

SURVEYOR'S CERTIFICATE

TO: THE TALON GROUP TITLE AND SETTLEMENT SERVICES, 24TH & WASHINGTON, LLC, THOMAS J. MILLER AND DA LANE R. MILLER, AS JOINT TENANTS, ZIONS BANK.

I, RANDY D. SMITH, SALT LAKE CITY, UTAH, DO HEREBY CERTIFY THAT I AM A LICENSED LAND SURVEYOR AND THAT I HOLD LICENSE No. 5152708 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH AND THAT I HAVE MADE A SURVEY OF THE BOUNDARIES OF THE FOLLOWING DESCRIBED PROPERTY:

PARCEL 1:
A PART OF LOTS 8 AND 9, IN BLOCK 26, PLAT "A" OF OGDEN CITY SURVEY:

BEGINNING AT A POINT 222.78 FEET NORTH 89°02' WEST FROM THE NORTHEAST CORNER OF SAID BLOCK 26, AND RUNNING THENCE SOUTH 00°58' WEST 118.00 FEET; THENCE SOUTH 62°21'40" WEST 25.06 FEET; THENCE SOUTH 0°58' WEST 36.00 FEET; THENCE NORTH 89°02' WEST 128.41 FEET; THENCE NORTH 0°58' EAST 18.00 FEET; THENCE NORTH 89°02' WEST 23.40 FEET; THENCE NORTH 0°58' EAST 48.00 FEET; THENCE SOUTH 89°02' EAST 93.81 FEET; THENCE NORTH 0°58' EAST 100 FEET; THENCE SOUTH 89°02' EAST 80 FEET TO THE PLACE OF BEGINNING.

PARCEL 2:
TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY: BEGINNING AT A POINT SOUTH 0°58' WEST 469.00 FEET AND NORTH 89°02' WEST 149.50 FEET FROM THE NORTHEAST CORNER OF SAID BLOCK 26, AND RUNNING THENCE SOUTH 0°58' WEST 198.50 FEET TO THE NORTHERLY SIDE OF 25TH STREET; THENCE NORTH 89°02' WEST 20.00 FEET ALONG THE NORTHERLY SIDE OF 25TH STREET; THENCE NORTH 0°58' EAST 150.00 FEET; THENCE NORTH 89°02' WEST 5.50 FEET; THENCE NORTH 0°58' EAST 130.50 FEET; THENCE NORTH 89°02' EAST 4.50 FEET; THENCE NORTH 0°58' EAST 24.00 FEET; THENCE NORTH 56°49'10" WEST 33.77 FEET; THENCE SOUTH 89°02' EAST 53.07 FEET; THENCE SOUTH 0°58' WEST 124.00 FEET; THENCE SOUTH 89°02' EAST 5.50 FEET TO THE PLACE OF BEGINNING.

ALSO:
TOGETHER WITH A JOINT-USE EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY: A PART OF LOTS 2, 8, 9, AND 10, BLOCK 26, PLAT "A" OF OGDEN CITY SURVEY:

BEGINNING 50 FEET NORTH 89°02' WEST FROM THE NORTHEAST CORNER OF SAID BLOCK 26, AND RUNNING THENCE SOUTH 0°58' WEST 43.00 FEET; THENCE NORTH 89°02' WEST 142.78 FEET; THENCE SOUTH 12°30'30" WEST 50.00 FEET; THENCE SOUTH 0°58' WEST 38.00 FEET; THENCE SOUTH 64°24' WEST 22.36 FEET; THENCE SOUTH 0°58' WEST 105.60 FEET; THENCE SOUTH 89°02' EAST 2.00 FEET; THENCE SOUTH 0°58' WEST 72.00 FEET; THENCE SOUTH 66°23'30" EAST 71.25 FEET; THENCE NORTH 89°02' WEST 53.07 FEET; THENCE NORTH 64°49'20" WEST 40.24 FEET; THENCE NORTH 89°02' WEST 128.41 FEET; THENCE NORTH 0°58' EAST 162.50 FEET; THENCE SOUTH 89°02' EAST 20.00 FEET; THENCE SOUTH 0°58' WEST 144.00 FEET; THENCE SOUTH 89°02' EAST 43.75 FEET; THENCE NORTH 0°58' WEST 144.00 FEET; THENCE SOUTH 89°02' EAST 20.00 FEET; THENCE SOUTH 0°58' WEST 144.00 FEET; THENCE SOUTH 89°02' EAST 44.66 FEET; THENCE NORTH 0°58' EAST 180.00 FEET; THENCE NORTH 62°21'40" EAST 25.06 FEET; THENCE NORTH 6°09'40" EAST 55.23 FEET; THENCE SOUTH 89°02' EAST 4.78 FEET; THENCE NORTH 0°58' EAST 40.00 FEET; THENCE SOUTH 89°02' EAST 133.00 FEET; THENCE NORTH 0°58' EAST 23.00 FEET TO THE SOUTHERLY SIDE OF 24TH STREET; THENCE SOUTH 89°02' EAST 30.00 FEET TO THE POINT OF BEGINNING.

