

ALTA/NSPS SURVEY

PART OF THE NORTHWEST QUARTER OF SECTION 29 AND THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY

OGDEN CITY, WEBER COUNTY, UTAH

APRIL, 2022

TITLE EXCEPTIONS

PER FIRST AMERICAN TITLE INSURANCE COMPANY FILE NO. NCS-1080546-2-SLC1 DATED FEBRUARY 8, 2022

EXCEPTIONS #1-13, 21-22, 35-39, 39-40, 43-44 & 46 ARE NOT SURVEY ITEMS AND CANNOT BE PLOTTED GRAPHICALLY.

EXCEPTION #14 - EASEMENT(S), SETBACKS, NOTES AND RESTRICTIONS, AS SHOWN ON THE SUBDIVISION PLAT OF NEVADA ADDITION RECORDED MARCH 27, 1903 IN BOOK 4 OF PLATS AT PAGE 13 OF OFFICIAL RECORDS. (NO EASEMENTS ON SUBJECT PROPERTY)

EXCEPTION #15 - AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR THE CONSTRUCTION OF STORM SEWER AND INCIDENTAL PURPOSES, AS GRANTED TO OGDEN CITY, A MUNICIPAL CORPORATION BY INSTRUMENT RECORDED OCTOBER 06, 1944 AS ENTRY NO. 86690 IN BOOK 199 AT PAGE 160 OF OFFICIAL RECORDS. (30' STORM SEWER EASEMENT AND 40' TEMPORARY CONSTRUCTION EASEMENT SHOWN ON PLAT.)

EXCEPTION #16 - AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR THE CONSTRUCTION OF STORM SEWER AND INCIDENTAL PURPOSES, AS GRANTED TO OGDEN CITY, A MUNICIPAL CORPORATION BY INSTRUMENT RECORDED OCTOBER 09, 1944 AS ENTRY NO. 86755 IN BOOK 199 AT PAGE 184 OF OFFICIAL RECORDS. (30' STORM SEWER EASEMENT AND 40' TEMPORARY CONSTRUCTION EASEMENT SHOWN ON PLAT.)

EXCEPTION #17 - EASEMENT, AND THE TERMS, CONDITIONS, AND LIMITATIONS CONTAINED THEREIN, IN FAVOR OF OGDEN CITY, RECORDED ON APRIL 13, 1945 AS ENTRY NO. 91400, IN BOOK 209, AT PAGE 38, OF OFFICIAL RECORDS. (30' STORM SEWER EASEMENT AND 40' TEMPORARY CONSTRUCTION EASEMENT SHOWN ON PLAT. EASEMENTS PLOT ON ADJOINING PROPERTY TO THE EAST.)

EXCEPTION #18 - EASEMENT FOR A SEWER LINE RECORDED JANUARY 9, 1946 AS ENTRY NO. 106189 IN BOOK 228 AT PAGE 187 OF OFFICIAL RECORDS. (30' STORM SEWER EASEMENT AND 40' TEMPORARY CONSTRUCTION EASEMENT SHOWN ON PLAT. EASEMENTS PLOT ON ADJOINING PROPERTY TO THE EAST.)

EXCEPTION #19 - EASEMENT IN FAVOR OF MOUNTAIN STATES TELEPHONE & TELEGRAPH COMPANY, RECORDED AUGUST 17, 1971 AS ENTRY NO. 555936 IN BOOK 973 AT PAGE 506 OF OFFICIAL RECORDS. (22' LONG POWER EASEMENT SHOWN ON PLAT)

EXCEPTION #20 - PARTY WALL AS DISCLOSED IN WARRANTY DEED RECORDED AUGUST 12, 1988 AS ENTRY NO. 1054826 IN BOOK 1545 AT PAGE 853 OF OFFICIAL RECORDS. (PARTY WALL SHOWN ON PLAT)

