

Record Descriptions

No. NCS-293908-ATL (Olsen)
Part of the Northwest Quarter of the Northwest Quarter of Section 22, Township 5 North, Range 2 West, Salt Lake Base and Meridian:
Beginning at a point which is West 206.1 feet along the North Line of said Northwest Quarter Section from the Northeast Corner of said Northwest Quarter of Northwest Quarter Section, running thence West 100 feet along the North Line of said Quarter Section; thence South 133 feet; thence East 100 feet paralleling the North Line of Quarter Section; thence North 133 feet, to the point of beginning.

Excepting therefrom that portion lying within the right of way 5600 South Street, being the North approximately 33 feet thereof.
ALSO EXCEPTING THEREFROM THE FOLLOWING:
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 part of an entire tract of property situate in the Northwest Quarter of Section 22, 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 11.114 meters (36.46 feet) perpendicularly distant Southerly from the centerline of said project at Engineer Station 10+341.265, said point also being approximately 62.847 meters (206.19 feet) West (North 89°45'44" West highway bearing) along the Section Line and 11.114 meters (36.46 feet) South (South 00°14'16" West highway bearing) from the Northeast Corner of the Northwest Quarter of the Northwest Quarter of said Section 22, and running thence South 88°21'10" West (South 88°35'34" West highway bearing) 30.495 meters (100.05 feet) to West Line of Grantor's Property; thence North (North 00°22'56" East highway bearing) 1.931 meters (6.34 feet) to the existing Southerly Right-of-Way Line of 5600 South Street; thence East (South 89°45'44" East highway bearing) 30.480 meters (100.00 feet) along said existing Southerly Right-of-Way Line; thence South (South 00°22'56" West highway bearing) 1.055 meters (3.46 feet) along the East Line of Grantor's Property to the point of beginning as shown on the official map of said project on file in the Office of the Utah Department of Transportation.

ALSO:
Part of the Northwest Quarter of the Northwest Quarter of Section 22, Township 5 North, Range 2 West, Salt Lake Meridian, U.S. Survey:
Beginning at a point 206.1 feet West and 133 feet South of the Northeast Corner of the said Northwest Quarter of the Northwest Quarter of said Section 22, and running thence West 100 feet; thence South 502 feet, to the North Line of the Right-of-Way of the Rio Grande Western Railway Company; thence East along said Right-of-Way 100 feet; thence North 502 feet to the place of beginning.

No. NCS-298291-ATL (Maverik)
Part of the Northwest Quarter of the Northwest Quarter of Section 22, Township 5 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey:
Beginning at a point 687 feet West from the Northeast Corner of said Northwest Quarter of the Northwest Quarter of said Section 22, and running thence West 633 feet; thence South 411.09 feet; thence East 352 feet; thence South 233.91 feet; thence East 281 feet along said right of way; thence North 635 feet to the place of beginning.

Except that portion in 5600 South Street and 3500 West Street, recorded as Entry No. 1429612 in Book 1825 at Page 2612 of Official Records.
No. NCS-302652-ATL (Roy City)
A tract of land 66 feet wide located within the North Half of the Northwest Quarter of the Northwest Quarter of Section 22, in Township 5 North, Range 2 West, Salt Lake Base and Meridian, County of Weber, State of Utah, more particularly described as follows:

All that portion of the Denver and Rio Grande Western Railroad Company's former "Hooper Branch" (now abandoned), located in the Northwest Quarter of the Northwest Quarter of said Section 22, Township 5 North, Range 2 West, Salt Lake Base and Meridian.

No. NCS-301491-ATL (Welchman)
A part of the Northwest Quarter of the Northwest Quarter of Section 22, Township 5 North, Range 2 West, Salt Lake Meridian, United State Survey:
Beginning at a point 311.1 feet West of the Northeast Corner of the said Northwest Quarter of the Northwest Quarter of said Section 22, and running thence West 147 feet; thence South 635 feet, more or less, to the North Line of the Right-of-Way of The Rio Grande Western Railway Company; thence East along said Line 147 feet; Thence North 635 feet, more or less, to the place of beginning.

