### SCHEDULE "B" ITEMS

1. TAXES OR ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS BY THE RECORDS OF ANY TAXING AUTHORITY THAT LEVIES TAXES OR ASSESSMENTS ON REAL PROPERTY OR BY THE PUBLIC

2. ANY FACTS, RIGHTS, INTEREST OR CLAIMS WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS BUT WHICH COULD BE ASCERTAINED BY AN INSPECTION OF SAID LAND OR BY MAKING INQUIRY OF PERSONS IN POSSESSION THEREOF.

3. EASEMENTS, CLAIMS OF EASEMENTS OR ENCUMBRANCES WHICH ARE NOT SHOWN BY THE PUBLIC 4. DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGE IN AREA, ENCROACHMENTS AND ANY

OTHER FACTS WHICH A CORRECT SURVEY WOULD DISCLOSE, AND WHICH ARE NOT SHOWN BY PUBLIC 5. UNPATENTED MINING CLAIMS; RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING

THE ISSUANCE THEREOF. WATER RIGHTS. CLAIMS OR TITLE TO WATER. 6. ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.

7. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORD FOR VALUE THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT.

8. (THE FOLLOWING AFFECTS PARCEL 1) GENERAL PROPERTY TAXES FOR THE YEAR(S) 2009 ARE DELINQUENT IN THE PRINCIPAL AMOUNT OF \$2,846.38, PLUS INTEREST, PENALTY AND COSTS. TAX PARCEL NO. 01-039-0014. 9. THIS EXCEPTION HAS BEEN DELETED AND WILL NOT APPEAR IN A FINAL REPORT OR POLICY TO BE

ISSUED. 10. THE LAND IS INCLUDED WITHIN THE BOUNDARIES OF CENTRAL WEBER SEWER AND OGDEN CITY AND WEBER AREA DISPATCH 91 1 AND EMERGENCY SERVICES DISTRICT., AND IS SUBJECT TO CHARGES AND ASSESSMENTS MADE THEREBY.

11. THIS ITEM HAS BEEN INTENTIONALLY DELETED.

12. (THE FOLLOWING AFFECTS PARCEL 1) A TRUST DEED WITH ASSIGNMENT OF RENTS DATED JUNE 30, 1987 BY AND BETWEEN RICHARD B. JORGENSEN AND LABINA JORGENSEN AS TRUSTOR IN FAVOR OF THE HOME ABSTRACT AND TITLE COMPANY AS

TRUSTEE AND AMERICA FIRST CREDIT UNION. A UTAH CORPORATION AS BENEFICIARY, TO SECURE AN ORIGINAL INDEBTEDNESS OF \$112.500.00 AND ANY OTHER AMOUNTS OR OBLIGATIONS SECURED THEREBY, RECORDED JULY 01, 1987 AS ENTRY NO. 1017059 IN BOOK 1520 AT PAGE 2918 OF OFFICIAL

13. (THE FOLLOWING AFFECTS PARCEL 1) A DEED OF TRUST DATED MARCH 05, 2008 BY AND BETWEEN AMERICAN WEST GROUP, INC. AS TRUSTOR IN FAVOR OF ZIONS FIRST NATIONAL BANK AS TRUSTEE AND ZIONS FIRST NATIONAL BANK AS BENEFICIARY, TO SECURE AN ORIGINAL INDEBTEDNESS OF \$80,000.00 AND ANY OTHER AMOUNTS OR OBLIGATIONS SECURED THEREBY, RECORDED MARCH 07, 2008 AS ENTRY NO. 2326575 OF OFFICIAL

14. ORDINANCE NO. 2009-66. AN ORDINANCE OF OGDEN CITY, UTAH, PROVIDING FOR A TERMINATION DATE OF THE OGDEN CITY, UTAH CENTRAL BUSINESS IMPROVEMENT DISTRICT NO. 1; PROVIDING FOR A TWO-THIRDS REDUCTION IN THE ASSESSMENT ADOPTED IN ORDINANCE NO. 2009-65 RECORDED DECEMBER 10, 2009 AS ENTRY NO. 2449003 OF OFFICIAL RECORDS.

