

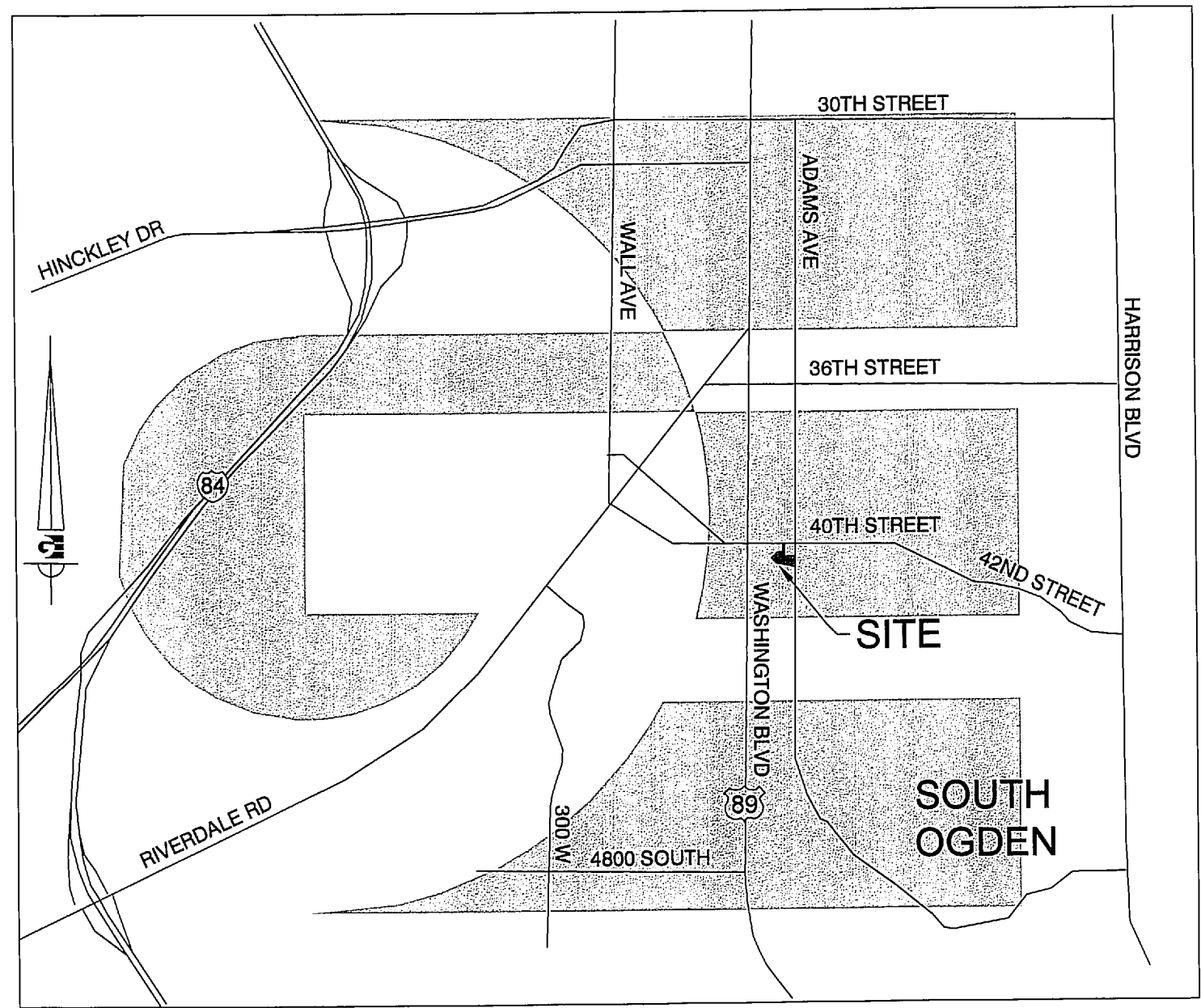
**SCHEDULE B-SECTION 2 EXCEPTIONS**

**VICINITY MAP N.T.S.**

**BOUNDARY DESCRIPTION**

- 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 records. (AFFECTS SUBJECT PROPERTY, NOT PLOTTABLE)
- 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. (AFFECTS SUBJECT PROPERTY, NOT PLOTTABLE)
- Easements, claims of easements or encumbrances which are not shown by the public records. (AFFECTS SUBJECT PROPERTY, NOT PLOTTABLE)
- 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 records. (AFFECTS SUBJECT PROPERTY, NOT PLOTTABLE)
- Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water. (AFFECTS SUBJECT PROPERTY, NOT PLOTTABLE)
- 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. (AFFECTS SUBJECT PROPERTY, NOT PLOTTABLE)
- 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. (AFFECTS SUBJECT PROPERTY, NOT PLOTTABLE)
- General property taxes for the year 2015 are accruing as a lien, but are not yet due. General property taxes for the year 2014 were paid in the amount of \$2,478.37. Tax Parcel No. 06-019-0006. (AFFECTS SUBJECT PROPERTY, NOT PLOTTABLE)
- The land is included within the boundaries of South Ogden City and the Central Weber Sewer District, and is subject to charges and assessments made thereby. (AFFECTS SUBJECT PROPERTY, NOT PLOTTABLE)
- Said land is located within the Weber Area Dispatch 911 and Emergency Services District, pursuant to that certain Resolution No. 23-2005 recorded January 24, 2006 as Entry No. 2156401 of Official Records, and is subject to assessments and levies thereunder. (AFFECTS SUBJECT PROPERTY, NOT PLOTTABLE)
