

Vicinity Map  
NTS

### NARRATIVE

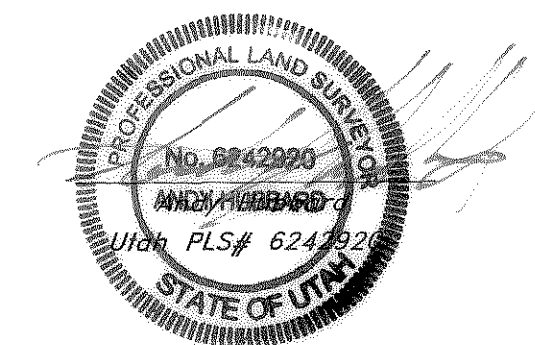
This survey was requested by David Anderson, of Great Basin Engineering South, in behalf of Associated Foods in preparation for financing. Brass Cap Monuments were found at the Northwest corner and the West 1/4 corner of Section 27, T6N, R1W, SLB&M, U.S. Survey. Also found Ogden City Monuments at the intersections of Rushton Street and Harrison Boulevard, and 21st Street and Harrison Boulevard. A line bearing North 0°58'00" East between the two Ogden City Monuments was used as the basis of bearings. No property corners were set.

### SURVEYOR'S CERTIFICATE

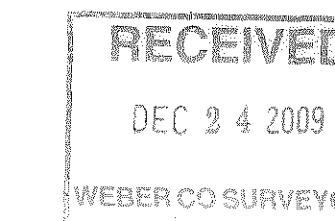
To Associated Food Stores, Inc., Associated Fresh Markets, Inc., Wells Fargo Bank, National Association, and its successors and assigns, as Collateral Agent, First American Title Insurance Company, Landmark Title Company, Supervalu Inc. and Durham Jones & Pinegar:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and NSPS in 2005, and includes Items 2, 3, 4, 7(a), 8, 9, 10 and 11(b) of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of Utah, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

Date: 10-8-2009



004381



### BOUNDARY DESCRIPTIONS

**PARCEL 1**  
Part of the Northwest Quarter of Section 27, Township 6, North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey, and part of Block 2, City View Addition to Ogden City, described as follows: Beginning at a point on the East line of Harrison Boulevard, said point being North 0°58' East 219.50 feet and South 89°02' East 49.50 feet from the Ogden City Survey Monument No. 130 at the intersection of 21st Street and Harrison Boulevard, thence along said East line North 0°58' East 286.00 feet, thence South 89°02' East 450.00 feet (said line coincides with the extension of the South side of the South wall of an existing building), thence North 0°58' East 204 feet to the South line of the 20th Street, thence South 89°02' East 18.06 feet along said South line, thence South 0°51'04" West 138.37 feet, more or less, to the South line of City View Addition, thence South 89°27'21" East along said South line, 21.43 feet, more or less, to the West line of Tyler View Planned Residential Unit Development, thence the following 2 calls along said Subdivision, South 0°12'58" West 138.41 feet and South 89°02'00" East 30.00 feet, to the West line of Block 5, Brummitts Addition, thence South 0°12'58" West 378.65 feet, more or less, to the North line of the 21st Street (Quit Claim Deed 858-432), thence North 89°02' West 156.54 feet along said North line, thence North 0°58' East 202.14 feet to a point on a line that is the extension of the North side of a building wall, thence along said line North 89°02' West 137.62 feet, thence South 0°58' West 37.14 feet, thence North 89°02' West 232.38 feet to the point of beginning.

**PARCEL 2:**  
Non-exclusive easements for ingress, egress, parking and utility purposes, appurtenant to PARCEL 1, created by the following documents:

Easement Relocation Agreement and Amendment to Prior Deeds, Declaration and Grants of Easements recorded May 27, 1994 as Entry No. 1294304 in Book 1717 at Page 2175 of Official Records.

Declaration of Restrictions and Grant of Easements recorded May 27, 1994 as Entry 1294372 in Book 1717 at Page 2517 of Official Records. (document shows previous recording information as Entry No. 1294305, Book 1717, Page 2197; which shows as 'computer by-passed' by the Weber Recorders Office.)

