

ALTA / NSPS LAND TITLE SURVEY

270 12th Street
Ogden, Utah 84404

Order Number: NCS-789991-PHX1 Amendment No. 4
Effective Date: May 27, 2016 at 7:30 a.m.

To: Leadership Circle, LLC, a Colorado limited liability company
Moyes Condo LLP
Ogden RE I, LLC
First American Title Insurance Company
Fidelity Bank

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 5, 6a, 7a, 7b1, 8, 9, 11, 13, 14, 16, 17, 18, 19 and 20 of the Table A thereof. The field work was completed on May 6, 2016.

Date of Plat: July 26, 2016

Nathan B. Weber
Professional Land Surveyor
Nathan B. Weber, PLS
License No. 5152762

Legal Description

Part of the Northeast Quarter of Section 20, Township 6 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey; Beginning at a point North 89°09'45" West 794.51 feet (deed), 860.70 feet (measured), North 0°50'15" East 80.0 feet from the intersection of Washington Blvd., and 12th Street and running thence North 89°09'45" West 180.0 feet to the East line of Child's Avenue; thence North 0°58' East along said East line of Child's Avenue 338.87 feet; thence South 89°09'45" East 318.76 feet; thence South 0°50'15" West 117.84 feet; thence North 89°09'45" West 139.75 feet; thence South 0°50'15" West 220 feet to the point of beginning.

SCHEDULE B - Section 2
Exceptions

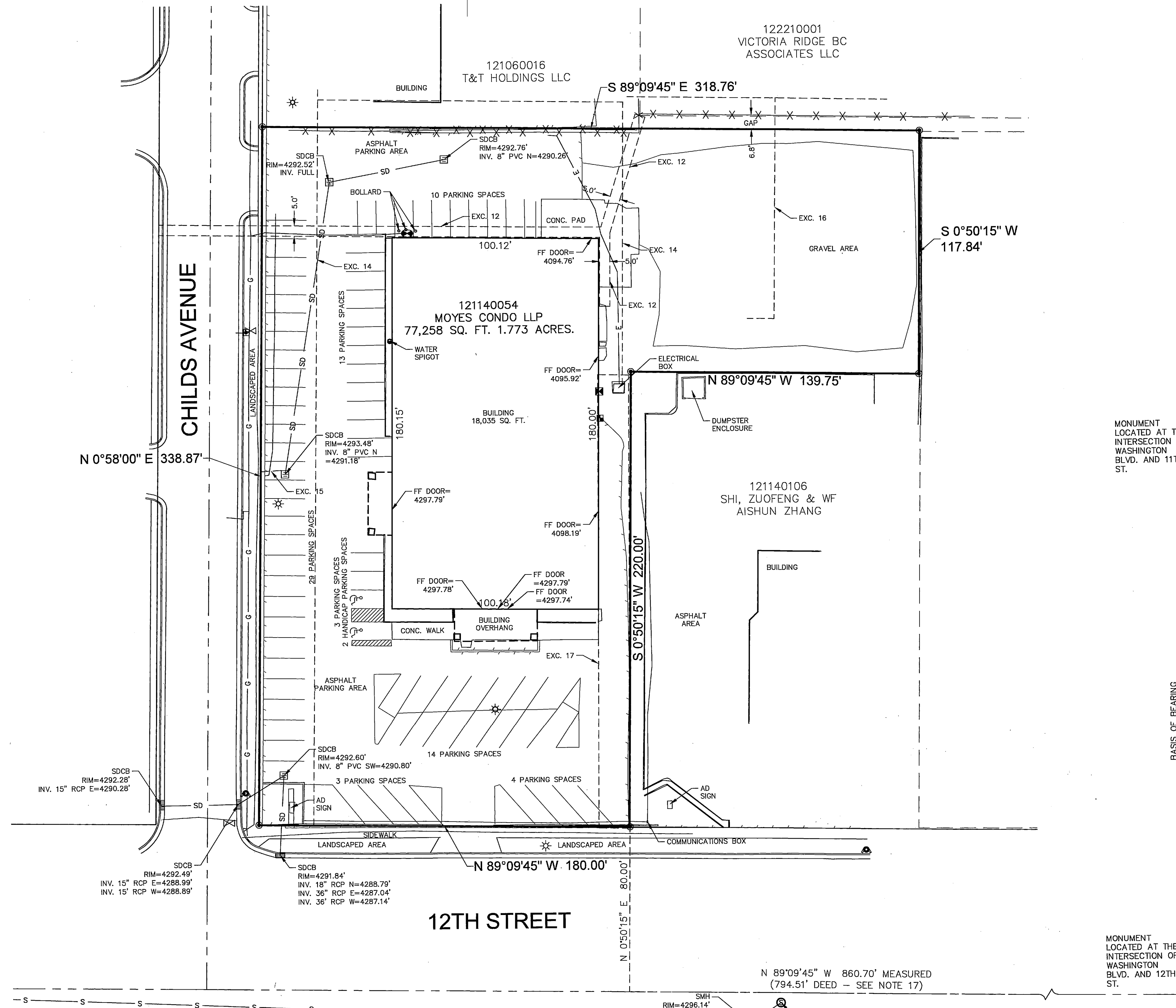
- Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
Survey Findings: Unable to show graphically. This item may or may not effect the property.
- Any facts, rights, interest or claims 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.
Survey Findings: Unable to show graphically. This item may or may not effect the property.
- Easements, claims of easements or encumbrances which are not shown by the public records.
Survey Findings: Unable to show graphically. This item may or may not effect the property.
- 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.
Survey Findings: There is a misclosure of deed in the southeast corner of the property of 1.05' from the description in the title report.

- Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
Survey Findings: Unable to show graphically. This item may or may not effect the property.
- 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.
Survey Findings: Unable to show graphically. This item may or may not effect the property.
- 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.
Survey Findings: Unable to show graphically. This item may or may not effect the property.

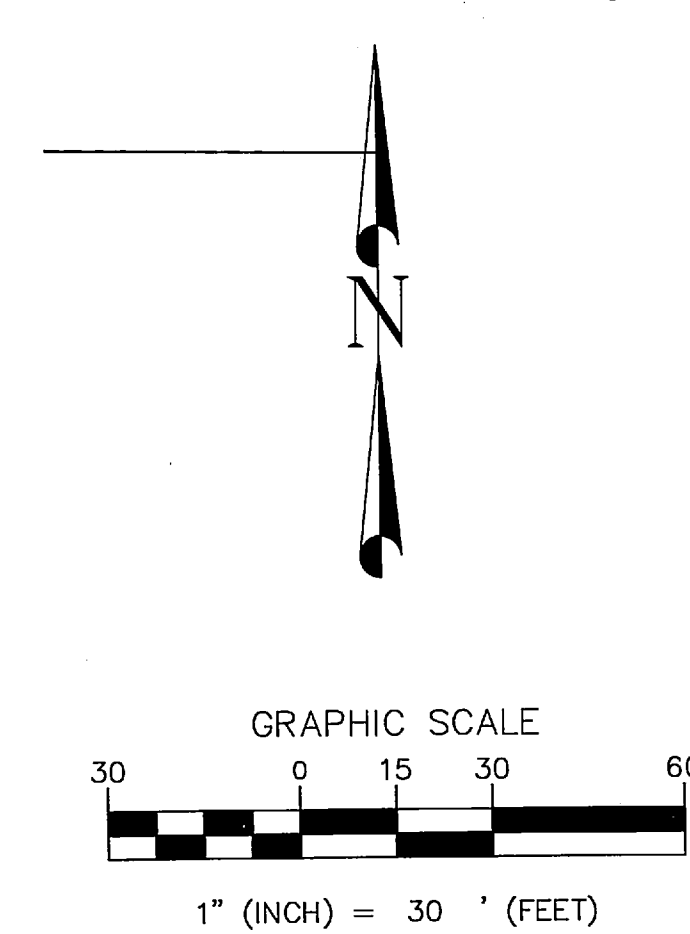
- Taxes for the year 2016 now a lien, not yet due. General property taxes for the year 2015 were paid in the amount of \$ 16,727.36. Tax Parcel No. 12-114-0054.
Survey Findings: Unable to show graphically. This item affects the property.
- This item has been intentionally deleted.
- This item has been intentionally deleted.
- This item has been intentionally deleted.
- Right of Way Easement in favor of Mountain States Telephone and Telegraph Company recorded April 24, 1978 as Entry No. 736320 in Book 1237 at Page 738 of Official Records.
Survey Findings: The exhibit attachment shows the buried telephone line extending from the common corner of the adjoiners to the north and extending towards the NE corner of the building. The lines run 36 feet parallel and 3 feet from the face of the building along the East side to the terminus and parallel and 3 feet from the face of the building extending to the West Right of Way of Childs Ave. The easement is a 5 foot wide easement 2.5 feet on each side of the buried line. The easement is depicted on this plat. We found no above ground evidence of the buried cables.

