 Countrylane Red



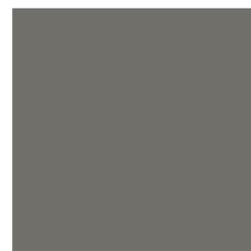
Hardie - Color 2
 Manufacturer:
 Hardie Color Plus
 Color:
 Aged Pewter



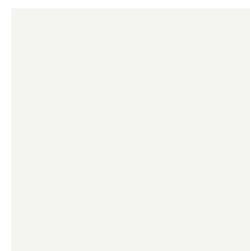
Hardie - Color 1
 Manufacturer:
 Hardie Color Plus
 Color:
 Cobblestone



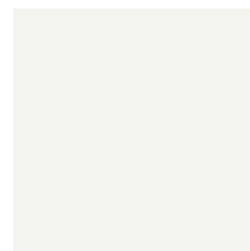
Stone
 Manufacturer:
 Dutch Quality
 Color:
 Ashen Dry Stack



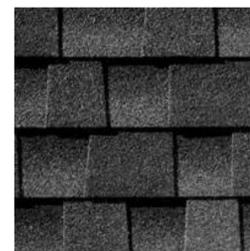
Gar. Door Panel
 Manufacturer:
 Wayne Dalton
 Color:
 Aged Pewter



Gar. Door Frame
 Manufacturer:
 Wayne Dalton
 Color:
 White

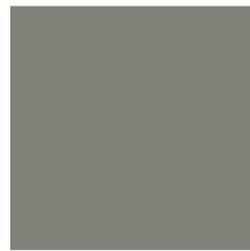


Alum Fascia/Sofit
 Manufacturer:
 Mastic
 Color:
 30 Degree White

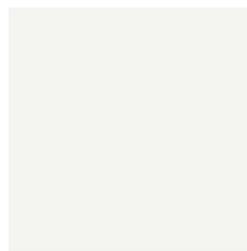


Roofing
 Manufacturer:
 CertianTeed
 Color:
 Moire Black

COLOR SCHEME - 02



Front Door
 Manufacturer:
 Kwat
 Color:
 Elf CL3215D



Fiber Cement Trim
 Manufacturer:
 Hardie Color Plus
 Color:
 Arctic White



Hardie - Color 1
 Manufacturer:
 Hardie Color Plus
 Color:
 Heathered Moss



Hardie - Color 2
 Manufacturer:
 Hardie Color Plus
 Color:
 Aged Pewter



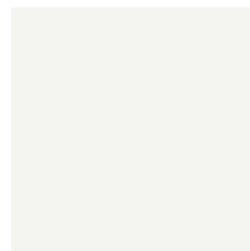
Hardie - Color 1
 Manufacturer:
 Hardie Color Plus
 Color:
 Cobblestone



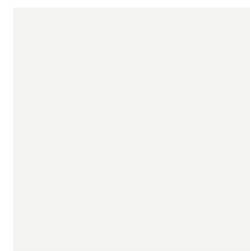
Stone
 Manufacturer:
 Dutch Quality
 Color:
 Ashen Dry Stack



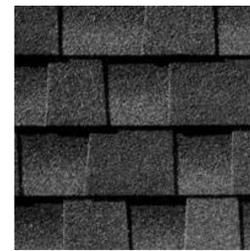
Gar. Door Panel
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 Wayne Dalton
 Color:
 Aged Pewter



Gar. Door Frame
 Manufacturer:
 Wayne Dalton
 Color:
 White



Alum Fascia/Sofit
 Manufacturer:
 Mastic
 Color:
 30 Degree White



Roofing
 Manufacturer:
 CertianTeed
 Color:
 Moire Black

COLOR SCHEME - 03

COLOR SCHEMES



DAI UTAH EVANS RANCH TOWNHOMES

EAGLE MOUNTAIN, UTAH



UNIT SUMMARY					
TYPE	# bd	#ba	#gar	sq. ft.	Total Units
A	3	2	2	1441	111
B	-	-	-	1360	-
TOTAL UNITS					111
PARKING SUMMARY					
LOCATION	# STALLS				
GARAGE STALLS	222				
SURFACE STALLS	40				
DRIVEWAY STALLS	222				
TOTAL STALLS	480				
STALLS/UNIT	4.32				
AREA SUMMARY					
AREA	ACRES	%			
PROPERTY BOUNDARY	9.5	100%			
ROADS/DRIVEWAYS/PKG	2.9	30.5%			
BUILDINGS	2.8	29.5%			
LANDSCAPING/WALKS	4	40%			

