

Roy West Shopping Center

A part of the SW 1/4 of Section 10, T5N, R2W, SLB&M, U.S. Survey

Roy City, Weber County, Utah

Note:

Commitment for Title Insurance issued by Landmark Title Company
Dated May 17, 2005, No. 168598

Schedule B-2 (Exceptions)

9. The land is included within the boundaries of Roy City and the Roy Water Conservancy District and the North Davis Sewer District, and is subject to charge and assessments made thereby.

10. Any covenants, conditions, restrictions, easements, assessments, liens, charges, terms and provisions contained within these certain declarations recorded March 2, 1996 as Entry No. 1394787 in Book 1797 at Page 983 of Official Records, and any amendments thereto, but deleting any covenant, condition or restriction including a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenant, condition or restriction violates 42 USC 3604(c).

12. (Affects Parcel 1) An easement over, across or through the land for a perpetual easement to construct, reconstruct, operate maintain and remove such telecommunications facilities and incidental purposes, as granted to U.S. West Communications, Inc. a Colorado corporation by instrument recorded September 16, 1996 as Entry No. 1429337 in Book 1825 at Page 1857 of Official Records.

Flood Plain Data:

This property lies within Zone 'C' area of minimal Flood Hazard as shown on Firm Map Community Panel No. 49022313 Hi-04 dated 24 Oct. 1978 City of Roy, Weber Co., Utah

Zoning Note: This property lies in Zone Community Commercial CC. Entire Site reviewed as Complex not requiring each Pad Site to meet all Zoning Requirements.

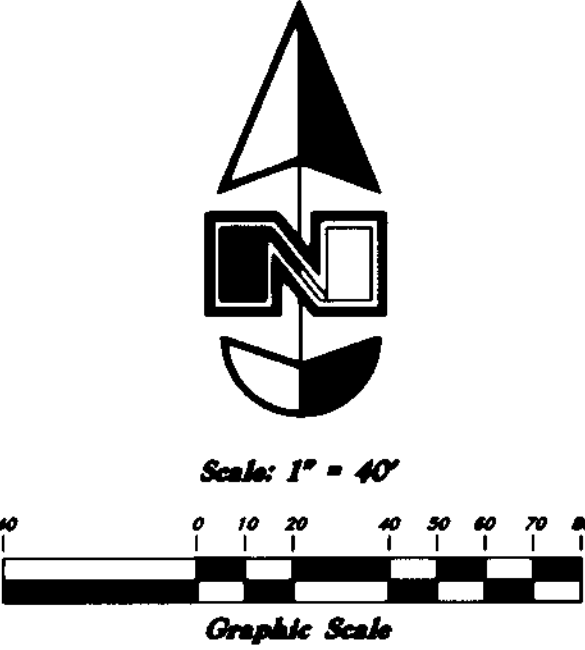
Front Set Back - twenty (20) feet for all buildings or structures, except walls or fences under three and one-half (3 1/2) feet high.

Side Yards - 20 foot or one foot for every one foot of building height, whichever is greater (adjacent to a residential zone). **Side Facing Street** on lot corner - twenty (20) feet.

Rear Yard - none except ten (10) feet where building rear on a residential zone. **Building Height** minimum - 40' **Maximum** - 40' **Maximum Lot coverage** - not over sixty (60%) of lot area by buildings or accessory buildings.