EXCEPTION #23 - PARKING EASEMENT AGREEMENT BETWEEN MIRA LESHAM TRUST (GRANTOR) AND ARROWHEAD CAPITAL CORPORATION (GRANTEE), RECORDED MARCH 7, 2008 AS ENTRY NO. 2326368 OF OFFICIAL RECORDS. (EASEMENT SHOWN)

EXCEPTION #24 - PARKING EASEMENT AGREEMENT BETWEEN MIRA LESHAM TRUST (GRANTOR) AND ARROWHEAD CAPITAL CORPORATION (GRANTEE), RECORDED MARCH 7, 2008 AS ENTRY NO. 2326401 OF OFFICIAL RECORDS. (EASEMENT SHOWN)

EXCEPTION #25 - PARKING EASEMENT AGREEMENT BETWEEN MIRA LESHAM TRUST (GRANTOR) AND ARROWHEAD CAPITAL CORPORATION (GRANTEE), RECORDED MARCH 7, 2008 AS ENTRY NO. 2326404 OF OFFICIAL RECORDS. (EASEMENT SHOWN)

EXCEPTION #26 - SUBSTITUTE PARKING EASEMENT AGREEMENT AND THE TERMS AND CONDITIONS THEREOF, RECORDED OCTOBER 15, 2008 AS ENTRY NO. 2370139 OF OFFICIAL RECORDS. (EASEMENT SHOWN)

PARTIAL RELEASE OF EASEMENT RECORDED DECEMBER 17, 2021 AS ENTRY NO.3204872 OF OFFICIAL RECORDS.

EXCEPTION #27 - EASEMENTS, NOTES AND RESTRICTIONS AS SHOWN ON SUBDIVISION PLAT RECORDED OCTOBER 21, 2008 AS ENTRY NO. 2371244 IN BOOK 69 OF PLATS AT PAGE 17, 18 AND 19. (EASEMENTS SHOWN.)

EASEMENTS, NOTES AND RESTRICTIONS AS SHOWN ON OGDEN WAL-MART FIRST AMENDMENT RECORDED JUNE 2, 2010 AS ENTRY NO. 2475475 IN BOOK 71 OF PLATS, PAGE 34. (EASEMENTS SHOWN.)

EASEMENTS, NOTES AND RESTRICTIONS AS SHOWN ON OGDEN WAL-MART SUBDIVISION, 2ND AMENDMENT RECORDED JULY 08, 2021 AS ENTRY NO. 3166728 IN BOOK 90 OF PLATS AT PAGE 96 AND 97. (EASEMENTS SHOWN.)

EASEMENTS NOTES AND RESTRICTIONS AS SHOWN ON OGDEN WAL-MART SUBDIVISION 3RD AMENDMENT, AMENDING LOT 8 OF OGDEN WAL-MART SUBDIVISION 2ND AMENDMENT SUBDIVISION PLAT RECORDED DECEMBER 08, 2021 AS ENTRY NO 3202692 IN BOOK 92 OF PLATS AT PAGE 1. (EASEMENTS SHOWN.)

EXCEPTION #28 - MUTUAL ACCESS EASEMENT AND NO BUILD EASEMENT AGREEMENT, AND THE TERMS AND CONDITIONS THEREOF, RECORDED OCTOBER 21, 2008 AS ENTRY NO. 2371245 OF OFFICIAL RECORDS. (EASEMENTS SHOWN)

EXCEPTION #29 - TEMPORARY CONSTRUCTION EASEMENT, AND THE TERMS AND CONDITIONS THEREOF, RECORDED OCTOBER 21, 2008 AS ENTRY NO. 2371246 OF OFFICIAL RECORDS.

AMENDMENT TO TEMPORARY CONSTRUCTION EASEMENT RECORDED MARCH 31, 2009 AS ENTRY NO.2401588 OF OFFICIAL RECORDS. (BLANKET TEMPORARY CONSTRUCTION EASEMENT OVER ENTIRE PROPERTY. EASEMENT EXPIRED AFTER COMPLETION OF WAL-MART.)

