

HUD Notes

THERE ARE NO OBSERVABLE INDICATIONS OF OLD HIGHWAYS, ABANDONED ROADS, LANES OR DRIVEWAYS FOR THE USE OF OTHERS RUNNING ACROSS THE PROPERTY. NATURAL WATER BOUNDARIES ARE SUBJECT TO CHANGE AND THE DESCRIPTION OF WHICH MAY NOT REPRESENT THE LIMIT OF TITLE. ALL SUCH BODIES UPON THE SUBJECT PROPERTY ARE SHOWN HEREON. NO OBSERVABLE EVIDENCE WAS FOUND OF CEMETERIES CURRENTLY OR PREVIOUSLY EXISTING ON THE SUBJECT PROPERTY. ALL OBSERVABLE EVIDENCE OF UTILITY LINES IS SHOWN HEREON. THIS OFFICE HAS NO KNOWLEDGE OF UNRECORDED EASEMENTS OR SERVITUDES WITHOUT ANY OBSERVABLE EVIDENCE. ANY ENCROACHMENTS ARE DESCRIBED IN THE STATEMENT OF ENCROACHMENTS. THERE WAS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION, ADDITIONS OR REPAIRS. ANY DISCREPANCIES BETWEEN THE OCCUPATIONAL OR POSSESSION LINES, AS DESCRIBED IN THE STATEMENT OF ENCROACHMENTS, THERE WAS NO OBSERVABLE EVIDENCE OF RECENT RIGHT OF WAY CHANGES, OR STREET OR SIDEWALK CONSTRUCTION OR REPAIRS. THE FLOOD HAZARD INFORMATION IS OBTAINED IN THE FLOOD NOTE HEREON. THERE WAS NO OBSERVABLE EVIDENCE OF THE SITE CURRENTLY OR PREVIOUSLY BEING USED AS A SOLID WASTE DUMP, SUMP, OR SANITARY LANDFILL.

Zoning Information

SUBJECT TO ROY CITY ZONING ORDINANCE FOR A P-1-B ZONE, AS SET FORTH IN CHAPTER 15, COUNTY CODE, MARK LARSEN, CITY PLANNER 801-744-1000.

MINIMUM LOT SIZE:
 1. MINIMUM LOT AREA: EIGHT THOUSAND SQUARE FEET (8,000)
 2. MINIMUM LOT WIDTH: SIXTY-FIVE FEET (65')

MINIMUM YARD REQUIREMENTS:
 1. FRONT YARD: TWENTY-FIVE FEET (25')
 2. CORNER SIDE YARD: TWENTY FEET (20')
 3. INTERIOR SIDE YARD: EIGHT FEET (8')
 4. REAR YARD: FIFTEEN FEET (15') FOR CORNER LOT, OTHERWISE THIRTY FEET (30')
 5. ACCESSORY SIDE YARD: EIGHT FEET (8') IF CLOSER THAN TEN FEET (10') TO MAIN BUILDING, OTHERWISE TWO FEET (2')
 6. ACCESSORY REAR YARD: THREE FEET (3') UNLESS REARS ON REAR YARD OF ADJACENT CORNER LOT, TEN FEET (10')

MAXIMUM HEIGHT: NO BUILDING SHALL EXCEED TWO AND ONE HALF STORIES, OR THIRTY-FIVE FEET (35').

PARKING REQUIREMENTS: AS DETERMINED BY ZONING ADMINISTRATOR, NOT MORE THAN 50% OF SIDE AND REAR YARDS MAY BE USED FOR PARKING.

SITE INFO:
 PARKING STALLS: 100
 HARDTOP STALLS: 2
 BUILDING HEIGHT: SINGLE STORY

Legal Description

A PART OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, BEGINNING AT A POINT 33.0 FEET NORTH 89 DEG. 52 MIN. EAST AND 55.62 FEET NORTH 0 DEG. 04 MIN. EAST FROM THE SOUTHWEST CORNER OF SAID SECTION 14, BEARING THENCE NORTH 0 DEG. 04 MIN. EAST 541.69 FEET [542.47 MEASURED], ALONG THE EAST BOUNDARY OF 2700 WEST STREET, THENCE TO THE LEFT ALONG A 23.33 FOOT RADIUS CURVE FOR A DISTANCE OF 36.72 FEET [23.33 MEASURED] (LC EQUALS NORTH 45 DEG. 00 MIN. 00 SEC. EAST 33.00 FEET [NORTH 44°58'00" EAST 32.94 MEASURED]), THENCE EAST 559.72 FEET [NORTH 89°52'00" EAST 529.71 MEASURED], THENCE SOUTH 0 DEG. 04 MIN. WEST 509.25 FEET, THENCE SOUTH 85 DEG. 52 MIN. 05 SEC. WEST 7.35 FEET, THENCE SOUTH 84 DEG. 09 MIN. 25 SEC. WEST 329.72 FEET, THENCE SOUTH 84 DEG. 32 MIN. 46 SEC. WEST 248.90 FEET, TO THE POINT OF BEGINNING.