15. TAXES FOR THE YEAR 2010 NOW A LIEN, NOT YET DUE, TAX PARCEL NO. 01-039-0014 AND 01 - 039 - 0017.

16. (THE FOLLOWING AFFECTS PARCEL 2)

GENERAL PROPERTY TAXES FOR THE YEAR(S) 2009 ARE DELINQUENT IN THE PRINCIPAL AMOUNT OF

PLUS INTEREST, PENALTY AND COSTS. TAX PARCEL NO. 01-039-0017.

17. THIS ITEM HAS BEEN INTENTIONALLY DELETED.

18. THIS ITEM HAS BEEN INTENTIONALLY DELETED. 19. (THE FOLLOWING AFFECTS PARCEL 1)

A DÈED OF TRUST DATED FEBRUARY 4, 2009 BY AND BETWEEN AMERICAN WEST GROUP, INC. AS TRUSTOR IN FAVOR OF HERITAGE WEST TITLE INSURANCE AGENCY, INC. AS TRUSTEE AND DAN BEUKERS AS BENEFICIARY, TO SECURE AN ORIGINAL INDEBTEDNESS OF \$500,000.00 AND ANY OTHER AMOUNTS OR OBLIGATIONS SECURED THEREBY, AS DISCLOSED BY DOCUMENT ENTITLED "NOTICE OF INTEREST IN REAL PROPERTY DESCRIBED PARCEL NUMBER 010390014" RECORDED FEBRUARY 25, 2010 AS ENTRY NO. 2460271 OF OFFICIAL RECORDS.

#### SCHEDULE "B" NOTE

ITEMS 1-18 NOT SURVEY RELATED INFORMATION ONLY.

## SURVEYOR'S CERTIFICATE

TO: SUBURBAN LAND RESERVE, INC., A UTAH CORPORATION, ITS SUCCESSORS AND/OR ASSIGNS, AND FIRST AMERICAN TITLE INSURANCE COMPANY

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 1-4, 6, 7(A)-(C), 8-10, 11(A), 13, 14 AND 16-18 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.

THIS MAP OR PLAT OF SURVEY OF THE PREMISES SHOWN HEREON IS THE SAME AS THAT DESCRIBED IN FIRST AMERICAN TITLE INSURANCE COMPANY, TITLE COMMITMENT NUMBER NCS-357668-PHX1, AMENDMENT 4, DATED **JANUARY 18, 2010** 



MARK A. BYRD P.L.S. 160206 STATE OF UTAH BYRD AND ASSOCIATES, L.L.C. 505 SOUTH MAIN STREET BOUNTIFUL, UTAH 84010

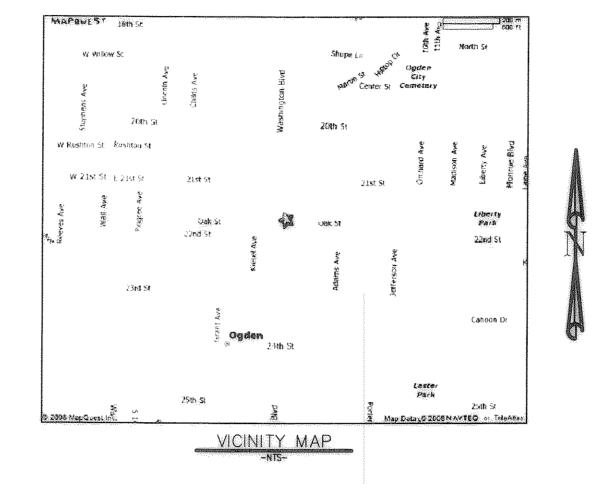
DATE

# ACSM LAND TITLE SURVEY

# FOR

# SUBURBAN LAND RESERVE, INC.

BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 6 NORTH, RANGE 1 WEST, S.L.B.&M, WEBER COUNTY, UTAH



PARCEL 1 0.318 ACRES OR 13,840 SQUARE FEET MORE OR LESS. PARCEL 2 0.380 ACRES OR 16,543 SQUARE FEET MORE OR LESS.

