

EXCEPTIONS TO COVERAGE

The following items are listed as exceptions to coverage in a Title Report prepared by First American Title; First American Title Insurance Company; and Backman Title Services, LTD., File No. 6-065302, Effective Date: August 3, 2015 at 7:45 a.m.

EXCEPTION No. 18 (PLOTTED) Affects the South Portion of Parcel 1: Right of Way Easement, and the terms and conditions thereof: Grantee: Eugene Minnig and Daphne Minnig; Recorded: February 29, 1984; Entry No.: 902718; Book/Page: 1441/2025; Purpose: Ingress and egress to the headgate located on the foresaid property and for the further purpose of maintaining existing ditches, water courses and easements required to provide water from the headgate to the property located West of the Interstate Freeway (Affects Parcel 1)

EXCEPTION No. 19 (PLOTTED) Affects the Southeastery Line of Parcel 1: Right of Way and Easement Grant, and the terms and conditions thereof: Grantee: Mountain Fuel Supply Company; Purpose: Right of way and easement 12.0 feet in width to lay, maintain, operate, repair, inspect, protect, remove and replace, pipelines, valves, valve boxes and other gas transmission and distribution facilities. Recorded: June 13, 1984; Entry No.: 911113; Book/Page: 1448/23 (Affects Parcel 1)

EXCEPTION No. 20 (PLOTTED) Affects the Northerly 50 Feet of Parcels 1, 3 & 3A, and the Southerly line of Parcel 2: Grant of Easement, and the terms and conditions thereof: Grantee: Weber County; Recorded: March 13, 1984; Entry No.: 903787; Book/Page: 1442/1434; Purpose: Perpetual easement and right-of-way for pedestrian, equestrian and recreation oriented vehicular travel (Affects Parcel 2)

EXCEPTION No. 21 (PLOTTED) Affects the Northerly 50 Feet of Parcels 1, 3 & 3A, and the Southerly line of Parcel 2: Terms, provisions, covenants, conditions and restrictions, easements, charges, assessments and liens provided in the Covenants, Conditions and Restrictions, but omitting any covenant, condition or restrictions, if any based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap, but does not discriminate against handicapped persons: Recorded: March 13, 1984; Entry No.: 903786; Book/Page: 1442/1429; NOTE: These protective covenants apply to land described in Easement 1442-1434

EXCEPTION No. 22 (NOT PLOTTED) No Document Provided: The rights of the Board of Water Resources and Wilson Irrigation Company in that certain agreement and easement recorded in said county, wherein said parties have entered into contracts for the construction of water conservation projects and grant therein the use of an existing water distribution system.

EXCEPTION No. 23 (PLOTTED) Affects all of Parcel 3A and the Westerly 30 Feet of Parcel 3: Subject to a 30 foot right of way over the East side of I-15 and subject to any agreements as to the maintenance thereof, as shown on Warranty Deed, Entry No. 2257501 and recorded on April 19, 2007

EXCEPTION No. 24 (NOTHING TO PLOT) Restrictions affect all Parcels: Restrictions and terms as contained in Special Warranty Deed Entry No. 1782156 in Book 2152 at Page 2315.

EXCEPTION No. 25 (NOTHING TO PLOT) Does Not Affect Subject Parcels: Subject to the Willard Canal and any rights to repair and/or maintain the same.

EXCEPTION No. 26 (NOTHING TO PLOT) No Apparent, Appurtenant Structures Affect Subject Parcels: Subject to the Layton Intake Channel and any appurtenant structures or facilities.

EXCEPTION No. 27 (NOTHING TO PLOT): Foot Bridge and Canal Bridge Are Not Directly Adjacent to Subject Parcels. Exception 24 Does Not Describe a Mountain Fuel Easement, Provided Survey Does Not Disclose Exact Location of Discrepancies, Conflicts and Shortages As They pertain to Subject Parcels: Subject to the following matters disclosed by that certain survey made by Hansen and Associated on February 16, 2001.