This Parcel contains 313,540 square feet or 7.20 acres.

This legal description indicates the same parcel as that described in title commitment No. 448561, with an effective date of April 1, 2003.

Narrative

THIS SURVEY WAS DONE FOR HEARTLAND CAPITAL CORPORATION. BASIS OF SURVEY WAS BETWEEN TWO SECTION MONUMENTS ALONG 2700 WEST STREET BEARING BETWEEN SAID MONUMENTS IS N 00°34'00" E, DISTANCE BETWEEN SAID MONUMENTS IS 2642.19'. AN ADDITIONAL SECTION MONUMENT WAS FOUND, THE SOUTH QUARTER CORNER, THE DESCRIPTION PROVIDED BY THE TITLE COMPANY IS NOT IDENTICAL TO THAT OF THE VESTING DEED, NOR DOES THE POINT CLOSE. THE ORIGIN OF THE FIRST IS UNKNOWN TO THIS OFFICE. TABLE A ITEMS 1, 5, 7(D), 11(B), & 12 (WITH THE EXCEPTION OF THE HUD NOTES, AND SEPARATE FORM) WERE NOT PART OF THIS SURVEY. RIGHT OF WAY MONUMENTS WERE FOUND AS SHOWN HEREON. SURVEY IS DONE BY SCHUCHERT AND ASSOCIATES, AND BUTTARS SURVEYING AND I DOT RIGHT OF WAY MAPS WERE OBTAINED AND ARE REFERENCED BY THIS SURVEY. SURVEY BY SCHUCHERT AND ASSOCIATES, 4/10/01, JOB NO. 1519 WAS MENTIONED IN THE VESTING DEED AS AN ENCUMBRANCE. A SUBSEQUENT SURVEY, DONE 4/24/00, JOB NO. 2204, ALSO BY SCHUCHERT, WAS OBTAINED BY THIS OFFICE.

Legend of Symbols & Abbreviations

○	PROPERTY CORNER
⊕	CABLE TV BOX
⊖	POWER POLE
⊙	CATCH BASIN
⊛	POWER METER
⊜	GAS METER
⊝	TELEPHONE CONNECTION
—	WATER LINE
—	SEWER LINE
—	GAS LINE
—	CHAIN LINK FENCE
—	OVERHEAD POWER LINE
—	BURIED POWER LINE
—	PARKING LAMP
—	CURB INLET
—	SEWER MANHOLE
—	WATER VAULT
—	ELECTRICAL MANHOLE
—	STORM DRAIN MANHOLE
—	POWER BOX

Notes Corresponding to Schedule B

- 10. Subject to 3 (20) feet, paved access road, over the northerly end of the subject property, as disclosed by a visual inspection, and by surveyor's notation of that certain survey dated November 5, 1996, prepared by Landmark Surveying, **NOT SHOWN ON PLAT, COMPLETELY WITHIN AREA CONDEMNED BY UDOT FOR 5525 SOUTH STREET, DOES NOT AFFECT SUBJECT PROPERTY.** Easement and conditions contained therein, granted by Weber Associates Limited Partnership, a Delaware partnership, to Pacificorp an Oregon Corporation, 360 Utah Power and Light Company, a corporation, dated May 9, 1997, recorded June 2, 1997 as Entry No. 147423 to Book 1864 at Page 3292.
- 11. **DESCRIBED LOCATION OF GUY WIRE SHOWN, TWO GUY WIRES NEAR THAT LOCATION.**
- 12. Subject to any pledge statements for the purpose of widening the county road as disclosed in that certain order of condemnation recorded in Book 1903, Page 982 of Weber County Recorder.
- 13. **FEE TITLE CONVEYANCE, PERMANENT EASEMENTS AND TEMPORARY EASEMENTS INCLUDED IN ORDER, SHOWN ON PLAT.** Order of Inheritance Condemnation, Plaintiff, Utah Department of Transportation, Defendant, Weber Associates Limited Partnership, Lawyers Title Insurance Corporation, Trustee, Southtrust Bank of Alabama National Association, Civil No. 97090606 CD, Project No. STP-0097 (2) 0, Recorded on September 2, 1997 as Entry No. 97090606 CD, Project No. STP-0097 (2) 0, Recorded on September 2, 1997 as Entry No. 1517214 in Book 1903 at page 982.
- 14. **FEE TITLE CONVEYANCE, PERMANENT EASEMENTS AND TEMPORARY EASEMENTS INCLUDED IN ORDER, SHOWN ON PLAT, SAME AS ITEM 12.** Final Order of Condemnation, Plaintiff, Utah Department of Transportation, Defendant, Weber Associates Limited Partnership, Lawyers Title Insurance Corporation, Trustee, Southtrust Bank of Alabama National Association, Civil No. 97090606 CD, Project No. STP-0097 (2) 0, Recorded on January 26, 1998 as Entry No. 1517214 in Book 1903 at page 982.