#### **PARKING**

31 PARKING SPACES PARCEL 2, NO VISIBLE STRIPING ON PARCEL 1. 31 TOTAL PARKING SPACES

### SURVEYORS COMMENTS

- 1. THE CERTIFYING SURVEYOR HAS NOT MADE AN INDEPENDENT TITLE SEARCH AND HAS RELIED SOLELY ON SUPPLIED DOCUMENTATION SHOWN IN A PRELIMINARY TITLE REPORT PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY, ORDER NO. NCS-357668-PHX1, AMENDMENT 4. DATED JANUARY 18, 2010 AND SPECIFICALLY DISCLAIMS ANY ITEMS NOT SHOWN WHICH MAY OR MAY NOT BE OF PUBLIC RECORD THAT MIGHT AFFECT THE PROPERTY SHOWN ON THIS SURVEY.
- 2. ADDRESS: 2186 WASHINGTON BOULEVARD, OGDEN, UTAH 84401 AND
- 3. TOTAL AREA OF SUBJECT PROPERTY: PARCEL 1 0.318 AND PARCEL 2 0.380 ACRES MORE OR
- 4. ASSESSOR'S PARCEL NUMBERS: 01-039-0014 AND 01-039-0017
- 5. SUBJECT PROPERTY HAS NO OBSERVABLE EVIDENCE OF RECENT CONSTRUCTION
- 6. SUBJECT PROPERTY HAS NO OBSERVABLE EVIDENCE OF BEING USED AS A SOLID WASTE DEPOSITORY, DUMP, OR LANDFILL.
- 7. SUBJECT PROPERTY HAS NO OBSERVABLE EVIDENCE OF CEMETERIES OR BURIAL GROUNDS. 8. THE SURVEYOR RELIED ON A COMMITMENT FOR TITLE INSURANCE, ORDER # NCS-357668-PHX1, AMENDMENT 4 FROM FIRST AMERICAN TITLE INSURANCE COMPANY AND DID NOT RESEARCH CHAIN OF TITLE OR SENIOR RIGHTS.
- 9. THE SURVEYOR MADE A PRUDENT ATTEMPT TO DISCLOSE ALL RECORD EASEMENTS SHOWN ON SAID COMMITMENT FOR TITLE INSURANCE AS WELL AS LOCATING VISIBLE UTILITY STRUCTURES AND OTHER STRUCTURES BUT DOES NOT WARRANT THEM TO BE ALL INCLUSIVE.

#### NARRATIVE:

1. THE PURPOSE OF THIS SURVEY IS TO PROVIDE A ALTA/ASCM SURVEY TO SHOW ALL IMPROVEMENTS AND STRUCTURES RELATIVE TO BOUNDARY LINES.

#### AS PROVIDED DESCRIPTION

PARCEL 1:

PART OF LOT 2, BLOCK 45, PLAT A, OGDEN CITY SURVEY, WEBER COUNTY, UTAH: BEGINNING AT A POINT 3 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 2; RUNNING THENCE NORTH 100 FEET; THENCE WEST 138 FEET; THENCE SOUTH 100 FEET; THENCE EAST 138 FEET TO THE PLACE OF BEGINNING.

PARCEL 2:

PART OF LOT 2. BLOCK 45. PLAT "A". OF OGDEN CITY SURVEY:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 2. AND RUNNING THENCE NORTH 100 FEET; THENCE EAST 165 FEET; THENCE SOUTH 100 FEET; THENCE WEST 165 FEET TO THE PLACE OF BEGINNING.

