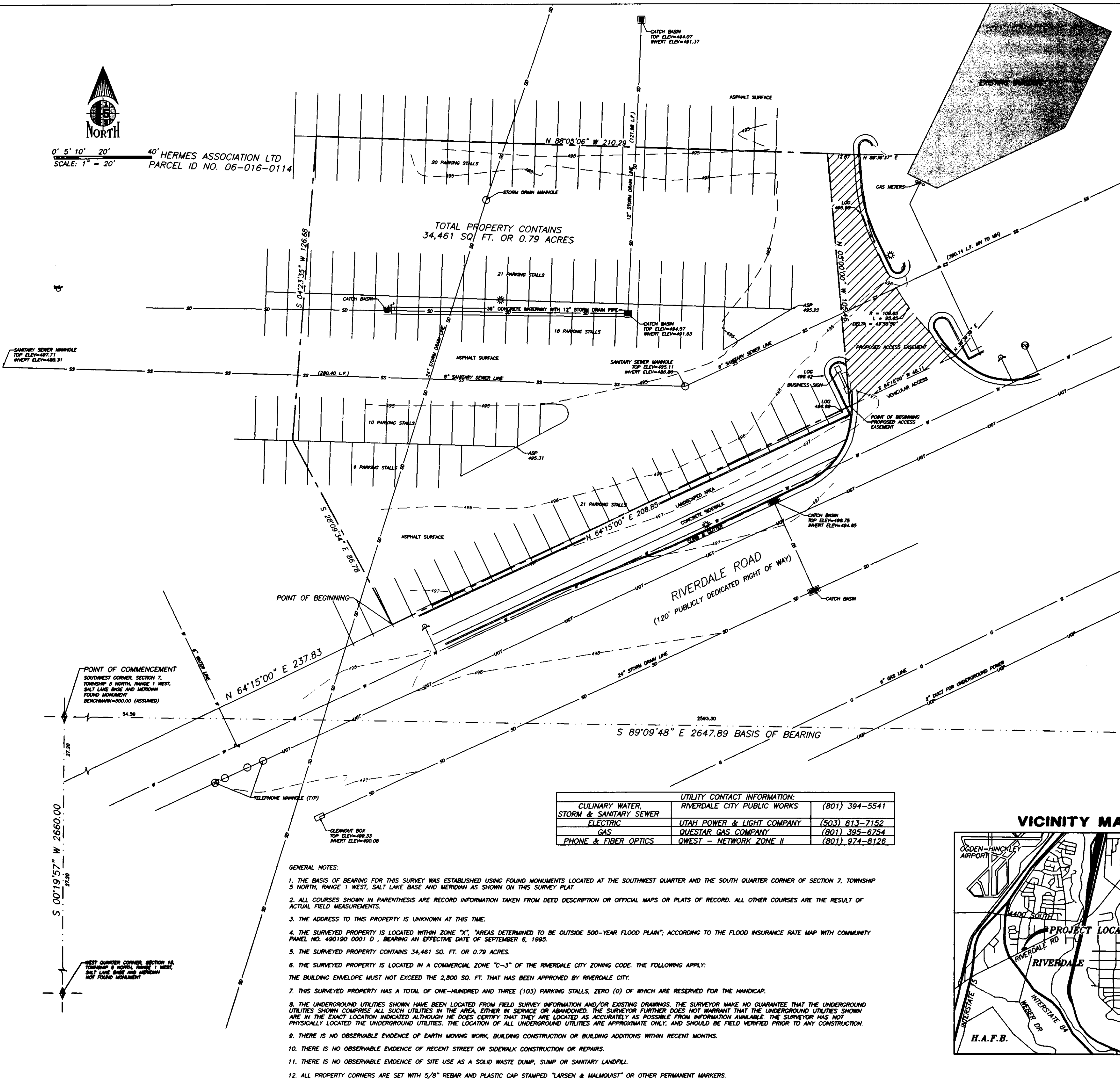


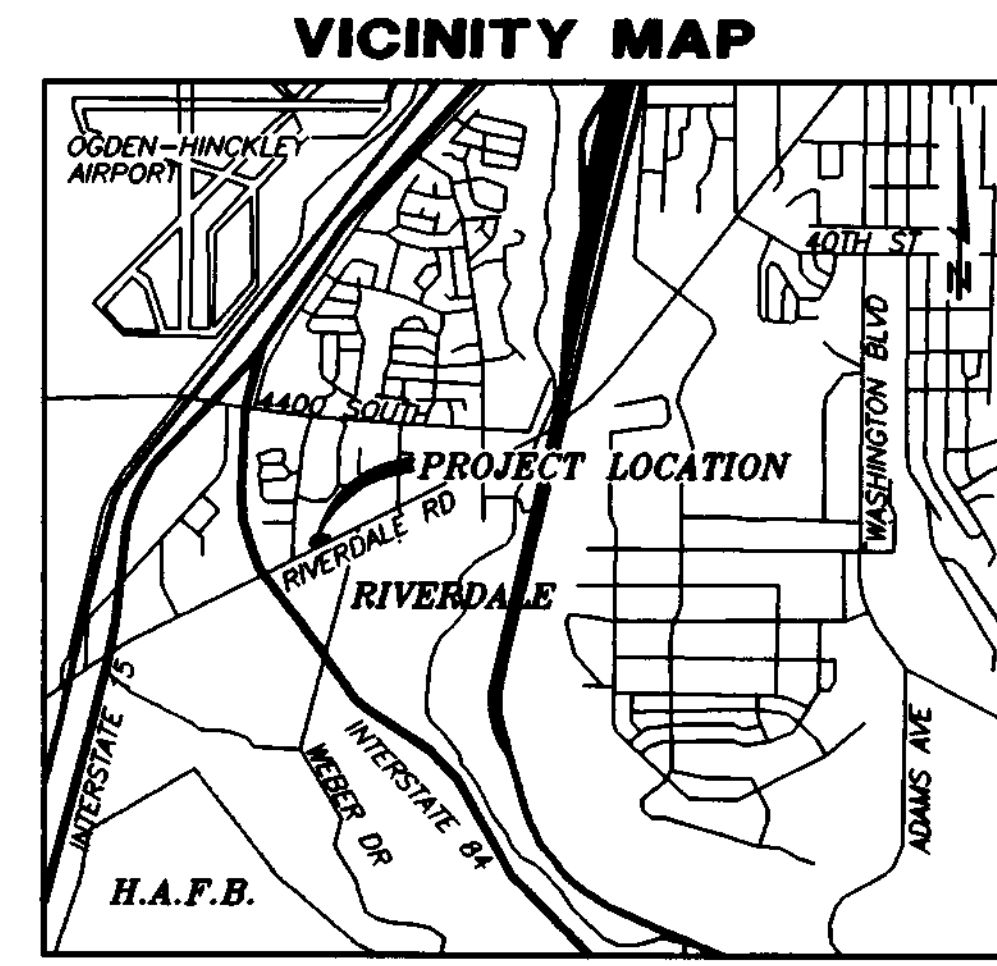
0' 5' 10" 20' 40' HERMES ASSOCIATION LTD  
SCALE: 1" = 20'  
PARCEL ID NO. 06-016-0114



TOTAL PROPERTY CONTAINS  
34,461 SQ. FT. OR 0.79 ACRES

UTILITY CONTACT INFORMATION:		
CULINARY WATER, STORM & SANITARY SEWER	RIVERDALE CITY PUBLIC WORKS	(801) 394-5541
ELECTRIC	UTAH POWER & LIGHT COMPANY	(803) 813-7152
GAS	QUESTAR GAS COMPANY	(801) 395-6754
PHONE & FIBER OPTICS	QWEST - NETWORK ZONE II	(801) 974-8126

- GENERAL NOTES:
1. THE BASIS OF BEARING FOR THIS SURVEY WAS ESTABLISHED USING FOUND MONUMENTS LOCATED AT THE SOUTHWEST QUARTER AND THE SOUTH QUARTER CORNER OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN 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 ADDRESS TO THIS PROPERTY IS UNKNOWN AT THIS TIME.
  4. THE SURVEYED PROPERTY IS LOCATED WITHIN ZONE "X", "AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN"; ACCORDING TO THE FLOOD INSURANCE RATE MAP WITH COMMUNITY PANEL NO. 490190 0001 D, BEARING AN EFFECTIVE DATE OF SEPTEMBER 6, 1995.
  5. THE SURVEYED PROPERTY CONTAINS 34,461 SQ. FT. OR 0.79 ACRES.
  6. THE SURVEYED PROPERTY IS LOCATED IN A COMMERCIAL ZONE "C-3" OF THE RIVERDALE CITY ZONING CODE. THE FOLLOWING APPLY:  