- Said land is located within the Northern Utah Environmental Resource Agency ("NUERA"), pursuant to that certain Certificate of Creation recorded January 20, 2015 as Entry No. 2718481 of Official Records, and is subject to assessments and levies thereunder. (AFFECTS SUBJECT PROPERTY, NOT PLOTTABLE)
- Deed of Trust dated March 24, 1988 by and between Club Land Group, Inc. as Trustor in favor of Ogden First Federal Savings and Loan Association as Trustee and Ogden First Federal Savings as Beneficiary, to secure an original indebtedness of \$350,000.00 and any other amounts or obligations secured thereby, recorded March 25, 1988 as Entry No. 1041507 in Book 1536 at Page 1250 of Official Records. (AFFECTS SUBJECT PROPERTY, NOT PLOTTABLE, NOT A SURVEY MATTER)
- Terms, conditions, provisions, restrictions, assessments, easements and incidental purposes, as set forth in that certain Affidavit and Agreement recorded March 25, 1988 as Entry No. 1041508 in Book 1536 at Page 1258 of Official Records.
- Terms, conditions, provisions, restrictions, assessments, easements and incidental purposes, as set forth in that certain Warranty Deed recorded April 28, 1990 as Entry No. 1107347 in Book 1579 at Page 1652 of Official Records. (AFFECTS SUBJECT PROPERTY, WARRANTY DEED REFERS TO AN UNRECORDED DOCUMENT, OMTS LEGAL DESCRIPTION NECESSARY TO PLOT)
- Terms, conditions, provisions, restrictions, assessments, easements and incidental purposes, as set forth in that certain Access Easement Agreement recorded October 13, 1992 as Entry No. 1196300 in Book 1640 at Page 2316 of Official Records. (AFFECTS SUBJECT PROPERTY AS SHOWN HEREON)
- Terms, conditions, provisions, restrictions, assessments, easements and incidental purposes, as set forth in that certain Cross-Access and Parking Easement Agreement recorded August 1, 2014 as Entry No. 2696820 of Official Records. (AFFECTS SUBJECT PROPERTY AS SHOWN HEREON)