SAID PROPERTY IS ALSO KNOWN BY THE STREET ADDRESS OF PARCEL 1, 440 22ND ST. AND PARCEL 2, 2186 WASHINGTON BLVD. OGDEN, UT 84401

#### AS SURVEYED DESCRIPTION

BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, OGDEN CITY, WEBER COUNTY, UTAH, ALSO BEING A PORTION OF LOT TWO (2) OF BLOCK 45, PLAT "A" OGDEN CITY SURVEY AND BEING DESCRIBED AS FOLLOWS:

#### PARCEL 1

COMMENCING AT THE SOUTHEAST CORNER OF SAID BLOCK 45; THENCE NORTH 89°59'56" WEST, ALONG THE SOUTHERLY LINE OF SAID BLOCK 45. COINCIDENT WITH THE NORTHERLY LINE OF 22ND STREET, 3.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00'00'04" WEST, 100.03 FEET; THENCE NORTH 89'59'56" WEST, 138.36 FEET; THENCE SOUTH 00'00'02" EAST, 100.03 FEET TO SAID NORTHERLY LINE OF 22ND STREET: THENCE SOUTH 89'59'56" EAST. ALONG SAID NORTHERLY LINE, 138.36 FEET TO THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 0.318 ACRES OR 13,840 SQUARE FEET MORE OR LESS.

PARCEL 2:

BEGINNING AT THE SOUTHWEST CORNER OF SAID BLOCK 45: THENCE SOUTH 89'59'56" EAST, ALONG THE SOUTHERLY LINE OF SAID BLOCK 45, COINCIDENT WITH THE NORTHERLY LINE OF 22ND STREET, 165.38 FEET; THENCE NORTH 00°00'02' WEST, 100.03 FEET: THENCE NORTH 89'59'56" WEST, 165.38 FEET TO THE EASTERLY LINE OF WASHINGTON AVENUE; THENCE SOUTH 00'00'00" WEST, ALONG SAID EASTERLY LINE, 100.03 FEET TO THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 0.380 ACRES OR 16,543 SQUARE FEET MORE OR LESS.

# FLOOD INSURANCE DATA

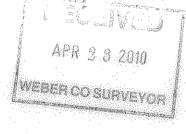
FLOOD ZONE DESIGNATION "X" PER F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 49057C0426E DATED DECEMBER 16, 2005.

ZONE "X" - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

( THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND THE SURVEYOR ÀSSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP OR THE LOCATION OF THE FLOOD ZONE BOUNDARY. IN ADDITION, THE ABOVE STATEMENT DOES NOT REPRESENT THE SURVEYOR'S OPINION OF THE PROBABILITY OF FLOODING.)

00443g

# ZONING



ZONE CBDI

CENTRAL BUSINESS DISTRICT INTENSIVE

FRONT SETBACK

O FEET/15 FEET FOR PARKING STRUCTURES

REAR SETBACK SIDE SETBACK

OGDEN CITY

O FEET/10 FEET ADJACENT TO RESIDENTIAL

O FEET/10 FEET ADJACENT TO RESIDENTIAL

BUILDING HEIGHT

NONE

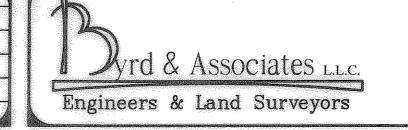
### BASIS OF BEARING

NORTH 00'00'00" EAST - BEING THE MONUMENT LINE ON WASHINGTON AVE. BETWEEN MONUMENTS FOUND AT 22ND ST. AND 21ST ST., AS SHOWN ON A SURVEY IN THE OGDEN CITY SURVEYOR'S OFFICE.

DATE DESCRIPTION MB 2-24-10 UPDATED SURVEY PER AMENDMENT 3 MB 3-15-10 REVISED PER COMMENTS BY JEB 4-22-10 UPDATED SURVEY PER AMENDMENT 4

	REV	BY	DATE	DESCRIPTION
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DAIE	DESCRIP HUN	Designed By: MAB
	MACONING TO THE RESERVE TO THE RESER	Drawn By: Mark
		Checked By:
the first section of the section of		Checked By:
		Account #: 725-0
		Creation Date: 2/10