- a) Trails and paths associated with a footbridge crossing the Layton Intake Channel
b) Rights associated with Canal Bridge crossing the Layton Intake Channel
c) Existing building encroachments onto the Mountain Fuel Easement shown as Exception 24
d) Discrepancies, conflicts in boundary lines, shortages in area and encroachments which may be disclosed by public records, including but not limited to matters arising from the existence of multiple section corners
e) Apparent discrepancies between historical title descriptions and fence lines
f) Occupation line which appears to disclose encroaching occupation from neighboring parcels as well as encroachment onto neighboring parcel

EXCEPTION No. 28 (NOTHING TO PLOT) Subject Parcels Have Conflicting Information with Stated Surveys, However Do Appear to be in Harmony with Survey Improvements: Subject to any matters disclosed by that certain Survey No. 3790 made by Mountain West Surveying and Mapping on February 20, 2007 and that certain Survey No. 4504 made by Pinnacle Engineering and Land Surveying on January, 2005 and Filed on January 13, 2011. (Note: Said Surveys have conflicting information and conflicts as well with County Recorders Office Descriptions)

EXCEPTION No. 29 (NOTHING TO PLOT) Affects All of Parcel 2, and the Northerly Portion of Parcels 1, 3, & 3A: That portion of the property, if any, included within the description to be insured herein, which was acquired, or may hereafter be acquired by virtue of avulsion or the artificial alteration of the course of a stream or river, or lands that may have been lost by sudden artificial alteration in the course of a stream or river prior to the issue date of this document; and any adverse claim based on the assertion that the bed of a river or stream has changed location as a result of other than natural causes.

EXCEPTION No. 30 (NOTHING TO PLOT): Affects All Parcels: Lack of a right of access to an open public highway, street, or other public thoroughfare.

NOTE: This exception is necessary because the record does not disclose an insurable means of access to said land. It is unclear as to whether there is an insurable means of access over the Layton Intake Channel.

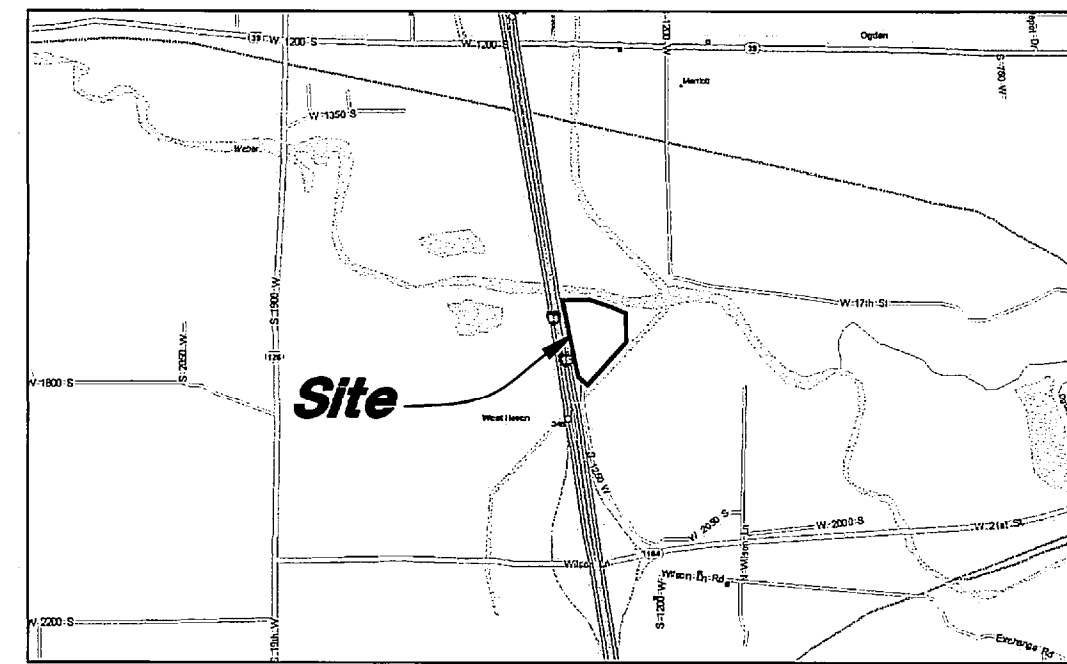
EXCEPTION No. 32 (PLOTTED) Affects all of Parcel 3A and the Westerly 30 Feet of Parcel 3: The right of way described in Schedule A as Parcel 3A does not appear to be complete and has the following issues:

- (1) Does not provide access over the Layton Intake Channel
(2) Is not adequately described so as to specifically detail the
(3) exact location of the right of way.
(4) Does not specify if it is exclusive or non-exclusive. (Affects Parcel 3)

FLOOD ZONE

The Northern portion of the subject property adjacent to the Weber River lies within flood zone 'AE' as shown on the FEMA Flood Insurance Rate Map for Weber County, Utah and Incorporated Areas Map No. 49057C0407E dated December 16, 2005 (Community Panel No 4902490407E for City of West Haven). Flood Zone AE is defined as "Areas Subject to Inundation by the 1% Annual Chance Flood Event. Base Flood Elevations Determined."