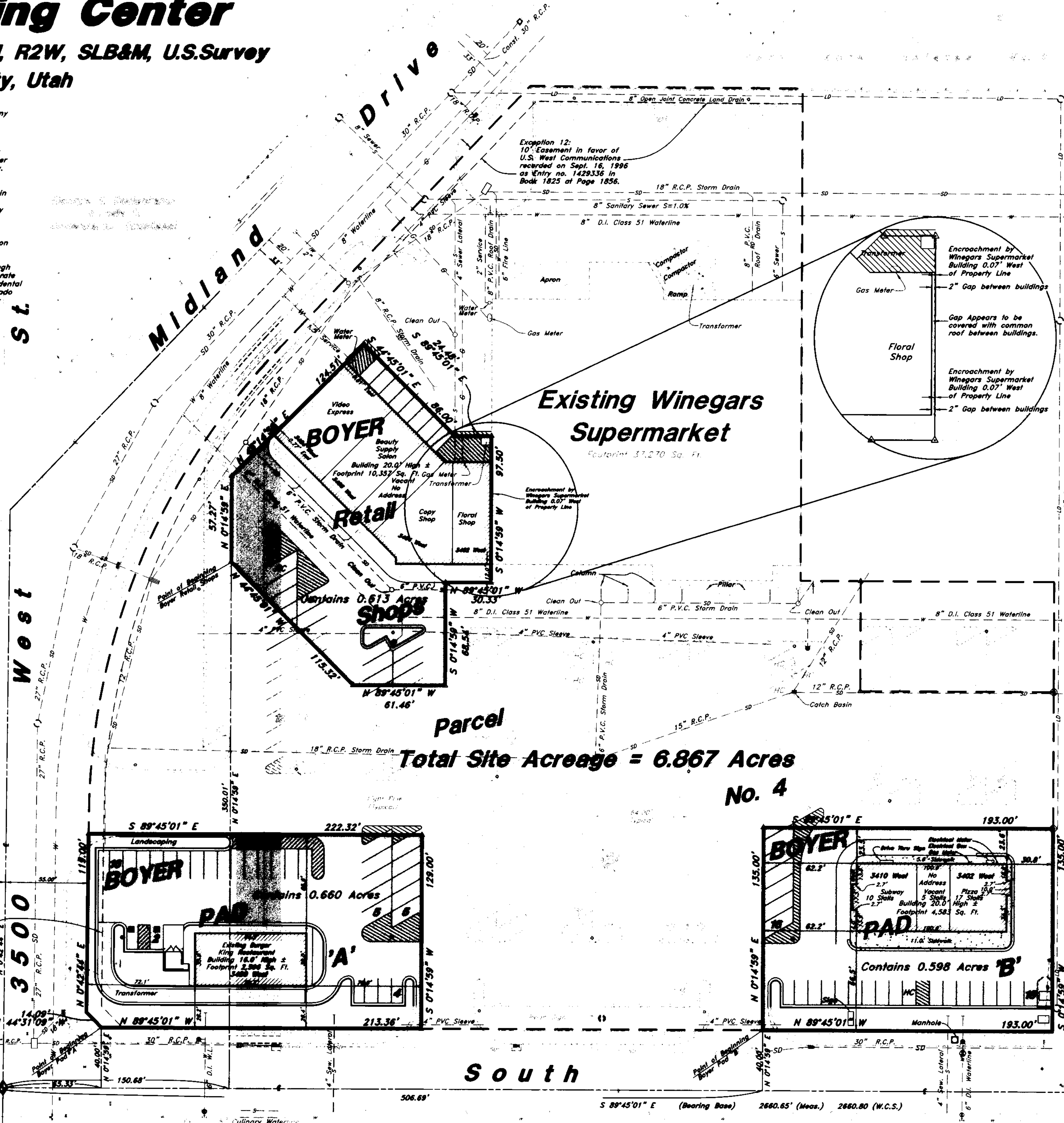
Note: All Buildings are single story.

Exception 12:
10' Easement in favor of U.S. West Communications recorded on Sept. 16, 1996 as Entry no. 1429337 in Book 1825 of Page 1857.