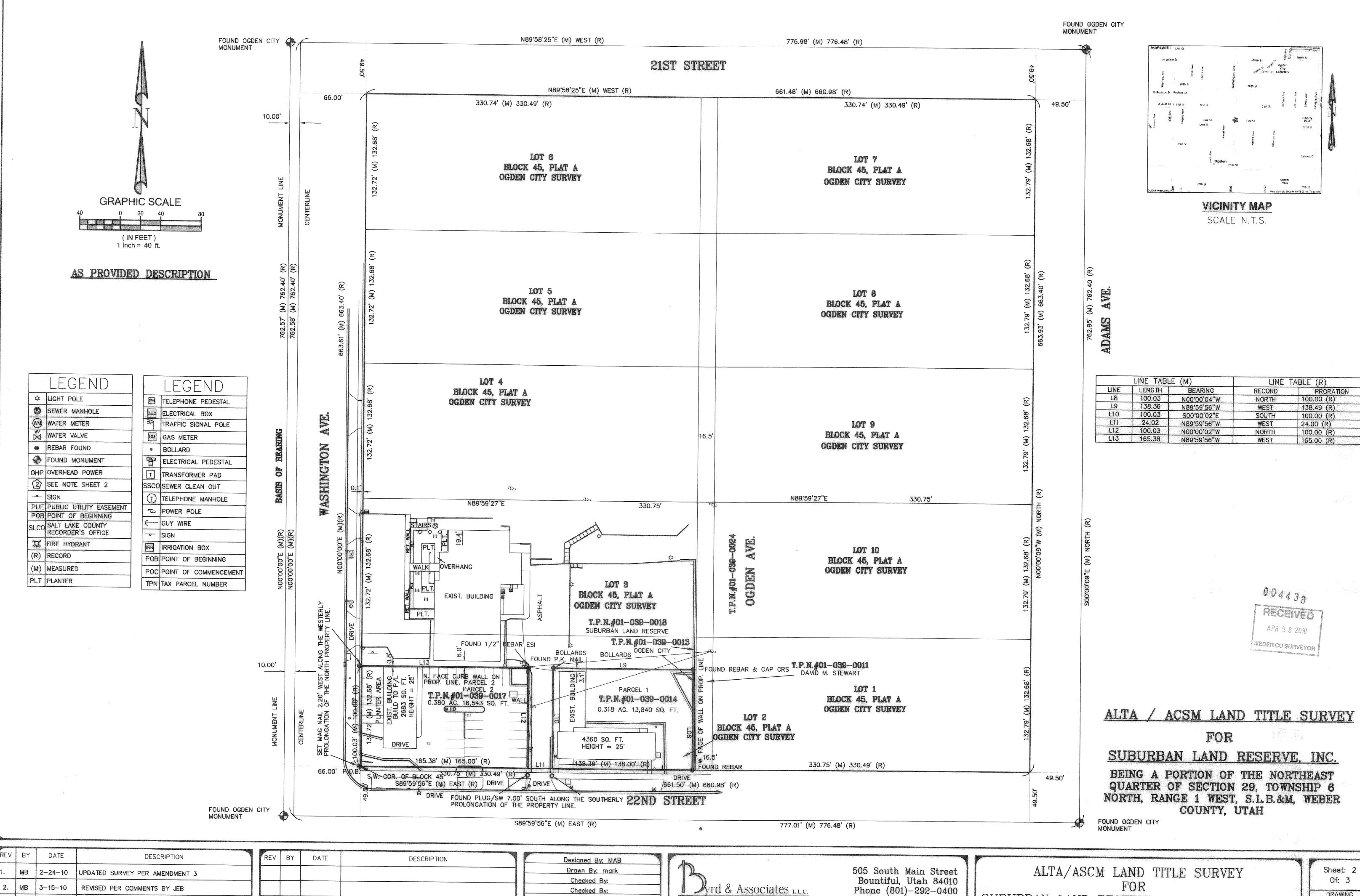
505 South Main Street Bountiful, Utah 84010 Phone (801)-292-0400 Fax (801)-292-8216

ALTA/ASCM LAND TITLE SURVEY FOR SUBURBAN LAND RESERVE, INC., A UTAH CORP.

Of: 3 DRAWING

725 - 01

Sheet: 1



Checked By:

Account #: 725-01

Creation Date: 2/10/10

Engineers & Land Surveyors

4-22-10

UPDATED SURVEY PER AMENDMENT 4

DRAWING 725-01

SUBURBAN LAND RESERVE, INC., A UTAH CORP.

Fax (801)-292-8216