



**SURVEYOR'S CERTIFICATE**

TO: VECTRA BANK COLORADO, N.A.; OGDEN SCHOOL DEVELOPMENT LLC; OGDEN RETAIL, LLC, A UTAH LIMITED LIABILITY COMPANY; THE TALON GROUP; AND ZION'S 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:

PART OF LOTS 9 AND 10, BLOCK 38, PLAT A, OGDEN CITY SURVEY, WEBER COUNTY, UTAH; BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 10; SAID POINT OF BEGINNING BEING NORTH 07°58' WEST 49.50 FEET AND SOUTH 07°58' WEST 49.50 FEET FROM THE OGDEN CITY SURVEY MONUMENT AT THE INTERSECTION OF THE CENTERLINES OF 22ND STREET AND GRANT AVENUE, OGDEN CITY, WEBER COUNTY, UTAH; RUNNING THENCE SOUTH 07°58' WEST 298.00 FEET TO A POINT; THENCE NORTH 89°02' WEST 33.00 FEET TO A POINT; THENCE NORTH 44°02' WEST 26.87 FEET TO A POINT THENCE NORTH 89°02' WEST 140.00 FEET TO A POINT; THENCE NORTH 07°58' EAST 279.00 FEET TO A POINT; THENCE SOUTH 89°02' EAST 192.00 FEET TO THE POINT OF BEGINNING.

SUBJECT TO A RIGHT-OF-WAY EASEMENT FOR INGRESS AND EGRESS OVER THE FOLLOWING DESCRIBED PROPERTY: A PART OF LOTS 9 AND 10, BLOCK 38, PLAT A, OGDEN CITY SURVEY; BEGINNING AT A POINT ON THE EAST LINE OF LOT 10, SAID POINT OF BEGINNING BEING SOUTH 07°58' WEST 298.00 FEET FROM THE NORTHEAST CORNER OF SAID LOT 10 AND SAID POINT OF BEGINNING BEING NORTH 89°02' WEST 318.30 FEET AND SOUTH 07°58' WEST 347.50 FEET ALONG THE WEST LINE OF GRANT AVENUE FROM THE OGDEN CITY SURVEY MONUMENT, LOCATED 10 FEET WEST OF THE INTERSECTION OF THE CENTERLINES OF 22ND STREET AND WASHINGTON BOULEVARD IN OGDEN CITY, WEBER COUNTY, UTAH; AND RUNNING THENCE NORTH 89°02' WEST 33.00 FEET; THENCE NORTH 44°02' WEST 26.87 FEET; THENCE NORTH 89°02' WEST 140.00 FEET; THENCE NORTH 07°58' EAST 38.00 FEET TO THE BEGINNING OF A TANGENT CURVE; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 6.00 FEET AND A CENTRAL ANGLE OF 90°00' TO THE LEFT AN ARC DISTANCE OF 9.43 FEET; THENCE SOUTH 89°02' EAST 148.42 FEET; THENCE SOUTH 44°02' EAST 26.87 FEET; THENCE SOUTH 89°02' EAST 20.58 FEET; THENCE SOUTH 07°58' WEST 30.00 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH A RIGHT OF WAY EASEMENT FOR INGRESS AND EGRESS OVER THE FOLLOWING DESCRIBED PROPERTY:

A PART OF LOT 9, BLOCK 38, PLAT A, OGDEN CITY SURVEY; BEGINNING AT A POINT ON THE NORTH LINE OF LOT 9, SAID POINT OF BEGINNING BEING NORTH 89°02' WEST 58.00 FEET FROM THE NORTHEAST CORNER OF LOT 9; AND SAID POINT OF BEGINNING ALSO BEING NORTH 89°02' WEST 1010.30 FEET AND SOUTH 07°58' WEST 49.50 FEET FROM THE OGDEN CITY SURVEY MONUMENT, LOCATED 10 FEET WEST OF THE INTERSECTION OF 22ND STREET AND WASHINGTON BOULEVARD, IN OGDEN CITY, WEBER COUNTY, UTAH; AND RUNNING THENCE SOUTH 07°58' WEST 279.00 FEET; THENCE NORTH 89°02' WEST 30.00 FEET; THENCE NORTH 07°58' EAST 279.00 FEET; THENCE SOUTH 89°02' EAST 30.00 FEET TO THE POINT OF 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), 14, 15, AND 16 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 L.S. #5152708  
 DATE 12/16/04

**NARRATIVE**

**PURPOSE**

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

**TITLE DOCUMENTS**

COMMITMENT FOR TITLE INSURANCE ISSUED BY:

THE TALON GROUP TITLE COMPANY  
 POLICY NO. NCS-34337SLC  
 EFFECTIVE DATE: OCTOBER 13, 2004 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 10: AN ACCESS EASEMENT AGREEMENT DATED JANUARY 10, 1979 AND RECORDED FEBRUARY 13, 1979 AS ENTRY NO. 767049 IN BOOK 1287 AT PAGE 88 OF OFFICIAL RECORDS BY AND BETWEEN OGDEN CITY PLAZA ASSOCIATES, A UTAH LIMITED PARTNERSHIP, AND ERNEST W HAHN, INC., A CALIFORNIA CORPORATION.

