

ALTA/NSPS LAND TITLE SURVEY

A PART OF BLOCK 38, PLAT 'A', OGDEN CITY SURVEY, WEBER COUNTY, UTAH

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

OGDEN CITY, WEBER COUNTY, UTAH

JUNE, 2024

DESCRIPTION FROM TITLE REPORT

PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY NATIONAL COMMERCIAL SERVICES; COMMITMENT NO.: NCS-1156611-SLCT1, REV. 1, DATED JUNE 3, 2024:

PARCEL 1:

LOT 101, OGDEN CITY PLAZA SUBDIVISION - 1ST AMENDMENT, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND RECORDED JUNE 7, 2024 AS ENTRY NO. 3328408 IN BOOK 97 AT PAGE 76 IN THE WEBER COUNTY RECORDER'S OFFICE.

PARCEL 2:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS AS GRANTED IN THAT CERTAIN ACCESS EASEMENT AGREEMENT RECORDED FEBRUARY 13, 1979 AS ENTRY NO. 767049 IN BOOK 1287, PAGE 68, SUBJECT TO THE TERMS, RESTRICTIONS AND CONDITIONS CONTAINED THEREIN.

PARCEL 3:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS AS GRANTED IN THAT CERTAIN DECLARATION OF CROSS-EASEMENTS RECORDED JULY 29, 1997 AS ENTRY NO. 1484462 IN BOOK 1873, PAGE 1314, AND AMENDED BY THAT CERTAIN DECLARATION OF COMMON VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS AMENDMENT OF CROSS EASEMENT RECORDED NOVEMBER 7, 2008 AS ENTRY NO. 2303823, SUBJECT TO THE TERMS, RESTRICTIONS AND CONDITIONS CONTAINED THEREIN.

(SURVEYOR'S NOTE: NOT PLOTTED)

PARCEL 4:

A NON-EXCLUSIVE EASEMENT FOR PARKING AS GRANTED IN THAT CERTAIN DECLARATION OF PARKING EASEMENT AND RESTRICTION COVENANT FOR OGDEN CITY PLAZA RECORDED JANUARY 16, 2009 AS ENTRY NO. 2385314, SUBJECT TO THE TERMS, RESTRICTIONS AND CONDITIONS CONTAINED THEREIN.

(SURVEYOR'S NOTE: NOT PLOTTED)

BENCHMARK

TOP OF BRASS CAP STREET MONUMENT IN THE INTERSECTION OF 22ND STREET AND LINCOLN AVENUE
VERTICAL DATUM 4296.06' (WGS 84 STATIC GPS)

FLOOD ZONE CLASSIFICATION

THE ENTIRE SUBJECT PROPERTY IS LOCATED WITHIN ZONE X (UNSHADED) PER FEMA FLOOD INSURANCE RATE MAP FOR WEBER COUNTY, UTAH, AND INCORPORATED AREAS MAP NO. 49057C0426F, EFFECTIVE DATE 11/30/2023. ZONE X (UNSHADED) IS DEFINED AS "AREAS OF MINIMAL FLOOD HAZARD."

ZONING INFORMATION

SETBACK LINES NOT SHOWN ON SURVEY BECAUSE NO INTERPRETATION OF THE ZONING CODE FOR SETBACKS WAS PROVIDED TO THE SURVEYOR.

PER ZONING ANALYSIS REPORT PREPARED BY DRACO INTERNATIONAL, PROJECT NO. 20245037-01, 2ND DRAFT REPORT, DATED MAY 24, 2024:

NUMBER OF UNITS: PROPOSED: 97
CURRENT USE: VACANT LAND TO NEW CONSTRUCTION
ZONING CLASSIFICATION: C-ENT: COMMERCIAL ENTERTAINMENT

	JURISDICTION REQUIREMENTS	EXISTING CONDITIONS
LOT WIDTH	30 FEET (NO BUILDING FORM SHALL APPEAR TO EXCEED 200 FEET IN LENGTH ALONG THE STREET.)	225.16 FEET ON 22ND STREET. (NO BUILDING CURRENTLY EXISTS ON LOT.)
LOT DEPTH	NOT SPECIFIED	NOT SPECIFIED
BUILDING HEIGHT	NOT TO EXCEED MIN. 2 STORIES / 30 FEET, MAX. 15 STORIES 200 FEET	NOT SHOWN ON SURVEY NEED BUILDING HEIGHT IN STORIES & FEET
FRONT SETBACK	MIN. 0 FEET/MAX. 15 FEET	NOT SHOWN ON SURVEY
SIDE SETBACK	MIN. 0 FEET/MAX. 75 FEET	NOT SHOWN ON SURVEY
SIDE SETBACK	MIN. 0 FEET/MAX. 75 FEET	NOT SHOWN ON SURVEY
REAR SETBACK	MIN. 0 FEET/MAX. NO REQUIREMENT	NOT SHOWN ON SURVEY
PARKING	2 SPACES PER UNIT	NOT SHOWN ON SURVEY