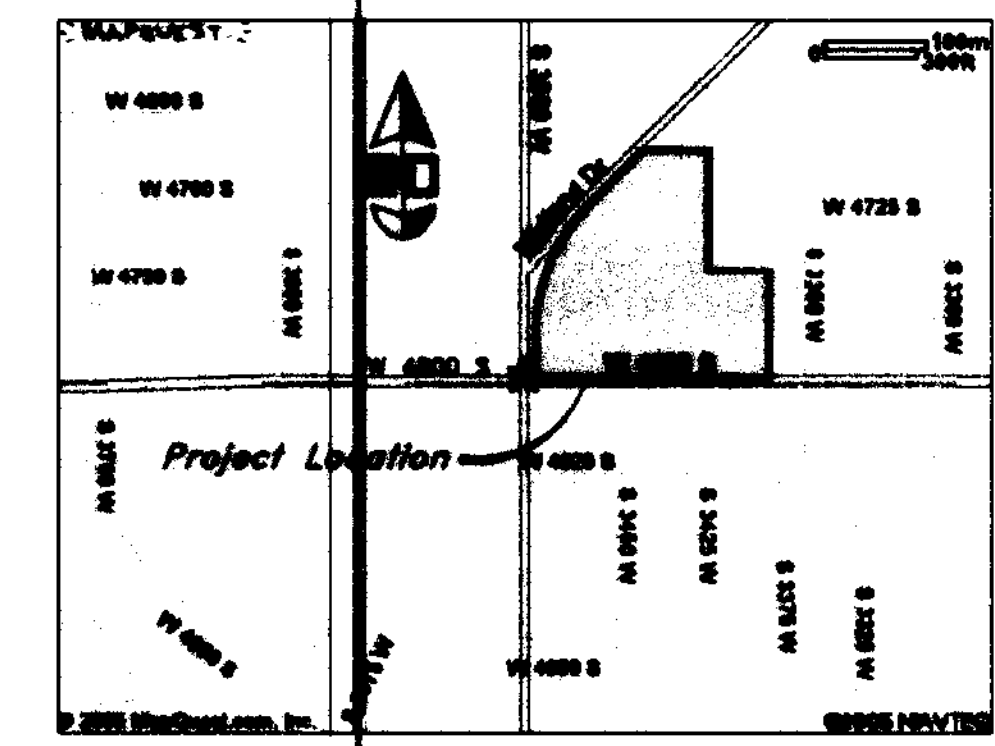


LEGEND

- San. Sewer Manhole
- Fire Hydrant
- Water Valve
- Sanitary Sewer Line
- Culinary Water Line
- Gas Line
- Storm Drain Line
- Land Drain Line
- Utility marker
- Power Pole
- Power Pole w/ Guy
- Fence
- Flowline of Ditch
- Overhead Power, Telephone & Cable TV Line
- Corrugated Metal Pipe
- Concrete Pipe
- Top of Asphalt
- Edge of Asphalt
- Centerline
- Flowline
- Exist. Asphalt
- Concrete
- Existing Building
- Catch Basin
- Found Nail
- Found Rebar & Cap w/ Fencepost
- WCS Weber County Surveyor
- R.C.P. Reinforced Concrete Pipe
- P.V.C. Polyvinyl Chloride
- HC Handicap



Total Site Acreage = 6.867 Acres No. 4



Vicinity Map

Narrative

This Survey was ordered by Judi Smith of National Mortgage Company for the purpose of securing financing. Weber County Brass Cap Monuments were found at the Southwest Corner of Section 10 and the South Quarter Corner of Section 10, Township 5 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey. The bearing between these monuments is South 89°45'01" East which is on Weber County State Plane Grid. Corners were found as shown on drawing.

Descriptions

PARCEL 1: BOYER PAD 'A'
A part of the Southwest Quarter of Section 10, Township 5 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey:
Beginning at a point on the North right of way line of 4800 South Street said point being 65.33 feet South 89°45'01" East along the Section line and 40.00 feet North 0°14'59" East from the Southwest Corner of said Section 10; running thence North 44°31'09" West 14.09 feet to the East right of way line of Midland Drive; thence North 0°42'44" East 119.00 feet along said East line of Midland Drive; thence South 89°45'01" East 222.32 feet; thence South 0°14'59" West 129.00 feet to the North right of way line of 4800 South Street; thence North 89°45'01" West 213.36 feet along said Street to the point of beginning.