THE BUILDING ENVELOPE MUST NOT EXCEED THE 2,800 SQ. FT. THAT HAS BEEN APPROVED BY RIVERDALE CITY.
  7. THIS SURVEYED PROPERTY HAS A TOTAL OF ONE-HUNDRED AND THREE (103) PARKING STALLS, ZERO (0) OF WHICH ARE RESERVED FOR THE HANDICAP.
  8. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND/OR EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. THE LOCATION OF ALL UNDERGROUND UTILITIES ARE APPROXIMATE ONLY, AND SHOULD BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION.
  9. THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
  10. THERE IS NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
  11. THERE IS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
  12. ALL PROPERTY CORNERS ARE SET WITH 5/8" REBAR AND PLASTIC CAP STAMPED "LARSEN & MALMQUIST" OR OTHER PERMANENT MARKERS.



**LEGEND**

	Section Monument
	Fire Hydrant
	Light Pole
	Property Line
	Section Line
	Curb & Gutter
	Curb Wall
	Gas Line w/ Valve
	Overhead Power Line w/ Pole
	Storm Drain Line w/ Catch Basin
	Sanitary Sewer Line w/ Manhole
	Water Line w/ Valves

**SURVEYOR'S CERTIFICATE**

TO: WENDY'S OLD FASHIONED HAMBURGERS OF NEW YORK, INC.; COMMONWEALTH LAND TITLE INSURANCE COMPANY.