### FLOOD ZONE MAP

Property is located in Zone X - Area of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees in the 1% annual chance flood (no shading). According to Flood Insurance Rate Maps (FIRM) for Ogden City, Community Panel #9057C0427 E with the effective date of December 16, 2005.

**ZONING:** This Property is located in Zone CP-2

**SETBACKS:**  
Front Yard = 20'  
Side Yard = 20' when facing a street  
Rear Yard = None

**BUILDING HEIGHT:**  
Maximum = 50'  
Maximum lot coverage = not over 50% of lot area by buildings or accessory buildings

**PARKING REQUIREMENTS** - one space per 200 square feet of sales floor space in the building

**PARKING SUMMARY**  
PARCEL 1 - 173 Regular Stalls  
8 ADA Stalls  
181 Total

## ALTA/ACSM Land Title Survey

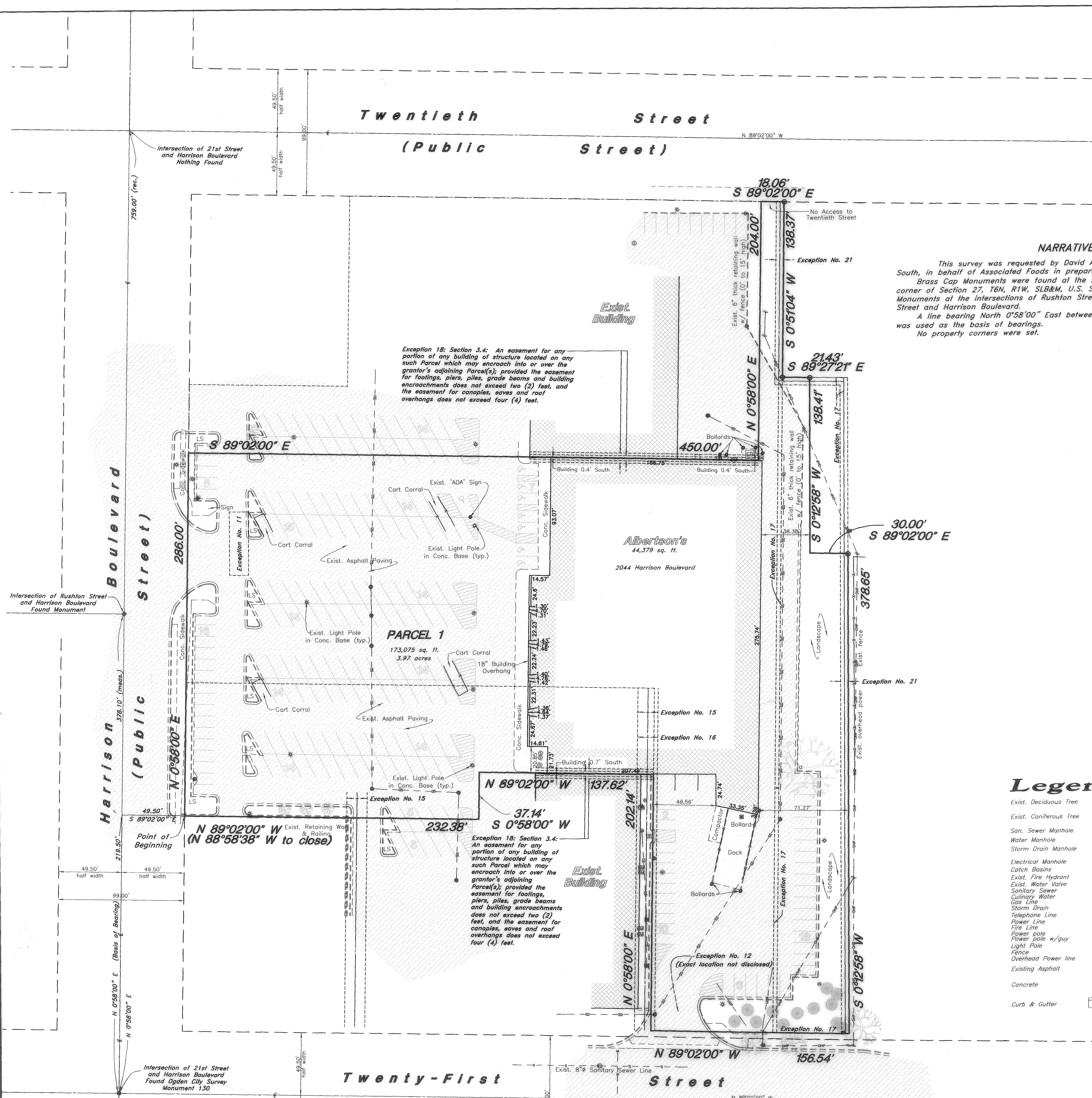
**Associated Foods #382 - Ogden**  
2044 Harrison Boulevard, Ogden, Utah  
Northwest 1/4 of Section 27, T6N, R1W, US Survey, SLB&M  
also being a part of Block 2, City View Addition