ALSO:
A part of the Northwest Quarter of the Northwest Quarter of Section 22, Township 5 North, Range 2 West, Salt Lake Meridian, United States Survey: Beginning at a point 311.1 feet West of the Northeast corner of the said Northwest Quarter of the Northwest Quarter of said Section 22, and running thence South 635 feet more or less, to the North line of the right-of-way of the Rio Grande Western Railway Company; thence East along said line 5 feet; Thence North 635 feet, more or less, to a point which is 5 feet East of the Point of Beginning; Thence West 5 feet to the Place of Beginning.

Except the North 33 feet thereof lying within the Public Road.
No. NCS-293902-ATL (Stanger's)
PARCEL 1:
Part of the Northwest Quarter of the Northwest Quarter of Section 22, Township 5 North, Range 2 West, Salt Lake Meridian, U.S. Survey:
Beginning at a point 458.1 feet West of the Northeast Corner of said Northwest Quarter of the Northwest Quarter of said Section 22, running thence West 128.9 feet; thence South 635 feet to the North Line of the Right-of-Way of the Rio Grande Western Rail way company Right-of-Way; thence East along said Right-of-Way 128.9 feet; thence North 635 feet to the place of beginning.

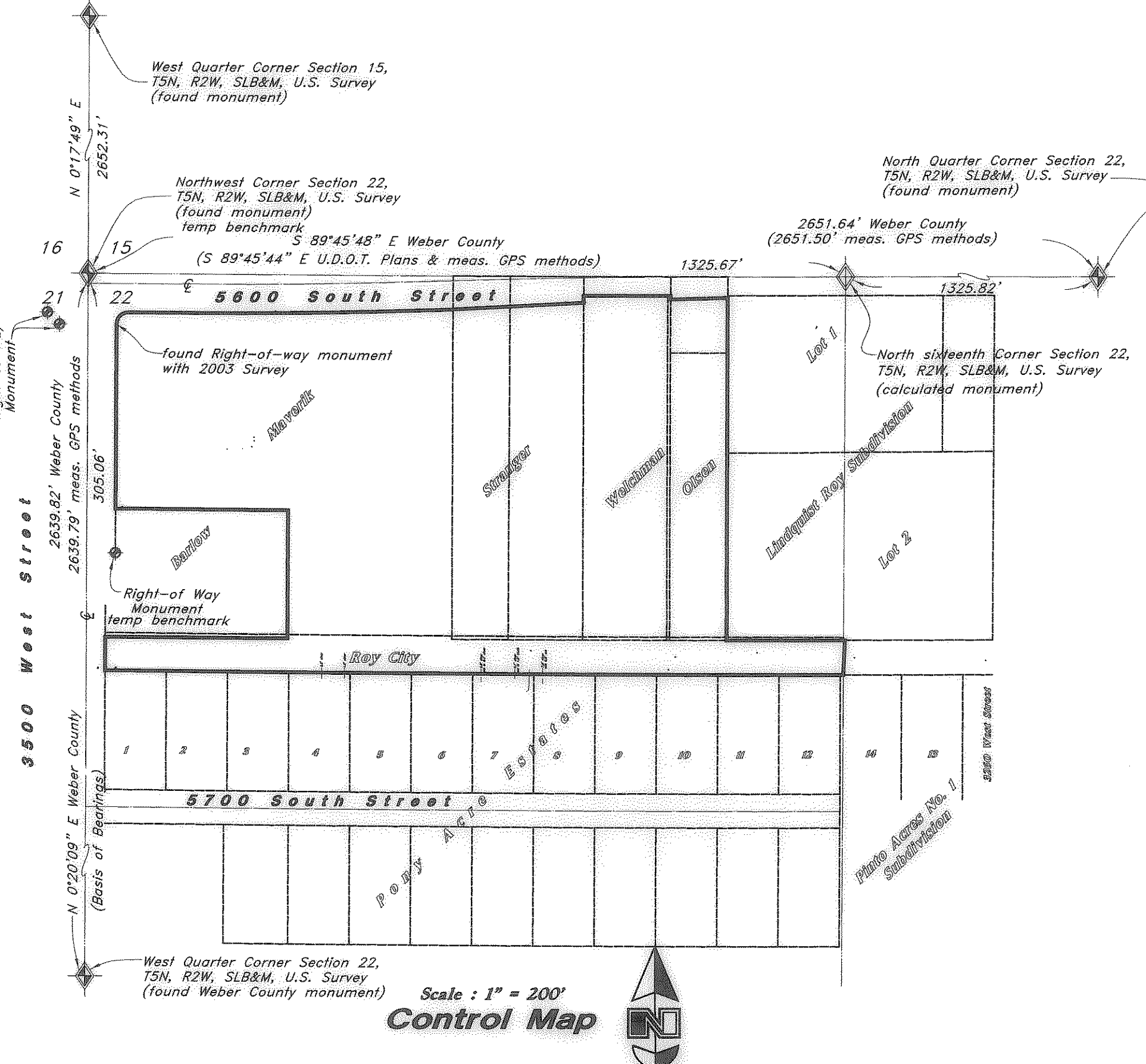
Except that portion deeded to Utah Department of Transportation: Entry No. 1624457 Book 2001 Page 2923 as follows:
A parcel of land in fee for the widening of an existing roadway, State Route 97 (Roy 5600 South) know as Project No. 0097, being part of an entire tract of property situate in the Northwest Quarter Northwest Quarter of Section 22, 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 13.306 meters (43.66 feet) radially distant Southerly from the centerline of said project at Engineer Station 10+264.304, said point also being approximately 139.710 meters (548.37 feet) West (North 89°45'44" West highway bearing) along the Section Line and 13.830 M (45.38 feet) South 00°14'16" East (South 00°00'00" East highway bearing) from the Northeast Corner of the Northwest Quarter of the Northwest Quarter of said Section 22, and running thence South 86°46'05" West (South 87°00'21" West highway bearing) 69.886 meters (229.28 feet); thence North (North 00°20'09" East highway bearing) 17.771 meters (58.30 feet) along the West Line of Grantor's Property to the North Line of said Section 22; thence East (South 89°45'44" East highway bearing) 69.769 meters (228.90 feet) along the Section Line; thence South (South 00°20'14" West highway bearing) 13.830 meters (45.37 feet) along the East Line of Grantor's Property to the point of beginning.