EXCEPTION #30 - STORM WATER AND RIVER RESTORATION EASEMENT, IN FAVOR OF OGDEN CITY, A UTAH MUNICIPAL CORPORATION RECORDED MAY 27, 2010 AS ENTRY NO. 2474737 OF OFFICIAL RECORDS. (EASEMENTS SHOWN.)

EXCEPTION #31 - STORM WATER AND RIVER RESTORATION EASEMENT, IN FAVOR OF OGDEN CITY, A UTAH MUNICIPAL CORPORATION, RECORDED ON MAY 27, 2010 AS ENTRY NO. 2474738, OF OFFICIAL RECORDS. (EASEMENTS SHOWN.)

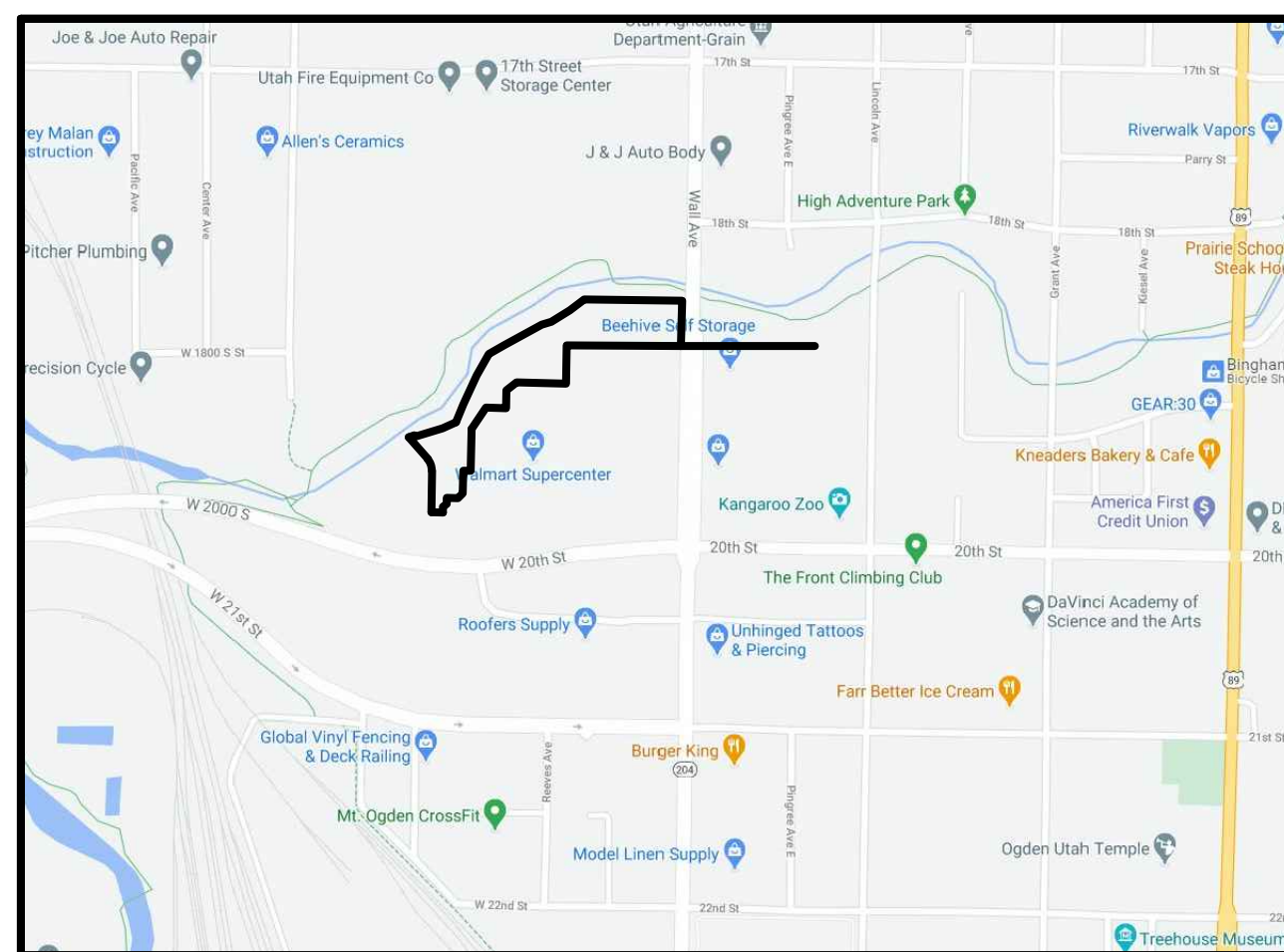
EXCEPTION #32 - STORM WATER AND RIVER RESTORATION EASEMENT, IN FAVOR OF OGDEN CITY, A UTAH MUNICIPAL CORPORATION, RECORDED ON MAY 27, 2010 AS ENTRY NO. 2474739, OF OFFICIAL RECORDS. (EASEMENTS SHOWN.)