**GREAT BASIN ENGINEERING NORTH**  
CONSULTING ENGINEERS AND SURVEYORS  
5746 South 1475 East - Suite 200  
Ogden, Utah 84403  
P.O. Box 150048, Ogden, Utah 84415  
Ogden (801)304-6515 Salt Lake City (801)321-2222 Fax (801)382-7544

SCALE: 1" = 40'  
DRAWN: JLI  
382 GBE Survey

DATE: 7 Aug, 2009  
REVISIONS:  
21 Sep, 2009  
8 Oct, 2009

DRWG. NO. 1 of 2



### Legend

- Exist. Deciduous Tree
- Exist. Coniferous Tree
- San. Sewer Manhole
- Water Manhole
- Storm Drain Manhole
- Electrical Manhole
- Catch Basins
- Exist. Fire Hydrant
- Exist. Water Valve
- Sanitary Sewer
- Culinary Water
- Gas Line
- Storm Drain
- Telephone Line
- Power Line
- Fire Line
- Power pole
- Power pole w/guy
- Light Pole
- Fence
- Overhead Power line
- Existing Asphalt
- Concrete
- Curb & Gutter

Exception 18: Section 3.4: An easement for any portion of any building or structure located on any such Parcel which may encroach into or over the grantor's adjoining Parcel(s); provided the easement for footings, piers, piles, grade beams and building encroachments does not exceed two (2) feet, and the easement for canopies, eaves and roof overhangs does not exceed four (4) feet.

Exception 18: Section 3.4: An easement for any portion of any building or structure located on any such Parcel which may encroach into or over the grantor's adjoining Parcel(s); provided the easement for footings, piers, piles, grade beams and building encroachments does not exceed two (2) feet, and the easement for canopies, eaves and roof overhangs does not exceed four (4) feet.



**EXCEPTIONS TO COVERAGE**

The following items are listed as exceptions to coverage in a Title Report prepared by Landmark Title Company of Salt Lake City, Utah Order No. 47523, all exceptions dated June 8, 2009 @ 6:39 a.m.

**EXCEPTION NO. 9:**  
Said property lies within the boundaries of Weber Basin Water District Conservancy District, Central Weber Sewer Improvement District (801-731-3011), South Ogden Conservation District, Ogden City (801-629-8321), and Utah Central Business Improvement District No. 1 and is subject to charges and assessments levied thereunder.

**EXCEPTION NO. 10:**  
Resolution No. 23-2005 creating and establishing a special service district through all of Weber County, to be known as the "Weber Area Dispatch 911 and Emergency Services District"; recorded January 24, 2006 as Entry No. 2156401 of the Official Records.

**EXCEPTION NO. 11:**  
An easement for the purpose of constructing thereon cut and/or slopes incident to the construction of curbs and gutters and appurtenant parts thereof, with other recited rights, terms and conditions, as created in favor of STATE ROAD COMMISSION OF UTAH by instrument recorded August 4, 1960 as Entry No. 340042 in Book 653, at Page 241; instrument recorded August 29, 1960 as Entry No. 341514, in Book 655 at Page 541; instrument recorded August 29, 1960 as Entry No. 341516 in Book 655 at Page 543 and in instrument recorded August 29, 1960 as Entry No. 341517 in Book 655 at Page 544 of the Official Records, through and across said property as provided for and described in said instrument.

