

WHEN RECORDED MAIL DEED TO:
Jenco, LC
335 East Tabernacle, #301
St. George, Utah 84770

Order No. Accommodation Only
Tax I.D. No.: SG-7273-A-5-A and SG-7273-A-4

DOC # 20070009492

Affidavit Miscellaneous 1 of 5
Russell Shirts Washington County Recorder
02/23/2007 02:39:16 PMee \$ 19.00By SOUTHERN UTAH TITLE CO



AFFIDAVIT

STATE OF UTAH)
)
) ss
County of Washington)

COMES NOW, GILBERT M. JENNINGS, LARRY H. GARDNER and FREDERICK M. SNOW,
UPON FIRST BEING DULY SWORN, UPON THEIR OATH DEPOSE AND SAY:

1. That they are citizens of the United States over the age of 21 years and residents of St. George, County of Washington, State of Utah.
2. That Gilbert M. Jennings is a Manager of JENCO, LC, a Utah limited liability company ("Jenco").
3. That Larry H. Gardner is a Manager of Dean Gardner Investment, LC, a Utah limited liability company ("DGI").
4. That Frederick M. Snow is a Member of F. M. Snow Properties, LLC, a Utah limited liability company ("FMSP").
5. That on March 31, 2004, Jenco, DGI, and FMSP (collectively "Owners") executed a Real Property Option Agreement (the "Agreement") as Seller in favor of Ledges Partners, LLC, a Utah limited liability company ("Partners"), as buyer, for the property described herein (the "Property"), together with other property. The Property is more fully identified on Exhibit "A" attached hereto and made a part hereof.
6. That Owners and Partners agreed that it would be in their best interest to allow Partners the right to commence development of the Property prior to the actual closing.
7. That to further evidence the agreement between Owners and Partners, Owners erroneously executed the Owner's Dedication on the Official Plat of the Ledges of St. George - Phase 10.
8. That Partners have exercised their option rights under the Agreement, as evidenced by the Warranty Deed recorded February 16, 2007, as Entry No. 20070008499, Official Records.

Affidavit - Continued - Page 2 -

9. That concurrently with the execution of this Affidavit, Partners have executed an Owner's Dedication to replace the Owner's Dedication erroneously executed by Jenco, DGI, and FMSP, on the Official Plat of Ledges of St. George - Phase 10.
10. That Jenco, DGI, and FMSP are not the developers and declarants of Ledges of St. George - Phase 10.
11. That the Property was purchased pursuant to the terms of the Agreement as evidenced by the Warranty Deed recorded February 16, 2007, as Entry No. 20070008499, Official Records, to further evidence the above facts.

Dated this 21 day of February, 2007.

F.M. SNOW PROPERTIES, LLC, a Utah
Limited Liability Company

Frederick M. Snow
Frederick M. Snow, Member

JENCO, LC, a Utah Limited Liability
Company

Gilbert M. Jennings
Gilbert M. Jennings, Manager

DEAN GARDNER INVESTMENT, LC, a
Utah Limited Liability Company

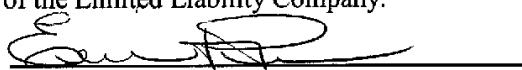
Larry H. Gardner
Larry H. Gardner, Manager

Attached to and made a part of that certain Affidavit executed the 27th day of February, 2007.

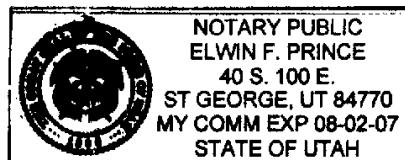
NOTARY

STATE OF UTAH)
County of Washington) ss
)

On the 27th day of February, A. D. 2007, personally appeared before me Gilbert M. Jennings, Manager of JENCO, LC., a Utah Limited Liability Company, and known to me to be manager of the Limited Liability Company that executed the herein instrument and acknowledged the instrument to be the free and voluntary act and deed of the Limited Liability Company, by authority of statute, its articles of organization or its operating agreement, for the uses and purposes herein mentioned, and on oath stated that he is authorized to execute this instrument on behalf of the Limited Liability Company.