- (The following affects Parcel 1)
- Construction Deed of Trust and Fixture Filing dated September 26, 2014 by and between South Ogden Real Estate Ventures, LLC, a Utah limited liability company as Trustor in favor of Zions First National Bank as Trustee and Zions First National Bank as Beneficiary, to secure an original indebtedness of \$1,876,000.00 and any other amounts or obligations secured thereby, recorded September 30, 2014 as Entry No. 2704855 of Official Records. (AFFECTS SUBJECT PROPERTY, NOT PLOTTABLE)
  - Modification Agreement recorded June 30, 2015 as Entry No. 2743324 of Official Records. (The following affects Parcel 1)
  - An Assignment of Rents, wherein South Ogden Real Estate Ventures, LLC, a Utah limited liability company, assigns all rents, leases, income and profits accruing from the land to Zions First National Bank, recorded September 30, 2014 as Entry No. 2704856 of Official Records. (AFFECTS SUBJECT PROPERTY, NOT PLOTTABLE)
  - A UCC Financing Statement executed by South Ogden Real Estate Ventures, LLC, as Debtor, in favor of Zions First National Bank, as Secured Party, recorded November 17, 2014 as Entry No. 2710912 of Official Records. (MAY AFFECT SUBJECT PROPERTY, NOT PLOTTABLE)
  - The State Construction Registry discloses the following Preliminary Notice(s): (within the last 12 months)
- [THE FOLLOWING AFFECT PARCEL 1]
- Entry # 4240107, filed March 6, 2015 by Wadman Corporation.
  - Entry # 4255621, filed March 17, 2015 by Quality Fire Protection.
  - Entry # 4258363, filed March 18, 2015 by American Fence Company.
  - Entry # 4272087, filed March 30, 2015 by Mountain States Supply.
  - Entry # 4272845, filed March 30, 2015 by Great Western Supply, Inc.
  - Entry # 4276279, filed April 1, 2015 by Boman & Kemp; Kemp Manufacturing Co., Inc.
  - Entry # 4284093, filed April 7, 2015 by Consolidated Electrical Distributors.
  - Entry # 4289731, filed April 10, 2015 by Spectra Contract Flooring #250.
  - Entry # 4308127, filed April 23, 2015 by Staker & Parson Co.
  - Entry # 4312993, filed April 27, 2015 by Hustad Mechanical.
  - Entry # 4322593, filed May 6, 2015 by BMC West.
  - Entry # 4345209, filed May 15, 2015 by Frontline Concrete Pumping.
  - Entry # 4364879, filed May 28, 2015 by Contempo Cabinet & Mill.
  - Entry # 4366125, filed May 29, 2015 by Sunstate Equipment LLC.
  - Entry # 4366121, filed May 29, 2015 by Sunstate Equipment LLC.
  - Entry # 4373095, filed June 3, 2015 by Coaction Development Group, LLC.
  - Entry # 4385696, filed June 9, 2015 by L.K.L. Associates Inc.
  - Entry # 4414837, filed June 29, 2015 by USI Cardalis.
  - Entry # 4423059, filed July 2, 2015 by Dal Tile Distribution, Inc. #188.
  - Entry # 4468653, filed July 28, 2015 by Geneva Rock Products, Inc.
  - Entry # 4489107, filed August 7, 2015 by Fire Protection Service Corporation/Mountain Alarm.
  - Entry # 4492529, filed August 11, 2015 by Building Specialties-Sandy.
  - Entry # 4498939, filed August 13, 2015 by Cannon Sales.
  - Entry # 4510485, filed August 20, 2015 by Winroc-SPI.
  - Entry # 4545061, filed September 10, 2015 by Tri City Nursery, LLC.
  - Entry # 4551835, filed September 24, 2015 by Precision Welding Inc.
  - Entry # 4583199, filed October 6, 2015 by Homestead Contractors Corp.
- [THE FOLLOWING AFFECT PARCEL 1B, TOGETHER WITH OTHER LAND]
- Entry # 4296385, filed April 16, 2015 by Staker & Parson Co.
  - Entry # 4586699, filed October 7, 2015 by Wadman Corporation.