NOTE:
CONSTRUCTION TYPE
(VB - NON SPRINKLERED)

SITE PLAN
SCALE: 1" = 40'-0"

DAI UTAH
EVANS RANCH
999
EAGLE MOUNTAIN, UTAH

FOR REVIEW - NOT FOR CONSTRUCTION

PROJECT NO. 16059
DATE: 17 JUNE, 2016

REVISIONS:

SHEET TITLE:
EVANS-RANCH
MASTER-PLAN

SHEET NUMBER:
A100

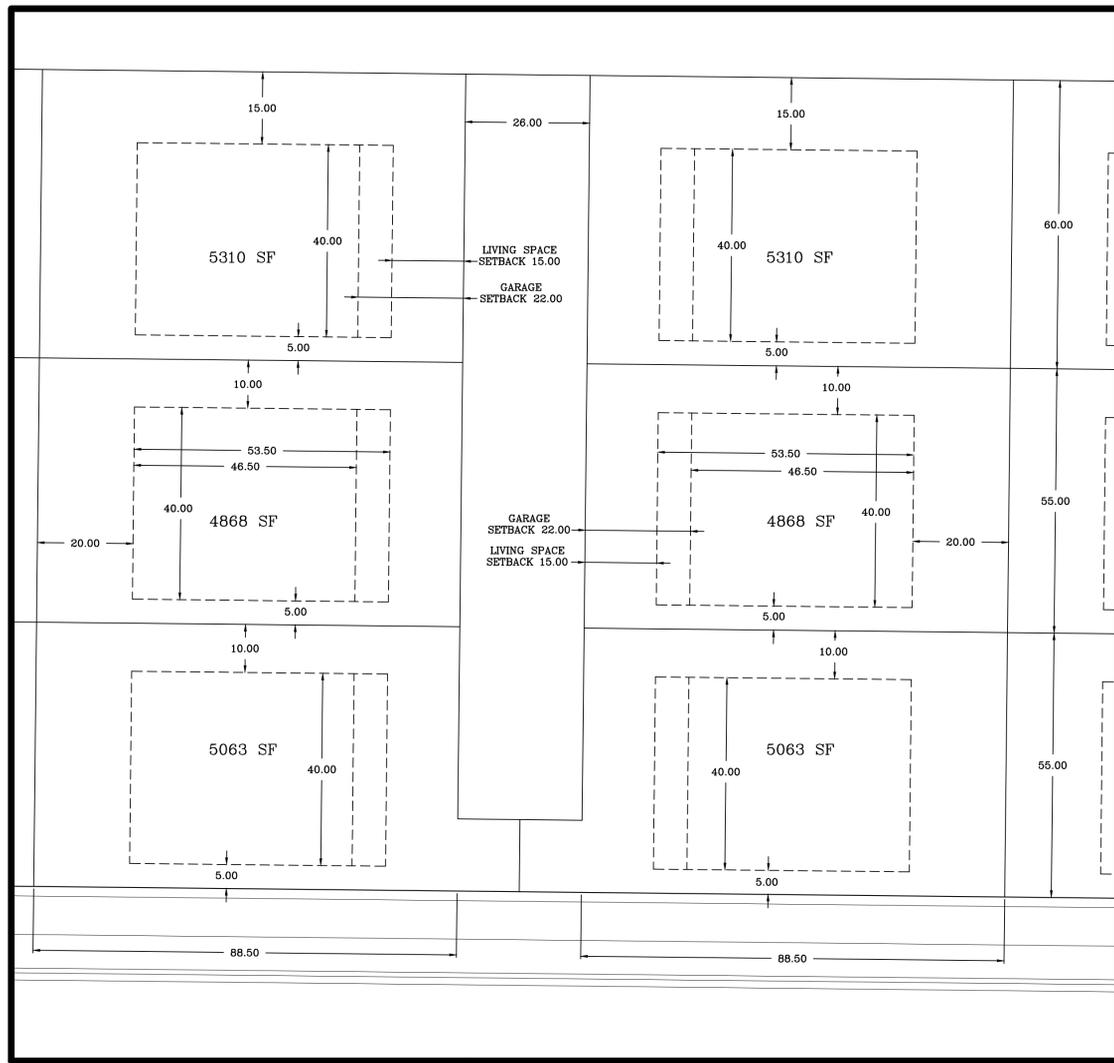


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SURVEYORS
PLANNERS**