PARCEL 2:
Part of the Northwest Quarter of the Northwest Quarter of Section 22, Township 5 North, Range 2 West, Salt Lake Meridian, U.S. Survey:
Beginning at a point 587 feet West of the Northeast Corner of the said Northwest Quarter of the Northwest Quarter of said Section 22; running thence West 100 feet; thence South 635 feet to the North Line of the Right-of-Way of The Rio Grande Western Railway Company Right-of-Way; thence East along said Right-of-Way 100 feet; thence North 635 feet to the place of beginning.

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PARCEL 2:
Part of the Northwest Quarter of the Northwest Quarter of Section 22, Township 5 North, Range 2 West, Salt Lake Meridian, U.S. Survey:
Beginning at a point 587 feet West of the Northeast Corner of the said Northwest Quarter of the Northwest Quarter of said Section 22; running thence West 100 feet; thence South 635 feet to the North Line of the Right-of-Way of The Rio Grande Western Railway Company Right-of-Way; thence East along said Right-of-Way 100 feet; thence North 635 feet to the place of beginning.

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Title Information

This survey was completed using Title Report File No. NCS-293908-ATL dated April 23, 2007, NCS-293902-ATL dated March 29, 2007, NCS-298291-ATL dated May 31, 2007, NCS-302652-ATL dated June 14, 2007, NCS-301491-ATL dated April 30, 2007 from First American Title Insurance Company.