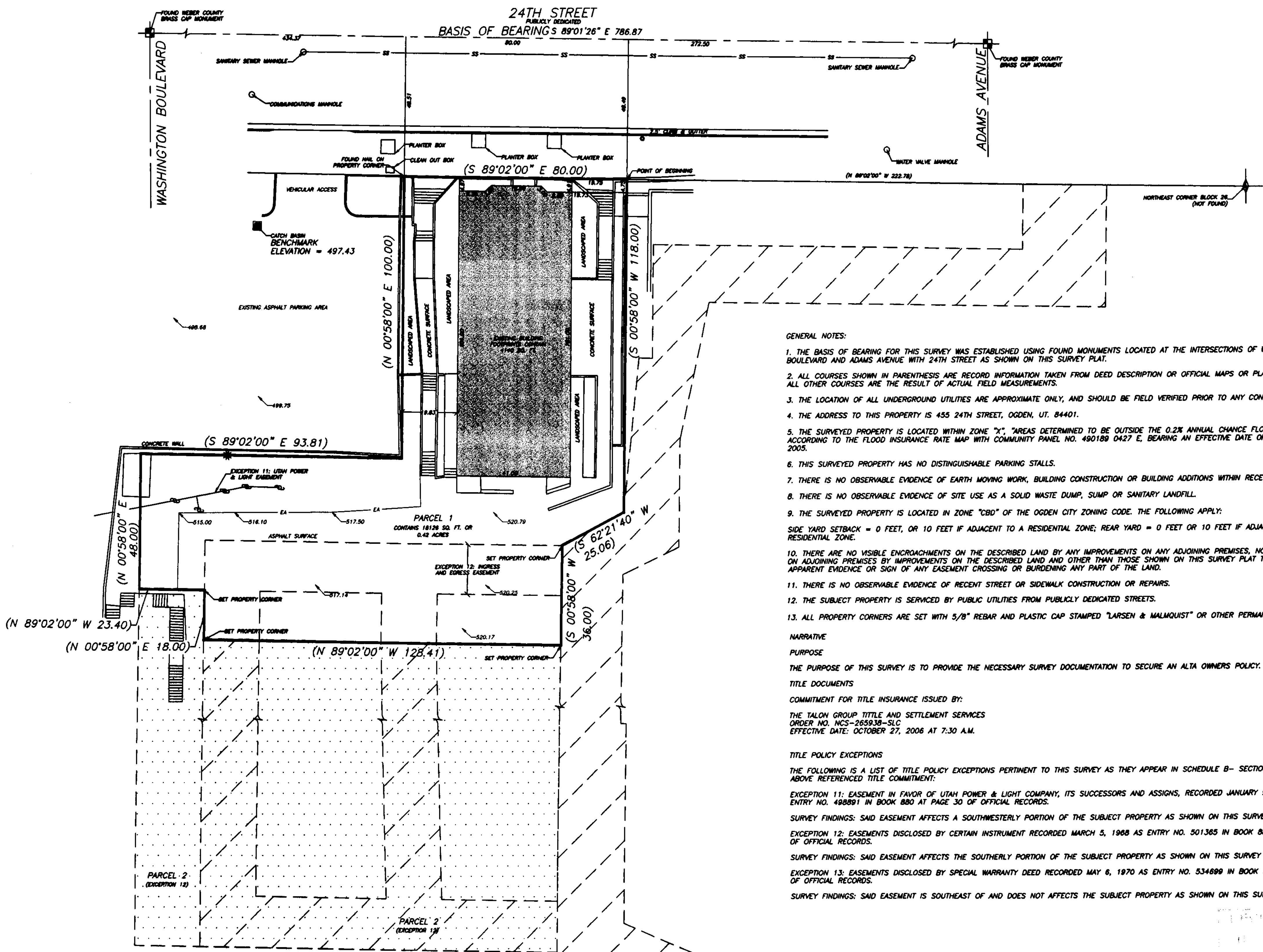
ALSO:
TOGETHER WITH AND SUBJECT TO A JOINT-USE AND NON-EXCLUSIVE RIGHT TO PARK VEHICLES ON THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT A POINT NORTH 89°02' WEST 222.78 FEET AND SOUTH 0°58' WEST 118.00 FEET AND SOUTH 62°21'40" WEST 25.06 FEET AND SOUTH 0°58' WEST 36.00 FEET FROM THE NORTHEAST CORNER OF SAID BLOCK 26, AND RUNNING THENCE SOUTH 0°58' WEST 162.50 FEET; THENCE NORTH 89°02' WEST 151.81 FEET; THENCE NORTH 0°58' EAST OF THE L???? T 180.50 FEET; THENCE SOUTH 89°02' EAST 23.40 FEET; THENCE SOUTH 0°58' WEST 18.00 FEET; THENCE SOUTH 89°02' EAST 128.41 FEET TO THE PLACE OF BEGINNING. THIS RIGHT TO SHARE THE USE OF THE ABOVE DESCRIBED JOINT-USE PARKING AREA IS EXPRESSLY LIMITED TO THE GRANTEE, HIS SUCCESSORS, ASSIGNS AND HIS TENANTS AND THEIR SUCCESSORS OF THE LAND, BUILDING AND PREMISES PRESENTLY KNOWN AS THE VIRGINIA PROFESSIONAL BUILDING, THEIR RESPECTIVE EMPLOYEES AND PATRONS, BUT LIMITED TO 20 SPACES IN JOINT-PARKING AREA.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY UPON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA, ACSM, AND NSPS IN 2006, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(A), 7(A), 8, 10, 11(A), 14, 16, 17, AND 18 OF TABLE A THEREOF.

PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA, NSPS, AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT THE SURVEY MEASUREMENTS WERE MADE IN ACCORDANCE WITH THE "MINIMUM ANGLE, DISTANCE, AND CLOSURE REQUIREMENTS FOR SURVEY MEASUREMENTS WHICH CONTROL LAND BOUNDARIES FOR ALTA/ACSM LAND TITLE SURVEYS."

Randy Smith
RANDY D. SMITH P.L.S. #5152708
12/15/06
DATE

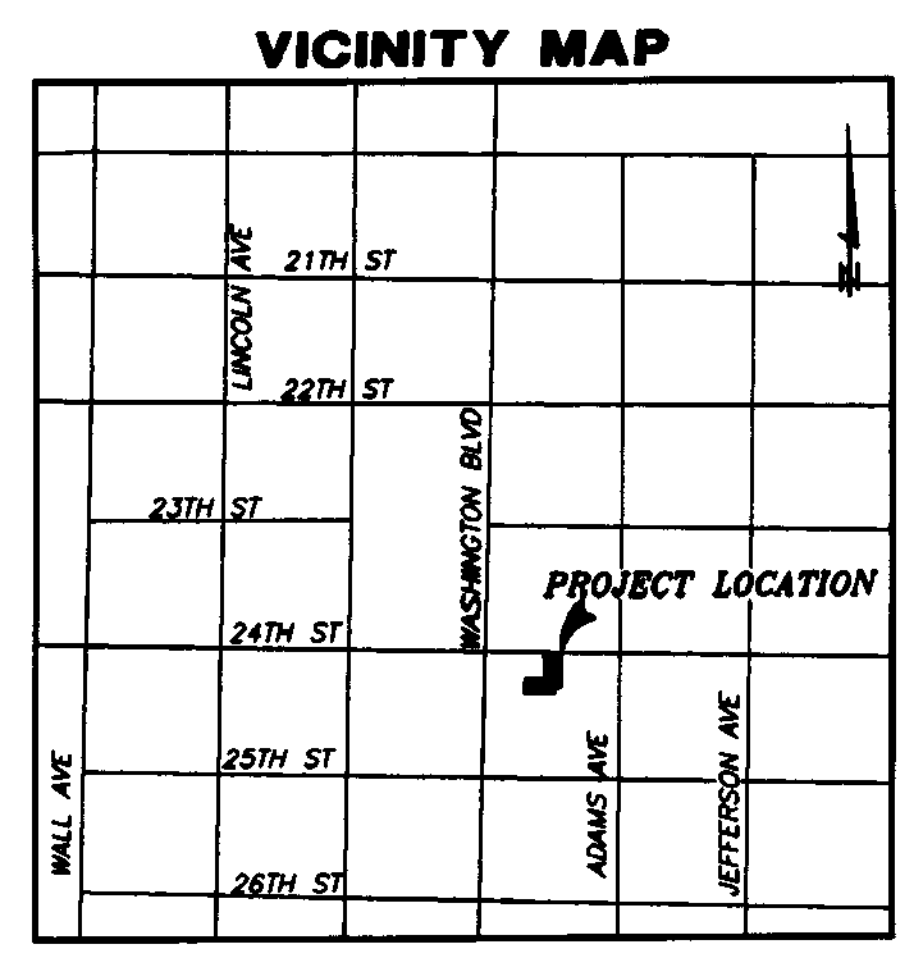


- GENERAL NOTES:**
1. THE BASIS OF BEARING FOR THIS SURVEY WAS ESTABLISHED USING FOUND MONUMENTS LOCATED AT THE INTERSECTIONS OF WASHINGTON BOULEVARD AND ADAMS AVENUE WITH 24TH STREET AS SHOWN ON THIS SURVEY PLAT.
 2. ALL COURSES SHOWN IN PARENTHESIS ARE RECORD INFORMATION TAKEN FROM DEED DESCRIPTION OR OFFICIAL MAPS OR PLATS OF RECORD. ALL OTHER COURSES ARE THE RESULT OF ACTUAL FIELD MEASUREMENTS.
 3. THE LOCATION OF ALL UNDERGROUND UTILITIES ARE APPROXIMATE ONLY, AND SHOULD BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION.
 4. THE ADDRESS TO THIS PROPERTY IS 455 24TH STREET, OGDEN, UT. 84401.
 5. THE SURVEYED PROPERTY IS LOCATED WITHIN ZONE "X", "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN", ACCORDING TO THE FLOOD INSURANCE RATE MAP WITH COMMUNITY PANEL NO. 490189 0427 E, BEARING AN EFFECTIVE DATE OF DECEMBER 16, 2005.