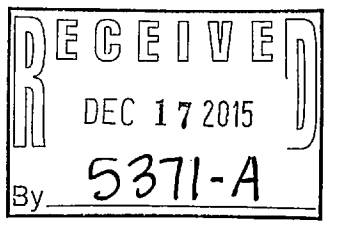


**NOTES**

- PROPERTY FALLS WITHIN SOUTH OGDEN CITY, UTAH ZONE C-2.
- THE SUBJECT PROPERTY CONTAINS 1.07 ACRES  
FRONT SETBACK = 10'  
-REAR SETBACK = NONE EXCEPT 10' ADJACENT TO RESIDENTIAL BOUNDARY.  
-SIDE SETBACK = NONE EXCEPT 10' ADJACENT TO RESIDENTIAL BOUNDARY.  
-SIDE FACING STREET ON CORNER LOT = 10'
- NO ADDRESS DISCLOSED IN RECORD DOCUMENTS OR OBSERVED IN THE FIELD. THE ADDRESS OF 475 40TH STREET, SOUTH OGDEN UTAH, IS REPORTED BY SOUTH OGDEN CITY.
- PARCEL 1 CONTAINS 46,668 SQUARE FEET OR 1.07 ACRES.
- OBSERVED EVIDENCE OF CONSTRUCTION FROM RECENT SITE DEVELOPMENT.
- THERE IS NO OBSERVED EVIDENCE TO THE SITE USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
- THERE IS NO EVIDENCE OF DELINEATED WETLAND WITHIN THE SUBJECT PROPERTY.
- PUBLIC AND PRIVATE UTILITY LINE LOCATIONS WERE DETERMINED BY OBSERVED EVIDENCE.
- THE SUBJECT PROPERTY FALLS WITHIN FLOOD ZONE "X", DESCRIBED AS AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FEMA MAP NUMBER 49057C0429F WITH A REVISED DATE OF JUNE 2, 2015 AND MAP NUMBER 49057C0428E WITH AN EFFECTIVE DATE OF DECEMBER 16, 2005.
- THERE ARE (41) REGULAR PARKING SPACES AND (8) HANDICAPPED PARKING SPACES, FOR A TOTAL OF (49) PARKING SPACES.
- WEBER COUNTY HAS NOT YET PUBLISHED AN ADDRESS FOR THE SUBJECT PROPERTY. THE ASSUMED PROPERTY ADDRESS IS 475 EAST 40TH STREET, OGDEN, UTAH.

**NARRATIVE**

THE PURPOSE OF THE SURVEY WAS TO DO AN ALTA/ACSM SURVEY OF THE PROPERTY AS SHOWN AND DESCRIBED HEREON. THE SURVEY IS BASED ON THE COMMITMENT FOR TITLE INSURANCE PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY ORDER NUMBER NCS-755880-WA1 WITH AN EFFECTIVE DATE OF SEPTEMBER 14, 2015 AT 7:30 A.M. THE SURVEY WAS ORDERED BY GARNER COX ENGINEERING. THE BASIS OF BEARING IS THE CENTERLINE OF 39TH STREET BETWEEN THE INTERSECTIONS OF ADAMS AVENUE AND OGDEN AVENUE WHICH BY RECORD BEARS NORTH 89°02'00" WEST.