NOTE: PER MEMO DATED JUNE 12, 2024 FROM BARTON BRIERLY, AICP PLANNING MANAGER, OGDEN CITY PLANNING DIVISION, "OGDEN MUNICIPAL CODE (OMC) SECTION 15-12-3 REQUIRES THAT DWELLING UNITS DEDICATED TO LOW-OR MODERATE-INCOME HOUSEHOLDS IN THE C-ENT ZONE HAVE A MINIMUM OF 0.8 PARKING SPACES PER DWELLING UNIT AND A MAXIMUM OF 1.4 PER DWELLING UNIT. (PROPOSED) PHASE 1 HAS 97 DWELLING UNITS AND 78 PARKING SPACES, OR 0.8 PARKING SPACES PER DWELLING UNIT. THE (PROPOSED) PROJECT MEETS THIS STANDARD."

EXCEPTIONS TO COVERAGE

PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY NATIONAL COMMERCIAL SERVICES; COMMITMENT NO.: NCS-1156611-SLCT1, REV. 1, SCHEDULE B, PART II-EXCEPTIONS, DATED JUNE 3, 2024:

12. 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.
(SURVEYOR'S NOTE: EASEMENT OF AN UNDEFINED WIDTH PLOTS ALONG THE NORTHERLY LINE)

13. 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.
(SURVEYOR'S NOTE: EASEMENT OF AN UNDEFINED WIDTH PLOTS ALONG THE NORTHERLY LINE)

14. 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.

(SURVEYOR'S NOTE: NOTHING TO PLOT; REFERENCED DOCUMENT REFERS TO VEHICULAR & PEDESTRIAN ACCESS AND NONEXCLUSIVE UTILITY EASEMENTS BETWEEN THE PAD PARCEL AND THE PLAZA PARCEL)

15. 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.

EASEMENTS, NOTES AND RESTRICTIONS AS SHOWN ON OGDEN CITY PLAZA SUBDIVISION - 1ST AMENDMENT PLAT RECORDED JUNE 7, 2024 AS ENTRY NO. 3328408 IN BOOK 97 OF PLATS AT PAGE 76.

(SURVEYOR'S NOTE: A UTAH POWER & LIGHT EASEMENT OF AN UNDEFINED WIDTH PLOTS ALONG THE NORTHERLY LINE; A 26' AND A 44' CROSS-ACCESS EASEMENT PLOTS ALONG THE WESTERLY LINE; A 30' CROSS-ACCESS EASEMENT PLOTS ALONG THE EASTERLY LINE; A 10' UTAH POWER & LIGHT EASEMENT PLOTS ALONG THE EASTERLY LINE; A 29' CROSS-ACCESS EASEMENT PLOTS ALONG THE SOUTHERLY LINE; A 10' WATER LINE EASEMENT PLOTS ALONG THE SOUTHERLY LINE; AND A 5' MUNICIPAL UTILITY EASEMENT PLOTS ALONG THE NORTHERLY, SOUTHERLY, EASTERLY, AND WESTERLY LINES OF SUBJECT PROPERTY)

16. DECLARATION OF PARKING EASEMENT AND RESTRICTIVE COVENANT FOR OGDEN CITY PLAZA RECORDED JANUARY 16, 2009 AS ENTRY NO. 2385314 OF OFFICIAL RECORDS.

(SURVEYOR'S NOTE: PARKING EASEMENT PLOTS SOUTH OF SUBJECT PROPERTY)

SURVEYOR'S NARRATIVE

THIS SURVEY WAS REQUESTED BY JOHN SIMIANER OF HIVE DESIGN GROUP, LLC, FOR TITLE PURPOSES.

BRASS CAP MONUMENTS WERE FOUND IN THE INTERSECTION OF 22ND STREET AND GRANT AVENUE; IN THE INTERSECTION OF 23RD STREET AND GRANT AVENUE; IN THE INTERSECTION OF 22ND STREET AND LINCOLN AVENUE; AND IN THE INTERSECTION OF 23RD STREET AND LINCOLN AVENUE.

A LINE BEARING SOUTH 89°02'00" EAST BETWEEN THE BRASS CAP MONUMENTS IN THE INTERSECTION OF 22ND STREET AND GRANT AVENUE AND IN THE INTERSECTION OF 22ND STREET AND LINCOLN AVENUE.

