

# ALTA/NSPS LAND TITLE SURVEY

TAX ID NO. 01-102-0001, 01-102-0002, 01-102-0003  
LYING WITHIN THE EAST HALF (E 1/2) OF SECTION 29, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN,  
ALSO BEING A PART OF BLOCK 38, PLAT 'A', OGDEN CITY SURVEY, WEBER COUNTY, UTAH

## SURVEYOR'S CERTIFICATE

THIS SURVEY IS MADE FOR THE BENEFIT OF: LOTUS ACQUISITIONS, LLC, A UTAH LIMITED LIABILITY COMPANY; TREZ CAPITAL, LP, AND 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 LAWS REGULATING SURVEYING IN THE STATE OF UTAH, AND IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 3, 4, 6(a), 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 10, 13, 14, 16, 17, 18, AND 19. THE FIELD WORK WAS COMPLETED ON OCTOBER 18, 2021.

## LEGAL DESCRIPTION

LOTS 1, 2 AND 3, OGDEN CITY PLAZA SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE WEBER COUNTY RECORDER'S OFFICE.

SAID PROPERTY IS ALSO KNOWN BY THE STREET ADDRESS OF:

LOT 1: 2261 GRANT AVENUE, OGDEN, UT OGDEN, UT 84401

LOT 2: 2263 GRANT AVENUE, OGDEN, UT OGDEN, UT 84401

LOT 3: 2251 GRANT AVENUE, OGDEN, UT, OGDEN, UT 84401

## BASIS OF BEARING

NORTH 00°58'00" EAST, BEING THE BEARING OF LINCOLN AVENUE BETWEEN STREET INTERSECTION MONUMENTS FOUND AT 23RD STREET AND 22ND STREET IN OGDEN CITY.

## SURVEY NOTES

THIS SURVEY IS BASED ON A PRELIMINARY TITLE REPORT COMMITMENT NUMBER NCS-1080615-SLC1, COMMITMENT DATE: JUNE 25, 2021 AT 7:30 A.M., ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, REDCON, INC. AND THE CERTIFYING SURVEYOR ASSUME NO RESPONSIBILITY OR LIABILITY FOR THE COMPLETENESS OR ACCURACY OF THE PREVIOUSLY MENTIONED REPORT. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH AND IS SUBJECT TO THE EXCLUSIONS, RESTRICTIONS AND EXCEPTIONS LISTED IN THE REFERENCES AND DESCRIBED IN SAID TITLE REPORT.

THE LOCATION OF UTILITIES HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE-GROUND APPURTENANCES ONLY; OLD/FADED SURFACE GROUND MARKINGS WERE USED TO DETERMINE THE LOCATION OF THE SUB TERRAIN USES. THE LOCATION OF ALL UNDERGROUND UTILITIES ARE APPROXIMATE ONLY AND SHOULD BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION.

### SURVEY FINDINGS:

- NO OBSERVED EVIDENCE OF CEMETERIES OR BURIAL GROUNDS ON SURVEYED PROPERTY. NO DOCUMENTS WERE PROVIDED TO OR OBTAINED BY THE SURVEYOR.
- PARCELS ARE LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION "X" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP NO. 49057C0426E, WITH AN EFFECTIVE DATE OF DECEMBER 16, 2005, IN WEBER COUNTY, STATE OF UTAH. THIS IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID SURVEYED PROPERTY IS SITUATED.
- LOT 1 HAS DIRECT ACCESS TO 22ND STREET, 23RD STREET AND LINCOLN AVENUE, ALL OF WHICH ARE DEDICATED PUBLIC STREETS OR RIGHT-OF-WAY. LOT 2 HAS DIRECT ACCESS TO 23RD STREET AND GRANT AVENUE, AND ACCESS VIA EASEMENT TO 22ND STREET, ALL OF WHICH ARE DEDICATED PUBLIC STREETS OR RIGHT-OF-WAY. LOT 3 HAS DIRECT ACCESS TO GRANT AVENUE, AND ACCESS VIA EASEMENT TO 22ND STREET, BOTH OF WHICH ARE DEDICATED PUBLIC STREETS OR RIGHT-OF-WAY.
- LOT 1 CONTAINS A TOTAL NUMBER OF 333 STRIPED REGULAR PARKING SPACES AND 13 HANDICAP SPACES. LOT 2 CONTAINS A TOTAL NUMBER OF 132 STRIPED REGULAR PARKING SPACES AND 4 HANDICAP SPACES. LOT 3 CONTAINS A TOTAL NUMBER OF 19 STRIPED REGULAR PARKING SPACES AND 0 HANDICAP SPACES.
- EXCEPT AS SHOWN, ALL UTILITIES OBSERVED IN THE PROCESS OF CONDUCTING THE SURVEY SERVING THE PROPERTY ENTER THROUGH ADJOINING PUBLIC STREETS AND/OR EASEMENTS OF RECORD.
- NO PROPOSED CHANGES IN STREET RIGHT-OF-WAY LINES WERE PROVIDED TO THE SURVEYOR.
- NO WATER FEATURES OR DELINEATION FOR WETLANDS WERE ENCOUNTERED IN THE PROCESS OF CONDUCTING THE FIELDWORK.
- THE RECORDED PLAT DOES NOT LIST OR SHOW ANY SETBACKS. NO ZONING OR SETBACK REPORT WAS PROVIDED TO SURVEYOR.
- ALL AREAS IN RECIPROCAL EASEMENT AGREEMENTS AS LISTED IN THE ABOVE MENTIONED TITLE REPORT HAVE BEEN DENOTED ON THE SURVEY.