The Southerly portion of the property lies within flood zone 'X' (unshaded) as shown on the FEMA Flood Insurance Rate Map for Weber County, Utah and Incorporated Areas Map No. 49057C0407E dated December 16, 2005, (Community Panel No 4902490407E for the City of West Haven). Flood Zone X (unshaded) is defined as "Areas determined to be outside the 0.2% Annual Chance Floodplain".



VICINITY MAP Not to Scale

ZONING

As per Optional Item 6 of Table A, No zoning information was provided at the time of the survey.

NOTES

- 1. There is observed evidence of current and/or recent earth moving work, building construction or building additions it appears in recent past, large amounts of material have been moved on and off the site.
2. There are no proposed changes in street right of way lines or observed evidence of recent street or sidewalk construction or repairs which would affect subject property.

BENCHMARK

Weber County Benchmark No WC-48, Top of 3" Brass Cap Monument Set in Centerline of Ditch Abutment on East side of 1900 West Street.

Elevation 4258.226 (NGVD '29)

DESCRIPTIONS FROM TITLE REPORT

Parcel 1: A part of the Southeast quarter of Section 24, Township 6 North, Range 2 West of the Salt Lake Base and Meridian. Beginning of a point on the East right-of-way line of Interstate 15 located North 89°41'49" West 1899.94 feet along the South line of said Section from the Southeast corner of said Southeast quarter; running thence along said right-of-way line the following three courses: (1) North 09°15'02" West 182.71 feet (2) North 11°48'02" West 450.40 feet (3) North 09°15'02" West 434.86 feet to the South bank of the Weber River; thence along said bank the following six courses (1) South 81°07'04" East 156.06 feet; (2) South 82°52'24" East 132.64 feet; (3) South 79°46'39" East 135.54 feet; (4) South 81°11'34" East 143.36 feet; (5) South 64°04'40" East 127.82 feet; (6) South 71°04'14" West 112.34 feet; thence South 00°00'00" West 350.56 feet to the Northerly line of the Layton Intake Channel property; thence along said property line South 44°47'58" West 734.75 feet to the South line of said Southeast quarter; thence South 89°41'49" West 72.98 feet along said South line to the point of beginning.

Less and excepting:

Being a part of the Southeast Quarter of Section 24, Township 6 North, Range 2 West, Salt Lake Base and Meridian.

Beginning at a point on the East right of way line of Interstate 15 located North 89°41'49" West 1899.94 feet along the South line of said section (basis of bearing being NAD27) and North 9°15'02" West 182.71 feet and North 11°48'02" West 378.00 feet from the Southeast Corner of said Southeast Quarter, running thence along said right of way, North 11°48'02" West 72.40 feet and North 9°15'02" West 434.86 feet; thence South 81°07'04" East 156.06 feet; thence South 82°52'24" East 132.64 feet; thence South 79°46'39" East 135.54 feet; thence South 1°01'39" East 185.71 feet; thence South 83°92' feet; to the right of way line of future 60 foot street the following three courses: (1) along a curve to the left having a radius of 50.0 feet and a central angle of 131°54'13", an arc distance of 115.11 feet (long chord bears South 37°15'42" East 91.32 feet; (2) along a curve to the right having a radius of 30.0 feet and a central angle of 60°00'57", an arc distance of 31.42 feet (long chord bears South 73°13'50" East 30.01 feet); (3) South 43°13'22" East 5.07 feet; thence South 49°30'54" West 100.00 feet; thence South 78°18'50" West 354.14 feet, to the point of beginning.

