

5600 SOUTH STREET  
(PUBLICLY DEDICATED ROADWAY)  
(N 89°43'34" W 2645.13)

**SURVEYOR'S CERTIFICATE**

TO: AMERICAN SECURITY INSURANCE COMPANY (THE "LENDER")  
RE: PROPOSED LOAN FROM THE LENDER TO ROY CITY CENTRE REALTY LIMITED, (THE "BORROWER") SECURED BY REAL PROPERTY LOCATED IN WEBER COUNTY, UTAH (THE "PROPERTY")

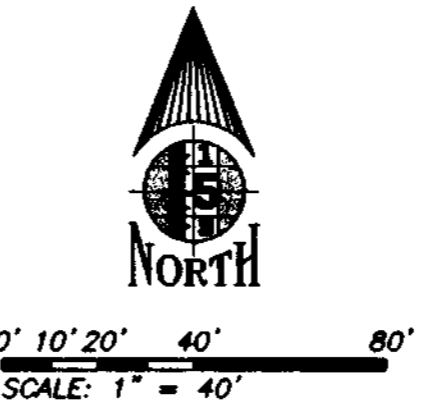
LOCATEMENT:  
1. RANDY D. SMITH, A REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY CERTIFY TO LENDER, TRANSNATION TITLE INSURANCE COMPANY AND BORROWER:  
1. THAT THIS PLAT OF SURVEY REPRESENTS A TRUE AND CORRECT SURVEY MADE BY ME ON FEBRUARY 25, 2005, LAST REVISED APRIL 4, 2005, OF THE PROPERTY DESCRIBED HEREON.  
LOT 2, ROY CITY CENTRE, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF THE WEBER COUNTY RECORDER.  
EXCEPTING THEREFROM THE BUILDING, BUILDING SERVICES FACILITIES AND RELATED STRUCTURAL IMPROVEMENTS UPON SAID LAND AND FURTHER EXCEPTING THEREFROM ANY BOOK INTEREST IN THE SITE IMPROVEMENTS ALL AS RESERVED IN THAT CERTAIN SPECIAL WARRANTY DEED DATED MARCH 24, 1994 AND RECORDED APRIL 8, 1994, AS ENTRY NO. 128492, IN BOOK 1710, AT PAGE 1732 OF OFFICIAL RECORDS.  
ALSO EXCEPTING THAT PORTION DEEDED TO THE UTAH DEPARTMENT OF TRANSPORTATION IN THAT CERTAIN ORDER OF IMMEDIATE OCCUPANCY RECORDED JULY 15, 1997, AS ENTRY NO. 148282, IN BOOK 1871, AT PAGE 2037 OF OFFICIAL RECORDS DESCRIBED AS FOLLOWS:  
A PARCEL OF LAND IN FEE FOR THE WIDENING OF AN EXISTING ROADWAY, STATE ROUTE 97 (ROY 5600 SOUTH), KNOWN AS PROJECT NO. 0097, BEING A PART OF AN ENTIRE TRACT OF PROPERTY SITUATE IN THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN. THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS:  
BEGINNING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID PROJECT AT A POINT 13.500 METERS (44.29 FEET) PERPENDICULARLY DISTANT SOUTHERLY FROM THE CENTERLINE OF SAID PROJECT AT ENGINEER STATION 13+00.011, SAID POINT ALSO BEING APPROXIMATELY 221.304 METERS (726.06 FEET) NORTH 89°50'57" WEST (NORTH 89°43'33" WEST HIGHWAY BEARING) ALONG THE SECTION LINE AND 13.500 METERS (44.29 FEET) SOUTH 00°27'45" WEST (SOUTH 00°16'27" WEST (SOUTH 00°16'27" WEST HIGHWAY BEARING) FROM THE NORTHEAST CORNER OF SAID SECTION 23, AND RUNNING THENCE NORTH 00°27'45" EAST (NORTH 00°16'27" EAST HIGHWAY BEARING) 1.308 METERS (4.29 FEET) TO THE NORTHWEST CORNER OF SAID ENTIRE TRACT; THENCE SOUTH 89°50'57" EAST (SOUTH 89°43'33" EAST HIGHWAY BEARING) 151.155 METERS (495.82 FEET) ALONG THE NORTH BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE SOUTH 00°27'51" WEST (SOUTH 00°16'27" WEST HIGHWAY BEARING) 1.308 METERS (4.29 FEET); THENCE NORTH 89°50'57" WEST (NORTH 89°43'33" WEST HIGHWAY BEARING) 151.155 METERS (495.82 FEET) ALONG THE SOUTHERLY HIGHWAY RIGHT-OF-WAY LINE OF SAID PROJECT TO THE POINT OF BEGINNING.

