

When recorded, return to:
Tooele County Clerk
47 S. Main Street
Tooele, UT 84074

**NOTICE OF INTENT AND OBLIGATION
TO CREATE PERPETUAL CONSERVATION EASEMENT**

DATE: JANUARY 3, 2022
GRANTOR: OQUIRRH POINT DEVELOPMENT LLC
GRANTEE: TOOELE COUNTY
PROPERTY: PARCEL NO. 05-050-0-0010

BEG AT NE COR OF SE1/4 OF NW1/4 OF SEC 34, T2S, R4W, SLB&M, TH S 1287 FT, W 58 FT, N 147 FT, W 100 FT, S 147 FT, W 1030 FT, TH N 627 FT, TH W 132 FT, N 660 FT, TH E 1320 FT TO BEG --- SUB R/W OF INGRESS AND REGRESS OVER AND ACROSS SAID PROPERTY AS DESCRIBED IN THAT CERTAIN WARRANTY DEED AS RECORDED IN BOOK 249 AT PAGE 44 AS ENTRY NO 005088 OF OFFICIAL RECORDS ---EXCEPTING THEREFROM THAT PORTION THEREOF INCLUDED IN ROADS. 36.97 ACRES MORE OR LESS.

Grantor is the developer of a master planned community known as Oquirrh Point, currently in Tooele County, but which will be in Erda City upon Erda City's incorporation.

Grantor is in the process of acquiring the property from Geraldine B. Sagers, Trustee of The Geraldine B. Sagers Family Living Trust.

Erda City is in the process of incorporating. Erda City may receive its certificate of incorporation within the next few days.

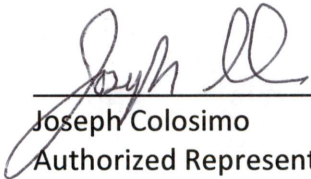
Grantor has entered into a Master Development Agreement ("MDA") with Tooele County dated November 4, 2021. The MDA refers to the property as "Pod F."

The MDA requires Grantor to set aside specified areas, including the property described above, as perpetual open space. As regards the property, Grantor intends to fulfill that requirement by recording a Perpetual Conservation Easement in favor of Tooele County. Tooele County intends to transfer the Perpetual Conservation Easement to Erda City after Erda City's incorporation.

A referendum process that sought to overturn Ordinance 2021-34 appears to have failed due to insufficient signatures. If the referendum is determined to be sufficient, then pursuant to Utah Code Section 17-27a-508, Grantor has the right to rescind the Oquirrh Point land use approval within seven days. If Grantor exercises that right, or if the Oquirrh Point land use approval is overturned by the referendum process, or by a court of law, or by any other legal process, Grantor's obligation to set aside the property as open space will be null and void.

DATED this 3rd date of January, 2022.


OQUIRRH POINT DEVELOPMENT LLC:



Joseph Colosimo
Authorized Representative

STATE OF UTAH)
) :ss.
COUNTY OF SALT LAKE)

On the 3rd day of January, 2022, Joseph Colosimo, personally appeared before me as the authorized representative of OQUIRRH POINT DEVELOPMENT LLC, a Utah limited liability company, who acknowledged that he, being duly authorized, did execute the foregoing instrument on behalf of OQUIRRH POINT DEVELOPMENT LLC, a Utah limited liability company.



NOTARY PUBLIC