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:

A PARCEL OF GROUND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT IS SOUTH 00°19'57" WEST ALONG THE SECTION LINE 27.20 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF RIVERDALE ROAD AND NORTH 64°15'00" EAST ALONG SAID NORTHERLY RIGHT OF WAY LINE 237.83 FEET FROM THE SOUTHWEST CORNER OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 64°15'00" EAST ALONG SAID NORTHERLY LINE 208.85 FEET; THENCE NORTH 05°00'00" WEST 105.46 FEET; THENCE NORTH 88°05'06" WEST 210.29 FEET; THENCE SOUTH 04°23'35" WEST 126.68 FEET; THENCE SOUTH 28°08'34" EAST 86.78 FEET TO THE POINT BEGINNING.

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 1999, AND INCLUDES ITEMS 1, 2, 3, 4, 6, 7(a), 8, 9, 10, 11(a) & 13 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 D. Smith*  
RANDY D. SMITH P.L.S. #5152708  
DATE 7/19/05

**NARRATIVE**

**PURPOSE**  
THE PURPOSE OF THIS SURVEY IS TO PROVIDE THE NECESSARY SURVEY DOCUMENTATION TO SECURE AN ALTA OWNER'S POLICY.

**TITLE DOCUMENTS**  
COMMITMENT FOR TITLE INSURANCE ISSUED BY:  
COMMONWEALTH LAND TITLE INSURANCE COMPANY  
ORDER NO.: 05-032798/10-813-2461  
EFFECTIVE DATE: JUNE 27, 2005 AT 8:00 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 13: SUBJECT TO AN EASEMENT IN FAVOR OF THE STATE ROAD COMMISSION OR THE PURPOSES OF A 40 FOOT IRRIGATION FACILITY, AS DISCLOSED BY THAT EASEMENT, DATED OCTOBER 20, 1967, AND RECORDED JANUARY 2, 1968, IN BOOK 879, AT PAGE 407, AS ENTRY NO. 498815.

SURVEY FINDINGS: SAID EASEMENT IS NORTHWEST OF AND DOES NOT AFFECT THIS SUBJECT PROPERTY.

EXCEPTION 14: COVENANTS, CONDITIONS AND RESTRICTIONS IMPOSED BY DEED RECORDED IN BOOK 840, AT PAGE 28.

SURVEY FINDINGS: SAID DOCUMENT IS SOUTHWEST OF AND DOES NOT AFFECT THIS SUBJECT PROPERTY.

EXCEPTION 15: DECLARATION OF RESTRICTIONS AND GRANT OF EASEMENT BY AND BETWEEN HERMES ASSOCIATES, A UTAH PARTNERSHIP AND ROBERT METRELL AND MARY M. METRELL, HUSBAND AND WIFE, AS JOINT TENANTS, DATED APRIL 6, 1990 AND RECORDED JUNE 27, 1990, IN BOOK 1582, AT PAGE 2018, AS ENTRY NO. 1112467.

SURVEY FINDINGS: SAID DOCUMENT CREATES A BLANKET EASEMENT OVER THE ENTIRE PROPERTY.

**PROPOSED ACCESS EASEMENT DESCRIPTION:**  
BEGINNING AT A POINT THAT IS SOUTH 00°19'57" WEST ALONG THE SECTION LINE 27.20 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF RIVERDALE ROAD AND NORTH 64°15'00" EAST ALONG SAID NORTHERLY RIGHT OF WAY LINE 446.65 FEET FROM THE SOUTHWEST CORNER OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 05°00'00" WEST 105.46 FEET; THENCE SOUTH 88°05'06" EAST 12.87 FEET TO THE POINT OF A 109.85 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS NORTH 88°38'37" EAST; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE 95.85 FEET THROUGH A CENTRAL ANGLE OF 48°58'59" TO A POINT ON SAID NORTHERLY LINE OF RIVERDALE ROAD; SAID POINT BEING NON-TANGENT; THENCE SOUTH 64°15'00" WEST ALONG SAID NORTHERLY LINE 46.11 FEET TO THE POINT OF BEGINNING.

CONTAINS 2262 SQUARE FEET

**ALTA/ACSM LAND TITLE SURVEY**  
WENDY'S RIVERDALE  
PREPARED FOR: WENDY'S INTERNATIONAL, INC.  
LAURA ROUSUM  
8600 FREEPORT PARKWAY, SUITE 100  
IRVING, TX 75063  
LOCATION: SOUTHWEST 1/4, SEC. 7, T5N, R1W, S5EM

**JOB NO:** 05569-055  
**DATE:** 03/09/05  
**SCALE:** 1" = 20'  
**DESIGNED:** MLW  
**DRAWN:** MLW  
**CHECKED:** RDS

**SHEET**  
C2 OF 5