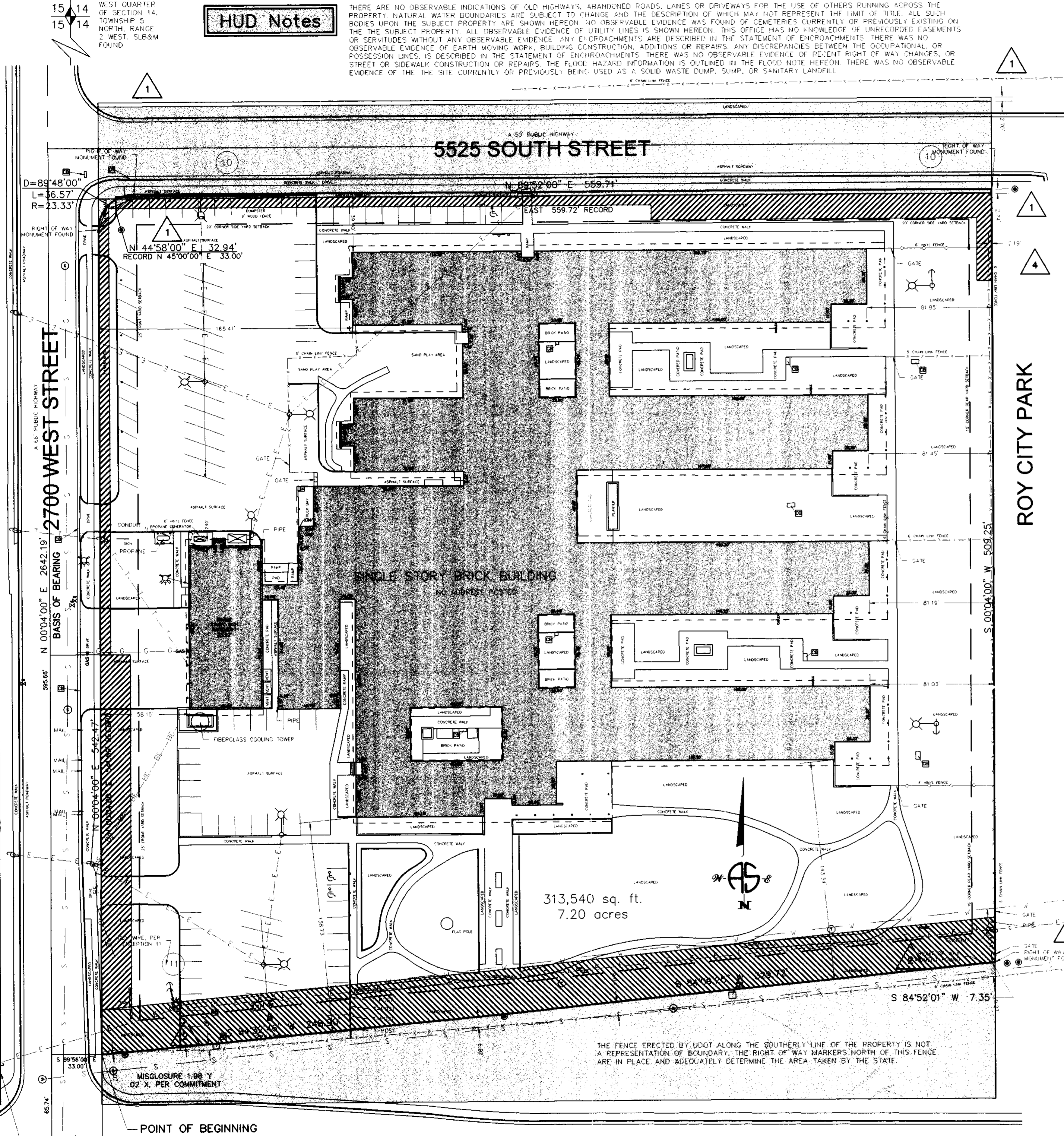
Statement of Encroachments

- 1. AREA CONDEMNED FOR 5525 SOUTH STREET IS NOT THE SAME AS IT IS MONUMENTED ON THE GROUND. THE AREA DESCRIBED LEAVES A 2.70 FOOT GAP AT THE NORTHERLY END OF THE PROPERTY. IT IS MONUMENTED IN A WAY ELIMINATING SAID GAP.
- 2. UTILITY LINES ARE WITHOUT THE RIGHT OF WAY OF 5600 SOUTH STREET. THE SLOPE EASEMENT DOES NOT APPEAR TO ALLOW FOR THESE USES.
- 3. TWO GATES TO PARK PROVIDE VEHICULAR AND PEDESTRIAN ACCESS ACROSS THE SUBJECT PROPERTY, AS THEY ARE NOT LOCKED.
- 4. THE NORTHERLY PORTION OF THE FENCE ON THE EASTERLY SIDE OF PROPERTY DOES NOT FOLLOW THE BOUNDARY LINE.