## APPLICABLE SCHEDULE B - SECTION II EXCEPTIONS

ALL PERTINENT EXCEPTIONS ARE LISTED AND AFFECT PROPERTY AS STATED OR EXPLAINED BY LISTING SURVEY FINDINGS FOLLOWING EACH EXCEPTION:

(THE FOLLOWING AFFECTS LOT 1)

- TAXES FOR THE YEAR 2021 NOW A LIEN, NOT YET DUE. GENERAL PROPERTY TAXES FOR THE YEAR 2020 WERE PAID IN THE AMOUNT OF \$80,345.16. TAX PARCEL NO. 01-102-0001.

(THE FOLLOWING AFFECTS LOT 2)

- TAXES FOR THE YEAR 2021 NOW A LIEN, NOT YET DUE. GENERAL PROPERTY TAXES FOR THE YEAR 2020 WERE PAID IN THE AMOUNT OF \$13,997.49. TAX PARCEL NO. 01-102-0002.

(THE FOLLOWING AFFECTS LOT 3)

- TAXES FOR THE YEAR 2021 NOW A LIEN, NOT YET DUE. GENERAL PROPERTY TAXES FOR THE YEAR 2020 WERE PAID IN THE AMOUNT OF \$4,720.07. TAX PARCEL NO. 01-102-0003.

- ANY CHARGE UPON THE LAND BY REASON OF ITS INCLUSION IN CENTRAL WEBER SEWER AND OGDEN CITY.

(THE FOLLOWING EXCEPTION AFFECTS ALL OF THE LAND, TOGETHER WITH OTHER LAND NOT INCLUDED HEREIN)

- ACCESS EASEMENT AGREEMENT, DATED JANUARY 10, 1979, BY AND BETWEEN OGDEN CITY PLAZA ASSOCIATES, A UTAH LIMITED PARTNERSHIP IN WHICH HAHN DEVCORP, A CALIFORNIA CORPORATION AND ERNEST W. HAHN, INC., A CALIFORNIA CORPORATION RECORDED FEBRUARY 13, 1979 AS ENTRY NO. 767049 IN BOOK 1287 AT PAGE 68 OF OFFICIAL RECORDS. SURVEY FINDINGS: EXCEPTION HAS BEEN PLOTTED.

(THE FOLLOWING AFFECTS A PORTION OF THE LAND)

- AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR UNDERGROUND ELECTRIC TRANSMISSION AND INCIDENTAL PURPOSES, AS GRANTED TO UTAH POWER & LIGHT COMPANY, A CORPORATION, ITS SUCCESSORS AND ASSIGNS BY INSTRUMENT RECORDED MARCH 27, 1980 AS ENTRY NO. 807171 IN BOOK 1350 AT PAGE 458 OF OFFICIAL RECORDS. SURVEY FINDINGS: DOCUMENT CONTAINS TWO DESCRIPTIONS, BOTH WITH UNDISCLOSED WIDTHS. EXCEPTION HAS BEEN PLOTTED AS WRITTEN.

(THE FOLLOWING AFFECTS THE EASTERLY PORTION OF THE (SIC) LOT 3)

- AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR UNDERGROUND ELECTRIC TRANSMISSION AND INCIDENTAL PURPOSES, AS GRANTED TO UTAH POWER & LIGHT COMPANY, A CORPORATION, ITS SUCCESSORS AND ASSIGNS BY INSTRUMENT RECORDED FEBRUARY 24, 1981 AS ENTRY NO. 830644 IN BOOK 1376 AT PAGE 1779 OF OFFICIAL RECORDS. SURVEY FINDINGS: EXCEPTION HAS BEEN PLOTTED.