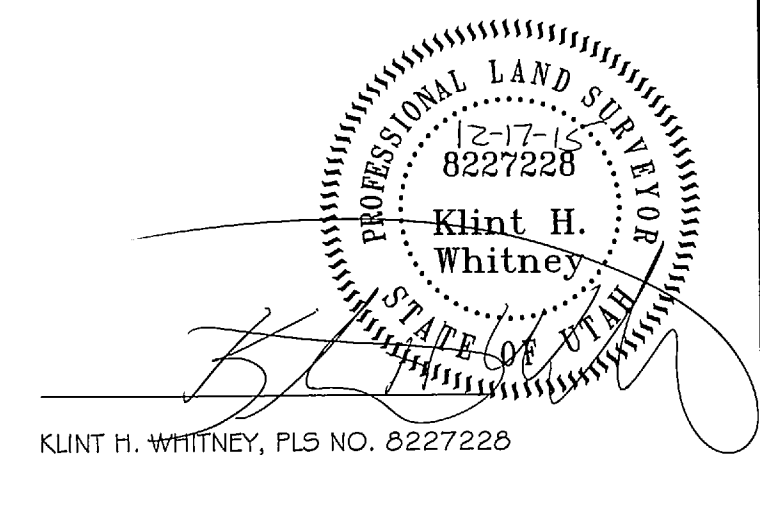
**SURVEYOR'S CERTIFICATE**

I, KLINT H. WHITNEY, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD CERTIFICATE NO. 8227228 IN ACCORDANCE WITH TITLE 53, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS ALTA/ACSM RECORD OF SURVEY PLAN IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS; THAT THE REFERENCE MONUMENTS SHOWN ON THIS RECORD OF SURVEY PLAN ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR REESTABLISH THIS SURVEY; AND THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE HEREIN DESCRIBED TRACT OF REAL PROPERTY.

I FURTHER CERTIFY TO:  
FIRST AMERICAN TITLE INSURANCE COMPANY  
THE PENINSULA GROUP, LLC  
FIRST INTERNET BANK

THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND IS BASED ON COMMITMENT FOR TITLE INSURANCE NUMBER NCS-755880-WA1 WITH AN EFFECTIVE DATE OF SEPTEMBER 14, 2015 AT 7:30 A.M. AND INCLUDES ITEMS 1, 2, 3, 4, 6B, 7A, 7B1, 8, 9, 11A, 13, 16, 18, OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON NOVEMBER 13, 2015.

SIGNED THIS 17<sup>TH</sup> DAY OF DECEMBER, 2015.



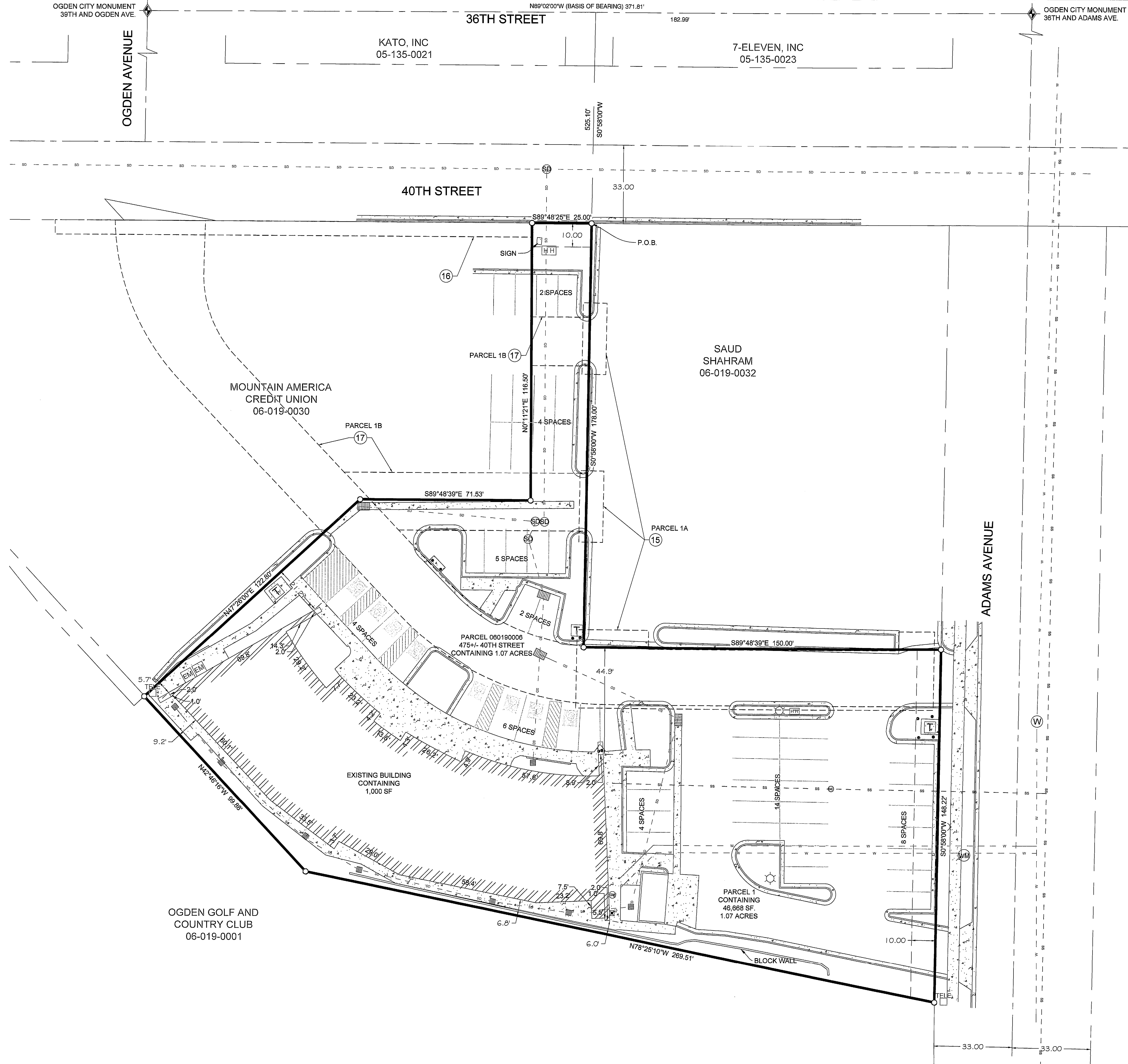
**Know what's below. 811**  
Call 811 before you dig.  
BLUE STAKES OF UTAH  
UTILITY NOTIFICATION CENTER, INC.  
www.bluestakes.org  
1-800-662-4111

