

- Existing Post
Existing Water Meter
Existing Gas Meter
Existing Telephone Box
Existing Sewer Manhole
Existing Drain Manhole
Existing Water Manhole
Existing Cleanout Box
Existing Irrigation Box
Existing Electrical Box
Existing Diversion Box
Existing Light Pole
Existing Fire Hydrant
Existing Telephone Manhole
Existing Gas Manhole
Existing Inlet Box
Existing Valve
- Reference to Significant Observations
Centerline Road
Existing Parcel Line
Survey Monument Line
Easement Line
Boundary Line
Building Line
Existing Fence Line
Existing Concrete Line

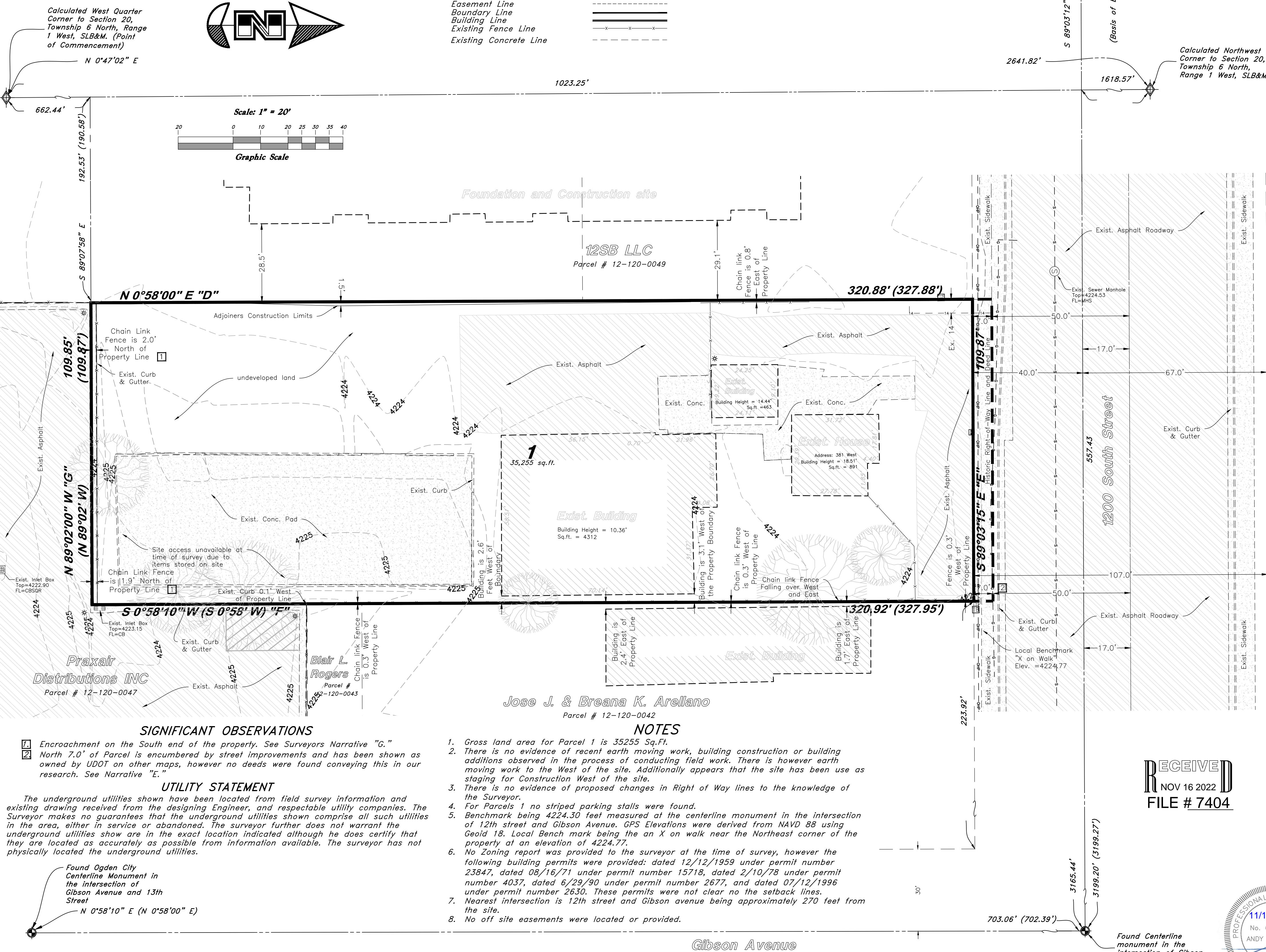
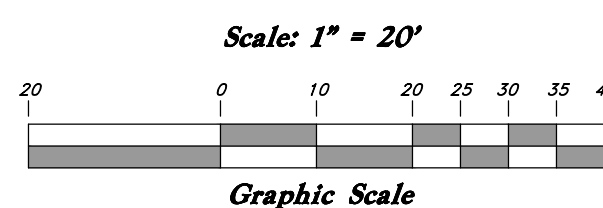
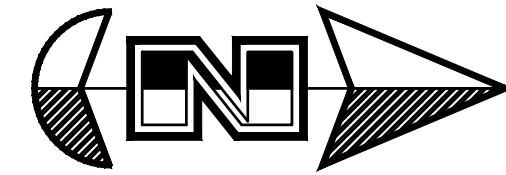
Legend