(THE FOLLOWING AFFECTS THE EASTERLY PORTION OF LOT 3)

- ENCROACHMENT PERMIT TO NORTHWEST FOODS LIMITED, A PERMIT TO ENCROACH UPON A PUBLIC STREET RIGHT-OF-WAY ALONG THE WEST SIDE OF GRANT AVENUE BETWEEN 22ND STREET AND 23RD STREET AT 2250 AVENUE, DATED SEPTEMBER 06, 1985 RECORDED SEPTEMBER 13, 1985 AS ENTRY NO. 947468 IN BOOK 1475 AT PAGE 1119 OF OFFICIAL RECORDS. SURVEY FINDINGS: EXCEPTION HAS BEEN PLOTTED. SEE EXCEPTION 24.

- DECLARATION OF CROSS-EASEMENTS OGDEN CITY PLAZA, DATED JUNE 25, 1997 BY AND BETWEEN OGDEN CITY PLAZA INVESTORS, LTD., A UTAH LIMITED PARTNERSHIP RECORDED JULY 29, 1997 AS ENTRY NO. 1484462 IN BOOK 1873 AT PAGE 1314 OF OFFICIAL RECORDS.

AMENDMENT OF DECLARATION OF CROSS-EASEMENTS OGDEN CITY PLAZA, DATED APRIL 22, 2005, BY AND BETWEEN OGDEN CITY PLAZA INVESTORS, LTD., A UTAH LIMITED PARTNERSHIP AND OGDEN PAD, LLC, A UTAH LIMITED LIABILITY COMPANY RECORDED APRIL 28, 2005 AS ENTRY NO. 2099573 OF OFFICIAL RECORDS.

DECLARATION OF COMMON VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS AND AMENDMENT OF CROSS EASEMENT RECORDED NOVEMBER 08, 2007 AS ENTRY NO. 2303823 OF OFFICIAL RECORDS. SURVEY FINDINGS: EXCEPTION IS BLANKET IN NATURE; PROPERTY IS SUBJECT TO THE DOCUMENT AS WRITTEN.

- EASEMENTS, NOTES AND RESTRICTIONS AS SHOWN ON OGDEN CITY PLAZA SUBDIVISION PLAT RECORDED MAY 29, 2008 AS ENTRY NO. 2344587 IN BOOK 68 OF PLATS AT PAGE 44. SURVEY FINDINGS: EXCEPTION HAS BEEN PLOTTED.

## APPLICABLE SCHEDULE B - SECTION II EXCEPTIONS

ALL PERTINENT EXCEPTIONS ARE LISTED AND AFFECT PROPERTY AS STATED OR EXPLAINED BY LISTING SURVEY FINDINGS FOLLOWING EACH EXCEPTION:

- A DEED OF TRUST AND ASSIGNMENT OF RENTS DATED JUNE 10, 2008 BY AND BETWEEN OGDEN CITY PLAZA INVESTORS, LTD., A UTAH LIMITED PARTNERSHIP AS TRUSTOR IN FAVOR OF FIRST AMERICAN TITLE INSURANCE COMPANY AS TRUSTEE AND SCF ARIZONA, A FINANCIAL INSTITUTION ESTABLISHED PURSUANT TO ARIZONA REVISED STATUTES SECTION 23-981 ET SEQ AS BENEFICIARY, TO SECURE AN ORIGINAL INDEBTEDNESS OF \$5,000,000.00 AND ANY OTHER AMOUNTS OR OBLIGATIONS SECURED THEREBY, RECORDED JUNE 13, 2008 AS ENTRY NO. 2348044 OF OFFICIAL RECORDS.

AN ASSIGNMENT OF LEASE RECORDED JUNE 13, 2008 AS ENTRY NO. 2348045 OF OFFICIAL RECORDS, AS ADDITIONAL SECURITY FOR THE PAYMENT OF THE INDEBTEDNESS SECURED BY SAID DEED OF TRUST, REGARDING A LEASE DATED JUNE 10, 2008 WHEREIN OGDEN CITY PLAZA INVESTORS, LTD., A UTAH LIMITED PARTNERSHIP APPEARS AS LESSOR AND TPUSA, INC., A DELAWARE CORPORATION APPEARS AS LESSEE. SURVEY FINDINGS: EXCEPTION IS NOT A SURVEY MATTER.

DEED OF PARTIAL RELEASE AND PARTIAL RECONVEYANCE RECORDED JANUARY 12, 2011 AS ENTRY NO. 2511144 OF OFFICIAL RECORDS.