OGDEN CITY PLAZA SUBDIVISION PREPARED BY UTAH LAND SURVEYING, LLC, FOR OGDEN CITY PLAZA INVESTORS, DATED MAY 14, 2008, AND RECORDED MAY 29, 2008, AS ENTRY #2344587; AN ALTA/ACSM LAND TITLE SURVEY PREPARED BY MCNEIL ENGINEERING AND LAND SURVEYING, FOR OGDEN SCHOOL DEVELOPMENT 2, LLC, DATED JANUARY 31, 2006, AND RECORDED JUNE 12, 2006, AS ENTRY #3637; AN ALTA/ACSM LAND TITLE SURVEY PREPARED BY MCNEIL ENGINEERING AND LAND SURVEYING, FOR OGDEN PREP ACADEMY, DATED JANUARY 31, 2006, AND RECORDED JUNE 12, 2006, AS ENTRY #3639; AND AN ALTA/ACSM LAND TITLE SURVEY PREPARED BY LARSEN & MALMQUIST, INC. FOR OGDEN SCHOOL DEVELOPMENT, DATED DECEMBER 6, 2004 WERE USED AS REFERENCE FOR THIS SURVEY.

THE NORTHERLY BOUNDARY LINE OF SUBJECT PROPERTY WAS ESTABLISHED BY THE SOUTHERLY RIGHT-OF-WAY LINE OF 22ND STREET. ALL OTHER BOUNDARIES OF SUBJECT PARCEL WERE ESTABLISHED BY THE OGDEN CITY PLAZA SUBDIVISION - 1ST AMENDMENT, AS RECORDED IN THE WEBER COUNTY RECORDER'S OFFICE.

PROPERTY CORNERS NOT FOUND ARE SET WITH A NAIL AND WASHER.

NOTES

NO STRUCTURES ARE FOUND WITHIN THE BOUNDARIES OF SUBJECT PARCELS. (SEE TABLE A, ITEM 7)

THERE WERE 136 MARKED PARKING STALLS; 0 MARKED ADA PARKING STALLS; AND 15 PARTIAL PARKING STALLS OBSERVED ON SITE AT TIME OF SURVEY. (SEE TABLE A, ITEM 9)

NO PARTY WALLS WERE OBSERVED WHILE CONDUCTING THE FIELD WORK. (SEE TABLE A, ITEM 10)

UTILITIES SHOWN ON THIS SURVEY ARE BASED ON PLANS AND/OR REPORTS PROVIDED BY THE CLIENT OR FROM THE VARIOUS UTILITY AGENCIES, OR MARKINGS COORDINATED BY THE SURVEYOR PURSUANT TO A PRIVATE UTILITY LOCATE REQUEST. THIS INFORMATION IS NOT TO BE RELIED ON AS ACCURATE OR EXACT. THE LOCAL UTILITY LOCATION COMPANY SHOULD BE CONTACTED PRIOR TO ANY CONSTRUCTION OR EXCAVATION. INFORMATION FROM THE SOURCES INDICATED ABOVE WILL BE COMBINED WITH OBSERVED EVIDENCE OF UTILITIES PURSUANT TO SECTION 5.E.IV. OF THE MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, TO DEVELOP A VIEW OF THE UNDERGROUND UTILITIES. HOWEVER, LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY, AND RELIABLY DEPICTED. IN ADDITION, IN SOME JURISDICTIONS, 811 OR OTHER SIMILAR UTILITY LOCATE REQUESTS FROM SURVEYORS MAY BE IGNORED OR RESULT IN AN INCOMPLETE RESPONSE. WHERE ADDITIONAL OR MORE DETAILED INFORMATION IS REQUIRED, THE CLIENT IS ADVISED THAT EXCAVATION MAY BE NECESSARY. (SEE TABLE A, ITEM 11)

NO RELEVANT SURVEY REQUIREMENTS WERE PROVIDED BY THE CLIENT OR CLIENT'S DESIGNATED REPRESENTATIVE TO THE SURVEYOR REGARDING GOVERNMENTAL AGENCY SURVEY-RELATED REQUIREMENTS (e.g., HUD SURVEYS, SURVEYS FOR LEASES ON BUREAU OF LAND MANAGEMENT MANAGED LANDS). (SEE TABLE A, ITEM 12)

NORTHEAST CORNER OF SUBJECT PARCEL IS 241 FEET FROM THE INTERSECTION OF 22ND STREET AND GRANT AVENUE; AND THE NORTHWEST CORNER OF SUBJECT PARCEL IS 300 FEET FROM THE INTERSECTION OF 22ND STREET AND LINCOLN AVENUE (SEE TABLE A, ITEM 14)

NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK. (SEE TABLE A, ITEM 16)

THERE IS NO EVIDENCE OF ANY CHANGE OF RIGHT-OF-WAY OR EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS OBSERVED IN THE PROCESS OF CONDUCTING THIS SURVEY. (SEE TABLE A, ITEM 17)

THERE IS NO EVIDENCE OF CEMETERIES OR BURIAL GROUNDS IN THE PROCESS OF CONDUCTING THIS SURVEY.