**EXCEPTION NO. 12:** (Exact location not disclosed)  
Provisions, covenants, conditions, restrictions, easements, charges, assessments, liens or rights, if any created therein, but deleting those matters based upon race, color, creed, religion, sex, handicap, familial status or national origin unless and only to the extent that said matters, or any portion thereof, are exempt under relevant provisions of the United States Code or relate to handicap, but do not discriminate against handicapped persons, contained in that certain deed, recorded May 2, 1975 as Entry No. 636867 in Book 1084 at Page 467 of the Official Records.

**EXCEPTION NO. 13:** (Blanket Easement)  
The terms of that certain instrument entitled "Declaration Of Restrictions", recorded as Entry No. 641059, in Book 1090, at Page 768 of the Official Records, including all provisions, covenants, conditions, restrictions, easement, charges, assessments, liens or rights, if any, created therein, but deleting those matters based upon race, color, creed, religion, sex, handicap, familial status or national origin unless and only to the extent that said matters, or any portion thereof, are exempt under relevant provisions of the United States Code or relate to handicap, but do not discriminate against handicapped persons.

First Amendment To Declaration of Restrictions recorded December 1, 1977 as Entry No. 720324 in Book 1212 at Page 519 of the Official Records.

**EXCEPTION NO. 14:** (Exact location not disclosed)  
The terms of that certain instrument recorded July 2, 1975 as Entry No. 641060, in Book 1090, at Page 776 of the Official Records, including all provisions, covenants, conditions, restrictions, easements, charges, assessments, liens or rights, if any, created therein, but deleting those matters based upon race, color, creed, religion, sex, handicap, familial status or national origin unless and only to the extent that said matters, or any portion thereof, are exempt under relevant provisions of the United States Code or relate to handicap, but do not discriminate against handicapped persons.

**EXCEPTION NO. 15:**  
A right of way and easement 16 feet in width to lay, maintain, operate, repair, inspect, protect, remove and replace pipe lines, valves, valve boxes and other gas transmission and distribution facilities, with other recited rights, terms and conditions, as created in favor of MOUNTAIN FUEL SUPPLY COMPANY, a Corporation of the State or Utah, its successors and assigns by instrument recorded March 6, 1979 as Entry No. 769132, in Book 1290, at Page 319 of the Official Records, through and across said property as provided for and described in said instrument.

**EXCEPTION NO. 16:**  
A right of way and easement 16 feet in width to lay, maintain, operate, repair, inspect, protect, remove and replace pipe lines, valves, valve boxes and other gas transmission and distribution facilities, with other recited rights, terms and conditions, as created in favor of MOUNTAIN FUEL SUPPLY COMPANY, a Corporation of the State or Utah, its successors and assigns by instrument recorded March 6, 1979 as Entry No. 769133, in Book 1290, at Page 321 of the Official Records, through and across said property as provided for and described in said instrument.

**EXCEPTION NO. 17:** (Exact location not disclosed)  
The terms of that certain instrument entitled "Easement Relocation Agreement And Amendment To Prior Deeds, Declaration And Grants Of Easements", recorded May 27, 1994 as Entry No. 1294304, in Book 1717, at Page 2175 of the Official Records, including all provisions, covenants, conditions, restrictions, easements, charges, assessments, liens or rights, if any, created therein, but deleting those matters based upon race, color, creed, religion, sex, handicap, familial status or national origin unless and only to the extent that said matters, or any portion thereof, are exempt under relevant provisions of the United States Code or relate to handicap, but do not discriminate against handicapped persons.

**EXCEPTION NO. 18:** (Blanket Easement)  
The terms of that certain instrument entitled "Declaration Of Restrictions And Grant Of Easements", recorded May 27, 1994 as Entry No. 1294372, in Book 1717, at Page 2517 (Original recording information of Entry No. 1294305 in Book 1717 and Page 2197 shows as "computer by-passed" with no document available) of the Official Records, including all provisions, covenants, conditions, restrictions, easements charges, assessments, liens or rights, if any, created therein, but deleting those matters based upon race, color, creed, religion, sex, handicap, familial status or national origin unless and only to the extent that said matters, or any portion thereof, are exempt under relevant provisions of the United States Code or relate to handicap, but do not discriminate against handicapped persons.