- NCS-293908-ATL
#12 Decree of Divorce with Janice Belle Baker Olsen, and Jerry Edward Olsen filed September 11, 2006 as Case No. 064901519, was not made available for review.
NCS-293902-ATL
#11 Telephone line Easement recorded October 26, 1918 in Book N at Page 130 of Official Records, blankets most of this quarter quarter section but could not be plotted due to undisclosed size or alignment.
NCS-298291-ATL
#10 Telephone line Easement recorded October 26, 1918 in Book N at Page 130 of Official Records, blankets most of this quarter quarter section but could not be plotted due to undisclosed size or alignment.
#11 Traffic signal pole easement to UDOT, recorded September 17, 1996 as Entry No. 1429614 in Book 1825 at Page 2616 of Official Records.
#12 3 meter wide Storm Drain easement to UDOT, recorded September 17, 1996 as Entry No. 1429617 in Book 1825 at Page 2622 of Official Records.
#14 10 foot wide electric distribution and communication easement recorded February 10, 2006 as Entry No. 2159824 of Official Records, could not be plotted, the document references exhibit A which was not attached.
NCS-302652-ATL
#10 34 foot wide electric power transmission and communication easement recorded December 8, 1997 as Entry No. 1508671 in Book 1895 at Page 1842 of Official Records.
NCS-301491-ATL
#10 Telephone line Easement recorded October 26, 1918 in Book N at Page 130 of Official Records, blankets most of this quarter quarter section but could not be plotted due to undisclosed size or alignment.
#11 3 meter easement to UDOT along State Route 97 right of way recorded September 17, 1996 as Entry No. 1429619 in Book 1825 at Page 2626 of Official Records.

Flood Plain Data

This property lies entirely within Flood Zone X as designated on FEMA Flood Insurance Rate Map for Weber County, Utah and Incorporated Areas Map Number 49057C0425E dated 16 December 2005 and Area Map Number 49057C0416E dated 16 December 2005. Flood Zone X is defined as "Areas determined to be outside the 0.2% annual chance floodplain (no shading)."

Utility Contacts

- Water Department: Roy City Corporation, Troy Wolverton, Wasatch Civil - Project Engineer, 5320 South 1950 West Suite 1, Roy, City UT 84067, Bus: (801) 775-9191, Fax: (801) 775-9197, Email: wctw@comcast.net
Sewer Department: North Davis Sewer District, Steve Lamb, 4252 West 2200 South Syracuse, UT 84075, Phone: (801) 825-0712, Cell: (801) 430-3283, Fax: (801) 773-6320
Gas Company: Mike Kuhn, 2974 Washington Blvd, Ogden, UT 84401, Phone: (801) 395-6726, Cell: (801) 791-0902, Fax: (801) 395-6799, Email: mike.kuhn@questar.com
Electric Company: Karl Sewell, Rocky Mountain Power, Journeyman Estimator, 1438 West 2550 South Ogden, UT 84401, Bus: (801) 629-4430, Fax: (801) 629-4379, Email: karl.sewell@pacifiCorp.com
Phone Company: Larry McCulloch, 431 26th Street Ogwest, Ogden, UT 84401, Phone: (801) 626-5402, Fax: (801) 626-5303, Email: larry.mcculloch@qwest.com

Narrative

This Survey was requested by Home Depot USA Inc. prerequisite to development of this property. This Survey honors a previous 2003 survey by Great Basin Engineering South for the Maverik Parcel. A line between monuments found for the West Quarter Corner of Section 22 and the Northwest Corner of Section 22 was assigned the Weber County bearing of N 0°20'09" E as the Basis of Bearings. Pony Acre Estates and Lindquist Roy Subdivision have been honored as they exist on the ground. All of the deeds for this site are tied from the Northeast corner of the Northwest Quarter of the Northwest Quarter of Section 22 - except the 66 foot Roy City property which has no metes and bounds description. All of the deeds fronting onto 5600 South Street match together and the Maverik deed needs to be interpreted to fit the Section Line to the West which then matches the Barlow deed. The location of the Roy City tract has been held adjacent to the Pony Acre Estates as shown on the recorded Subdivision Plat. This location conflicts with the Barlow deed and the Lindquist Subdivision Plat. The dedication of the new alignment of 5600 South Street does not appear in the title work for the Welschman property which remains at 33.00 feet half width. The title report for the Roy City Parcel reveals no easement for the power line running East-West along the South of this Parcel. Property corners will be placed at a later date.