Parcel 2:

A part of the Southeast quarter of Section 24, Township 6 North, Range 2 West of the Salt Lake Base and Meridian. Beginning of a point on the East right-of-way line of Interstate 15 and on the South bank of the Weber River located North 89°41'49" West 2096.88 feet along the South line of said Southeast quarter and North 00°18'11" East 1049.39 feet from the Southeast corner of said Southeast quarter; Running thence along said right-of-way line North 09°15'02" West 46.35 feet to the centerline of the Weber River; thence along said centerline the following two (2) courses: (1) North 82°42'33" East 305.94 feet; (2) South 80°12'15" East 411.68 feet to grantors Easterly property line, thence along said Easterly property line the following three (3) courses: (1) South 0°00'03" West 11.40 feet; (2) South 45°21'00" East 113.00 feet; (3) South 00°00'00" West 24.94 feet to the South bank of the Weber River; thence along the said South bank the following six courses (1) North 71°04'14" West 112.34 feet; (2) North 64°04'40" West 127.82 feet; (3) North 81°11'34" West 143.36 feet; (4) North 79°46'39" West 135.54 feet; (5) North 82°52'24" West 132.64 feet; (6) North 81°07'04" West 156.06 feet to the point of beginning.

Less and Excepting therefrom any portion of the property lying within the Weber River.

Parcel 3:

Being a part of the Southeast Quarter of Section 24, Township 6 North, Range 2 West, Salt Lake Base and Meridian.

Beginning at a point on the East right of way line of Interstate 15 located North 89°41'49" West 1899.94 feet along the South line of said section (basis of bearing being NAD27) and North 9°15'02" West 182.71 feet and North 11°48'02" West 378.00 feet from the Southeast Corner of said Southeast Quarter, running thence along said right of way, North 11°48'02" West 72.40 feet and North 9°15'02" West 434.86 feet; thence South 81°07'04" East 156.06 feet; thence South 2°52'24" East 132.64 feet; thence South 79°46'39" East 59.04 feet; thence South 1°01'39" East 185.71 feet; thence South 60°13'25" East 83.92 feet, to the right of way line of future 60 foot street the following three courses: (1) along a curve to the left having a radius of 50.0 feet and a central angle of 131°54'13", an arc distance of 115.11 feet (long chord bears South 37°15'42" East 91.32 feet; (2) along a curve to the right having a radius of 30.0 feet and a central angle of 60°00'57", an arc distance of 31.42 feet (long chord bears South 73°13'50" East 30.01 feet); (3) South 43°13'22" East 5.07 feet; thence South 49°30'54" West 100.00 feet; thence South 78°18'50" West 354.14 feet, to the point of beginning.

Parcel 3A

Together with a 30 foot right of way along East side of Interstate 15 (created "at time of parcel creation).

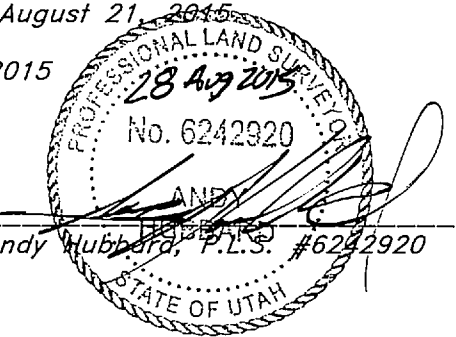
NARRATIVE

This ALTA/ASCM Land Title Survey was requested by Kyle Treadway of Kenworth Sales for the purpose of Secure Financing. Gross Cap Monuments for the Southwest Corner and Southeast Corner of Section 24, Township 6 North, Range 2 West, Salt Lake Base and Meridian. The South Quarter Corner was not found and calculated into position from prior surveys. A line bearing South 89°01'52" East between said Southwest Corner and Southeast Corner of Section 24 was used as the Basis of Bearings for this Survey. The following documents were used as reference for this survey: A Property Survey for Gene Babiliss prepared by Hansen & Associated, Inc. dated June 27, 2001. A Record of Surveyed for Doyle Johnston prepared by Mountain West Surveying and Mapping dated December 6, 2006 and filed February 20, 2007. A Boundary & Topographic Survey prepared by Pinnacle Engineering & Land Surveying, Inc. dated February 2005, and filed January 13, 2011.

SURVEYOR'S CERTIFICATE

To: First American Title Insurance Company; and Backman Title Services, Ltd., Treadway Investment LLC., ADG REO-UT Land, LLC, and CRE UT-Relall, LLC.; This is to certify that this map or plat of the survey on which it is based were made in accordance with the 2011 Minimum Standard Requirements for ALTA/ASCM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 5, 6(b), 7(a), 8, 11(b), 13, 16, & 17 of Table A hereof.