(THE FOLLOWING EXCEPTION AFFECTS LOT 1)

- AN UNRECORDED LEASE EXECUTED BY OGDEN CITY PLAZA INVESTORS, LTD., A UTAH LIMITED PARTNERSHIP, AS LESSOR, AND TPUSA, INC., A DELAWARE CORPORATION, AS LESSEE, AS DISCLOSED BY SUBORDINATION, NON-DISTURBANCE AND ATTORNMEN AGREEMENT RECORDED JUNE 13, 2008 AS ENTRY NO. 2348046 OF OFFICIAL RECORDS.

NOTE: THE PRESENT OWNERSHIP OF THE LEASEHOLD RIGHTS AS DISCLOSED BY THE HEREIN-ABOVE MENTIONED LEASE AND ANY OTHER MATTERS AFFECTING SAID LEASE ARE NOT SHOWN HEREIN.

SUBORDINATION, NON-DISTURBANCE AND ATTORNMEN AGREEMENT WHEREIN TPUSA, INC., A DELAWARE CORPORATION SUBORDINATES ITS LEASEHOLD INTEREST IN THE LAND PURSUANT TO A LEASE, DATED SEPTEMBER 14, 1995, TO THAT CERTAIN DEED OF TRUST EXECUTED BY OGDEN CITY PLAZA INVESTORS, LTD., A UTAH LIMITED PARTNERSHIP AS TRUSTOR, IN FAVOR OF SCF ARIZONA, A FINANCIAL INSTITUTION ESTABLISHED PURSUANT TO ARIZONA REVISED STATUTES SECTION 23-981 ET SEQ AS BENEFICIARY IN THE AMOUNT OF \$5,000,000.00, AND SUBJECT TO THE TERMS AND PROVISIONS OF THE SUBORDINATION, NON-DISTURBANCE AND ATTORNMEN AGREEMENT RECORDED JUNE 13, 2008 AS ENTRY NO. 2348046 OF OFFICIAL RECORDS. SURVEY FINDINGS: EXCEPTION IS NOT A SURVEY MATTER.

(THE FOLLOWING EXCEPTION AFFECTS LOT 1)

- A UCC FINANCING STATEMENT EXECUTED BY OGDEN CITY PLAZA INVESTORS, LTD., AS DEBTOR, IN FAVOR OF SCF ARIZONA, AS SECURED PARTY RECORDED JUNE 13, 2008 AS ENTRY NO. 2348047 OF OFFICIAL RECORDS.

A CONTINUATION STATEMENT WAS RECORDED MAY 28, 2013 AS ENTRY NO. 2637675 OF OFFICIAL RECORDS. SURVEY FINDINGS: EXCEPTION IS NOT A SURVEY MATTER.

(THE FOLLOWING EXCEPTION AFFECTS LOTS 1 AND 2)

- DECLARATION OF PARKING EASEMENT AND RESTRICTIVE COVENANT FOR OGDEN CITY PLAZA RECORDED JANUARY 16, 2009 AS ENTRY NO. 2385314 OF OFFICIAL RECORDS. SURVEY FINDINGS: DOCUMENT DOES NOT CONTAIN A LEGAL DESCRIPTION; REFERENCE DOCUMENT EXHIBIT. NUMBER TAG HAS BEEN PLACED OVER AFFECTED PARKING AISLE ON SHEET 2 OF 2.

- ORDINANCE NO. 2009-66 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; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY RECORDED DECEMBER 10, 2009 AS ENTRY NO. 2449003 OF OFFICIAL RECORDS.

- AN ORDINANCE NO. 2012-43 OGDEN CITY, UTAH, APPROVING THE BOARD OF EQUALIZATION'S REPORT AND PROVIDING FOR THE LEVY OF NEW ASSESSMENTS ON ALL DESIGNATED BUSINESS/COMMERCIAL PROPERTIES WITHIN THE OGDEN CITY, UTAH, CENTRAL BUSINESS IMPROVEMENT DISTRICT NO. 2; AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE AS OF AUGUST 21, 2012 RECORDED AUGUST 24, 2012 AS ENTRY NO. 2592419 OF OFFICIAL RECORDS.

(THE FOLLOWING EXCEPTION AFFECTS LOT 3)

- ENCROACHMENT PERMIT REVOCATION RECORDED AUGUST 28, 2014 AS ENTRY NO. 2700223 OF OFFICIAL RECORDS. SURVEY FINDINGS: RELEASES EXCEPTION 15.

(THE FOLLOWING EXCEPTION AFFECTS ALL OF THE LAND, TOGETHER WITH OTHER LAND NOT INCLUDED HEREIN)

- A NOTICE OF CREATION FROM THE NORTHERN UTAH ENVIRONMENTAL RESOURCE AGENCY ("NUERA"), DATED OCTOBER 28, 2014 RECORDED JANUARY 20, 2015 AS ENTRY NO. 2718461 OF OFFICIAL RECORDS. SURVEY FINDINGS: EXCEPTION IS BLANKET IN NATURE; SUBJECT TO THE DOCUMENT AS WRITTEN.