ALTA SURVEY FOR BONNEVILLE REAL ESTATE CAPITAL  
40TH STREET AND ADAMS AVENUE, SOUTH OGDEN, UTAH  
LOCATED IN THE NORTHEAST QUARTER OF SECTION 8,  
TOWNSHIP 5 NORTH, RANGE 1 WEST, SL.B. AND M.

SCALE: 1"=20'  
DATE: 11/30/15  
DESIGN: [ ]  
DRAWN: SGP  
CHECKED: KHW  
DWG: R:\2601 - MISC SURVEY\187 - FREEDMAN MEDICAL SURVEY DWG\40TH STREET ALTA.DWG

**GARDNER ENGINEERING**  
CIVIL, LAND PLANNING  
ENGINEERING  
MUNICIPAL - LAND SURVEYING  
5150 SOUTH 375 EAST OGDEN, UT  
OFFICE: 801-476-0202 FAX: 801-476-0066

S1  
2



**BOUNDARY DESCRIPTION**

PARCEL 1:  
 A PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY LINE OF 40TH STREET, SAID POINT BEING LOCATED NORTH 89°02'00" WEST ALONG THE CENTERLINE OF 39TH STREET 182.99 FEET AND SOUTH 00°58'00" WEST 525.10 FEET FROM THE OGDEN CITY MONUMENT AT THE INTERSECTION OF SAID 39TH STREET AND ADAMS AVENUE, SAID POINT BEING PREVIOUSLY DESCRIBED AS NORTH 89°45'17" WEST 233.15 FEET AND SOUTH 00°58'00" WEST 41.31 FEET FROM THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 00°58'00" WEST 178.00 FEET; THENCE SOUTH 89°48'33" EAST 150.00 FEET TO THE WEST RIGHT OF WAY LINE OF ADAMS AVENUE; THENCE SOUTH 00°58'00" WEST ALONG SAID WEST LINE 148.22 FEET TO AN EXISTING FENCE LINE; THENCE ALONG SAID EXISTING FENCE LINE THE FOLLOWING TWO (2) COURSES: (1) NORTH 78°25'10" WEST 289.51 FEET AND (2) NORTH 42°46'16" WEST 99.88 FEET; THENCE NORTH 47°28'00" EAST 122.80 FEET; THENCE SOUTH 89°48'39" EAST 71.53 FEET; THENCE NORTH 00°11'21" EAST 116.60 FEET TO SAID SOUTH RIGHT OF WAY LINE OF 40TH STREET; THENCE SOUTH 89°48'39" EAST ALONG SAID SOUTH RIGHT OF WAY LINE 25.00 FEET TO THE POINT OF BEGINNING.