The field work was completed on - August 21, 2015 Date of Plat or Map - August 28, 2015

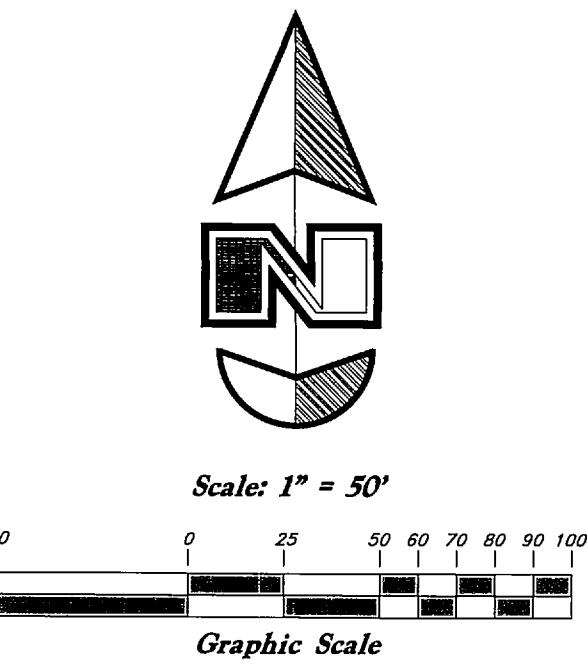
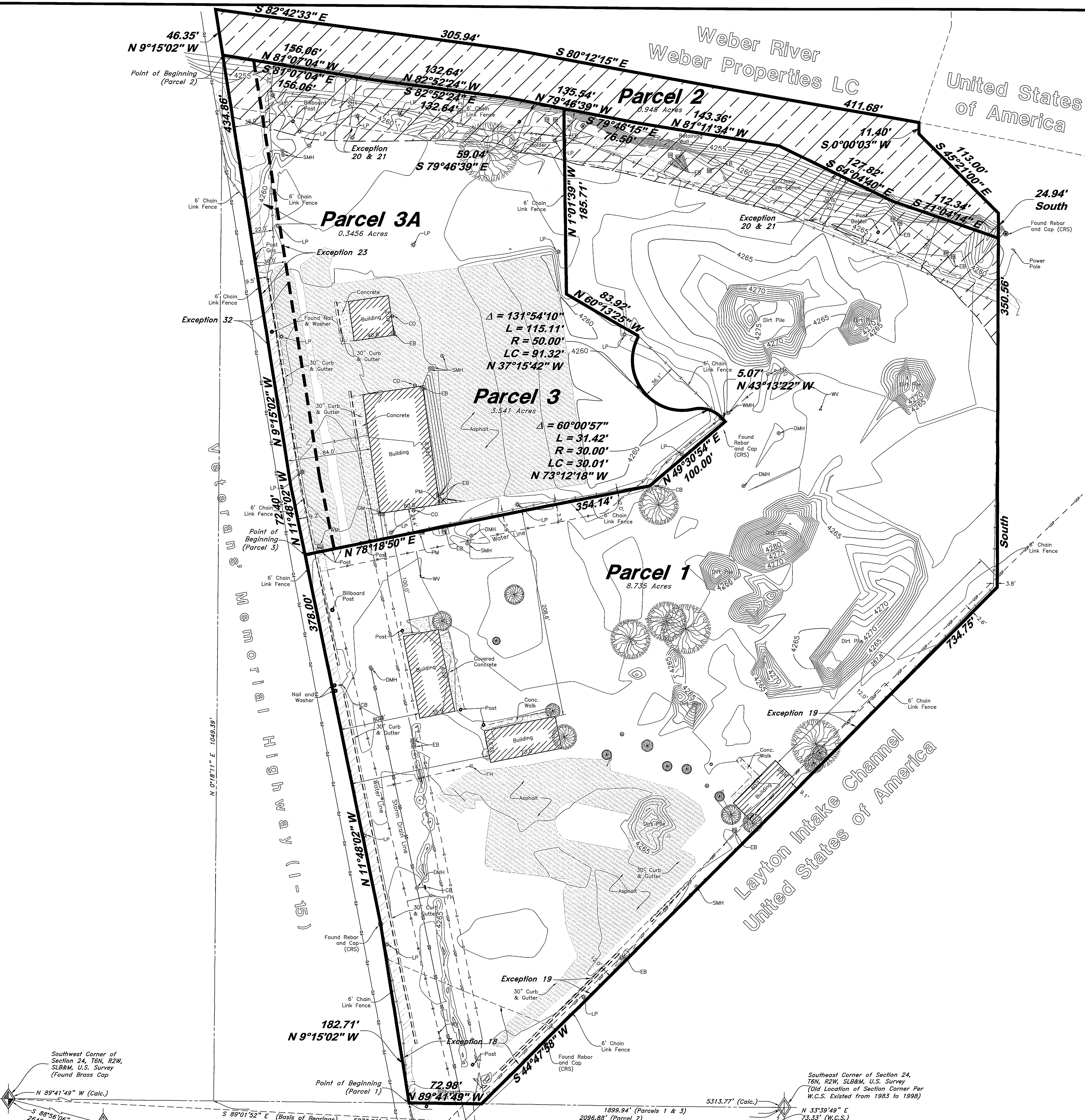