TOGETHER WITH THOSE CERTAIN EASEMENTS AS SET FORTH AND DESCRIBED IN THE DECLARATION OF RESTRICTIONS AND GRANT EASEMENTS, RECORDED APRIL 31, 1991 AS ENTRY NO. 1147281 IN BOOK 1804 AT PAGE 1990 AND FIRST AMENDMENT TO THE DECLARATION OF RESTRICTIONS AND GRANT OF EASEMENTS, RECORDED APRIL 3, 1992 AS ENTRY NO. 1172860 IN BOOK 1822 AT PAGE 2929.  
TOGETHER WITH THOSE CERTAIN EASEMENTS AS SET FORTH AND DESCRIBED IN THE CROSS-EASEMENT AGREEMENT AND DECLARATION OF RESTRICTIONS, RECORDED JULY 31, 1991 AS ENTRY NO. 1147287 IN BOOK 1804 AT PAGE 2128.  
TOGETHER WITH THOSE CERTAIN EASEMENTS AS SET FORTH AND DESCRIBED IN THE CROSS-EASEMENT AGREEMENT, RECORDED FEBRUARY 10, 1994 AS ENTRY NO. 1274000 IN BOOK 1702 AT PAGE 1208.

2. THE FOREGOING SURVEY CORRECTLY SHOWS:  
(I) THE LOCATION OF ALL BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE ABOVE PREMISES, AND THAT, EXCEPT AS SHOWN BY REFERENCE TO RECORDED INSTRUMENTS, THERE ARE NO UNRECORDED EASEMENTS OR RIGHTS OF WAY EXCEPT SAID PREMISES OR ANY OTHER EASEMENTS OR RIGHTS OF WAY WHICH THE UNDERSIGNED HAS BEEN ADVISED, NO PARTY WALLS, NO ENCROACHMENTS ON ADJOINING PREMISES, EASEMENTS, STREETS OR ALLEYS BY ANY OF SAID BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS, AND NO ENCROACHMENTS ON SAID PREMISES BY BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS SITUATED ON ADJOINING PREMISES.  
(II) ANY EASEMENTS LOCATED ON OR AFFECTING THE SAID PREMISES;  
(III) THE COURSES AND MEASURED DISTANCES OF THE EXTERIOR PROPERTY LINES OF THE PREMISES;  
(IV) THE LOCATION AND NUMBER OF PARKING SPACES AND THE TOTAL SQUARE FOOT AREA OF THE SAID PREMISES;  
(V) THE DIMENSIONS OF ALL IMPROVEMENTS ON THE SAID PREMISES AT GROUND SURFACE LEVEL AND THE DISTANCE THEREFROM TO THE NEAREST FACING EXTERIOR PROPERTY LINES OF THE SAID PREMISES;  
(VI) THE LOCATION OF ANY WETLANDS AREA (AS DEFINED UNDER APPLICABLE LAWS, RULES, ORDERS AND REGULATIONS); AND  
(VII) THE SCALE, THE NORTH DIRECTION, THE BEGINNING POINT, THE DISTANCE OF THE NEAREST INTERSECTING STREET AND POINTS OF REFERENCE FROM WHICH THE PREMISES ARE MEASURED.  
3. THAT ALL STREETS ABUTTING THE SAID PREMISES AND ALL MEANS OF INGRESS AND EGRESS FOR THE SAID PREMISES HAVE BEEN COMPLETED, DEDICATED AND ACCEPTED FOR PUBLIC MAINTENANCE BY THE CITY OF ROY OR BY THE COUNTY OF WEBER.  
4. THE BUILDING SET-BACK LINES ARE AS PER THE ZONING REQUIREMENTS OF ROY CITY. SEE GENERAL NOTE NUMBER 8 FOR DETAILS. THE BUILDING SETBACK LINES ARE NOT SHOWN ON THIS SURVEY PLAT FOR CLARITY AND BECAUSE THE SURVEYOR IS NOT ABLE TO DETERMINE WHAT ROY CITY HAS ESTABLISHED AS FRONT AND SIDE PROPERTY LINES.

