

NARRATIVE:

Boundary Consultants was retained by Kenny Hansen to survey the subject parcel, and resolve an encroachment dispute along the Subject Parcel's north boundary. This survey was carried out using a Trimble 5800 GPS System, with ground distances being determined by GEOID Model CONUS 12B @ elevation 4355.73 feet and no calibration. Basis of Bearing for this survey is Geodetic North as determined by GPS. Because of the encroachment We have researched title to the subject parcel back to Patent and have uncovered the following facts: 1. The Northeast Quarter of Section 2 was Patented to George R. Hill March 01, 1878 as the South 1/2 and Lots 1 & 2 of the Northwest Quarter of Section 2, George Hill subsequently transferred Lots 1 & 2 to Caleb Hank, March 14, 1889 and the South Half of the Northeast Quarter to Charles W. Hill on April 03, 1889. Caleb Hank then transferred said Lots 1 & 2 to the north half of said section to NR Bowman on May 27, 1890. Subsequent transfers of the Root Parcel to the Adjoiner on the north has consistently referenced the south line of the north half of said section until the 1996 Warranty Deed from Fred B. Bingham to Calvin F. Kippen transferring title to the Root Parcel of the Bingham Industrial Park Phase 3 Subdivision. The Warranty Deed from Fred B. Bingham to Calvin F. Kippen contains the calls "Beginning at a point 1320 feet SOUTH and 660 feet WEST from the Northeast Corner of said Section 2, and makes no reference to the South Line of the Northeast Quarter. 2. Title to the subject parcel has consistently referenced the South Half of the Northeast Quarter of Section 2 from Patent to the current owners. 3. The corners monumenting the east line of Section 2 are not in their True and Historic Locations. The Northeast Corner to Section 2 was re-established in 1979 by Fred W. Malon, Weber County Surveyor, from his records it appears that the corner was re-set using proportionate methods which are a last resort method to re-establish a corner. Evidence exists from survey work performed by Washington Jenkins, Weber County Surveyor, in the late 1800's that places the Northeast Corner some 60 feet north of its current location. See Plot Book #048 and the referenced Field Notes in Book N of Page 80 of the Weber County Surveyor's Records. Also see Record of Survey # 1280 prepared by the Office of the Weber County Surveyor certified by Ernest Rowley, Deputy County Surveyor. 4. Long term occupation to a ditch and fence line and the fact that buildings had been constructed up to that fence and ditch line exhibit that the location of the south line of the north half of Section 2 had been established by use and occupation of the adjoining parties over a long period of time. This is evidenced as well by Aerial Photography from Google Earth, the Weber County Geo-GIS web site and USDA Aerial Photo's that reside on the State of Utah's AGRC website that date back to the 1930's. The occupation line that is apparent on the west side of the east line of said Section 2 also extends easterly into the Section 1 adding validity to that ditch as the "Acquiesced" Sixteenth Section Line if not the True Line. The Subdivision Plat for the Bingham Industrial Park Phase 3 also shows the occupation line and the buildings that existed in 2001 when the plat was created. The plot does not show a remainder parcel and calls out ownership to the adjoining parcel to the south to Heino Kap & Wf. Mary, the previous owner's of the Subject Parcel. Based on the aforesaid facts we have determined that no encroachment exists upon our Client's property and that the apparent encroachment has been created in the following three ways: 1. The location of the East line of Section 2 is not in its correct and Historic Location. Therefore the "True" location of the South Line of Lot 1, Section 2 cannot be established by using the extant section corners. Best evidence of the "True" location is by Long Term Occupation or Acquiescence to an Occupation Line. 2. Title to the Root Parcel to the Bingham Industrial Subdivision was ascribed the calls of 1320 feet SOUTH and 660 feet WEST instead of using the Historic Calls to the South Line of the North Half of the Section or the correct call to the South Line of Lot 1 of the Section. 3. The Weber County Recorder's Office created an illegal and non-existent parcel when it created a description for a "Remainder Parcel" of land that did not exist and assigned a Tax ID Number to it.