Notary Public



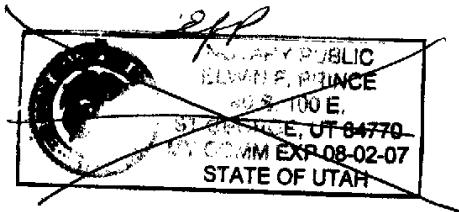
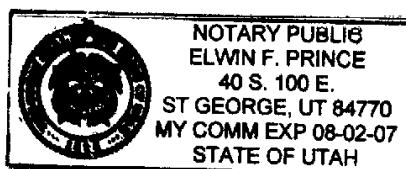
NOTARY

STATE OF UTAH)
County of Washington) ss
)

On the 27th day of February, A. D. 2007, personally appeared before me Frederick M. Snow, Member of F.M. SNOW PROPERTIES, LLC., a Utah Limited Liability Company, and known to me to be a member of the Limited Liability Company that executed the herein instrument and acknowledged the instrument to be the free and voluntary act and deed of the Limited Liability Company, by authority of statute, its articles of organization or its operating agreement, for the uses and purposes herein mentioned, and on oath stated that he is authorized to execute this instrument on behalf of the Limited Liability Company.



Notary Public



Attached to and made a part of that certain Affidavit executed the 27 day of February, 2007.

NOTARY

STATE OF UTAH)
) ss
County of Washington)

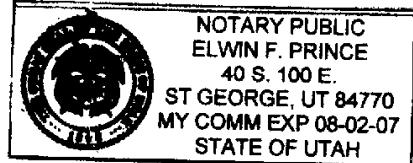
On the 22nd day of February, A. D. 2005, personally appeared before me Larry H. Gardner, Manager of DEAN GARDNER INVESTMENT, LC, a Utah Limited Liability Company, and known to me to be a manager of the Limited Liability Company that executed the herein instrument and acknowledged the instrument to be the free and voluntary act and deed of the Limited Liability Company, by authority of statute, its articles of organization or its operating agreement, for the uses and purposes herein mentioned, and on oath stated that he is authorized to execute this instrument on behalf of the Limited Liability Company.

A horizontal line with a wavy, organic shape drawn above it, resembling a stylized signature or a drawing of a cloud or wave.

Notary Public

My Commission Expires:

Notary Public residing at:



Parcel 1:

A parcel of land lying in the North One-Half (N½) of Section 27, Township 41 South, Range 16 West, Salt Lake Base and Meridian, Washington County, Utah, more particularly described as follows:

Commencing at a brass cap monumenting the Northeast Corner of said Section 27; thence North 88°40'34" West a distance of 2337.54 feet along the Section line; thence South 620.72 feet to the real point on the existing boundary line of the LEDGES "PHASE 6", said point being the real point of beginning; thence along the existing said boundary line of the LEDGES "PHASE 6" the following 8 courses: 1) South 82°31'59" East 146.88 feet; 2) South 78°25'15" East 146.92 feet; 3) South 46°17'55" East 161.24 feet; 4) South 52°47'57" East 150.85 feet; 5) South 46°03'54" East 40.00 feet; 6) North 43°56'06" East 39.63 feet to a point of curvature of a 170.00-foot radius curve to the left; 7) thence Northeasterly a distance of 3.59 feet along the arc of said curve, having a central angle of 01°12'38", subtended by a chord that bears North 43°19'47" East 3.59 feet; 8) South 46°03'54" East 140.04 feet; thence South 40°35'05" West 135.19 feet; thence South 35°55'14" West, 123.05 feet; thence South 32°41'04" West 140.00 feet; thence South 26°23'34" West 127.51 feet; thence South 25°50'43" West 137.28 feet; thence South 26°58'45" West 174.35 feet; thence South 28°54'25" West 108.53 feet; thence South 35°15'35" West 98.36 feet; thence North 46°52'14" West 792.98 feet; thence South 88°47'25" East 50.45 feet; thence North 34°57'11" West 39.19 feet; thence North 72°17'10" West 143.26 feet to a point on the existing boundary line of the LEDGES "PHASE 5"; thence along said boundary line the following 2 courses: 1) North 26°27'34" East 144.11 feet; 2) North 14°20'43" East, 205.73 feet to a point on the existing boundary line of the LEDGES "PHASE 6"; thence along the said boundary line the following 8 courses: 1) South 82°13'00" East 197.46 feet; 2) North 85°09'35" East 40.00 feet; 3) North 04°50'25" West 51.28 feet to a point of curvature of a 170.00-foot radius curve to the left; 4) thence Northwesterly a distance of 26.75 feet along the arc of said curve, having a central angle of 09°00'59", subtended by a chord that bears North 09°20'55" West, 26.72 feet; 5) North 88°54'35" East, 139.84 feet; 6) North 07°50'21" West 46.66 feet; 7) North 08°53'11" East 68.66 feet; 8) North 25°23'35" East 130.24 feet to the point of beginning.

(Proposed "THE LEDGES OF ST. GEORGE - PHASE 10")

Tax Serial No. SG-7273-A-5-A and SG-7273-A-4