- This item has been intentionally deleted.
- Utah Power and Light Company Easement recorded June 22, 1979 as Entry No. 780978 in Book 1309 at Page 258 of Official Records.
Survey Findings: The easement lies within the property as shown. This affects the property.
- Utah Power and Light Company Easement recorded August 14, 1979 as Entry No. 786429 in Book 1318 at Page 185 of Official Records.
Survey Findings: The easement is located on the west side of the property as shown. This affects the property.

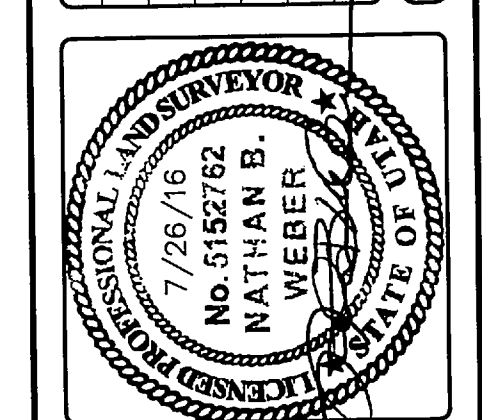
- Utah Power and Light Company Easement recorded February 14, 1980 as Entry No. 803276 in Book 1344 at Page 432 of Official Records.
Survey Findings: A portion of the easement is located in the Northeast portion of the property as shown. This affects the property.
- Subject to an Easement for ingress and egress as set forth in that certain Warranty Deed recorded January 19, 1981 as Entry No. 828484 in Book 1374 at Page 1888 of Official Records.
Survey Findings: The easement is located on the Easterly portion of the property as shown. This item affects the property.
- This item has been intentionally deleted.
- This item has been intentionally deleted.



- Notes:**
- The basis of bearing is North 0°50'15" East between the Monuments in Washington Boulevard at the points of intersection 12th Street and 11th Street of Section 20, Township 6 North, Range 1 West, Salt Lake Base and Meridian. The survey control was established with GPS from the Utah State VRS system. The GPS data was measured on the Utah State Plane Central USF NAD83 system and was then projected to a local ground system for this survey.
 - The purpose of this survey is to retrace and monument the boundary of the described property according to the official records and the location of pertinent existing improvements located on the ground.
 - This does not represent a title search by the surveyor. Title information was provided by others for the subject property.
 - The location of underground utilities as shown hereon are based on above ground structures and blue stake locations. Additional maps were acquired from utility GIS and mapping departments for verification. Locations of underground utilities/structures may vary from locations shown hereon. Additional buried utilities/structures may be encountered. No excavations were made during the progress of this survey to locate buried utilities/structures. Before excavations are begun, please contact blue stakes and appropriate agencies.
 - The property contains 77,258 sq. ft. 1.773 acres.
 - The Property has access to 12th Street and Childs Avenue.
 - The Purported address of the site 270 12th Street, Ogden, Utah 84404.
 - The Property lies within Flood Zone X, Per FEMA Panel Map Number 49057C0426E.
 - The property lies within C-2, Community Commercial Zone, according to the Ogden City Zoning Map.
 - There is no observed evidence of current earth moving work, building construction or buildings addition on the Property.
 - The is no observed evidence of site use as a solid waste dump, sump or sanitary landfill.
 - The Property contains 76 parking spaces and 2 Handicap parking spaces.
 - Parcel 1 is 83 feet from the intersection of Childs Avenue and 12th Street.
 - There are no proposed changes in street right of way lines.
 - The property does not lie within any wetland areas per the U.S. Fish and Wildlife National Wetlands Mapper.
 - There are no encroachments upon the property.
 - The tie in the Warranty Deed and in the title report for this property does not match the actual tie distance along the centerline of 12th street as shown on this plat. The distance of 794.51' plus the width of the lot, 180.00' matches the length of the block between the right of ways of Childs Avenue and Washington Avenue as calculated from coordinates shown on Ogden City Plat, Drawing No. 2633. The right of way width of Washington Avenue is 66' wide. The monument is in the center of the right of way on additional 66' east. The tie shown takes into account the additional 66' as measured.