5. THE BUILDING SET-BACK LINES ARE AS PER THE ZONING REQUIREMENTS OF ROY CITY. SEE GENERAL NOTE NUMBER 8 FOR DETAILS. THE BUILDING SETBACK LINES ARE NOT SHOWN ON THIS SURVEY PLAT FOR CLARITY AND BECAUSE THE SURVEYOR IS NOT ABLE TO DETERMINE WHAT ROY CITY HAS ESTABLISHED AS FRONT AND SIDE PROPERTY LINES.  
DATE 4/09/05  
VICINITY MAP  
RANDY D. SMITH P.L.S. 5152708

NORTHEAST CORNER, SECTION 23, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN FOUND MONUMENT



DESCRIPTION	DATE
MADE CHANGES AS PER ATTORNEY'S COMMENTS	04/09/2005

**LARSEN & MALMQUIST INC.**  
CIVIL ENGINEERS & LAND SURVEYORS

1574 West 1700 South, 2D  
Salt Lake City, Utah 84104  
Phone: (801) 972-2634  
Fax: (801) 972-2698

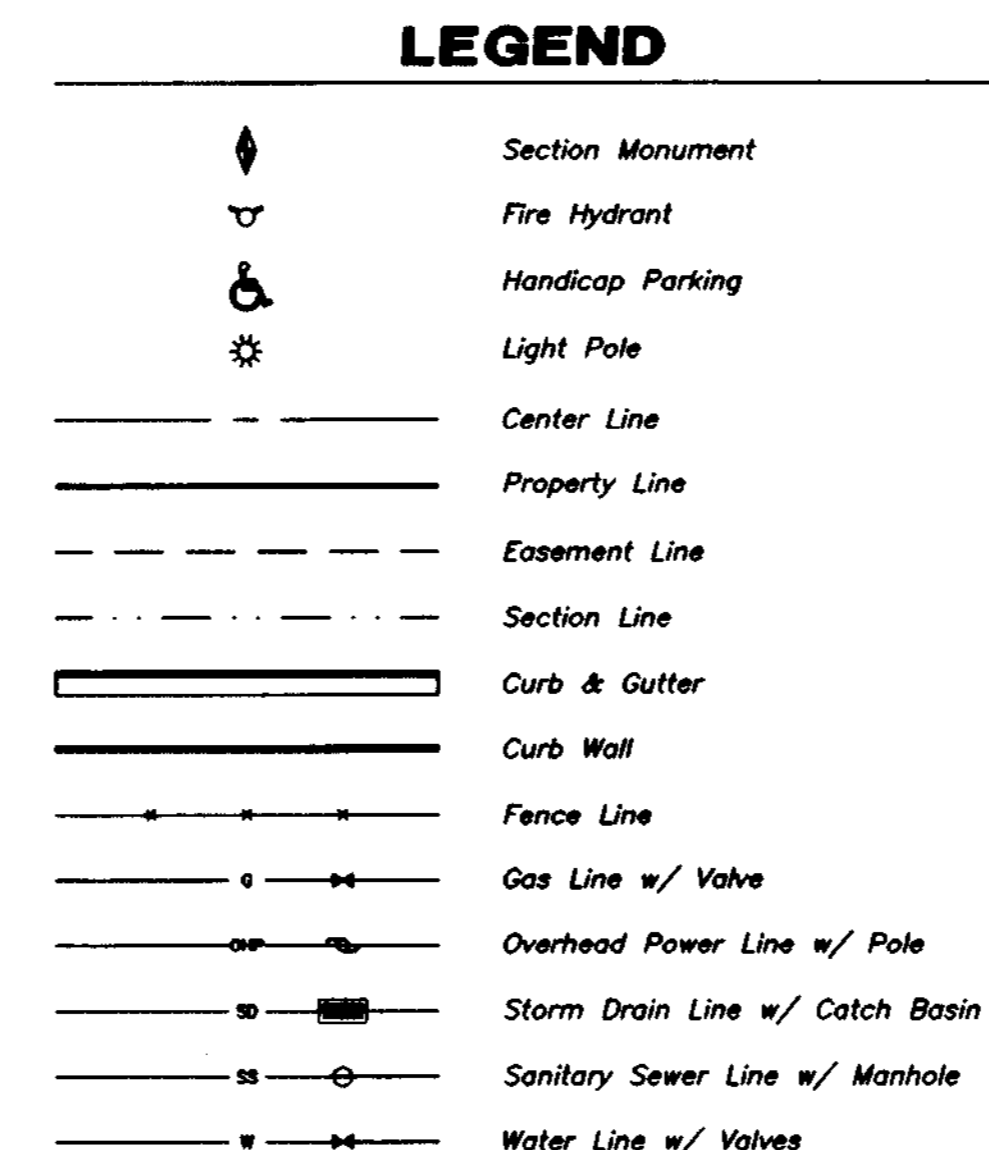
ALTA/ACSM LAND TITLE SURVEY

PREPARED FOR: ALBERTSON'S - ROY, UT  
BONNEVILLE MORTGAGE COMPANY  
GINA JENSEN  
111 EAST BROADWAY, SUITE 1250  
SALT LAKE CITY, UT 84111  
LOCATION: NORTHEAST 1/4, SEC. 23, T5N, R2W, SL28&M

JOB NO:	05546-05S
DATE:	02/24/05
SCALE:	1" = 40'
DESIGNED:	MLW
DRAWN:	MLW
CHECKED:	RDS

NORTH QUARTER CORNER, SECTION 23, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN NOT FOUND MONUMENT  
1919.22  
495.92  
229.90  
(S 89°50'57" E 29.21)  
SANITARY SEWER MANHOLE  
TELEPHONE MANHOLE  
VEHICULAR ACCESS  
PARCEL 1, ROY CITY CENTRE TAX ID NO. 09-340-0001  
PARCEL 2, ROY CITY CENTRE TAX ID NO. 09-340-0002 CONTAINS 162,420.46 SQ.FT. OR 3.73 ACRES  
EXISTING ONE STORY BUILDING FOOTPRINT CONTAINS 43,066.11 SQ.FT.  
EXISTING RETAIL STORES  
PARCEL 3, ROY CITY CENTRE TAX ID NO. 09-340-0003  
PARCEL 4, ROY CITY CENTRE TAX ID NO. 09-340-0004  
PARCEL 5, ROY CITY CENTRE TAX ID NO. 09-340-0005  
PARCEL 6, ROY CITY CENTRE TAX ID NO. 09-340-0006  