 6. THIS SURVEYED PROPERTY HAS NO DISTINGUISHABLE PARKING STALLS.
 7. THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
 8. THERE IS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
 9. THE SURVEYED PROPERTY IS LOCATED IN ZONE "CBD" OF THE OGDEN CITY ZONING CODE. THE FOLLOWING APPLY:
SIDE YARD SETBACK = 0 FEET, OR 10 FEET IF ADJACENT TO A RESIDENTIAL ZONE; REAR YARD = 0 FEET OR 10 FEET IF ADJACENT TO A RESIDENTIAL ZONE.
 10. THERE ARE NO VISIBLE ENCROACHMENTS ON THE DESCRIBED LAND BY ANY IMPROVEMENTS ON ANY ADJOINING PREMISES, NO ENCROACHMENTS ON ADJOINING PREMISES BY IMPROVEMENTS ON THE DESCRIBED LAND AND OTHER THAN THOSE SHOWN ON THIS SURVEY PLAT THERE IS NO APPARENT EVIDENCE OR SIGN OF ANY EASEMENT CROSSING OR BURDENING ANY PART OF THE LAND.
 11. THERE IS NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
 12. THE SUBJECT PROPERTY IS SERVICED BY PUBLIC UTILITIES FROM PUBLICLY DEDICATED STREETS.
 13. ALL PROPERTY CORNERS ARE SET WITH 5/8" REBAR AND PLASTIC CAP STAMPED "LARSEN & MALMQUIST" OR OTHER PERMANENT MARKERS.