BY	REVISIONS	DATE	DESCRIPTION
	1	7/22	Note 17 - tie distance
	2	7/26	UPDATED TITLE REPORT AND DESCRIPTION



DIAMOND LAND SURVEYING, LLC
Boundary Surveys
Topographic Surveys
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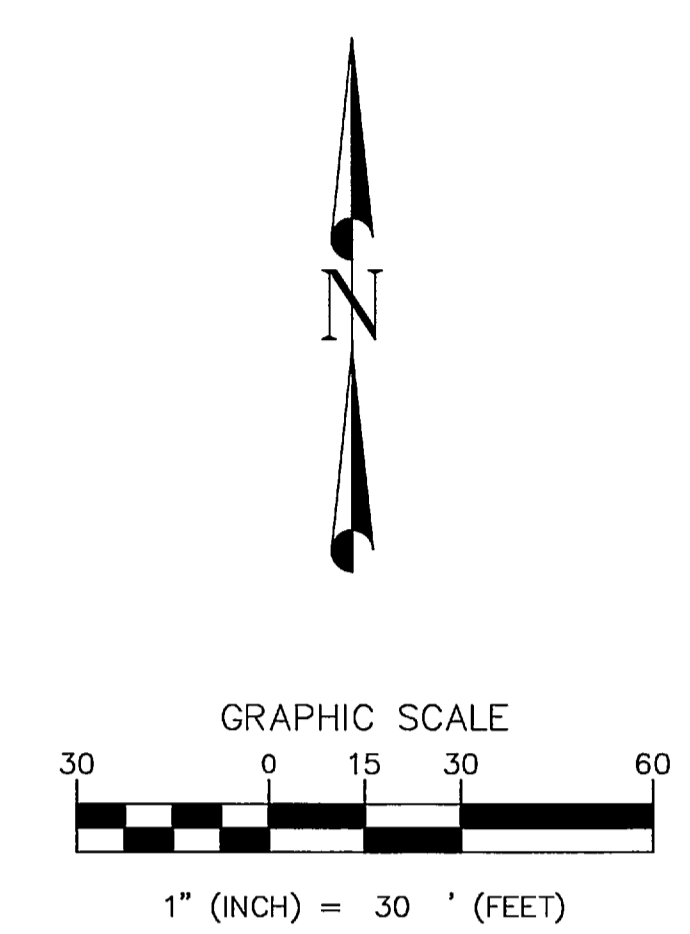
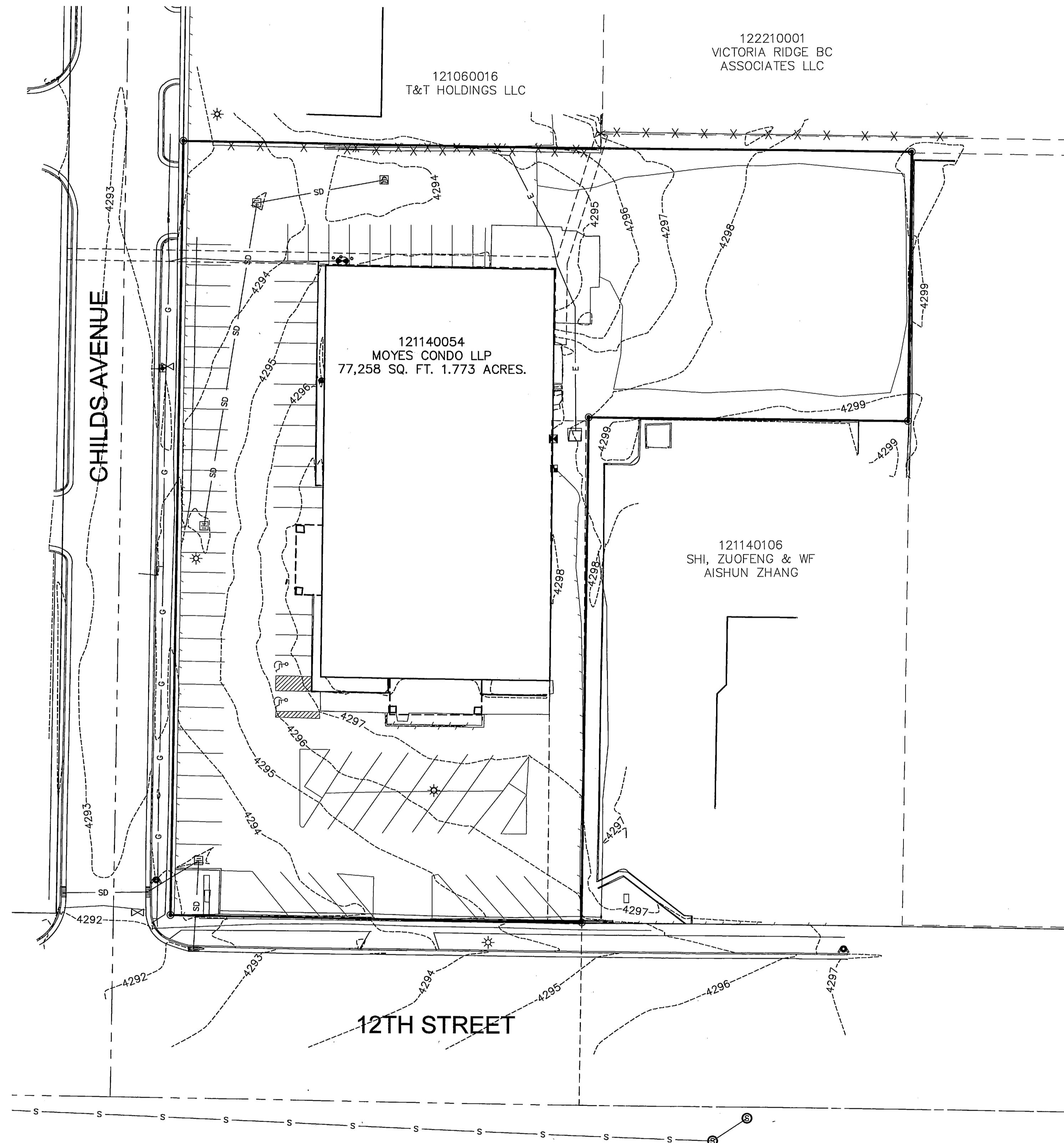
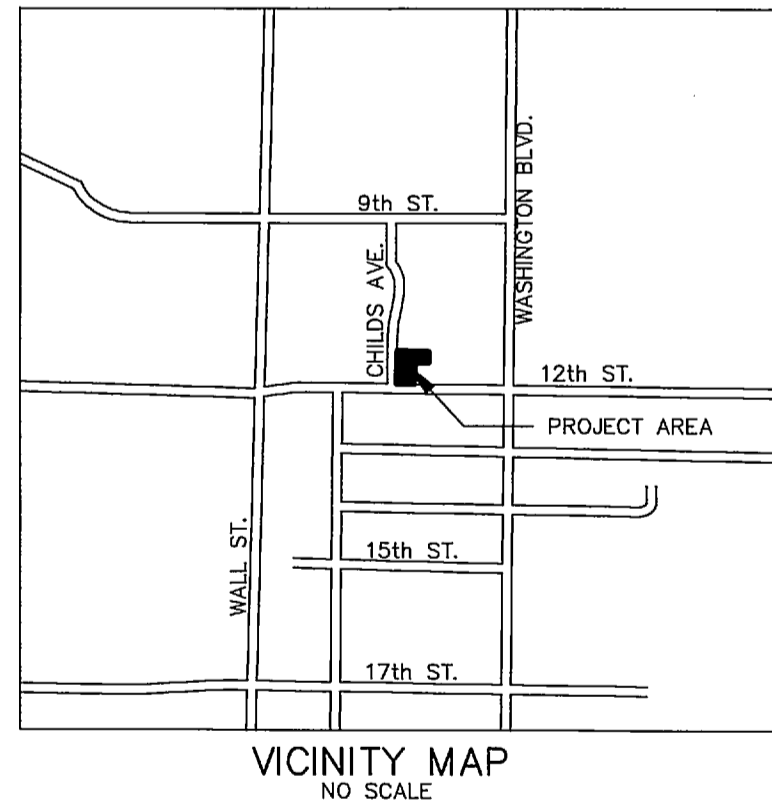
KIMLEY-HORN