(THE FOLLOWING EXCEPTION AFFECTS LOT 1)

- DEED OF TRUST WITH ASSIGNMENT OF LEASES AND RENTS, SECURITY AGREEMENT AND FIXTURE FILING DATED JUNE 26, 2015 BY AND BETWEEN OGDEN CITY PLAZA INVESTORS, LTD., A UTAH LIMITED PARTNERSHIP AS TRUSTOR IN FAVOR OF WELLS FARGO BANK NORTHWEST, NATIONAL ASSOCIATION AS TRUSTEE AND WELLS FARGO BANK, NATIONAL ASSOCIATION AS BENEFICIARY, TO SECURE AN ORIGINAL INDEBTEDNESS OF \$5,500,000.00 AND ANY OTHER AMOUNTS OR OBLIGATIONS SECURED THEREBY, RECORDED JUNE 30, 2015 AS ENTRY NO. 2743444 OF OFFICIAL RECORDS. SURVEY FINDINGS: EXCEPTION IS NOT A SURVEY MATTER.

(THE FOLLOWING EXCEPTION AFFECTS LOT 1)

- AN UNRECORDED LEASE EXECUTED BY OGDEN CITY PLAZA INVESTORS, LTD., A UTAH LIMITED PARTNERSHIP, AS LESSOR, AND TPUSA, INC., A DELAWARE CORPORATION, AS LESSEE, AS DISCLOSED BY SUBORDINATION, NON-DISTURBANCE AND ATTORNMEN AGREEMENT RECORDED SEPTEMBER 22, 2015 AS ENTRY NO. 2757114 OF OFFICIAL RECORDS.

NOTE: THE PRESENT OWNERSHIP OF THE LEASEHOLD RIGHTS AS DISCLOSED BY THE HEREIN-ABOVE MENTIONED LEASE AND ANY OTHER MATTERS AFFECTING SAID LEASE ARE NOT SHOWN HEREIN.

SUBORDINATION, NON-DISTURBANCE AND ATTORNMEN AGREEMENT WHEREIN TPUSA, INC., A DELAWARE CORPORATION SUBORDINATES ITS LEASEHOLD INTEREST IN THE LAND PURSUANT TO A LEASE, DATED SEPTEMBER 14, 1995, TO THAT CERTAIN DEED OF TRUST EXECUTED BY OGDEN CITY PLAZA INVESTORS, LTD., A UTAH LIMITED PARTNERSHIP AS TRUSTOR, IN FAVOR OF SCF ARIZONA, A FINANCIAL INSTITUTION ESTABLISHED PURSUANT TO ARIZONA REVISED STATUTES SECTION 23-981 ET SEQ AS BENEFICIARY IN THE AMOUNT OF \$5,500,000.00, AND SUBJECT TO THE TERMS AND PROVISIONS OF THE SUBORDINATION, NON-DISTURBANCE AND ATTORNMEN AGREEMENT RECORDED SEPTEMBER 22, 2015 AS ENTRY NO. 2757114 OF OFFICIAL RECORDS. SURVEY FINDINGS: EXCEPTION IS NOT A SURVEY MATTER.

(THE FOLLOWING EXCEPTION AFFECTS ALL OF THE LAND, TOGETHER WITH OTHER LAND NOT INCLUDED HEREIN)

- ORDINANCE NO. 2016-37 OF OGDEN CITY APPROVING THE BOARD OF EQUALIZATION'S REPORT; PROVIDING FOR THE LEVY OF NEW ASSESSMENTS ON ALL NONEXEMPT COMMERCIAL AND INDUSTRIAL PROPERTIES WITHIN THE OGDEN CITY, UTAH, CENTRAL BUSINESS ASSESSMENT AREA NO. 3; PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT ON THE DATE OF PUBLICATION OF NOTICE OF ADOPTION OF THIS ORDINANCE; AND DIRECTING THE CITY RECORDER TO FILE A NOTICE OF ASSESSMENT INTEREST WITH THE WEBER COUNTY RECORDER'S OFFICE RECORDED JULY 20, 2016 AS ENTRY NO. 2804453 OF OFFICIAL RECORDS. SURVEY FINDINGS: EXCEPTION IS NOT A SURVEY MATTER.