PARCEL 2: BOYER RETAIL SHOPS
A part of the Southwest Quarter of Section 10, Township 5 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey:
Beginning at a point 150.68 feet South 89°45'01" East along the Section line and 350.01 feet North 0°14'59" East from the Southwest Corner of said Section 10; running thence North 0°14'59" East 57.27 feet; thence North 45°14'59" East 124.51 feet; thence South 44°45'01" East 86.00 feet; thence South 89°45'01" East 24.48 feet; thence South 0°14'59" West 97.50 feet; thence North 89°45'01" West 30.33 feet; thence South 0°14'59" West 88.54 feet; thence North 89°45'01" West 61.46 feet; thence North 44°45'01" West 115.32 feet to the point of beginning.

PARCEL 3:
This parcel has been removed.

PARCEL 4: BOYER PAD 'B'
A part of the Southwest Quarter of Section 10, Township 5 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey:
Beginning at a point on the North right of way line of 4800 South Street said point being 506.69 feet South 89°45'01" East along the Section line and 40.00 feet North 0°14'59" East from the Southwest Corner of said Section 10; running thence North 0°14'59" East 135.00 feet; thence South 89°45'01" East 193.00 feet; thence South 0°14'59" West 135.00 feet to the North right of way line of Midland Drive; thence North 89°45'01" West 193.00 feet along said right of way line to the point of beginning.

SURVEYOR'S CERTIFICATE

TO: Morgan Stanley Mortgage Capital Inc. and its successors and/or assigns, National Mortgage and the Talon Group.
This is to certify that (a) this map of survey and property description with respect thereto are true and correct and represent an actual field survey of the real property shown hereon; (b) such survey was conducted under the direct supervision of the undersigned Registered Land Surveyor; (c) such map of survey shows the premises specifically described in the commitment NCS-168598-SLC; and (d) such map of survey was made (i) in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys", jointly established and adopted by ALTA and ACSM in 1999 and includes Items 2, 3, 4, 6, 7(a), 8, 9 and 10, and to the extent necessary to determine compliance with applicable zoning requirements, Items 7(b) and 7(c), on Table A, "Optional Survey Responsibilities and Specifications", specifically denied therein, and (ii) pursuant to the Accuracy Standards (as adopted by ALTA and ACSM and in effect on the date of this certification) of an Urban...

W. E. Babitt
Registered Public Surveyor No. 166484
STATE OF UTAH

- Note:**
- There is a reciprocal parking agreement as noted in Exception #10.
 - Retail parking requirements are 1 stall per 300 sq.ft. of building
 - Restaurant requirements is 1 stall per 100 sq.ft. of building or 1 stall per 4 seats

Parking Table	Existing	Required
Pad A	30+2HC = 32	28
Pad B	24 = 24	32
Retail	18+1HC = 20	35
Total	76	95

Total Number of Stripped Parking Stalls = 309 Total of which 9 are handicap

RECEIVED
OCT 28 2005
WEBER COUNTY

A.L.T.A./A.S.C.M. Survey GREAT BASIN ENGINEERING NORTH CONSULTING ENGINEERS AND SURVEYORS 5746 South 1475 East - Suite 200 Ogden, Utah 84403 P.O. Box 150048, Ogden, Utah 84415 Ogden (801)294-4315 Salt Lake City (801)261-0222 Fax (801)292-7544		SCALE: 1" = 40' DRAWN: ACM 05N229ALTA	DATE: 26 Jul, 2005 REVISIONS: 26 Aug, 2005 003525	Roy West Shopping Center Approx. 4800 South 3500 West Roy City, Weber County, Utah A part of the SW 1/4 of Section 10, T5N, R2W, SLB&M, U.S. Survey
		DRWG. NO. 1	DRWG. NO.	