FLOOD NOTE: By graphic plotting only, this property is in Zone "C" of the Flood Insurance Rate Map, Community Panel No. 490223 B of the Flood Insurance Rate Map, which bears an effective date of 10/24/1978 and is not in a Special Flood Hazard Area. By telephone call dated 5/24/03 to the National Flood Insurance Program (800-638-6620) we have learned this community does currently participate in the program. No field surveying was performed to determine this zone and an elevation certificate may be needed to verify this determination or apply for a variance from the Federal Emergency Management Agency.

SOUTH QUARTER OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 2 WEST, SLB&M, FOUND

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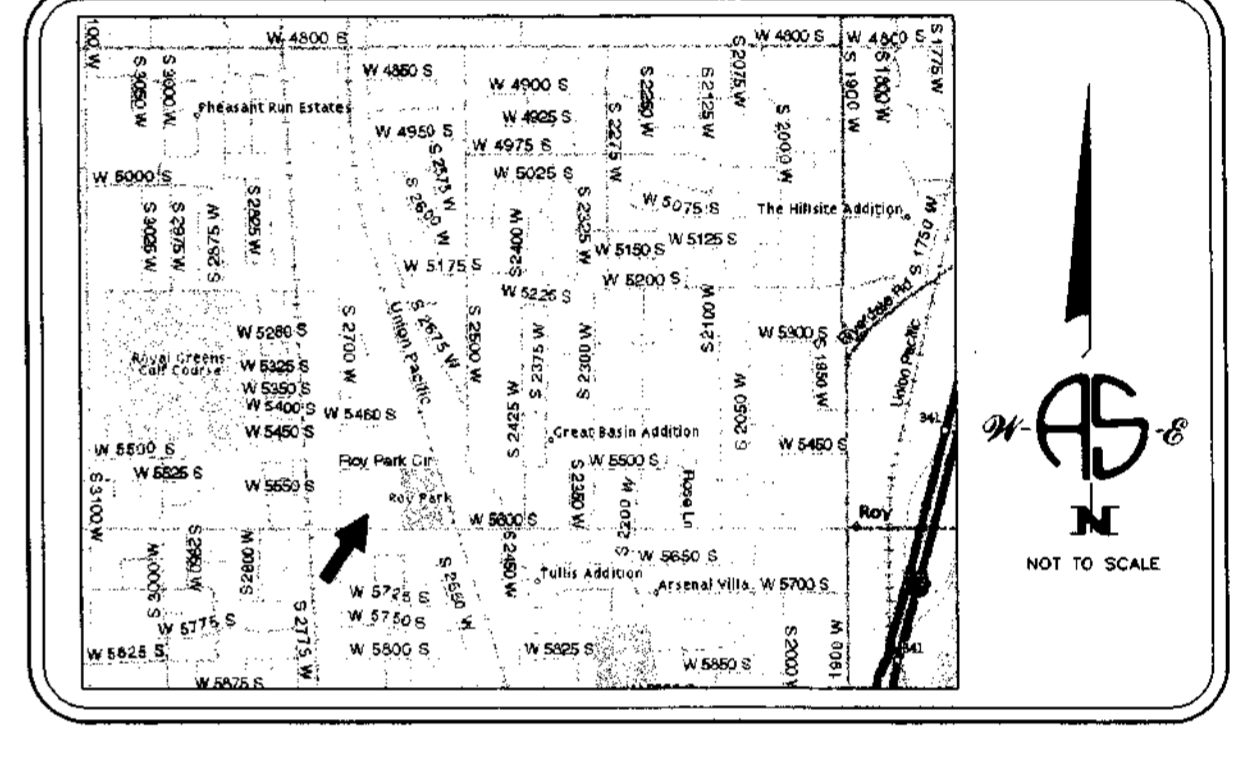
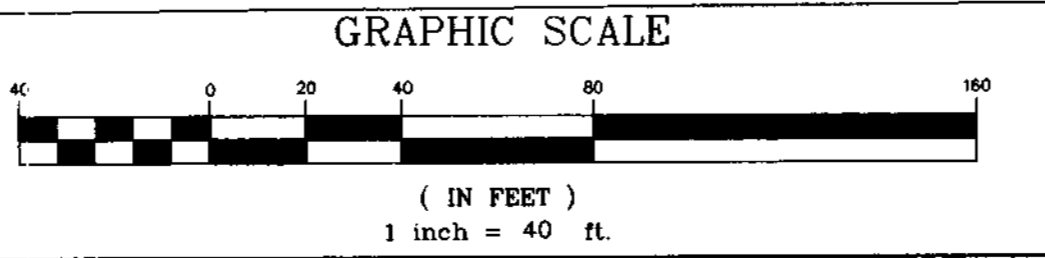


