

When recorded, return to:

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April 18, 2023

To: Weber County Engineering  
2380 Washington Blvd #240  
Ogden, UT 84401  
C/o: Tucker Weight  
tweight@webercountyutah.gov  
Re: New Construction SFD at Lot 85 of Elkhorn Subdivision, Phase 4  
5727 E Elkhorn Dr. Eden, UT  
Parcel # 22-171-0006  
Legal Description:  
ALL OF LOT 85, ELKHORN SUBDIVISION PHASE 4, WEBER COUNTY, UTAH

To Weber County Engineering:

A note on the January 2000 Elkhorn Subdivision Plat Map for Lot 85 states "The finish floor elevation of the basement should not be lower than 3.74' below the curb and gutter at the center of the lot."

The attached letter from Gordon Geotechnical Engineers references this note and confirms that the proposed basement elevation is acceptable. The construction of this proposed home will follow the recommendations of Gordon Geotechnical Engineers and any other professional consultants involved on this project.

The undersigned owner of this property hereby releases Weber County from all liability, and shall indemnify and hold Weber County harmless against all injury or damage to any person or property, resulting from the construction of the basement lower than 3.74' below the curb and gutter at the center of the lot. This liability release and indemnification obligation will take effect if Weber County approves the construction of the basement lower than 3.74' below the curb and gutter at the center of the lot.

Included are the following appendices:

1. Plat Map of part of the Elkhorn Subdivision, Phase 4, dated January 2000
2. Letter from Gordon Geotechnical Engineers dated March 24, 2023
3. Survey from Gardner Engineering dated May 3, 2021
4. Geologic Hazards Reconnaissance Report dated April 26, 2021

In addition, the undersigned owner consents to this document being recorded on the official records of Parcel 22-171-0006 in the office of the Weber County Recorder. This is to ensure that the owner's successors and assigns are on notice regarding the owner's liability release and indemnification obligation, which the owner and the County intend to be a covenant running with the land, if the obligation is triggered by the County's approval as set forth above.

Roxana Homes LLC  
Property Owner

By: \_\_\_\_\_  
*[Signature]*

Print Name: JONATHAN MEISTER

Title: OWNER

Date: 4/18/2023

Acknowledgement:

State of Utah )  
County of \_\_\_\_\_ )

)ss. *See Attached*

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared before me \_\_\_\_\_, who being by me duly sworn, did say that he is the \_\_\_\_\_ of Roxana Homes LLC, a limited liability company, and that the foregoing instrument was signed in behalf of said limited liability company by authority of its members or its articles of organization; and said person acknowledged to me that said limited liability company executed the same.

\_\_\_\_\_  
Notary Public

Notary's official seal:

ACCEPTED BY WEBER COUNTY

\_\_\_\_\_  
Chair, Board of County Commissioners

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Weber County Clerk/Auditor

Date: \_\_\_\_\_



# All-purpose Acknowledgment California

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

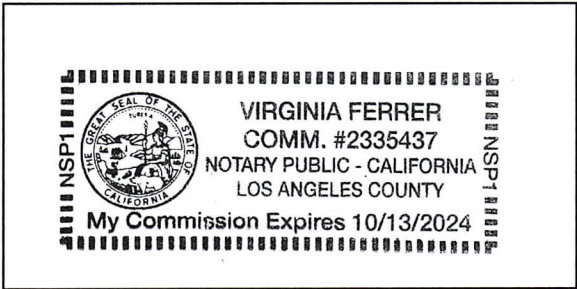
State of California

County of Los Angeles

On 04/18/2023 before me, Virginia Ferrer Notary public (here insert name and title of the officer),

personally appeared Jonathan Meister Owner of Roxana Homes LLC and owner of said Property

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Notary Seal

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature]

### For Bank Purposes Only

Description of Attached Document

Type or Title of Document Letter of intent

Document Date 04/18/2023 Number of Pages 2

Signer(s) Other Than Named Above none

Account Number (if applicable) none



F001-000DSG5350CA-01