EXCEPTION #33 - STORM WATER AND RIVER RESTORATION EASEMENT, IN FAVOR OF OGDEN CITY, A UTAH MUNICIPAL CORPORATION, RECORDED ON MAY 27, 2010 AS ENTRY NO. 2474740, OF OFFICIAL RECORDS. (EASEMENTS SHOWN.)

EXCEPTION #34 - STORM WATER CONSTRUCTION EASEMENT, IN FAVOR OF OGDEN CITY, A UTAH MUNICIPAL CORPORATION RECORDED MAY 31, 2011 AS ENTRY NO. 2528870 OF OFFICIAL RECORDS. (EASEMENTS SHOWN.)

EXCEPTION #41 - WATER AND SEWER EASEMENT AGREEMENT (WITH TEMPORARY CONSTRUCTION EASEMENT) RECORDED DECEMBER 20, 2021 AS ENTRY NO. 3205582 OF OFFICIAL RECORDS. (EASEMENT SHOWN)

EXCEPTION #42 - WATER AND SEWER EASEMENT AGREEMENT (WITH TEMPORARY CONSTRUCTION EASEMENT) BETWEEN LOTUS ADVANTAGE RIVERWALK 2, LLC, A UTAH LIMITED LIABILITY COMPANY ("GRANTOR"), AND LOTUS ADVANTAGE RIVERWALK, LLC, A UTAH LIMITED LIABILITY COMPANY ("GRANTEE"), RECORDED DECEMBER 20, 2021 AS ENTRY NO. 3205583 OF OFFICIAL RECORDS. (EASEMENT SHOWN)



VICINITY MAP
NOT TO SCALE

TITLE EXCEPTIONS CONTINUED

EXCEPTION #45 - THE RIGHTS OF THE PUBLIC TO USE OR PASS THROUGH THE LAND FOR RECREATIONAL PURPOSES AND/OR ACCESS TO THE WATERWAY KNOWN AS THE OGDEN RIVER PROVIDED THAT SUCH PUBLIC RIGHTS HAVE BEEN OR MAY BE ESTABLISHED BY DOCUMENTED OR OTHERWISE PROVEN USE FOR A PERIOD OF TIME. (RIVER SHOWN)

EXCEPTION #47 - AMENDMENT TO MUTUAL ACCESS EASEMENT AND NO BUILD EASEMENT AGREEMENT BETWEEN LOTUS ACQUISITIONS, LLC, A UTAH LIMITED LIABILITY COMPANY (LOTUS ACQUISITIONS), LOTUS ADVANTAGE RIVERWALK 2 MANAGERS, LLC, A UTAH LIMITED LIABILITY COMPANY (LOTUS MANAGERS), BUTTERS NORTHERN LIGHTS LAND LLC, AN ALASKA LIMITED LIABILITY COMPANY (BUTTERS), WAL-MART REAL ESTATE BUSINESS TRUST, A DELAWARE STATUTORY TRUST (WAL-MART), RECORDED APRIL 6, 2022, AS ENTRY NO. 3228662. (EASEMENT SHOWN ON PLAT. SAME AS EXCEPTION 28)