PARCEL 7, ROY CITY CENTRE TAX ID NO. 09-340-0007  
PARCEL 8, ROY CITY CENTRE TAX ID NO. 09-340-0008  
EXISTING RITE AID PHARMACY  
EXISTING RETAIL STORES  
EXISTING PARKING STALLS  
EXISTING ASPHALT SURFACE  
EXISTING CONCRETE SURFACE  
EXISTING TRUCK DOCK  
EXISTING POWER SEWER  
EXISTING BUILDING COLUMN (TYP)  
EXISTING CATCH BASIN  
EXISTING VEHICULAR ACCESS  
EXISTING SANITARY SEWER MANHOLE  
EXISTING TELEPHONE BOX  
EXISTING TRANSFORMER

- GENERAL NOTES:**
1. THE BASIS OF BEARING FOR THIS SURVEY WAS ESTABLISHED USING FOUND MONUMENTS LOCATED AT THE NORTHEAST CORNER AND EAST QUARTER CORNER OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN AS SHOWN ON THIS SURVEY PLAT.
  2. ALL COURSES SHOWN IN PARENTHESES 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 UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND/OR EXISTING DRAWINGS. THE SURVEYOR MAKE 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.
  4. THE ADDRESS TO THIS PROPERTY IS 5851 SOUTH 1900 WEST, ROY, UT 84067
  5. THE SURVEYED PROPERTY IS LOCATED WITHIN ZONE "C", "AREA OF MINIMAL FLOOD HAZARDS," ACCORDING TO THE FLOOD INSURANCE RATE MAP WITH COMMUNITY PANEL NO. 490223B, BEARING AN EFFECTIVE DATE OF OCTOBER 24, 1978.
  6. THIS SURVEYED PROPERTY HAS A TOTAL OF 228 PARKING STALLS, FOUR (4) OF WHICH ARE RESERVED FOR THE HANDICAP.
  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, SLUMP OR SANITARY LANDFILL.
  9. THE SURVEYED PROPERTY IS LOCATED IN COMMERCIAL ZONE (C-2) OF THE ROY CITY ZONING CODE. THE FOLLOWING APPLY:  
FRONT YARD SET BACK = 20 FEET; SIDE YARD SETBACK = 20 FEET; REAR YARD = NONE; MAXIMUM BUILDING COVERAGE = 80%.
  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.