NARRATIVE
PURPOSE
THE PURPOSE OF THIS SURVEY IS TO PROVIDE THE NECESSARY SURVEY DOCUMENTATION TO SECURE AN ALTA OWNERS POLICY.

TITLE DOCUMENTS
COMMITMENT FOR TITLE INSURANCE ISSUED BY:
THE TALON GROUP TITLE AND SETTLEMENT SERVICES
ORDER NO. NCS-265938-SLC
EFFECTIVE DATE: OCTOBER 27, 2006 AT 7:30 A.M.

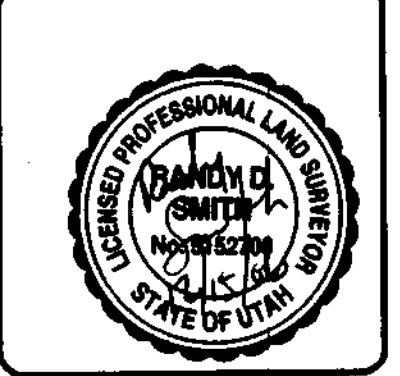
- TITLE POLICY EXCEPTIONS**
THE FOLLOWING IS A LIST OF TITLE POLICY EXCEPTIONS PERTINENT TO THIS SURVEY AS THEY APPEAR IN SCHEDULE B- SECTION 2, OF THE ABOVE REFERENCED TITLE COMMITMENT:
- EXCEPTION 11:** EASEMENT IN FAVOR OF UTAH POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, RECORDED JANUARY 9, 1968 AS ENTRY NO. 498891 IN BOOK 880 AT PAGE 30 OF OFFICIAL RECORDS.
SURVEY FINDINGS: SAID EASEMENT AFFECTS A SOUTHWESTERLY PORTION OF THE SUBJECT PROPERTY AS SHOWN ON THIS SURVEY PLAT.
- EXCEPTION 12:** EASEMENTS DISCLOSED BY CERTAIN INSTRUMENT RECORDED MARCH 5, 1968 AS ENTRY NO. 501365 IN BOOK 883 AT PAGE 687 OF OFFICIAL RECORDS.
SURVEY FINDINGS: SAID EASEMENT AFFECTS THE SOUTHERLY PORTION OF THE SUBJECT PROPERTY AS SHOWN ON THIS SURVEY PLAT.
- EXCEPTION 13:** EASEMENTS DISCLOSED BY SPECIAL WARRANTY DEED RECORDED MAY 6, 1970 AS ENTRY NO. 534899 IN BOOK 940 AT PAGE 505 OF OFFICIAL RECORDS.
SURVEY FINDINGS: SAID EASEMENT IS SOUTHEAST OF AND DOES NOT AFFECTS THE SUBJECT PROPERTY AS SHOWN ON THIS SURVEY PLAT.



LEGEND

	Edge of Asphalt		Section Monument
	Overhead Power Line w/ Pole		Street Monument
	Underground Power Line w/ Box		Light Pole
	Storm Drain Line w/ Catch Basin		Center Line
	Sanitary Sewer Line w/ Manhole		Property Line
	Telephone Line w/ Box		Spot Elevation
	Water Line w/ Valve		Easement Line
	Curb & Gutter		Section Line
			Curb & Gutter

REV	DATE	DESCRIPTION
1	12/12/06	REVISION PER CLIENT REQUEST/UPDATED TITLE REPORT
2	12/15/06	PER TITLE COMPANY REQUEST



LARSEN & MALMQUIST INC.
CIVIL ENGINEERS & LAND SURVEYORS

1574 West 1700 South, 2D
Salt Lake City, Utah 84104
Phone: (801) 972-2634
Fax: (801) 972-2696

ALTA/ACSM LAND TITLE SURVEY
455 24TH STREET, OGDEN, UT.

PREPARED FOR: COMMERCE CRG
RICK HORGAN
175 EAST 400 SOUTH #700
SALT LAKE CITY, UTAH 84111

LOCATION: BLK 26, PLAT "A", OGDEN, WEBER COUNTY

JOB NO:	06134-06S
DATE:	012/04/06
SCALE:	1" = 20'
DESIGNED:	
DRAWN:	MDH
CHECKED:	RS