(THE FOLLOWING AFFECTS LOT 1)

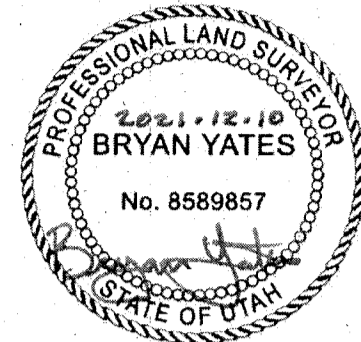
- A DEED OF TRUST DATED APRIL 27, 2012 BY AND BETWEEN OGDEN CITY PLAZA INVESTORS, LTD., A UTAH LIMITED PARTNERSHIP AS TRUSTOR IN FAVOR OF WELLS FARGO TRUST COMPANY, NATIONAL ASSOCIATION AS TRUSTEE AND WELLS FARGO BANK, NATIONAL ASSOCIATION AS BENEFICIARY, TO SECURE AN ORIGINAL INDEBTEDNESS OF \$4,701,113.00 AND ANY OTHER AMOUNTS OR OBLIGATIONS SECURED THEREBY, RECORDED JUNE 21, 2021 AS ENTRY NO. 3162561 OF OFFICIAL RECORDS. SURVEY FINDINGS: EXCEPTION IS NOT A SURVEY MATTER.

(THE FOLLOWING AFFECTS LOT 1)

- AN UNRECORDED LEASE EXECUTED BY OGDEN CITY PLAZA INVESTORS, LTD., A UTAH LIMITED PARTNERSHIP, AS LESSOR, AND TPUSA, INC., A DELAWARE CORPORATION, AS LESSEE, AS DISCLOSED BY SUBORDINATION, NON-DISTURBANCE AND ATTORNMEN AGREEMENT RECORDED JULY 26, 2021 AS ENTRY NO. 3170753 IN BOOK NA AT PAGE NA OF OFFICIAL RECORDS.

NOTE: THE PRESENT OWNERSHIP OF THE LEASEHOLD RIGHTS AS DISCLOSED BY THE HEREIN-ABOVE MENTIONED LEASE AND ANY OTHER MATTERS AFFECTING SAID LEASE ARE NOT SHOWN HEREIN.

SUBORDINATION, NON-DISTURBANCE AND ATTORNMEN AGREEMENT WHEREIN TPUSA, INC., A DELAWARE CORPORATION SUBORDINATES ITS LEASEHOLD INTEREST IN THE LAND PURSUANT TO A LEASE, DATED SEPTEMBER 13, 2005, TO THAT CERTAIN DEED OF TRUST EXECUTED BY OGDEN CITY PLAZA INVESTORS, LTD., A UTAH LIMITED PARTNERSHIP AS TRUSTOR, IN FAVOR OF WELLS FARGO BANK, NATIONAL ASSOCIATION AS BENEFICIARY IN THE AMOUNT OF \$4,701,113.00, AND SUBJECT TO THE TERMS AND PROVISIONS OF THE SUBORDINATION, NON-DISTURBANCE AND ATTORNMEN AGREEMENT RECORDED JULY 26, 2021 AS ENTRY NO. 3170753 IN BOOK NA AT PAGE NA OF OFFICIAL RECORDS. SURVEY FINDINGS: EXCEPTION IS NOT A SURVEY MATTER.

