

Lakeview Hts  
3333 N. 425th  
81104

BOOK 1359 PAGE 740 / 100.52

813381

RUTH EAM. SOUSEN  
WEBER COUNTY RECORDER

DEPUTY *Carolyn Clark*

JUN 20 2 59 PM '80

FILED AND RECORDED FOR  
*Carden Land Title*

Filed  Indexed   
Photocopied  Equalized   
Microfilm  Abstracted

SUBORDINATION AGREEMENT

THIS SUBORDINATION AGREEMENT, executed this 19<sup>th</sup> day of June, 1980, by WEBER-BX ELDER CONSERVATION DISTRICT, a public corporation of the State of Utah (herein "District"), in favor of HONOLULU FEDERAL SAVINGS AND LOAN ASSOCIATION, a federally chartered savings and loan association whose address is 188 Merchant Street, Honolulu, Hawaii 96809 (herein "Honolulu").

RECITALS:

A. District is the holder of certain rights, title and interest under a certain Agreement recorded in the office of Weber County Recorder on November 28, 1979, in book 1335, Page 40, which secures the installation of a pump plant main water supply line and other related improvements (the "Agreement"), and effecting certain real property situated in Weber County, State of Utah, more particularly described in Exhibit "A" attached hereto and by reference made a part hereof (hereinafter the "Property").

B. On the condition that all of District's rights respecting the Property, as it relates only to 71.5 acres or lots one through 176, inclusive Lakeview Heights sub-division phase 1, North Ogden City, Weber County, Utah, be subordinated in the manner hereinafter set forth, Honolulu has agreed to make loans to BEN LOMOND ESTATES, a Utah General Partnership (herein "Borrower") in the aggregate principal sum of \$2,968,430.00, and to accept in connection with or as security for the repayment of said loans certain Deeds of Trust and certain other related instruments to be executed by Borrower concurrently with said Deeds of Trust (all of which instruments are hereinafter collectively referred to as the "Honolulu Trust Deeds" covering or relating to the Property and/or to certain improvements, personal property, or contracts related to the Property.

C. District has agreed to accomplish the herein effected subordination of its rights respecting the Property.

NOW, THEREFORE, for Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by District, and to induce Honolulu to make referenced loans and to accept such a security, District does hereby consent, covenant, and agree to and with Honolulu as follows:

FIRST: Any and all rights, lien, charge, or title held by District with respect to the Property and/or with respect to any improvements, personal property, or rights whatsoever related to the Property, as it relates only to 71.5 acres or lots 1 through 176, inclusive Lakeview Heights sub-division phase 1, North Ogden City, Weber County, Utah, shall be and the same are hereby made subject, subordinate, inferior, and junior to the lien and title of the Honolulu Trust Deeds, to all rights, powers, title, and authority of Honolulu under or in any way related to or arising out of the Honolulu Trust Deeds, and to all sums heretofore or hereafter advanced or costs incurred as fee, expenses, disbursements, or charges in connection with the Honolulu Trust Deeds or the loans to which the Honolulu Trust Deeds are related.



EXHIBIT "A"

PT. 16-047-0015 S.W. 1/4 21 71W

PARCEL "A" - Part of Sec. 21, T7N, R1W, SLB&M: Beg. at a point located N 0°05'12" W 783.02 feet from the Southeast corner of the Southwest Quarter Sec. 21, T7N, R1W, SLB&M, point of beg. being the Northeast corner Lot 10, Lakeview Heights Subdivision, Phase 1, thence along the Northerly boundary of said subdivision the following then course; S 74°46'39" W 311.40 feet, thence to the right of the arc of a curve whose radius is 567.00 feet, a distance of 60.00 feet, thence S 80°31'29" W 133.42 feet, thence N 19°53'34" W 162.74 feet, thence N 37°49'30" W 117.71 feet, thence N 49°09'45" W 60.00 feet, thence N 61°57'44" W 270.34 feet, thence N 49°06'48" W 163.99 feet, thence N 41°56'40" W 150.00 feet, thence N 35°00'00" W 170.00 feet to the North corner of Lot 25, Lakeview Heights Sub., Phase 1, thence N 8°54'47" E 1008.11 feet; thence S 73°00'00" E 1040.00 feet to the East line of the Southwest Quarter, Sec. 21 T7N, R1W, SLB&M, thence S 0°05'12" E 1300.00 feet along said East line to point of beginning. . Containing 33.75 acres.