3302 N. Main Street
Spanish Fork, UT 84660
Phone: 801.798.0555
Fax: 801.798.9393
office@lei-eng.com
www.lei-eng.com

**NOT FOR
CONSTRUCTION**

EVANS RANCH
EAGLE MOUNTAIN, UTAH
COTTAGES LOT DETAIL



REVISIONS	
1 -	
2 -	
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4 -	
5 -	

LEI PROJECT #:
2012-1845

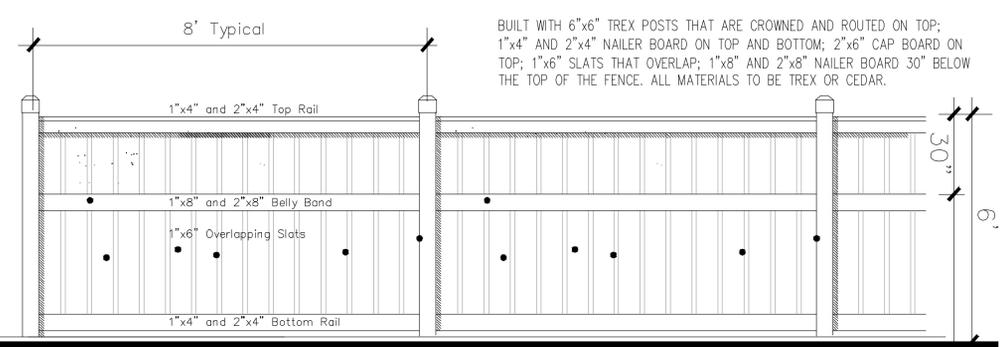
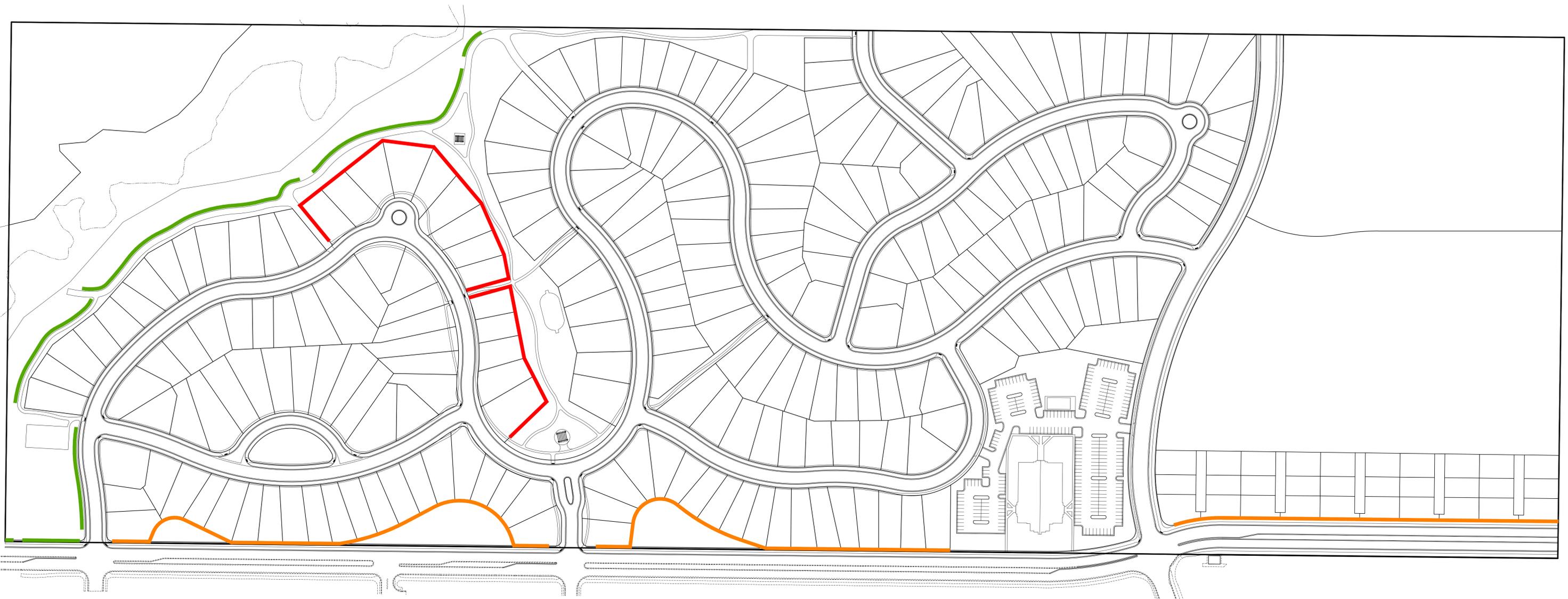
DRAWN BY:
BLS