(Note: All items may not appear on drawing)

- Sanitary Sewer
Culinary Water
Gas Line
Irrigation Line
Storm Drain
Telephone Line
Secondary Waterline
Over Head Power
Under-Ground Power
Fiber Optic
Power pole
Power pole w/guy
Fence
Centerline
Record
Landscape
Existing Catch Basin
- Existing Asphalt
Existing Concrete
Existing Eave
Existing Building
Coniferous Tree
Deciduous Tree
- Corresponding Narrative
N 0°58'00" E "X"

Found Monument at a 17' South offset of the Centerline of 12th Street and the West Section line of the Northeast Quarter of Section 19, Township 6 North, Range 1 West, SLB&M.

Found Center Line offset Monument at a 17' South offset of the Centerline of 12th Street and the intersection of 750 West.



- #### EXCEPTIONS TO COVERAGE
- This survey was completed using Commitment for Title Insurance from Utah First Title Insurance Agency, Inc. under File No. 42656 1st Amended dated June 12, 2022 @ 8:00 A.M.
- EXCEPTION NO. 1-3, 5-11 (NOT A SURVEY MATTER)**
- EXCEPTION NO. 4 (SEE SIGNIFICANT OBSERVATIONS)** Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title including discrepancies, conflicts in boundary lines, shortage in area, or any other facts that would be disclosed by an accurate and complete land survey of the Land and not shown in the Public Records.
- EXCEPTION NO. 12 (BLANKETS PROPERTY AND OTHER LAND)** Certificate of Creation, creating the Northern Utah Environmental Resource Agency, recorded January, 2015 as Entry No. 2718461, of Official Records.
- EXCEPTION NO. 13 (BLANKETS PROPERTY AND OTHER LAND)** Ordinance No. 2021-44 and Ordinance terminating and dissolving certain redevelopment project areas, recorded September 9, 2021 as Entry No. 3182536 of Official Records.
- EXCEPTION NO. 14 (PLOTTED AFFECTS THE NORTHWEST CORNER OF PROPERTY)** Right of Way Easement, in favor of The Mountain States Telephone and Telegraph Company, recorded May 25, 1966 as Entry No. 478080 in Book 844 at Page 517, of Official Records.
- EXCEPTION NO. 15 (BLANKETS PROPERTY)** Deed of Trust by and between Gerry L. Rogers and Kim Widmeyer Sonner as Trustor in favor of Bank of Utah as Trustee and Bank of Utah as Beneficiary, to secure an original indebtedness of \$70,000.00 and any other amounts or obligations secured thereby, dated December 15, 2021 and recorded December 17, 2021 as Entry No. 3204883 of Official Records.
- An Assignment of Rents recorded December 17, 2021 as Entry No. 3204884 of Official Records, wherein Gerry L. Rogers and Kim Widmeyer Sonner purports to assign the beneficial interest in the above referenced Deed of Trust to the Bank of Utah.

