



W2222172

E# 2222172 PG 1 OF 2
DOUG CROFTS, WEBER COUNTY RECORDER
15-NOV-06 11:40 AM FEE \$16.00 DEP LF
REC FOR: METRO NATIONAL TITLE - OGDEN
ELECTRONICALLY RECORDED

EDINBURGH PROPERTIES, LLC
313 MARYFIELD DRIVE
SALT LAKE CITY, UTAH 84115
(801) 484-4775

November 8, 2006

Harrow Villas, LLC
313 Maryfield Drive
Salt Lake City, UT 84115

Subject: Villa South Apartments, 3757 South Grant Avenue, S. Ogden, UT

We are the owners of the subject property that borders your property on the north and west boundaries of your property.

We hereby grant you permission to access our property in order to build up a landscaped slope on our side of our mutual boundary line and to install any required retaining wall associated with such slope.

Such slope shall not extend more than thirty feet onto our property.

We mutually agree that you will provide a new lawn to blend with the existing lawn.

The Legal Description of our property is attached hereto.

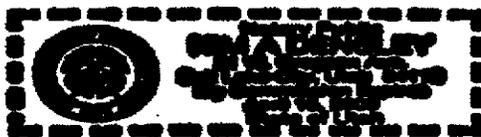
Sincerely,

Melvin J. Grossgold

Melvin J. Grossgold, Partner

Agreed:

[Signature]
Harrow Villas, LLC, Brent Flory, Managing Partner



Kim A. Dinsley
My Commission Expires
4-15-09

DESCRIPTION FROM TITLE REPORT:

PARCEL 1:

PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN, U.S. SURVEY; BEGINNING AT A POINT NORTH 20.61 CHAINS AND WEST 1757.72 FEET AND SOUTH 165 FEET AND WEST 330.52 FEET AND NORTH 13° EAST 28.47 FROM THE SOUTHEAST CORNER OF SAID QUARTER SECTION; AND RUNNING THENCE NORTH 13° EAST 442.11 FEET; THENCE NORTH 52° WEST 38.46 FEET, MORE OR LESS, TO BOUNDARY LINE FENCE AS DESCRIBED IN THAT CERTAIN AGREEMENT RECORDED IN THE OFFICE OF THE WEBER COUNTY RECORDER ON MARCH 29, 1974 AS ENTRY NO. 612108; THENCE SOUTH 12°58'19" WEST 386.90 FEET ALONG SAID FENCE; THENCE NORTH 52° WEST 4.8 FEET TO PROPERTY OF FRONTIERS WEST, INC.; THENCE SOUTH 12°15' WEST 55.51 FEET; THENCE SOUTH 52° EAST 42.23 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

PARCEL 2:

PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN, U.S. SURVEY; BEGINNING AT A POINT 22 CHAINS WEST AND SOUTH 38° WEST 1108.8 FEET AND SOUTH 52° EAST 165 FEET AND SOUTH 12°15' WEST 388.57 FEET FROM NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; AND RUNNING THENCE SOUTH 12°15' WEST 55.51 FEET; THENCE NORTH 52° WEST 179.08 FEET; THENCE NORTH 15°21' EAST 54.31 FEET TO A POINT NORTH 52° WEST OF POINT OF BEGINNING; THENCE SOUTH 52° EAST 175.86 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN, U.S. SURVEY; BEGINNING AT A POINT NORTH 20.61 CHAINS AND WEST 1627.53 FEET FROM THE SOUTHEAST CORNER OF SAID QUARTER SECTION AND RUNNING THENCE WEST 130.19 FEET; THENCE SOUTH 165 FEET; THENCE WEST 330.52 FEET; THENCE NORTH 13° EAST 470.58 FEET; THENCE EAST 138.6 FEET; THENCE NORTH 53° EAST TO THE SOUTH LINE OF LOT 17, BLOCK 26, LAKEVIEW ADDITION SUBDIVISION; THENCE EAST TO THE WEST LINE OF GRANT AVENUE; THENCE SOUTH 0°58' WEST 326.70 FEET TO THE POINT OF BEGINNING, EXCEPTING THAT PORTION THEREOF, IF ANY, WHICH LIES SOUTH OF A LINE WHICH IS 13 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF 38TH STREET EXTENDED WEST FROM WASHINGTON BLVD.

SUBJECT TO RIGHT OF WAY; BEGINNING AT A POINT NORTH 20.61 CHAINS AND WEST 1627.53 FEET FROM THE SOUTHEAST CORNER OF SAID QUARTER SECTION AND RUNNING THENCE NORTH 0°58' EAST 66 FEET; THENCE WEST 50.19 FEET; THENCE SOUTH 0°58' WEST 66 FEET; THENCE EAST TO THE POINT OF BEGINNING.

PARCELS 1, 2 AND 3 AS SURVEYED:

05-136-0010-*gr*

A PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY:

BEGINNING AT A POINT ON THE WEST LINE OF GRANT AVENUE, SAID POINT BEING 1361.65 FEET NORTH 0°54'58" EAST AND 1630.14 FEET NORTH 89°37'02" WEST FROM THE SOUTHEAST CORNER OF SAID SECTION 5; AND RUNNING THENCE NORTH 89°37'02" WEST 139.95 FEET; THENCE SOUTH 0°22'58" WEST 165.02 FEET; THENCE NORTH 89°37'02" WEST 330.52 FEET; THENCE NORTH 13°22'58" EAST 28.62 FEET; THENCE NORTH 51°37'02" WEST 225.52 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF CHAINS VIEW CIRCLE; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, THE FOLLOWING TWO (2) COURSES: NORTH 16°01'26" EAST 46.26 FEET TO A POINT OF CURVATURE AND ALONG THE ARC OF A 176.09 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 02°33'48", A DISTANCE OF 7.88 FEET; THENCE SOUTH 51°37'02" EAST 184.71 FEET TO THE WEST EDGE OF A 10 INCH CONCRETE WALL WITH A FENCE ON TOP AS DESCRIBED IN AN AGREEMENT RECORDED IN THE OFFICE OF THE WEBER COUNTY RECORDER'S OFFICE ON MARCH 29, 1974, AS ENTRY NO. 612108; THENCE NORTH 13°21'17" EAST ALONG SAID WALL, 386.90 FEET; THENCE SOUTH 51°37'02" EAST 38.46 FEET; THENCE SOUTH 89°37'02" EAST 138.40 FEET; THENCE NORTH 53°27'58" EAST 54.92 FEET TO THE SOUTH LINE OF LOT 17, BLOCK 26, LAKEVIEW ADDITION AS RECORDED WITH THE OFFICE OF THE WEBER COUNTY RECORDER; THENCE SOUTH 88°43'53" EAST 187.32 FEET TO THE WEST RIGHT-OF-WAY LINE OF GRANT AVENUE; THENCE SOUTH 01°16'07" WEST 323.65 FEET ALONG SAID RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

SAID PROPERTY IS ALSO KNOWN BY THE STREET ADDRESS OF: 3757 SOUTH GRANT AVENUE, OGDEN, UT