CHECKED BY:
NKW

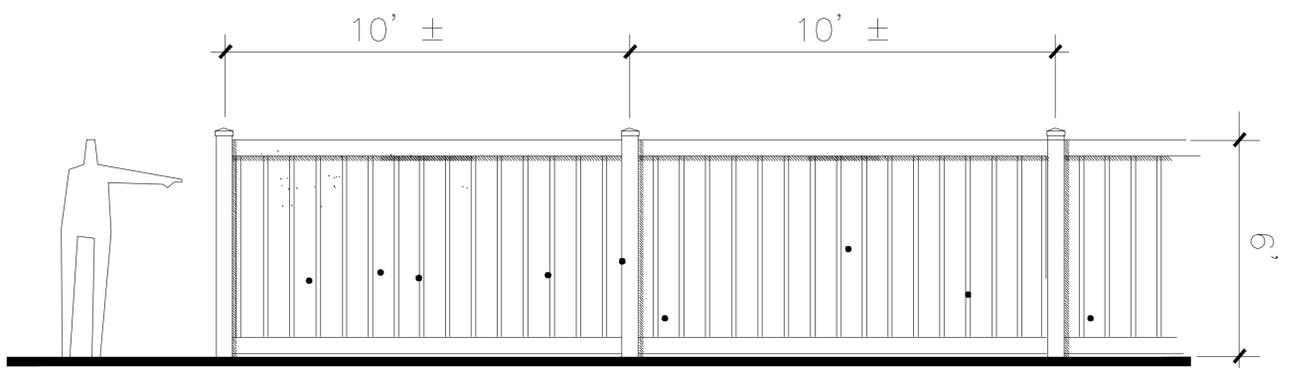
SCALE:
1" = 60'

DATE:
2/25/2016

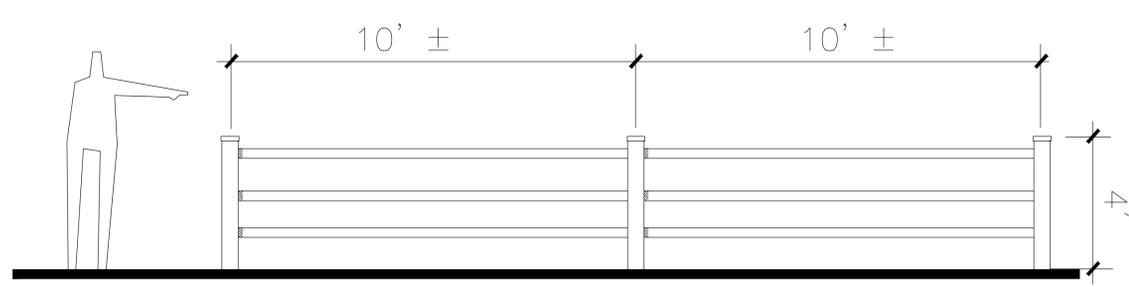
SHEET
1



— Estate Fence



— 6' Vinyl Fence (Tan)