LEGAL DESCRIPTION

Part of the Northwest Quarter of Section 20, Township 6 North, Range 1 West, Salt Lake Meridian, U.S. Survey; Beginning at a point North 0°58' East 662.43 feet and South 89°02' East 190.55 feet from the Southwest corner of said Quarter Section, and running thence North 0°58' East 327.88 feet to the South line of 12th Street, thence South 89°03'15" East along the South line of 12th Street 109.87 feet to a point North 89°03'15" West 223.92 feet from the West line of Gibson Avenue, thence South 0°58' West 327.95 feet, thence North 89°02' West 109.87 feet to the place of beginning.

SURVEYOR'S NARRATIVE

A. This ALTA/NSPS Land Title Survey was requested by Rex Buys with Summa Terra Ventures in preparation for potential development.

B. A line bearing North 89°03'15" West measured between a monument found at the intersection of a 17-foot offset of the Centerline of 12th Street and the West Section line of the Northeast Quarter of Section 19, and a monument found at the intersection of Gibson and 12th Street.

C. The West Quarter Corner and the Northwest corner were calculated using the record shown in the Ogden City Bible plats.

D. Holding the record agreeing with the survey completed by Boundary Consultants recorded in Weber County's Surveyors office as File No. 6857. Subject Parcel was created before the additional seven feet of land was taken for the widening of 12th Street. Thus the measurements were made from the intent of the original conveyance rather than the current condition of the parcel. Doing so places the other boundary points in their original position according to boundary law and retracement.

E. Along the Measured Right of Way to the qualifying call of 223.92 feet from the West line of Gibson Avenue. Said call also agrees with the record measurement of 109.87 feet. E.A. 7.0 feet of Right of Way appears to have been granted to UDOT evidence of this is the current occupation of the Right of Way and the temp easement conveyed to UDOT under Entry No. 2326202 referencing 40' from the monument line rather than 33' as shown on the Bible sheets and the current taxing map. However, this conveyance was unable to be located by the surveyor at the time of the survey (see Significant Observation 2.)

F. It is surveyors belief that the intent is to parallel the West line of Gibson Avenue due to the previous qualifying call and that the recorded call matches the record of Gibson Avenue.

G. Retracement of this the South bounds of the property contained patent and latent ambiguity. Resolution to said ambiguity is as follows:

G.A. In 2011, a Quit Claim Deed Recorded under Entry No. 2552446 created parcel 12-120-0047 and was recorded with the following footnote: "The purpose of this conveyance is to combine previously separate lots and/or parcels together as one lot and/or tax parcel..." Retracement of this deed was challenging and was retraced according to the surveyor's professional opinion. When retraced in this manner retracement matched the current occupation of the fence and the existing curb and gutter that has been installed, benefiting the parcel to the South of the subject parcel (see Significant Observation 1). Due to the latent ambiguity of the fence and curb and the patent ambiguity between the subject Parcel claiming 327.88 feet from the South Right of Way of 12th Street. Surveyor researched further for resolution of said ambiguities.

G.B. A Quit Claim Deed deeded to yourself can not extend beyond what was previously granted. Surveyor found the next altering conveyance as a Quit Claim Deed Recorded in 2008 under Entry No. 2381498. It appears that the intent of the conveyance appears to be performing a parcel line adjustment. Taking all of the historic parcel 12-120-0038 and part of parcel 12-120-0041 as described in "Parcel one" of the Document and All of Parcel 12-120-0013 and part of parcel 12-120-0041 as described in "Parcel two" of the document creating parcel 12-120-0043 and parcel 12-120-0044 respectively. "Parcel two" of said document described the land adjoining the subject parcel. A call was contained in the historic parcel for parcel 12-120-0041 was found to be a qualifying call and carried over into the lot line adjustment deed; said call reads, "...to the center line of an irrigation ditch... and North 0°58'00" East 192.46 feet..." from the center line of an irrigation ditch. The old irrigation ditch was located by the surveyor. When measuring from the interpreted center line of the ditch the line was brought closer to the record position rather than the current occupation of the fence and the existing curb but still did not agree with the subject's parcels deed.