Notes

The location and/or elevation of existing utilities shown on these plans is based on records of the various utility companies and, where possible, measurements taken in the field. No underground explorations were performed. Due to the temporary status of the buildings on this site the typical dimensioning was purposely omitted. The nonstandard certification was required by the client. According to ALTA standards, the surveyor cannot certify a survey based upon an interpretation. The surveyor is not authorized to interpret zoning codes, nor can the surveyor determine whether certain improvements are burdening or actually benefiting the property. The zone code setbacks are listed but have not been interpreted. Pertaining to ALTA requirements No. 9: Due to the temporary status of the parking on this site the parking stall counts have been purposely omitted. Pertaining to ALTA requirements No. 12: there are no Governmental Agency survey-related requirements specified by the client. Pertaining to ALTA requirement No. 16: there is no observable evidence of earth moving work, building construction or building additions within recent months. Pertaining to ALTA requirements No. 17: there is no observable evidence of recent street or sidewalk construction or repairs. Pertaining to ALTA requirements No. 18: there is no observable evidence of site use as a solid waste dump, sump or sanitary landfill.

Benchmarks

USGS Benchmark is a Metal Rod set inside a pipe flush in the ground. Weber County Benchmark No. B-372, Elevation = 4372.938 feet (NGVD '29) Weber County Surveyor Tie Sheet, Tied 24 Feb, 2004 Observed 28 Jun, 2007
Temporary Benchmark: Brass Cap Monument for the Northwest Corner of Section 22, T5N, R2W, SLB&M Elevation = 4306.50 feet assigned 28 Jun, 2007
Temporary Benchmark: Right-of-way marker East side of 3500 West Street 409± ft. South of intersection Elevation = 4304.63 feet assigned 28 Jun, 2007

Zoning Information

Table with 2 columns: Zoning/Requirement and Value. Zoning: CC (Community Commercial). Building Setback Requirements: Front yard = 20', Back yard = 20', Side yard = Per site plan approval, Height Restrictions = 40'.

Certification

28 Jun, 2007
This Survey is made for the benefit of:

- THE HOME DEPOT U.S.A., INC. AND JANICE B. OLSEN AND JERRY E. OLSEN
STANGER'S GREENHOUSE AND GARDEN SUPPLY, L.C.C.
MAVERIK COUNTRY STORES INC. A WYOMING CORPORATION
RAY E. WELCHMAN AND IVA LOO WELCHMAN
ROY CITY CORPORATION
FIRST AMERICAN TITLE INSURANCE COMPANY

I, Bruce D. Pimper, Registered Land Surveyor, do hereby certify to the aforesaid parties, as of the date set forth above, that I have made a careful survey of a tract of land described as follows:

A part of the Northwest Quarter of Section 22, Township 5 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey in Roy, Weber County, Utah:

Boundary To be Determined

I further certify that:

The accompanying survey was made on the ground and correctly shows the location of all buildings, structures and other improvements situated on the above premises; and that the property described hereon is the same as the property described in First American Title Insurance Company Title Reports, File No. NCS-293908-ATL dated April 23, 2007, NCS-293902-ATL dated March 29, 2007, NCS-298291-ATL Dated May 31, 2007, NCS-302652-ATL Dated June 14, 2007, NCS-301491-ATL Dated April 30, 2007 and that all easements, covenants and restrictions referenced in said title commitment have been plotted hereon or otherwise noted as to their effect on the subject property; that there are no building encroachments on the subject property or upon adjacent land abutting said property unless shown hereon.