DESCRIPTIONS:

PERSONAL REPRESENTATIVE'S DEED: ENTRY #2580480. All that part of the South half of the Northeast quarter (South half of the Northeast quarter) of Section 2, Township 5 North, Range 2 West of the Salt Lake Base and Meridian, U.S. Survey, lying between the right of way of the Rio Grande Western Railroad and the right of way of the Utah Central Railroad. Also a strip of land one rod wide extending East from the Utah Central right of way along the North line of the South half of the said Northeast quarter to the County Road on the East line of said Section to be used as a right of way. Less and Excepting therefrom: A parcel of land in fee for the extension and widening of the existing State Route 79 known as Project No. STP-0079(2)(0), being part of an entire tract of property, situate in the Southwest quarter of the Northeast quarter and the Northwest quarter of Section 2, in Township 5 North, Range 2 West Salt Lake Base and Meridian. The boundaries of said parcel of land described as follows: Beginning in the Southeasterly railroad right of way line of Utah Transit Authority, at a point 155.00 feet perpendicularly distant Northerly from the SR-79 centerline of said project at Engineer Station 122+14.20. Said point of beginning is 1,745.44 North 89°53'11" West along the East-West quarter section line of said Section 2 and 76.73 feet North 0°06'49" East from the East quarter corner of said Section 2; and running thence South 34°21'18" West 350.68 feet along said southeasterly railroad right of way line to a point 120.00 feet perpendicularly distant Southerly from said project centerline at Engineer Station 119+96.59; thence North 89°03'42" East 43.16 feet to the Northwesterly railroad right of way of the Union Pacific Railroad Company (also known as the Oregon Short Line Railroad); thence Northwesterly 391.32 feet along said Northwesterly railroad right of way line, along the arc of a 6,028.89 foot radius curve to the right (Note: Chord to said curve bears North 39°42'06" East for a distance of 391.25 feet); thence South 82°41'04" West 95.97 feet 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.

