

David P. Hirschi, Utah Bar No. 01502
Wesley J. Felice, Utah Bar No. 17524
HIRSCHI BAER & CLAYTON, PLLC
68 S. Main Street, 6th Floor
Salt Lake City, UT 84101
Phone: (801) 990-0500
Email: dave@hbcfirm.com; wesley@hbcfirm.com

Attorneys for Appellant

OFFICE OF THE LAND USE APPEAL AUTHORITY
IN AND FOR GRAND COUNTY, STATE OF UTAH

PEAK VIEW DEVELOPMENT, LLC;

Appellant,

vs.

**GRAND COUNTY UTAH, GRAND
COUNTY COMMISSION**

Respondents

**DECLARATION OF CURTIS WELLS,
FORMER MEMBER OF THE GRAND
COUNTY COMMISSION (COUNCIL)**

Hearing Officer: Bruce Jenkins

Curtis Wells, states as follows:

1. I am over the age of 21, am competent to testify, and make this declaration based on my personal knowledge.
2. At the time the HDHO Ordinance was drafted and adopted, I served as a member of the Grand County Commission (formerly the “Grand County Council”)
3. As a County Councilmember, I attended many meetings and workshops and was closely involved in the adoption of the HDHO Ordinance.

4. It was my understanding as a Councilmember that county planning and zoning staff intended for the HDHO Ordinance to restrict the residency of the occupant but not the residency of the owner.

5. In my conversation with Kaitlin Myers at a regular meeting of the County Council on June 5, 2018, our conversation regarding ownership of units related to restricting people from purchasing a vacation home and not restricting outside investors wishing to purchase an investment property. My question regarding restricting the units for specific criteria was followed by Kaitlin expressly stating “Right. So right now, we are only planning on deed restricting it to primary residency.”

6. That statement among others led me to believe that the HDHO Ordinance only restricted who could live in the units or on the lots, and not who could buy them.

7. I certify under criminal penalty of the laws of the state of Utah that the contents of this declaration are true and accurate.

DATED this 3rd day of May, 2021.

DocuSigned by:
Curtis Wells
74F1647979254FF...

Curtis Wells