This is to certify that this map or plat and the survey on 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, and NSPS in 2005, and includes Items 1-18 of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA, NSPS, and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor in the State of Utah, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

Said described property is located within an area having a Zone Designation X (no-shading) by the Federal Emergency Management Agency, on Flood Insurance Rate Map No. 49057C0425E with a date of identification of December 16, 2005, and Rate Map No. 49057C0416E with a date of identification of December 16, 2005, for Roy, Utah in Weber County, State of Utah, which is the current Flood Insurance Rate map for the community in which said premises is situated.

All setback, side yard and rear yard lines shown on the recorded plat or set forth in the applicable zoning ordinances listed on the survey.

The property has direct access to a dedicated public street or highway.

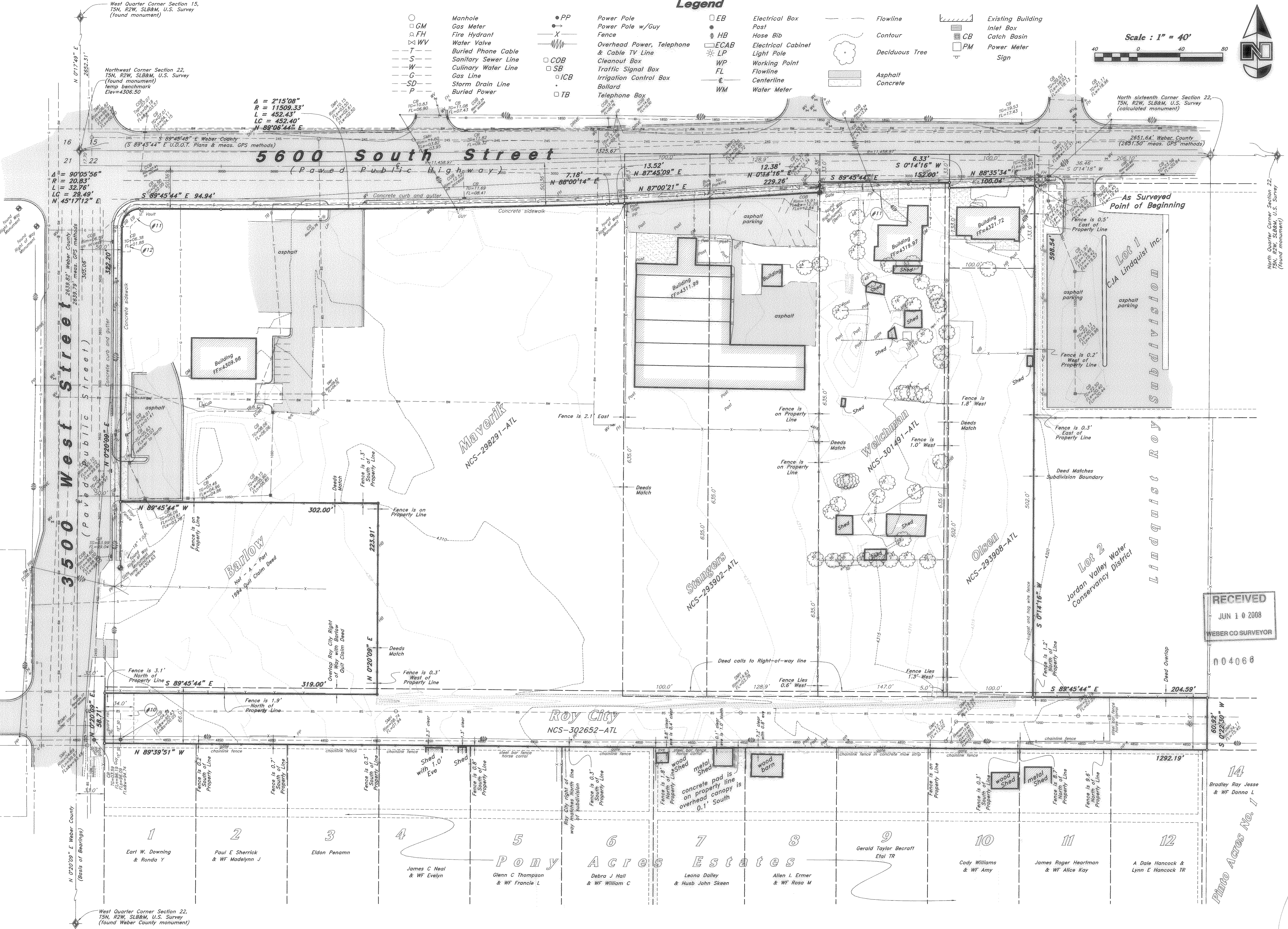
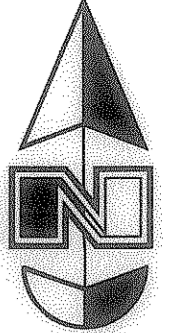
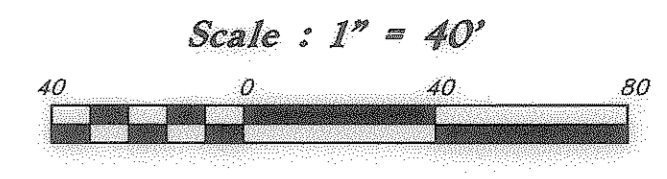
Date: 28 June 2007