EXCEPTION #48 - UTILITY EASEMENT BETWEEN WAL-MART REAL ESTATE BUSINESS TRUST, A DELAWARE STATUTORY TRUST (GRANTOR), LOTUS ADVANTAGE RIVERWALK, LLC, A UTAH LIMITED LIABILITY COMPANY (LOTUS RIVERWALK), LOTUS ADVANTAGE RIVERWALK 2 MANAGERS, LLC, A UTAH LIMITED LIABILITY COMPANY (LOTUS 2 MANAGERS), AND BUTTERS NORTHERN LIGHTS LAND LLC, AN ALASKA LIMITED LIABILITY COMPANY (BUTTERS), RECORDED APRIL 6, 2022, AS ENTRY NO. 3228664. (WAL-MART PARCEL GRANTS AN EASEMENT TO SUBJECT PROPERTY FOR FUTURE UTILITIES. EASEMENT CANNOT BE ACCURATELY PLOTTED FROM EXHIBIT INCLUDED IN RECORDED DOCUMENT.)

EXCEPTION #49 - TEMPORARY CONSTRUCTION EASEMENT (UTILITY CONNECTIONS), BETWEEN WAL-MART REAL ESTATE BUSINESS TRUST, A DELAWARE STATUTORY TRUST (GRANTOR), LOTUS ADVANTAGE RIVERWALK, LLC, A UTAH LIMITED LIABILITY COMPANY (LOTUS RIVERWALK), LOTUS ADVANTAGE RIVERWALK 2 MANAGERS, LLC, A UTAH LIMITED LIABILITY COMPANY (LOTUS 2 MANAGERS), AND BUTTERS NORTHERN LIGHTS LAND LLC, AN ALASKA LIMITED LIABILITY COMPANY (BUTTERS), RECORDED APRIL 6, 2022, AS ENTRY NO. 3228678. (WAL-MART PARCEL GRANTS A TEMPORARY EASEMENT TO SUBJECT PROPERTY FOR FUTURE UTILITIES THAT SHALL EXPIRE 12 MONTHS FROM RECORDING OF DOCUMENT. EASEMENT CANNOT BE ACCURATELY PLOTTED FROM EXHIBIT INCLUDED IN RECORDED DOCUMENT.)

EXCEPTION #50 - TEMPORARY CONSTRUCTION EASEMENT (SOUTHERN ACCESS AREA), BETWEEN WAL-MART REAL ESTATE BUSINESS TRUST, A DELAWARE STATUTORY TRUST (GRANTOR), LOTUS ADVANTAGE RIVERWALK, LLC, A UTAH LIMITED LIABILITY COMPANY (LOTUS RIVERWALK), LOTUS ADVANTAGE RIVERWALK 2 MANAGERS, LLC, A UTAH LIMITED LIABILITY COMPANY (LOTUS 2 MANAGERS), AND BUTTERS NORTHERN LIGHTS LAND LLC, AN ALASKA LIMITED LIABILITY COMPANY (BUTTERS), RECORDED APRIL 6, 2022, AS ENTRY NO. 3228679. (WAL-MART PARCEL GRANTS A TEMPORARY EASEMENT TO SUBJECT PROPERTY FOR FUTURE UTILITIES THAT SHALL EXPIRE 12 MONTHS FROM RECORDING OF DOCUMENT. EASEMENT CANNOT BE ACCURATELY PLOTTED FROM EXHIBIT INCLUDED IN RECORDED DOCUMENT.)

TITLE DESCRIPTION

PER FIRST AMERICAN TITLE INSURANCE COMPANY FILE NO. NCS-1080546-2-SLC1 DATED FEBRUARY 8, 2022

- PARCEL 1:
LOT 7, OGDEN WAL-MART SUBDIVISION 2ND AMENDMENT, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE WEBER COUNTY RECORDER'S OFFICE.
- PARCEL 2:
LOT 4, OGDEN WAL-MART SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE WEBER COUNTY RECORDER'S OFFICE.
- PARCEL 3:
LOT 5, OGDEN WAL-MART SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE WEBER COUNTY RECORDER'S OFFICE.
- PARCEL 4:
LOT 10, OGDEN WAL-MART SUBDIVISION 3RD AMENDMENT, AMENDING LOT 8 OF OGDEN WALMART SUBDIVISION 2ND AMENDMENT, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE WEBER COUNTY RECORDER'S OFFICE.