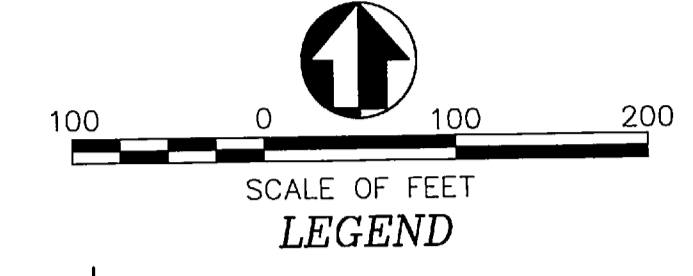
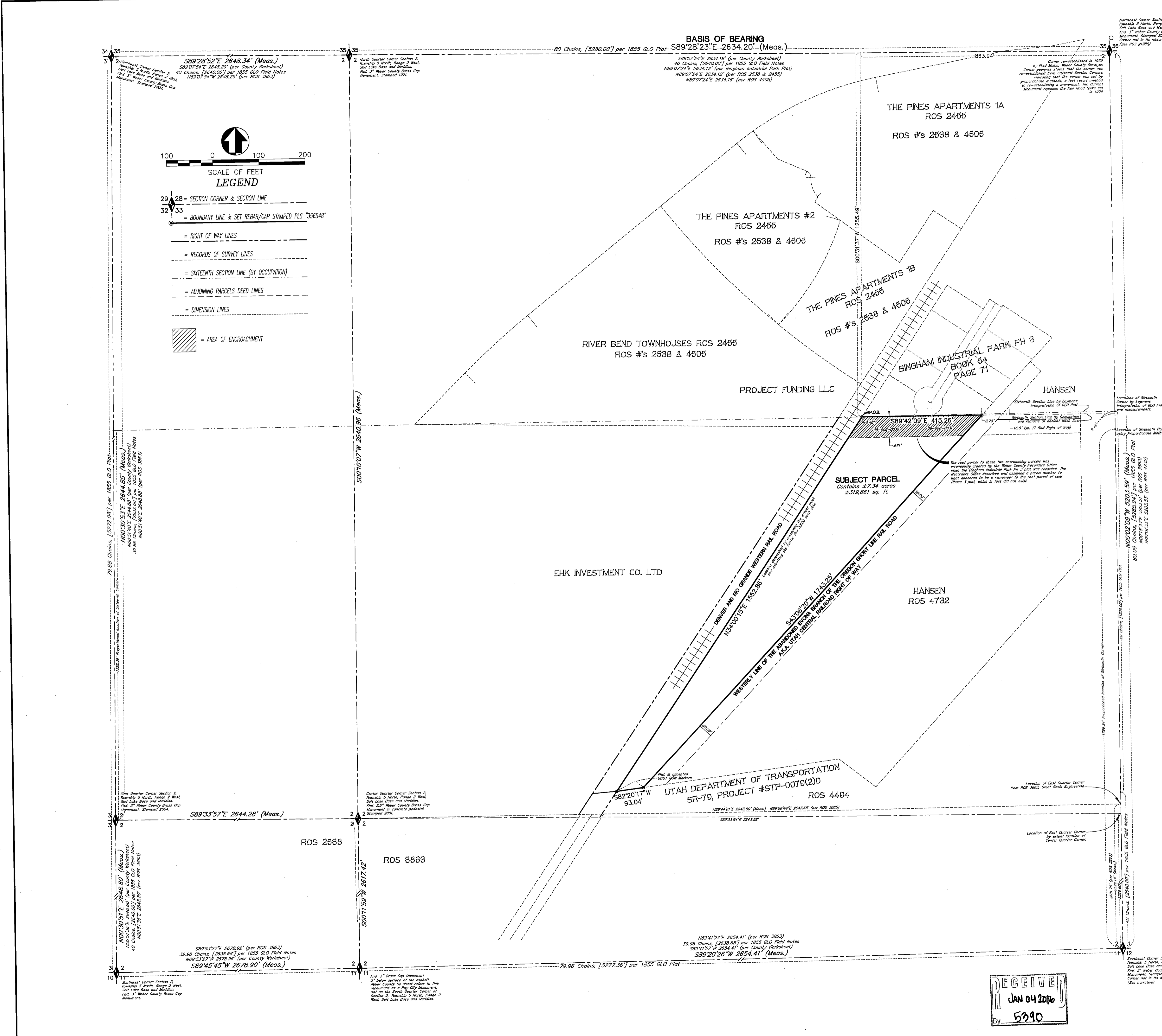
"As Surveyed" Description: A parcel of land lying and situate in the Northeast Quarter of Section 2, Township 5 North, Range 2 West, Salt Lake Base and Meridian. Historically being described as "All that part of the South Half of the Northeast Quarter of said Section 2, Township 5 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, lying between the right of way of the Denver and Rio Grande Western Railroad and the right of way of the Utah Central Railroad". Evidenced by and described in that certain Personal Representative's Deed recorded June 08, 2012 at 01:54 PM as Entry 2580480 of the Weber County Records. Basis of Bearing for subject being NORTH as determined by GPS. (North 89°28'23" West 2634.20 feet, measured, between the Weber County Brass Cap Monument stamped 2006 monumentizing the Northeast Corner of said Section 2 and the Weber County Brass Cap Monument stamped 1971 monumentizing the North Quarter Corner of said Section 2). Subject parcel being more particularly described as follows: Commencing at the 2006 Weber County brass cap well monument monumentizing the Northeast Corner of said Section 2, thence North 89°28'23" West 863.94 feet coincident with the north line of the Northeast Quarter of said Section 2 as currently monumented (January 2016); Thence South 00°31'37" West 1255.49 feet to a number 5 rebar and cap stamped PLS 356548 monumentizing the intersection point of the Easterly Right of Way Line of the Denver and Rio Grande Western Railroad right of way and the occupied south line of Government Lot 1 of said Section 2; Thence South 89°42'09" East 415.26 feet coincident with said south line to a number 5 rebar and cap stamped PLS 356548 monumentizing the point of intersection with said south line and the westerly right of way line of the Evona Branch of the Oregon Short Line Railroad, A.K.A. Utah Central Railway. Thence South 43°06'20" West 1743.25 feet to a Utah Department of Transportation Right of Way Monument monumentizing the point of intersection with State Road 79, A.K.A. UDOT Project Number STP-0079(2)(0); Thence South 82°20'17" West 93.04 feet coincident with said right of way to a "UDOT ROW" monument at the intersection point of said Denver and Rio Grande Western Railroad Right of Way and said "SR 79" Right of Way; Thence North 34°00'15" East 1552.86 feet coincident with said "DRGWRR Right of Way" to the point of beginning.

Professional Surveyor Seal for David E. Hansen, No. 356548, State of Utah, License No. 1520001.

RECORD OF SURVEY OF TAX PARCEL 08-006-0009 PARLEY WAYNE HANSEN FAMILY TRUST, ETAL. LYING AND SITUATE IN THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN

Boundary Consultants logo and contact information: 1295 North 1700 West, Farr West, Utah 801-680-7158 FAX 801-792-1569

RECEIVED stamp: JAN 04 2016, By 5290



- Legend items: SECTION CORNER & SECTION LINE, BOUNDARY LINE & SET REBAR/CAP STAMPED PLS '356548', RIGHT OF WAY LINES, RECORDS OF SURVEY LINES, SIXTEENTH SECTION LINE (BY OCCUPATION), ADJOINING PARCELS DEED LINES, DIMENSION LINES, AREA OF ENCROACHMENT.

Vertical text on the left margin: 79.88 Chains, [5272.06] per 1855 GLO Plat... 100'00'00\"/>

Vertical text on the right margin: 80.00 Chains, [5280.00] per 1855 GLO Plat... 100'00'00\"/>