

RESOLUTION NO. R-232025

A RESOLUTION OF EAGLE MOUNTAIN CITY, UTAH,  
APPROVING THE FIRST AMENDMENT TO THE EAGLE QUEST EAST  
MASTER DEVELOPMENT AGREEMENT

PREAMBLE

WHEREAS, the City Council of Eagle Mountain City, Utah, finds that it is in the public interest to approve the First Amendment to the Eagle Quest East Master Development Agreement, as set forth more specifically in Exhibit A; and

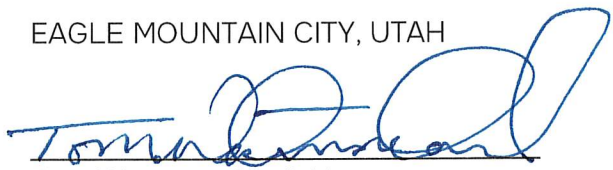
WHEREAS, the City Council finds that all required notices and hearings have been completed as required by law to consider and approve the First Amendment to the Eagle Quest East Master Development Agreement, as set forth in Exhibit A.

NOW, THEREFORE, be it resolved by the City Council of Eagle Mountain City, Utah:

1. The First Amendment to the Eagle Quest East Master Development Agreement, attached hereto as Exhibit A, is hereby approved.
2. This Resolution shall become effective immediately upon its passing.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 18<sup>th</sup> day of March, 2025.

EAGLE MOUNTAIN CITY, UTAH

  
Tom Westmoreland, Mayor

ATTEST:

  
Gina L. Olsen, CMC  
City Recorder



## CERTIFICATION

The above Resolution was adopted by the City Council of Eagle Mountain City, Utah on the 18<sup>th</sup> day of March, 2025.

Those voting yes:

☒ Donna Burnham

☒ Melissa Clark

☒ Jared Gray

☐ Rich Wood

☒ Brett Wright

Those voting no:

☐ Donna Burnham

☐ Melissa Clark

☐ Jared Gray

☒ Rich Wood

☐ Brett Wright

Those excused:

☐ Donna Burnham

☐ Melissa Clark

☐ Jared Gray

☐ Rich Wood

☐ Brett Wright

Those abstaining:

☐ Donna Burnham


☐ Melissa Clark

☐ Jared Gray

☐ Rich Wood

☐ Brett Wright



  
\_\_\_\_\_  
Gina L. Olsen, CMC  
City Recorder

**WHEN RECORDED, RETURN TO:**

Eagle Mountain City  
Attn: Gina L. Olsen, City Recorder  
1650 Stagecoach Run  
Eagle Mountain, UT 84005

**FIRST AMENDMENT  
TO THE MASTER DEVELOPMENT AGREEMENT  
FOR EAGLE QUEST EAST**

This First Amendment to the Master Development Agreement for Eagle Quest East ("First Amendment") is made and entered into as of the 19 day of March, 2025 ("Amendment Effective Date"), by and between Eagle Mountain City, a political subdivision of the State of Utah ("City") and Eagle Quest LLC of Utah ("Developer"). The City and Developer are sometimes referred to herein collectively as the "Parties" and each individually as a "Party".

**RECITALS**

A. On April 25<sup>th</sup>, 2023, the Parties entered into a Master Development Agreement for Eagle Quest East ("Original MDA").

B. Section 7.1 of the Original MDA requires that site work for the first final plat or site plan occur within thirty (30) months of the Effective Date as defined in that agreement. Due to issues outside of its control, Developer will not be able begin site work for the first final plat or a site plan in the required timeline.

C. In order to achieve the purposes of the Original MDA, the Parties have negotiated an extension for Developer to begin site work for the first final plat or site plan and seek to memorialize it in this First Amendment.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agrees as follows.

**AMENDMENT**

1. **Effect of First Amendment.** Other than as specifically amended herein by this First Amendment, the Original MDA shall remain in full force and effect.

2. **Amendment of Section 7.1.** Section 7.1 is deleted in its entirety and replaced with following provision in lieu thereof:

**7.1. First Preliminary Plat or Site Plan.** Recognizing that Developer must obtain the cooperation of SITLA and its optionee for the anticipated extension of Aviator Avenue to connect with Pony Express Parkway, the first preliminary plat or site plan for the Project shall be submitted for approval within twenty-four (24) months from the Effective Date. The site work for the first final plat or site plan shall occur within thirty-nine (39) months from the Effective Date, including required public infrastructure (including but not limited to curb, gutter, roads) as noted in this MDA, provided that approval of the site plan or final

plat has not been unreasonably delayed by the City. The preliminary plat approved on April 19, 2022 will now expire on July 24, 2026, unless extended in accordance with Eagle Mountain's Vested Laws.

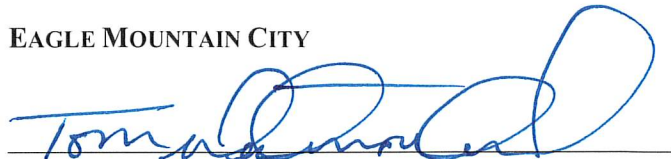
3. **Recording.** The Parties shall cause this First Amendment to be recorded in the records of the Utah County Recorder.

**IN WITNESS WHEREOF**, the Parties hereto have executed this Agreement by and through their respective, duly authorized representatives as of the day and year first herein above written.

*[signatures on following pages]*

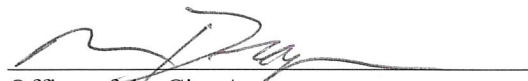
CITY

EAGLE MOUNTAIN CITY

  
TOM WESTMORELAND, Mayor

ATTEST

  
GINA L. OLSEN, City Recorder

  
Office of the City Attorney  
Approved as to form and legality




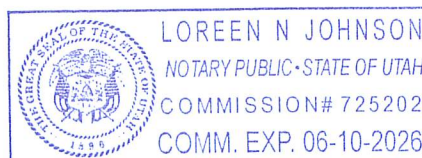
**CITY ACKNOWLEDGMENT**

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

On the 19 day of March, 2025, personally appeared before me  
Tom Westmoreland, who being by me, Loreen N. Johnson, a  
notary public, in and for said County of Utah, in the State of Utah, **Tom Westmoreland**, Mayor  
of Eagle Mountain City, who is personally known to me, whose name is subscribed to this  
instrument and acknowledged he executed the same.

Witness my hand and official seal.

  
NOTARY PUBLIC





EAGLE QUEST LLC OF UTAH

By: 

Print Name: KURT OSTER

Title: MANAGER

DEVELOPER ACKNOWLEDGMENT

STATE OF UTAH )  
 )  
COUNTY OF Utah ) :ss.

On the 25 day of March, 2025, personally appeared before me  
Kurt Oster, who being by me duly sworn, did say that (s)he is the  
Manager of **Eagle Quest LLC of Utah**, a Utah limited liability  
company, and that the foregoing instrument was duly authorized by the company at a lawful  
meeting held by authority of its operating agreement and signed in behalf of said company.

  
NOTARY PUBLIC