RECEIVED
APR 26 2022
FILE # 7197

NOTES

- PARCELS 03-057-0001, 03-044-0005, 03-044-0004, AND 03-058-0002.
- 1895 WALL AVENUE, 1865 WALL AVENUE, 1875 WALL AVENUE, 232 WEST 20TH SOUTH, OGDEN, UT 84401
- THE BASIS OF BEARING FOR THIS PLAT IS THE MONUMENT LINE BETWEEN A FOUND OGDEN CITY STREET MONUMENT AT THE INTERSECTION OF WALL AVENUE AND 18TH STREET AND A FOUND OGDEN CITY STREET MONUMENT AT THE INTERSECTION OF WALL AVENUE AND 20TH STREET. SHOWN HEREON AS S01°18'26"W.
- FLOOD ZONE DESIGNATION "AE" AND "X" PER F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 49057C0426E DATED 12-16-05, REVISED BY LOMR NUMBER 13-08-0663P, EFFECTIVE DATE 9-22-14.
- NO RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS ON SUBJECT PARCELS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK
- NO PROPOSED CHANGES IN STREET RIGHT OF WAY LINES AT TIME OF SURVEY.
- 5.791 ACRES
- THERE WERE NO MARKED PARKING SPACES ON SITE AT TIME OF SURVEY.
- NO ZONING REPORT OR LETTER WAS PROVIDED TO THE SURVEYOR BY THE CLIENT.
- THE PURPOSE OF THIS SURVEY WAS TO ESTABLISH THE PROPERTY BOUNDARIES ON THE GROUND. THE BOUNDARY WAS DETERMINED BY RETRACING LOT 7, OGDEN WAL-MART SUBDIVISION 2ND AMENDMENT, LOT 4 AND 5, OGDEN WAL-MART SUBDIVISION, AND LOT 10, OGDEN WAL-MART SUBDIVISION 3RD AMENDMENT, AMENDING LOT 8 OF OGDEN WALMART SUBDIVISION 2ND AMENDMENT USING THE MONUMENTS SHOWN, AS WELL AS A RECORD OF SURVEY FILED BY GARDNER ENGINEERING AS RECORD OF SURVEY # 6239, WHICH MATCHES REASONABLY WITH DEEDS AND OCCUPATION. ALL CORNERS WERE SET WITH A 5/8" REBAR AND PLASTIC CAP STAMPED "REEVE & ASSOCIATES" OR A NAIL AND WASHER.

SURVEYOR'S CERTIFICATE

TO LOTUS ADVANTAGE RIVERWALK 2, LLC 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 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)(2), 7(C), 8, 9, 10, 11, 13, 14, 16, 17, 18, AND 19 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON 3-29-2022.

DATE OF SURVEY: 4-25-2022
DATE SIGNED:
TREVOR J. HATCH, P.L.S.
UTAH NUMBER: 9031945



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TRAFFIC ENGINEERS • STRUCTURAL ENGINEERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS

REVISIONS	DESCRIPTION
DATE	

ALTA/NSPS SURVEY

PART OF THE NW 1/4 OF SECTION 29 AND THE SW 1/4 OF SECTION 20, T.6N., R.1W., S.11B.&M. OGDEN CITY, WEBER COUNTY, UTAH

LOTUS ADVANTAGE RIVERWALK 2, LLC

Project Info.	
Surveyor:	T. HATCH
Designer:	N. ANDERSON
Begin Date:	11-11-2020
Name:	OGDEN ALTA SURVEY
Scale:	1"=30'
Checked:	
Number:	7323-03