Signature of Bruce D. Pimper, Registered Land Surveyor, Utah RLS No. 362256

Vertical sidebar containing company logos (GREAT BASIN ENGINEERING - SOUTH CONSULTING ENGINEERS and LAND SURVEYORS, ALTA / ACSM Land Title Survey, Home Depot - Roy), contact information, and sheet numbering (28 June, 2007, SHEET NO. 1 of 2).

Legend

- | | | | | | | | | | |
|------|---------------------|-------|---|--------|--------------------|---|----------------|---|-------------------|
| ○ GM | Manhole | ● PP | Power Pole | □ EB | Electrical Box | — | Flowline | ▨ | Existing Building |
| □ FH | Gas Meter | → | Power Pole w/Guy | ● HB | Post | — | Contour | ▨ | Inlet Box |
| ⊕ WV | Fire Hydrant | ⊕ | Fence | ⊕ ECAB | Hose Bib | — | Deciduous Tree | ▨ | Catch Basin |
| — S | Water Valve | — | Overhead Power, Telephone & Cable TV Line | ⊕ LP | Electrical Cabinet | — | Asphalt | ▨ | Power Meter |
| — W | Buried Phone Cable | — | Cleanout Box | ⊕ WP | Light Pole | — | Concrete | ▨ | Sign |
| — G | Sanitary Sewer Line | □ COB | Traffic Signal Box | ⊕ FL | Working Point | — | | | |
| — P | Culinary Water Line | □ SB | Irrigation Control Box | — | Flowline | | | | |
| | Gas Line | □ ICB | Bollard | | Centerline | | | | |
| | Storm Drain Line | □ TB | Telephone Box | | Water Meter | | | | |
| | Buried Power | | | | | | | | |



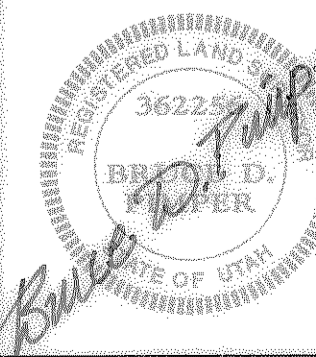
Designed by: ---
 Drafted by: bp
 Client Name: Home Depot
 07-85AS-2

GREAT BASIN ENGINEERING - SOUTH
 CONSULTING ENGINEERS and LAND SURVEYORS
 2010 North Redwood Road, P.O. Box 16747
 Salt Lake City, Utah 84116
 Fax: (801)521-9551
 Ogden: (801)394-7888

ALTA / ACSM Land Title Survey
Home Depot - Roy
 5600 South Street and 3500 West Street
 Roy City, Weber County, Utah
 A Part of the NW 1/4 of Section 22, T5S, R2W, SLB&M

RECEIVED
 JUN 10 2008
 WEBER CO SURVEYOR

004066



28 June, 2007

SHEET NO.