15 14 WEST QUARTER OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 2 WEST, SLB&M FOUND

22 23 SOUTHWEST CORNER OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 2 WEST, SLB&M FOUND

13 14

△	CLIENT COMMENTS	DBG	06/23/03
△	CLIENT COMMENTS	JLS	05/16/03
△	LANDMARK SURVEY PROVIDED	JLS	05/23/03
△	BOCK AND CLARK COMMENTS	JLS	05/14/03
JOB No. 030402 DRAWN BY: JLS CHECKED BY: DBG DATE 05-08-03			



RECEIVED
 FEB 25 25
 Weber County Surveyors

ALTA/ACSM Land Title Survey

Heritage Park Care Center
 2700 West 5600 South, Roy
 County of Weber, State of Utah

I hereby certify to the U.S. Department of Housing and Urban Development (HUD), Weber Associates, L.P., Heartland Capital Corporation, Stewart Title Guaranty Company, Bock & Clark Corporation, and to their successors and assigns, that:

made on the ground survey per record description of the land shown hereon located in Roy City, Utah on April 10-11, 2003, and that it and this map were made in accordance with the instructions, instructions and Certificate, form HUD-2457 and meet the requirements for a Land Title Survey, as defined in the Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys dated 1999.

To the best of my knowledge, belief and information, except as shown hereon, there are no encroachments either way across property lines; title lines and lines of actual possession are the same; and the premises are free of any 100 year or 500 year return frequency flood hazard, and such flood free condition is shown on the Federal Flood Insurance Rate Map, Community Panel No. 490223 B.

The survey correctly shows the location of all buildings, structures and other improvements situated on the Premises.

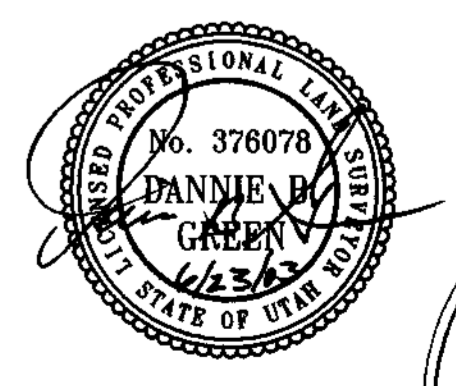
All utilities serving the Premises after through adjoining public streets and/or easements of record, except as shown, there are no visible easements or rights-of-way across the Premises; that the property described hereon is the same as the property as described in the Title Commitment No. 448561 with an effective date of April 1, 2003 and that all easements covenants and restrictions referenced in said title commitment, or easements which the undersigned has been advised or has knowledge, have been plotted or otherwise noted as to their effect, or non effect, on the subject property.

The property has direct physical access to 2700 West Street, and 5525 South Street, a public dedicated street or highway.

The number of striped parking spaces located on the subject property is 103, and to the extent possible, are graphically shown hereon.

All set back, side yard and rear yard lines shown on the recorded plat or set forth in the applicable zoning ordinance are shown on the Survey.

Dannie B. Green
 Registration No. 378078
 Within State of Utah
 Date of Survey: 04/10-11/03
 Date of Last Revision: 06/23/03
 Date Printed: 06/23/03
 Network Project No. 20030085/Site 5



Survey Prepared by:
 Alto Surveying
 3855 South 500 West Suite M
 Salt Lake City, UT 84115
 Phone: 801-288-4445
 Fax: 801-288-0354