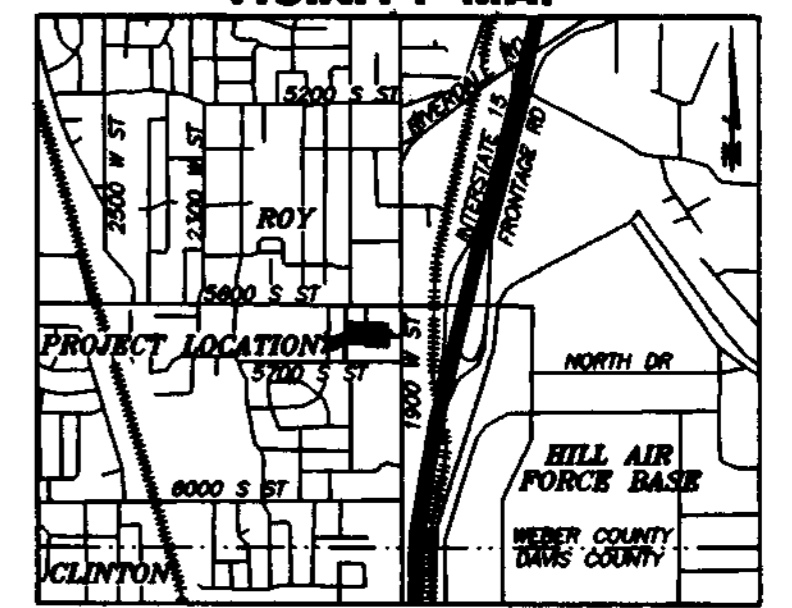


**NARRATIVE**

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

**TITLE DOCUMENTS**  
COMMITMENT FOR TITLE INSURANCE ISSUED BY:  
TITLE WEST TITLE COMPANY  
COMMITMENT NO. 40842  
EFFECTIVE DATE: FEBRUARY 1, 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 10: THE RIGHT AND PERMISSION, IN FAVOR OF THE STATE ROAD COMMISSION OF UTAH, TO RELOCATE AND RECONSTRUCT WITHIN THE HEREIN DESCRIBED PROPERTY AND OUTSIDE THE LIMITS OF THE RIGHT-OF-WAY FOR HIGHWAY PROJECT NO. 114-E (1900 WEST), ALL IRRIGATION DITCHES EXISTING WITHIN SAID LIMITS OF THE RIGHT-OF-WAY, AND TO EXTEND ONTO THE HEREIN DESCRIBED LAND AND OUTSIDE THE LIMITS OF THE SAID RIGHT-OF-WAY ALL CUT AND/OR FILL SLOPES MADE NECESSARY BY THE GRADING FOR SIDEWALKS ON SAID PROJECT, AS DISCLOSED BY AND GRANTED IN THE FOLLOWING RIGHT-OF-WAY DEEDS, OF RECORD IN THE OFFICE OF THE WEBER COUNTY RECORDER, TO WIT:  
(a) RIGHT OF WAY DEED RECORDED JULY 21, 1941, IN BOOK 147, AT PAGE 373 OF OFFICIAL RECORDS.  
(b) RIGHT OF WAY DEED RECORDED OCTOBER 18, 1941, IN BOOK 148, AT PAGE 564 OF OFFICIAL RECORDS.  
**SURVEY FINDINGS:**  
EXCEPTION 11: EASEMENT, AND THE TERMS AND CONDITIONS THEREOF IN FAVOR OF MOUNTAIN STATES TELEPHONE & TELEGRAPH COMPANY, FOR THE PURPOSE OF A RIGHT OF WAY AND THE RIGHT TO CONSTRUCT, OPERATE, MAINTAIN AND REMOVE SUCH COMMUNICATION LINE FACILITIES, RECORDED AUGUST 18, 1965, AS ENTRY NO. 457119 IN BOOK 813 AT PAGE 545.  
**SURVEY FINDINGS:** SAID RIGHT OF WAY EASEMENT AFFECTS A NORTHEASTERLY PORTION OF THIS SUBJECT PROPERTY AS SHOWN ON THIS SURVEY PLAT.  
EXCEPTION 12: EASEMENT, AND THE TERMS AND CONDITIONS THEREOF IN FAVOR OF MOUNTAIN STATES TELEPHONE & TELEGRAPH COMPANY, FOR THE PURPOSE OF A RIGHT OF WAY AND THE RIGHT TO CONSTRUCT, OPERATE, MAINTAIN AND REMOVE SUCH COMMUNICATION LINE FACILITIES, RECORDED DECEMBER 8, 1976 AS ENTRY NO. 682899 IN BOOK 1153 AT PAGE 721.  