— Split-rail Fence (3-rail)

**SECOND AMENDMENT TO
EVANS RANCH MASTER
DEVELOPMENT AGREEMENT**

THIS SECOND AMENDMENT TO EVANS RANCH MASTER DEVELOPMENT AGREEMENT (“*Amendment*”) is made and entered into effective as of the ____ day of _____, 2016, by and between EAGLE MOUNTAIN CITY, a Utah municipal corporation (“*City*”), and EVANS RANCH, LLC, a Utah limited liability company (“*Developer*”).

RECITALS:

A. The City and Developer (as successor in interest to and assignee of Eagle12, LLC) are parties to that certain Evans Ranch Master Development Agreement dated October 16, 2013, as amended by that certain First Amendment to Evans Ranch Master Development Agreement dated _____, 2016 (collectively, the “*Development Agreement*”). All capitalized terms not otherwise defined in this Amendment shall have the same meaning given to such terms in the Development Agreement.

B. The City and Developer desire to amend the Development Agreement pursuant to this Amendment to, among other things, update the Evans Ranch Master Development Plan Map and the Parks Map.

AMENDMENT:

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and Developer agree as follows:

1. Amendments to Densities and Use Provisions.

a. Exhibit 2 of the Development Agreement (as previously amended) is hereby deleted in its entirety, and Exhibit 2 attached to this Amendment is inserted in lieu thereof. The City and Developer acknowledge and agree that the Maximum Residential Units is by this Amendment and the attached Evans Ranch Master Development Plan Map is 409 dwelling units (including 297 single family and 112 townhome dwelling units).

b. The second sentence of Section 3.4.1 of the Agreement (as previously amended) is hereby deleted, and the following is inserted in lieu thereof:

“Nevertheless, with each preliminary plat application, Developer shall designate the chosen bonus density improvements, as depicted in the following tables, to equal 3.02 du/ac for the single-family areas and 11.80 du/ac for the townhome area; provided, however that nothing herein shall alter the requirements for Open Space identified in Section 6.3 below.”

2. Amendment to Parks Map. Exhibit 4 of the Development Agreement (as has previously been amended) is hereby deleted in its entirety, and Exhibit 4 attached to this Amendment is inserted in lieu thereof.

3. Amendment to Multi-Family Design. Exhibit 7 of the Development Agreement is hereby deleted in its entirety, and Exhibit 7 attached to this Amendment is inserted in lieu thereof.

4. Counterpart Signatures. This Amendment may be executed in counterparts, which, when compiled together shall constitute one and the same document. The exchange of electronic or facsimile copies of signatures to this Amendment shall for all purposes constitute original signatures.

5. Full Force and Effect. Except as expressly amended herein, the Development Agreement remains in full force and effect.

[Signatures on Next Page.]

IN WITNESS WHEREOF, the parties hereto have executed this Amendment effective as of the day and year first written above.

CITY:

EAGLE MOUNTAIN CITY, a Utah municipal corporation

ATTEST:

By: _____
Fionnuala B. Kofoed, City Recorder

By: _____
Christopher Pengra, Mayor

DEVELOPER:

EVANS RANCH, LLC, a Utah limited liability company

By: DAI Managers, LLC, a Utah limited liability company, its Manager

By: _____
Nathan D. Shipp, Manager

1377982

EXHIBIT 2

MASTER DEVELOPMENT PLAN MAP

See attached.

EXHIBIT 4

PARKS MAP

See attached.

EXHIBIT 7

MULTI-FAMILY DESIGN

See attached.

**SECOND AMENDMENT TO
EVANS RANCH MASTER
DEVELOPMENT AGREEMENT**

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DEVELOPER:

EVANS RANCH, LLC, a Utah limited liability company

By: DAI Managers, LLC, a Utah limited liability company, its Manager

By: _____
Nathan D. Shipp, Manager

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MASTER DEVELOPMENT PLAN MAP

See attached.

EXHIBIT 4

PARKS MAP

See attached.

EXHIBIT 7

MULTI-FAMILY DESIGN

See attached.