16-096-0010 NR-6 LAKEVIEW HEIGHTS SUBD PHASE 1

PARCEL "B" - Part of Sec. 21, T7N, R1W, SLB&M: Beg. at a point located S 89°56'00" E 1468.94 feet and N 0°04'00" E 343.04 feet from the Southwest corner of Sec. 21, T7N, R1W, SLB&M; Running thence N 38°12'55" E 339.50 feet; thence N 48°41'28" E 74.17 feet, thence N 26°25'46" E 130.00 feet to the East line of 575 East Street, thence to the right on the arc of a curve whose radius is 270.00 feet, a distance of 10.00 feet; thence S 26°25'46" E 130.00 feet, thence N 72°34'14" E 60.00 feet; thence S 57°25'41" E 144.51 feet; thence S 06°26'18" E 152.57 feet, thence S 64°12'43" E 120.00 feet to the West line of 675 East Street thence to the right on the arc of a curve whose radius is 270.00 feet a distance of 10.00 feet, thence N 64°12'43" W 110.00 feet; thence S 79°10'41" W 43.12 feet; thence N 89°56'00" W 366.16 feet; thence S 38°12'55" E 158.95 feet to the North line of 3350 North Street; thence N 89°56'00" W 12.72 feet to the point of beginning. Containing 1.71 acres.

PARCEL "C" - Part of Sec. 20 and 21, T7N, R1W, SLB&M: Beg. E 89°56'00" E 40.00 feet and N 0°35'51" E 430.00 feet from the SW corner of Section 21, T7N, R1W, SLB&M; Point of beg. being on the East line of 450 East Street, thence along the Northerly boundary of Lakeview Heights Subdivision, Phase 1, the following four courses: N 77°24'09" E 210.00 feet, thence N 58°24'09" E 235.00 feet, thence N 45°24'09" E 215.00 feet; thence N 28°56'35" E 425.31 feet; thence N 0°09'34" E 168.58 ft. to the South line of the Northwest quarter of the Southwest Quarter Sec. 21, T7N, R1W, SLB&M, thence N 89°51'45" W 788.53 feet, along said South line to the West line Sec. 21, thence N 0°30'32" E 1400.00 feet along said West line, thence N 74°39'01" W 2842.52 feet to the West line of the Northeast Quarter Sec. 20, T7N, R1W, SLB&M, thence S 1°06'16" E 760.00 feet along said West line more or less to the Southwest corner of the Northeast quarter, thence East 1152.40 feet along South line of said Northeast Quarter, thence S 7°56'33" E 1040.49 ft. thence East 1098.83 feet to the West line of 450 East Street, thence to the right on the arc of a curve whose radius is 660.00 ft., a distance of 95.92 feet along the West line of 450 East street, thence S 84°47'01" E 426.32 feet, thence to the right on the arc of a curve whose radius is 385.00 ft., a distance of 31.04 ft., thence S 89°24'09" W 743.03 feet, thence S 2°16'27" E 837.04 feet, thence S 86°42'30" E 170.11 feet to the Northwest corner Lot 176, Lakeview Heights Sub-division, Phase 1, thence along said subdivision boundary the following eleven course: S 86°42'30" E 115.00 ft., thence S 71°51'38" W 113.60 ft., thence S 83°40'26" E 270.00 ft., thence S 0°35'51" E 30.00 ft., thence N 89°24'09" E 100.00 ft., thence N 0°35'51" W 210.00 ft., thence N 89°24'09" E 314.99 ft., thence N 79°11'25" E 343.85 ft., thence S 11°52'30" E 91.39 ft., thence to the right on the arc of a curve whose radius is 1540.00 ft., a distance of 303.12 ft., thence S 0°35'51" E 32.36 ft. to the point of beg. Contains 99.24 acres.

17. 0372 0012, 0009, 0020  
S 86°42'30" E 170.11  
S 71°51'38" W 113.60

EXHIBIT "A" (continued)

Page 2

PT. N.O.S.-2 LAKEVIEW HTCS SUBD PHASE 1  
 16-091-0007  
 PARCEL "D" - Part of Sec. 21, T7N, R1W, SLB&M; Beg. at a point located S 89°56'00" E 40.00 ft. and N 0°35'51" E 33.00 feet, from the Northwest corner Sec. 21, T7N, R1W, SLB&M, thence N 0°35'51" W 280.00 ft., along the East line of 450 East Street, thence S 62°42'31" E 214.06 feet to the North corner of Lot 112, Lakeview Heights Subdivision, Phase 1, thence S 49°20'19" W 110.43 ft., thence S 0°04'00" W 110.00 feet, to the North line 3300 North Street, N 89°56'00" W 103.42 ft. along said North line to point of beginning. Containing 0.72 acres.