G.C. Again, a claim to real property can not extend beyond that conveyed unless unwritten writes have developed. Further research completed by surveyor found Parcel 12-120-0013 to be the original junior-senior rights parcel from the parent. Investigation regarding said parcel located the following document being recorded in 1993 under Entry No. 1212556. Surveyor's retracement of said deed agreed with the recorded deed by 0.02 feet. Resolution to the 0.02' discrepancy was resolved according to the doctrine of junior-senior rights, assuming that our subject parcel has junior rights from the parent parcel over parcel 12-120-0013 do the sequential order of the parcel numbers being created. Surveyor was unable to verify the parent parcel due to the conveyance and creation of said parcels being beyond the access available to the surveyor at the time of the survey.

G.D. After presentation of earlier versions of this survey to the client, Praxair Distributions INC was approached regarding the two foot encroachment. From their conversation, an unrecorded survey prepared by Ensign Engineering was provided with the claim that their fence was, in fact, in the proper location. Inspecting the Ensign Survey, an error of two feet in the retracement of the South Right of Way of 12th was found. Surveyor believes that the retracement of deeds controlled by said Right of Way was reflected in Ensign's survey. Ensign surveys also showed that they had surveyed a fence two feet South of their boundary. This fence's location on the Ensign Survey provides vital evidence supporting the boundary shown in this survey.

H. Property corners were monumented as shown here on.

SIGNIFICANT OBSERVATIONS

1. Encroachment on the South end of the property. See Surveyors Narrative "G."

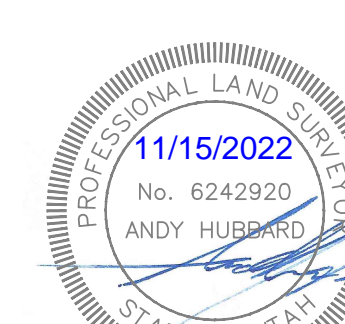
2. North 7.0' of Parcel is encumbered by street improvements and has been shown as owned by UDOT on other maps, however no deeds were found conveying this in our research. See Narrative "E."

UTILITY STATEMENT

The underground utilities shown have been located from field survey information and existing drawing received from the designing Engineer, and respectable utility companies. The Surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant the underground utilities show are in the exact location indicated although he does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities.

- #### NOTES
- Gross land area for Parcel 1 is 35255 Sq.Ft.
 - There is no evidence of recent earth moving work, building construction or building additions observed in the process of conducting field work. There is however earth moving work to the West of the site. Additionally appears that the site has been use as staging for Construction West of the site.
 - There is no evidence of proposed changes in Right of Way lines to the knowledge of the Surveyor.
 - For Parcels 1 no striped parking stalls were found.
 - Benchmark being 4224.30 feet measured at the centerline monument in the intersection of 12th Street and Gibson Avenue. GPS Elevations were derived from NAVD 88 using Geoid 18. Local Bench mark being the an X on walk near the Northeast corner of the property at an elevation of 4224.77.
 - No Zoning report was provided to the surveyor at the time of survey, however the following building permits were provided: dated 12/12/1959 under permit number 23847, dated 08/16/71 under permit number 15718, dated 2/10/78 under permit number 4037, dated 6/29/90 under permit number 2677, and dated 07/12/1996 under permit number 2630. These permits were not clear no the setback lines.
 - Nearest intersection is 12th Street and Gibson Avenue being approximately 270 feet from the site.
 - No off site easements were located or provided.

RECEIVED
NOV 16 2022
FILE # 7404



CERTIFICATION

To Utah First Title Insurance Agency Inc. and Summa Terra Development Group LLC;

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/NSPS, and includes Items 1, 2, 3, 4, 5, 6(b) 7(a), 7(b)(1), 7(c), 8, 9, 11(a), 13, 16, 17, 18 and 19 of Table A thereof. Field work was completed on 09-16-2022 Date of plat map 11-15-2022.

Date
Andy Hubbard
Utah PLS No. 6242920

ALTA/NSPS Land Title Survey
Hunters Landing - East
381 West 12th Street,
Ogden City, Weber County, Utah
A part of Section 20, T6N, R1W, SLB&M, U.S. Survey.

Sept, 2022
SHEET NO.
C1
22N010

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