First Amendment To Declaration Of Restrictions And Easements And First Amendment To The Common Area Maintenance Agreement recorded April 30, 2009 as Entry No. 2408259 of the Official Records.

**EXCEPTION NO. 19:** (Blanket Easement)  
The terms of that certain instrument entitled "Common Area Maintenance Agreement", recorded May 27, 1994 as Entry No. 1294373, in Book 1717, at Page 2555 (Note: Original recording information of Entry No. 1294306 in Book 1717 at Page 2235 shows as "computer by-passed" with no document available) of the Official Records, including all provisions, covenants, conditions, restrictions, easements, charges, assessments, liens or rights, if any, created therein, but deleting those matters based upon race, color, creed, religion, sex, handicap, familial status or national origin unless and only to the extent that said matters, or any portion thereof, are exempt under relevant provisions of the United States Code or relate to handicap, but do not discriminate against handicapped persons.

**EXCEPTION NO. 20:** (Blanket Easement)  
The terms of that certain instrument entitled "Development Agreement", recorded May 27, 1994 as Entry No. 1294374, in Book 1717, at Page 2589 (Note: Original recording information of Entry No. 1294307 in Book 1717 at Page 2269 shows as "computer by-passed" with no document available) of the Official Records and re-recorded in Book 1720 at Page 213 of the Official Records, including all provisions, covenants, conditions, restrictions, easements, charges, assessments, liens or rights, if any, created therein, but deleting those matters based upon race, color, creed, religion, sex, handicap, familial status or national origin unless and only to the extent that said matters, or any portion thereof, are exempt under relevant provisions of the United States Code or relate to handicap, but do not discriminate against handicapped persons.

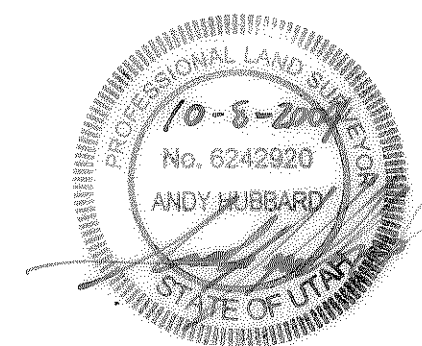
**EXCEPTION NO. 21:**  
A right of way and easement, with other recited rights, terms and conditions, as created in favor of the U S WEST COMMUNICATIONS, INC., a Colorado corporation by instrument recorded October 25, 1994 as Entry No. 1318061, in Book 1735, at Page 1465 of the Official Records, through and across said property as provided for and described in said instrument.

**EXCEPTION NO. 22:**  
Any existing easements for utilities which may have been constructed through, over, or under that portion of the herein described premises shown as being a portion of vacated streets and alleys. (Vacated Albertson Center Subdivision and vacated part of the City View Addition).

**EXCEPTION NO. 23:** (PART OF THE NORTHERLY AND SOUTHERLY LINES) (No backup documents provided Location maybe the same as Exception 18 Section 3.4)  
The above legal description appears to be a portion of a building which is constructed with common foundation, bearing walls, and roof is subject to an apparent easement for the support of common walls, and the Company specifically excepts any loss or claim arising from the coincidence of any common boundary line, common well or party wall.

004381

RECEIVED  
DEC 24 2009  
WEBER CO SURVEYOR



<b>ALTA/ACSM Land Title Survey</b>		<b>Associated Foods #382 - Ogden</b> 2044 Harrison Boulevard, Ogden, Utah Northwest 1/4 of Section 27, T6N, R1W, US Survey, SLB&M also being a part of Block 2, City View Addition	
<b>GREAT BASIN ENGINEERING NORTH</b> CONSULTING ENGINEERS AND SURVEYORS 5746 South 1475 East - Suite 200 Ogden, Utah 84403 P.O. Box 150048, Ogden, Utah 84415 Ogden (801)394-4515 Salt Lake City (801)521-0222 Fax (801)392-7844	SCALE : 1" = 40'	DATE : 7 Aug, 2009	DRWG. NO.
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382 GBE Survey			