SURVEY FINDINGS: SAID ACCESS EASEMENT AFFECTS THE SOUTHERLY 30 FEET AND IS ALSO ADJACENT TO THE WESTERLY BOUNDARY LINE OF THIS SUBJECT PROPERTY AS SHOWN ON THIS SURVEY PLAT.

EXCEPTION 12: A PERPETUAL EASEMENT 10 FEET IN WIDTH GRANTED TO UTAH POWER AND LIGHT COMPANY FOR ELECTRICAL TRANSMISSION, DISTRIBUTION AND INCIDENTAL USES AS CREATED BY AN EASEMENT, RECORDED FEBRUARY 24, 1981 AS ENTRY NO. 830644 IN BOOK 1376 AT PAGE 1779 OF OFFICIAL RECORDS.

SURVEY FINDINGS: SAID 10 FOOT EASEMENT AFFECTS A PORTION OF THE NORTHWEST AND SOUTHWEST CORNER OF THIS PROPERTY AS SHOWN ON THIS SURVEY PLAT.

EXCEPTION 13: A PERPETUAL EASEMENT 10 FEET IN WIDTH GRANTED TO UTAH POWER AND LIGHT COMPANY FOR ELECTRICAL TRANSMISSION, DISTRIBUTION AND INCIDENTAL USES AS CREATED BY AN EASEMENT, RECORDED FEBRUARY 24, 1981, AS ENTRY NO. 830645 IN BOOK 1376 AT PAGE 1781 OF OFFICIAL RECORDS.

SURVEY FINDINGS: SAID 10 FOOT EASEMENT AFFECTS A PORTION OF THE NORTHWEST CORNER OF THIS SUBJECT PROPERTY AS SHOWN ON THIS SURVEY PLAT.

**GENERAL NOTES:**

1. THE BASIS OF BEARING FOR THIS SURVEY WAS ESTABLISHED USING FOUND BRASS CAP MONUMENTS LOCATED AT THE INTERSECTIONS OF 22ND STREET AND 23RD STREET WITH GRANT AVENUE 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 2221 GRANT AVENUE, OGDEN, UT 84401.
5. THE SURVEYED PROPERTY IS LOCATED WITHIN ZONE "C", "AREA OF MINIMAL FLOODING"; ACCORDING TO THE FLOOD INSURANCE RATE MAP WITH COMMUNITY PANEL NO. 490189 0004 B, BEARING AN EFFECTIVE DATE OF JANUARY 19, 1983.
6. THIS SURVEYED PROPERTY HAS A TOTAL OF THIRTY (30) PARKING STALLS, TWO (2) 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, SUMP OR SANITARY LANDFILL.
9. THE SURVEYED PROPERTY IS LOCATED IN ZONE CENTRAL BUSINESS DISTRICT (CBD) OF THE OGDEN CITY ZONING CODE. THE FOLLOWING APPLY:

FRONT YARD SET BACK = 10 FEET; SIDE YARD SETBACK = 10 FEET; REAR YARD = NONE; MAXIMUM BUILDING HEIGHT = NONE; MAXIMUM BUILDING COVERAGE = NONE;

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.

**LEGEND**

	Street Monument
	Fire Hydrant
	Handicap Parking
	Light Pole
	Center Line
	Property Line
	Easement Line
	Lot Line
	Curb & Gutter
	Curb Wall
	Edge of Asphalt
	Fence Line
	Gas Line w/ Valve
	Irrigation Line w/ Valve
	Overhead Power Line w/ Pole
	Underground Power Line w/ Box
	Storm Drain Line w/ Catch Basin
	Sanitary Sewer Line w/ Manhole
	Telephone Line w/ Box
	Water Line w/ Valves

REV	DATE	DESCRIPTION
1	12/06/04	ADDED VECTRA BANK TO CERTIFICATION

**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**  
 OGDEN SCHOOL DEVELOPMENT  
 PREPARED FOR: ZION'S BANK  
 BOB HOWELL  
 ONE SOUTH MAIN, SUITE 1660  
 SALT LAKE CITY, UT 84111  
 LOCATION: LOTS 9 & 10, BLOCK 38, PLAT A, OGDEN CITY SURVEY

JOB NO:	05502-04
DATE:	11/22/2004
SCALE:	1" = 20'
DESIGNED:	
DRAWN:	MLW
CHECKED:	RDS

**SHEET**  
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