ENTRANCE PARK LAKEVIEW HTCS SUBD PHASE 1  
 16-086-0042  
 PARCEL "E" - Part of Sec. 20, T7N, R1W., SLB&M; Beg. at a point located N 0°35'51" W 304.30 feet and S 89°24'09" W 40.00 feet from the Southeast corner Sec. 20, T7N, R1W, SLB&M point of beg. being the Southeast corner of Lot 113, Lakeview Heights Subdivision, Phase 1, thence S 89°24'09" W 100.00 ft., thence S 0°35'51" E 85.45 feet, thence to the left on the arc of a curve whose radius is 15.00 feet, a distance of 23.10 feet, thence S 88°50'15" W 70.03 feet, thence to the left on the arc of a curve whose radius is 15.00 feet, a distance of 24.02 feet, thence N 0°35'51" W 35.90 feet to the point of beginning. Containing 0.23 acres.

PT. 16-086-0043 NR-3 L.V.H.S. PH 1  
 PARCEL "F" - Part of Sec. 20, T7N, R1W, SLB&M; Beg. at a point located N 0°35'51" W 307.21 ft. and S 89°24'09" W 370.0 ft. from the Southeast corner of Section 20, T7N, R1W, SLB&M point of beg. being the Northwest corner Lot 145, Lakeview Heights Subdivision, Phase 1, thence S 0°35'51" E 98.16 ft., thence N 60°39'21" W 57.72 ft., thence to the left on the arc of a curve whose radius is 220.00 ft., a distance of 68.51 ft., thence N 78°29'51" W 214.07 ft., thence N 89°24'09" E 323.03 ft. to the point of beg. Containing 0.28 acres.

PT. 16-086-0044 NR-4 L.V.H.S. PH 1  
 PARCEL "G" - Part of Sec. 20, T7N, R1W, SLB&M; Beg. at a point located N 0°35'51" W 677.18 ft. and S 89°24'09" W 314.39 ft. from the Southeast corner of Sec. 20, T7N, R1W, SLB&M, point of beg., being on the North line of Lot 125 Lakeview Heights Sub. Phase 1, thence S 89°24'09" W 86.62 ft., thence N 0°35'51" W 114.51 ft., thence N 89°24'09" E 54.98 feet, thence N 79°11'25" E 10.82 ft., thence S 10°48'35" E 118.34 ft. to the point of beginning. Containing 0.20 acres.

PT. 16-086-0044  
 PARCEL "H" - Part of Sec. 20, T7N, R1W, SLB&M; Beg. at a point located N 0°35'51" W 720.09 ft. and West 63.13 ft. from the Southeast corner of Sec. 20, T7N, R1W, SLB&M, point of beg., being the Northeast corner of Lot 120, Lakeview Heights Subdivision, Phase 1, thence S 79°11'25" W 45.00 feet, thence N 10°48'35" W 120.00 ft., thence N 79°11'25" E 43.02 ft., thence S 11°52'30" E 92.87 ft., thence to the right on the arc of a curve whose radius is 1460.00 ft., a distance of 27.14 ft. to the point of beg. Containing 0.12 acres.

PT. 16-037-0012 S.E. 1/4 2071W  
 PARCEL "I" - Part of the SE 1/4 of Sec. 20, T7N, R1W, SLB&M, Beg. at the NW corner of Lot 169, Lakeview Heights Subdivision, Phase 1, running thence N 65°47'09" E 108.31 ft., thence to the left on the arc of a curve whose radius is 142.53 feet a distance of 68.43 ft., thence N 86°42'50" W 110.11 feet, and thence S 11°18'09" E 119.70 ft. to the point of beginning. Containing 0.24 acres.

EXHIBIT "A" (continued)

PT. 16-086-0044 NR-4 L.V.H.S. PH-1  
PARCEL "J" - Part of the SE quarter of Sec. 20, T7N, R1W, SLB&M: Beg at the Northwest corner of Lgt 139, Lakeview Heights Subdivision Phase 1, running thence N 0° 35' 51" W 114.51 feet thence N 89° 24' 09" E 40.0 feet, thence S 0° 35' 51" E 114.51 feet, and thence S 89° 24' 09" W 40.0 feet to the point of beginning. Containing 0.11 acres.

Lots 1 through 176 inclusive, Lakeview Heights Subdivision, Phase 1, North Ogden City, Weber County, Utah. Containing ~~11.50~~ acres.

11.50 *Leslie E. Randall*  
6/19/80  
*Leslie E. Randall*

- 16-085-0001 TO 0025
- 16-086-0001 TO 0044
- 16-087-0001 TO 0013
- 16-088-0001 TO 0008
- 16-089-0001 TO 0007
- 16-090-0001 TO 0008
- 16-091-0001 TO 0007
- 16-092-0001 TO 0014
- 16-093-0001 TO 0018
- 16-094-0001 TO 0017
- 16-095-0001 TO 0006
- 16-096-0001 TO 0010
- 16-097-0001 TO 0007