DATE PLOTTED 7/26/16
JOB No. 16-068
SHEET 1 OF 2

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BY: 5634A

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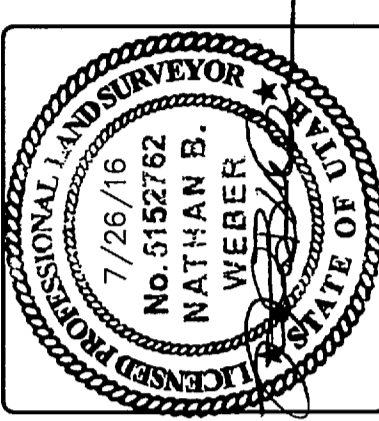
LEGEND	
—E—	Electric Line
—G—	Gas Line
—SD—	Storm Drain Line
—S—	Sanitary Sewer Line
—W—	Water Line
—COMM—	Communications Line
---	Easement Line
---	Boundary Line
---	Right-of-Way Line
---	Street Centerline
---	Adjoiner Line
X X X	Fence Line
---	Tie Line
---	Edge of Asphalt
⊗	Water Valve
⊕	Fire Hydrant
⊙	Water Meter
⊕	Brass Cap Monument
⊙	Property Corner
⊕	Sanitary Sewer Manhole
⊕	Storm Drain Control Box
⊕	Storm Drain Control Box(Square)
⊕	Cable Box
⊕	Electric Meter
⊕	Light
⊕	Gas Meter
⊕	Handicap Parking



MONUMENT
 LOCATED AT THE
 INTERSECTION OF
 WASHINGTON
 BLVD. AND 11TH
 ST.

MONUMENT
 LOCATED AT THE
 INTERSECTION OF
 WASHINGTON
 BLVD. AND 12TH
 ST.

MONUMENT
 LOCATED AT THE
 INTERSECTION OF
 WASHINGTON
 BLVD. AND 12TH
 ST.



Boundary Surveys
 Topography Surveys
 Subdivisions
 Construction Staking
 ALTA & A.C.S.M. Surveys

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KIMLEY-HORN

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DATE PLOTTED 7/26/16
 JOB No. 16-068
 SHEET
 2 OF 2

RECEIVED
 JAN 05 2017
 BY: 52634.B

NO.	DATE	REVISIONS	BY

DRAWN BY: MGO SURVEY DATE: _____