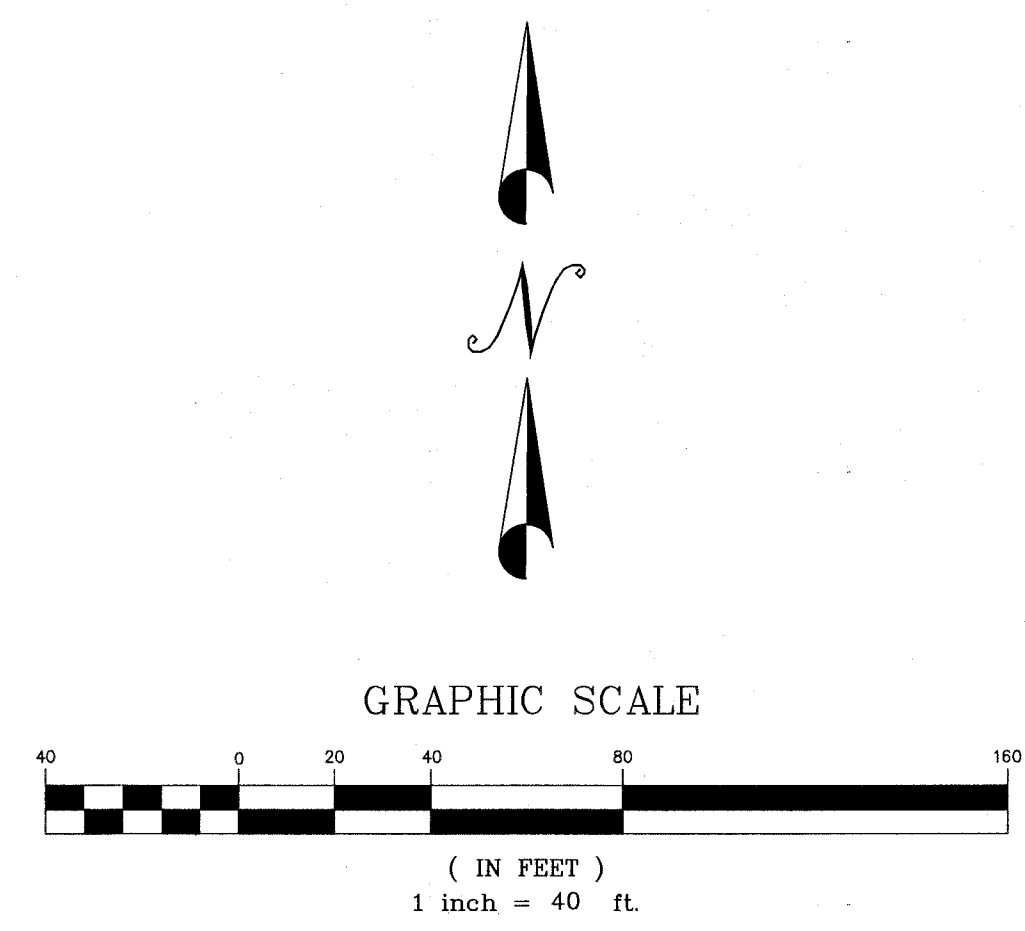
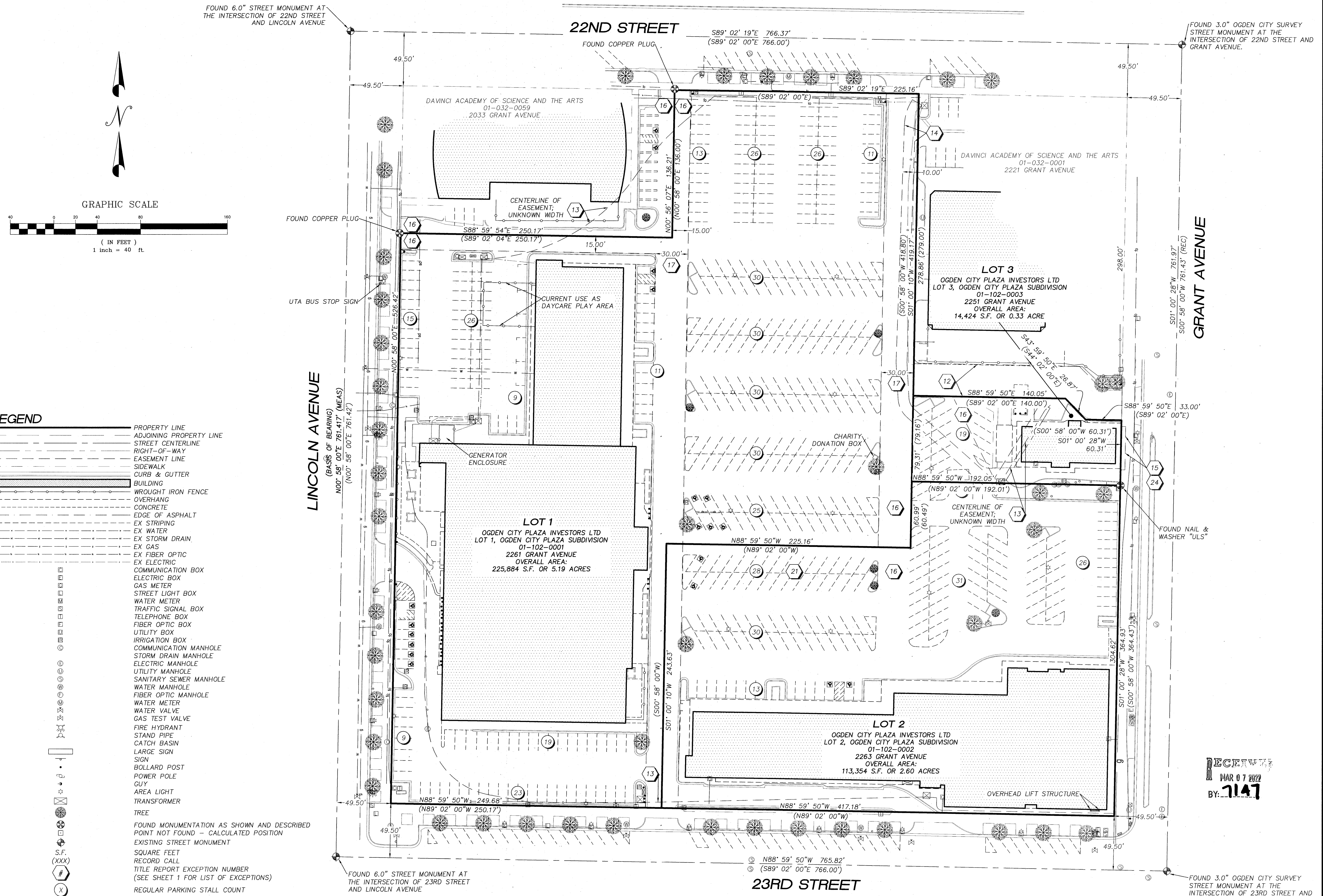