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GREAT BASIN ENGINEERING logo and contact information: 5746 SOUTH 1475 EAST, BLDG 0802, WEST HAVEN, UT 84414, PHONE (801) 934-4515, FAX (801) 392-7544, WWW.GREATBASINENGINEERING.COM

ALTA/ASCM Land Title Survey Kenworth - West Haven 1750 South, 1350 West West Haven, City, Weber County, Utah A part of Section 24, 16N, 25W, SL&M, U.S. Survey

28 Aug, 2015 SHEET NO. 1 15N825



**Legend**

(Note: All items may not appear on drawing)

- San. Sewer Manhole
- Water Manhole
- Storm Drain Manhole
- Electrical Manhole
- Catch Basins
- Power Meter
- Telephone Box
- Gas Meter
- Fire Hydrant
- Water Valve
- Sanitary Sewer
- Culinary Water
- Gas Line
- Irrigation Line
- Storm Drain
- Telephone Line
- Secondary Waterline
- Power Line
- Fiber Optic Line
- Fence
- Flowline of ditch
- Exist. Contour
- Power pole
- Power pole w/guy
- Light Pole
- Electrical Box
- Catch Basin
- CB
- SMH
- FH
- WV
- SD
- Storm Drain
- Water Manhole
- Storm Drain Manhole
- Sewer Manhole
- Flowline
- Existing Asphalt
- Concrete
- Centerline
- Existing Building
- Set Nail & Washer
- Set Rebar & Cap
- Found Section Corner
- Weber County Surveyor
- Flood Zone 'AE'

GREAT BASIN ENGINEERING

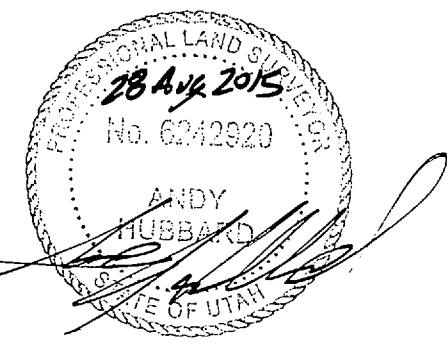
ALTA/ASCM Land Title Survey

Kenworth - West Haven

1750 South 1350 West  
West Haven City, Weber County, Utah  
A part of Section 24, T6N, R2W, SLB&M, U.S. Survey

SHEET NO. 2

15N825



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Southwest Corner of Section 24, T6N, R2W, SLB&M, U.S. Survey (Found Brass Cap)  
N 89°41'49" W (Calc.)  
S 89°56'06" E 2645.60' (Calc.)

South 1/4 Corner of Section 24, T6N, R2W, SLB&M, U.S. Survey (Not Found)  
S 89°07'41" (Calc.)  
S 89°01'52" E (Basis of Bearings) 5273.80' (Meas.)

Southeast Corner of Section 24, T6N, R2W, SLB&M, U.S. Survey (Old Location of Section Corner Per W.C.S. Existed from 1983 to 1996)  
N 33°39'49" E 73.33' (W.C.S.)  
5313.77' (Calc.)

1899.94' (Parcels 1 & 3)  
2096.88' (Parcel 2)  
2628.21' (Calc.)