

RESOLUTION NO. R-44-2025

**A RESOLUTION OF EAGLE MOUNTAIN CITY, UTAH,
PROVIDING NOTICE OF DEFAULT TO LENNAR HOMES
FOR SPECIFIC TERMS OF THE
AULT FARMS MASTER DEVELOPMENT AGREEMENT**

PREAMBLE

WHEREAS, on January 21, 2025, the Eagle Mountain City Council met with representatives of Lennar Homes to address concerns regarding noncompliance with approved elevations for townhome construction in the Parkway Fields development; and

WHEREAS, during the course of the meeting, the issue of Lennar's failure to screen mechanical equipment on the previously constructed units arose; and

WHEREAS, the Eagle Mountain Municipal Code and the Ault Farms Master Development Agreement impose a duty on Lennar Homes to screen mechanical equipment so as not to be visible from any public or private streets; and

WHEREAS, Lennar has failed to correct its failure to comply with the Municipal Code and the Master Development Agreement; and

WHEREAS, the City Council now finds it necessary to formally address the lack of compliance and initiate remedies as outlined in the Ault Farms Master Development Agreement;

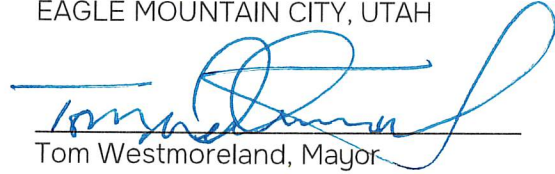
NOW, THEREFORE, be it resolved by the City Council of Eagle Mountain City, Utah:

1. The City Council finds Lennar Homes in default of its obligations under the Ault Farms Master Development Agreement, which is a covenant, contract, property right, and equitable servitude that runs with the land.
2. The City may withhold all further reviews, approvals, licenses, building permits, or other permits until the default is cured.
3. The City may seek any other remedy authorized under the development agreement or available at law or equity.


4. This Resolution shall become effective immediately upon its passing.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 20th day of May, 2025.

EAGLE MOUNTAIN CITY, UTAH


Tom Westmoreland, Mayor

ATTEST:


Gina L. Olsen, CMC
City Recorder

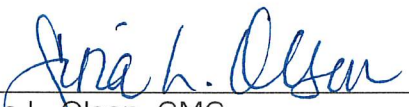


CERTIFICATION

The above Resolution was adopted by the City Council of Eagle Mountain City, Utah on the 20th day of May, 2025.

Those voting yes:	Those voting no:	Those excused:	Those abstaining:
<input checked="" type="checkbox"/> Donna Burnham	<input type="checkbox"/> Donna Burnham	<input type="checkbox"/> Donna Burnham	<input type="checkbox"/> Donna Burnham
<input checked="" type="checkbox"/> Melissa Clark	<input type="checkbox"/> Melissa Clark	<input type="checkbox"/> Melissa Clark	<input type="checkbox"/> Melissa Clark
<input checked="" type="checkbox"/> Jared Gray	<input type="checkbox"/> Jared Gray	<input type="checkbox"/> Jared Gray	<input type="checkbox"/> Jared Gray
<input checked="" type="checkbox"/> Rich Wood	<input type="checkbox"/> Rich Wood	<input type="checkbox"/> Rich Wood	<input type="checkbox"/> Rich Wood
<input checked="" type="checkbox"/> Brett Wright	<input type="checkbox"/> Brett Wright	<input type="checkbox"/> Brett Wright	<input type="checkbox"/> Brett Wright





Gina L. Olsen, CMC
City Recorder