SCALE (H)	T - 40'
DRAWN BY	P. RICHTER
CHECKED BY	B. YATES
TAX ID NO.	AS NOTED
UTAH	WEBER COUNTY
OGDEN CITY	
ALTA/NSPS LAND TITLE SURVEY	
LOTS 1, 2, 3 OGDEN CITY PLAZA SUBDIVISION	
2261, 2263, 2251 GRANT AVENUE	
E 1/2 SEC. 29, T6N R1W, S.L.B.M.	
REDCON, INC.	
LAND SURVEYING	
25 SOUTH MAIN STREET, SUITE 200	
CENTERVILLE, UTAH 84014	
(801) 298-2401 FAX (801) 298-2024	
REDCON.COM	
RECEIVED	
MAR 07 2022	
BY: 7147	
JOB NUMBER	421074
DWG: PLAZA ALTA	
DATE: 12/10/2021	
SHEET 1 OF 2	



# ALTA/NSPS LAND TITLE SURVEY

TAX ID NO. 01-102-0001, 01-102-0002, 01-102-0003  
 LYING WITHIN THE EAST HALF (E 1/2) OF SECTION 29, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN,  
 ALSO BEING A PART OF BLOCK 38, PLAT 'A', OGDEN CITY SURVEY, WEBER COUNTY, UTAH



## LEGEND

- PROPERTY LINE
- ADJOINING PROPERTY LINE
- STREET CENTERLINE
- RIGHT-OF-WAY
- EASEMENT LINE
- SIDEWALK
- CURB & GUTTER
- BUILDING
- WROUGHT IRON FENCE
- OVERHANG
- CONCRETE
- EDGE OF ASPHALT
- EX STRIPING
- EX WATER
- EX STORM DRAIN
- EX GAS
- EX FIBER OPTIC
- EX ELECTRIC
- COMMUNICATION BOX
- ELECTRIC BOX
- GAS METER
- STREET LIGHT BOX
- WATER METER
- TRAFFIC SIGNAL BOX
- TELEPHONE BOX
- FIBER OPTIC BOX
- UTILITY BOX
- IRRIGATION BOX
- COMMUNICATION MANHOLE
- STORM DRAIN MANHOLE
- ELECTRIC MANHOLE
- UTILITY MANHOLE
- SANITARY SEWER MANHOLE
- WATER MANHOLE
- FIBER OPTIC MANHOLE
- WATER METER
- WATER VALVE
- GAS TEST VALVE
- FIRE HYDRANT
- STAND PIPE
- CATCH BASIN
- LARGE SIGN
- SIGN
- BOLLARD POST
- POWER POLE
- GUY
- AREA LIGHT
- TRANSFORMER
- TREE
- FOUND MONUMENTATION AS SHOWN AND DESCRIBED
- POINT NOT FOUND - CALCULATED POSITION
- EXISTING STREET MONUMENT
- SQUARE FEET
- RECORD CALL
- TITLE REPORT EXCEPTION NUMBER (SEE SHEET 1 FOR LIST OF EXCEPTIONS)
- REGULAR PARKING STALL COUNT

SCALE (HP)	T - 40'
DRAWN BY	P. RICHTER
CHECKED BY	B. YATES
TAX ID NO.	AS NOTED
ALTA/NSPS LAND TITLE SURVEY	
LOTS 1, 2, 3 OGDEN CITY PLAZA SUBDIVISION	
2261, 2263, 2251 GRANT AVENUE	
E 1/2 SEC. 29, T6N R1W, S.L.B.M.	
UTAH	WEBER COUNTY
OGDEN CITY	
REDCON, INC. LAND SURVEYING 25 SOUTH MAIN STREET, SUITE 200 CENTERTVILLE, UTAH 84014 (801) 298-2401 FAX (801) 298-2024 REDCON.COM	RECEIVED MAR 07 2022 BY: 7147
JOB NUMBER 421074	DWG: PLAZA ALTA DATE: 12/10/2021
SHEET 2 OF 2	