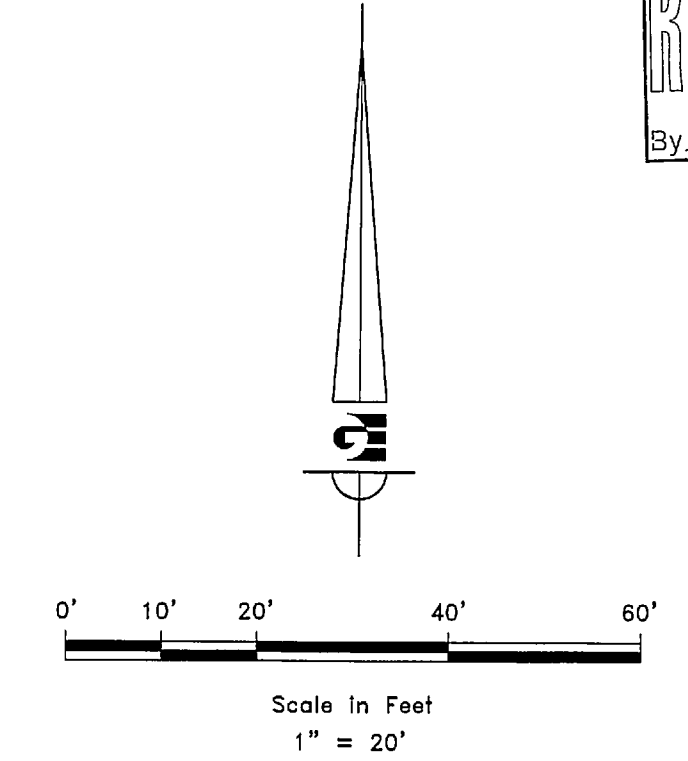
PARCEL 1A:  
 RIGHTS AND EASEMENTS, ESTABLISHED BY THAT CERTAIN ACCESS EASEMENT AGREEMENT RECORDED OCTOBER 13, 1992 AS ENTRY NO. 1198300 IN BOOK 1640 AT PAGE 2316 OF OFFICIAL RECORDS.

PARCEL 1B:  
 RIGHTS AND EASEMENTS, ESTABLISHED BY THAT CERTAIN CROSS-ACCESS AND PARKING EASEMENT AGREEMENT RECORDED AUGUST 1, 2014 AS ENTRY NO. 2698820 OF OFFICIAL RECORDS.

**LEGEND**

- OGDEN CITY CENTERLINE MONUMENT
- FOUND REBAR AND CAP MARKED BINGHAM ENGINEERING
- PROPERTY LINE
- ADJACENT PARCEL
- CENTERLINE
- EASEMENT LINE
- STORM DRAIN
- SANITARY LINE
- CONCRETE/CURB AND GUTTER
- EXISTING BUILDING
- SANITARY CLEANOUT
- ELECTRIC METER
- TRANSFORMER
- UTILITY PEDISTAL
- HAND HOLE
- LIGHT POLE
- SCHEDULE B - EXCEPTION
- WATER MANHOLE
- WATER METER
- FIRE DEPARTMENT HOOK UP
- STORM MANHOLE
- CATCH BASIN
- GAS METER
- CONCRETE BOLLARD

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REVISIONS	DATE	DESCRIPTION

SCALE: 1"=20'  
 DATE: 11/30/15  
 DESGN: SGP  
 DRAWN: SGP  
 CHECKED: KHV  
 DWG: ALTA SURVEY - REC'D SURVEY 1587 - PREVIOUS MEDICAL SURVEY (DWA) 40TH STREET ALTA.DWG

ALTA SURVEY FOR BONNEVILLE REAL ESTATE CAPITAL  
 40TH STREET AND ADAMS AVENUE, SOUTH OGDEN, UTAH  
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