THERE IS NO EVIDENCE OF ENROACHMENTS IN THE PROCESS OF CONDUCTING THIS SURVEY.

THERE IS BOTH PEDESTRIAN AND VEHICULAR ACCESS TO THE PROPERTY VIA 22ND STREET.

NO STRUCTURES OR PARTY WALLS EXIST ON THE SUBJECT PARCEL.

NO WETLAND DELINEATION MARKERS WERE OBSERVED DURING THE TIME OF FIELDWORK.

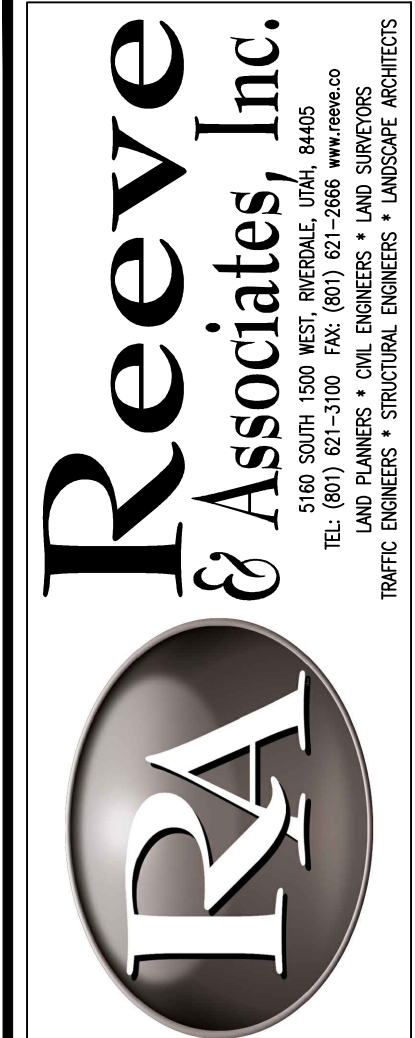
ALTA/NSPS LAND TITLE SURVEYOR'S CERTIFICATE

TO FIRST AMERICAN TITLE INSURANCE COMPANY NATIONAL COMMERCIAL SERVICES; CITIBANK, N.A., AND ITS SUCCESSORS AND/OR ASSIGNS, AS THEIR INTERESTS MAY APPEAR; UTAH HOUSING CORPORATION, AN INDEPENDENT BODY POLITICAL AND CORPORATE, CONSTITUTING A PUBLIC CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF UTAH; LOTUS ADVANTAGE CITYWALK, LLC, A UTAH LIMITED LIABILITY COMPANY; CITI COMMUNITY CAPITAL, AND ITS SUCCESSORS AND ASSIGNS; LOTUS OGDEN PLAZA, LLC, A UTAH LIMITED LIABILITY COMPANY; RAYMOND JAMES TAX CREDIT FUND XX L.L.C., A FLORIDA LIMITED LIABILITY COMPANY, ITS AFFILIATES, SUCCESSORS AND ASSIGNS; AND RAYMOND JAMES AFFORDABLE HOUSING INVESTMENTS, INC., A FLORIDA CORPORATION, ITS AFFILIATES, SUCCESSORS AND ASSIGNS:

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 1, 2, 3, 4, 6(a), 6(b), 7(a), 7(b), 7(c), 8, 9, 10, 11(a), 12, 13, 14, 16, 17, 18, 19, AND 20 OF TABLE A THEREOF.

DATE OF FIELDWORK: 5-29-2024
DATE OF SURVEY: 6-10-2024

DATE SIGNED:
JASON T. FELT, P.L.S.
UTAH NUMBER: 9239283



REVISIONS	DATE	DESCRIPTION

ALTA/NSPS LAND TITLE SURVEY
PART OF THE SOUTHEAST QUARTER OF SECTION 29
TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY
OGDEN CITY, WEBER COUNTY, UTAH

LOTUS ADVANTAGE CITYWALK, LLC
2220 SOUTH 240 EAST, OGDEN, UT 84401

Project Info.	
Surveyor:	J. FELT
Designer:	A. MULLINS
Begin Date:	5-29-2024
Name:	ALTA SURVEY 1
Scale:	1"=30'
Checked:	
Number:	7323-14
Sheet	2
1	Sheets