**SURVEY FINDINGS:** SAID EASEMENT IS ADJOINING ON THE WEST BOUNDARY LINE, BUT DOES NOT AFFECT THIS SUBJECT PROPERTY AS SHOWN ON THIS SURVEY PLAT.  
EXCEPTION 13: EASEMENTS FOR INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES AND/OR INCIDENTAL PURPOSES ARE RESERVED, AS SHOWN ON THE RECORDED PLAT OF SAID SUBDIVISION.  
**SURVEY FINDINGS:** SAID SUBDIVISION PLAT CREATES A 10', 15' AND 20' PUBLIC UTILITY EASEMENT THAT AFFECTS THE NORTH, SOUTH, EAST AND WEST BOUNDARIES AND ALSO THROUGH THE MIDDLE OF THE SUBJECT PROPERTY, AS SHOWN ON THIS SURVEY PLAT.  
EXCEPTION 16: COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS AND THE OBLIGATIONS THEREOF, AS CONTAINED IN INSTRUMENT, RECORDED JULY 31, 1991 AS ENTRY NO. 1147281 IN BOOK 1804 AT PAGE 1990 AND AN AMENDED RESTRICTIONS, RECORDED APRIL 3, 1992 AS ENTRY NO. 1172860 IN BOOK 1822 AT PAGE 2928 OF OFFICIAL RECORDS.  
**SURVEY FINDINGS:** SAID DOCUMENTS CREATES A BLANKET EASEMENT OVER THE ENTIRE PROPERTY.  
EXCEPTION 17: COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS AND THE OBLIGATIONS THEREOF, AS CONTAINED IN THAT CERTAIN COMMON AREA MAINTENANCE AGREEMENT, RECORDED JULY 31, 1991 AS ENTRY NO. 1147282 IN BOOK 1804 AT PAGE 2033 AND RE-RECORDED SEPTEMBER 17, 1991, AS ENTRY NO. 1152421, IN BOOK 1808, AT PAGE 335 OF OFFICIAL RECORDS.  
**SURVEY FINDINGS:** SAID DOCUMENT CREATES A BLANKET EASEMENT OVER THE ENTIRE PROPERTY.  
EXCEPTION 18: COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS AND THE OBLIGATIONS THEREOF, AS CONTAINED IN CROSS-EASEMENT AGREEMENT AND DECLARATION OF RESTRICTIONS, RECORDED JULY 31, 1991 AS ENTRY NO. 1147287 IN BOOK 1804 AT PAGE 2129 OF OFFICIAL RECORDS.  
**SURVEY FINDINGS:** SAID DOCUMENT CREATES A BLANKET EASEMENT OVER THE ENTIRE PROPERTY.  
EXCEPTION 19: COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS AND THE OBLIGATIONS THEREOF, AS CONTAINED IN CROSS-EASEMENT AGREEMENT, RECORDED FEBRUARY 10, 1994 AS ENTRY NO. 1274000 IN BOOK 1702 AT PAGE 1208 OF OFFICIAL RECORDS.  
**SURVEY FINDINGS:** SAID DOCUMENT CREATES A BLANKET EASEMENT OVER THE ENTIRE PROPERTY.



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