

This survey was completed using Commitment for Title Insurance from From First American Title Insurance Company Under File No. 338-6209734 dated February 28, 2022 @ 8:00 A.M.

EXCEPTION NO. 1-3, 5-11 (NOT A SURVEY MATTER)

EXCEPTION NO. 4 (SEE SIGNIFICANT OBSERVATIONS AND SURVEYORS NARRATIVE) 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 (SEE SIGNIFICANT OBSERVATIONS AND SURVEYORS NARRATIVE) Any facts, rights, interest or claims which would be disclosed by a correct ALTA/NSPS survey.

RECORD DESCRIPTIONS

Parcel 1 (Parcel ID:12-106-0006)

part of the northeast quarter and the northwest quarter of section 20, township 6 north, range 1 west, salt lake meridian, u.s. survey: beginning at a point south 66 feet from the northwest corner of said northeast quarter section 20, and running thence south 89°10' east 278 feet, thence south 0°50' west 205.98 feet, thence south 89°00' west 295.15 feet, thence north 0°58' east 239.82 feet to the north property line of 9th street, thence south 89°10' east 17.08 feet to the east line of the northwest quarter of section 20; thence south 0°56' west 34.69 feet to the place of beginning.

Parcel 2 (Parcel ID:12-106-0010)

Part of the Northeast Quarter of Section 20, Township 6 North, Range 1 West, Salt Lake Meridian, U.S. Survey; beginning at a point 33 feet South of the Northwest corner of said Quarter Section and Running thence East 275.62 feet, thence South 33 feet, thence West 275.62 feet, thence North 33 feet to the place of beginning.

NARRATIVE

- 1. This ALTA/NSPS Land Title Survey was requested by Mitchell Smedley with Surge Development.
2. Basis of bearing for this survey is S 00°58'00" W measured between the centerline monuments at the intersection of Wall Ave and 9th street and Wall and 12th street.
3. The establishment of 9th street held the Ogden City Plat (P16468) being shown as a variable Right of Way.
4. The West line of Parcel 1 was established by holding an offset of 17.08' to the West of the established Section line as interpreted by the Surveyor in Parcel 3 description of Warranty Deed found at Entry No. 2725283, and Quit-Claim Deed found at Entry No. 1510702 as the intent between the deeds.
5. The South line of Parcel 1 has held Boundary by acquiescence to a measured Wall. It appears that all of the elements have been met as established by Utah Supreme Court as follows:
5.1. Mutual Acquiescence. (Passive acceptance by living up to and maintaining the acquiesced line.)
5.2. By adjoining landowners (HD Development of Maryland and Michael Paul & Lucy Anne Morrell Family Trust.)
5.3. To a clearly defined line (the measured wall in the survey.)
5.4. For a long period of time (defined as 20 years.)
6. The East line of Parcel one Held the record and agreed with Record of survey prepared by Gary L Newnam, File No. 1005 being found to closely match the existing fence. Distance of 218.78' was used over the record due to the evidence supporting boundary by acquiescence as explained.
7. Parcel 2 was established by holding the record rotated to the measured Centerline of 9th Street.
8. Property corners are to be set as shown here on. Fieldwork was completed on April 20, 2022.

SIGNIFICANT OBSERVATIONS

- 1. Deed Gap between Parcel 1 and Ogden Home Depot Subdivision (See Surveyors Narrative Paragraph 5, 5.1, 5.2, 5.3, 5.4, and 6). A wall surveyed South of the plotted line for Parcel 1 is also found to be slightly North of the retraced boundary of Ogden Home Depot Subdivision. It appears to surveyor that all of the elements of boundary by acquiescence have been fulfilled. Evidence collected by surveyor suggests that said wall has been relied upon as the boundary for a period of 20 years (assuming that the wall was installed with the subdivision) by adjoining landowners.
2. Travel lanes in 9th street are loosely restricted to less than 30' for two lane traffic due to the parking within the Right of Way.
3. Two Track road to properly appears to have been used for access.
4. Parcel 2 contains 29 Parking stalls that have been used for the benefit of Children's Classic Child Care Centers. No easement has been found; however, a prescriptive easement may be present for the benefit of Classic Child Care Centers.
5. Overhead Power crossing property not contained within an easement per Title Report. Lack of maintenance of said power line has created hazards on the property. Fallen trees are supported by said power line, and at the point of the label the power line is 7' above the ground.
6. Storm water drainage and structures crosses property with no drainage easement found.

UTILITY STATEMENT

The underground utilities shown have been located from field survey information. 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 shown are in the exact location indicated although he does certify that they are located as accurately as possible from information available. The surveyor has physically located the underground utilities visible at the surface of marked by utility locators.

SURVEYORS CERTIFICATION

To Surge Development, and First American Title Insurance Company Under. 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), 8, 9, 10, 11(a), 13, 16, 17, and 18 of Table A thereof.
The field work was completed on April 20, 2022. Date of Plotting April, 26th 2022.

Date April 26, 2022
Andy Hubbard
Utah PLS No. 6242920

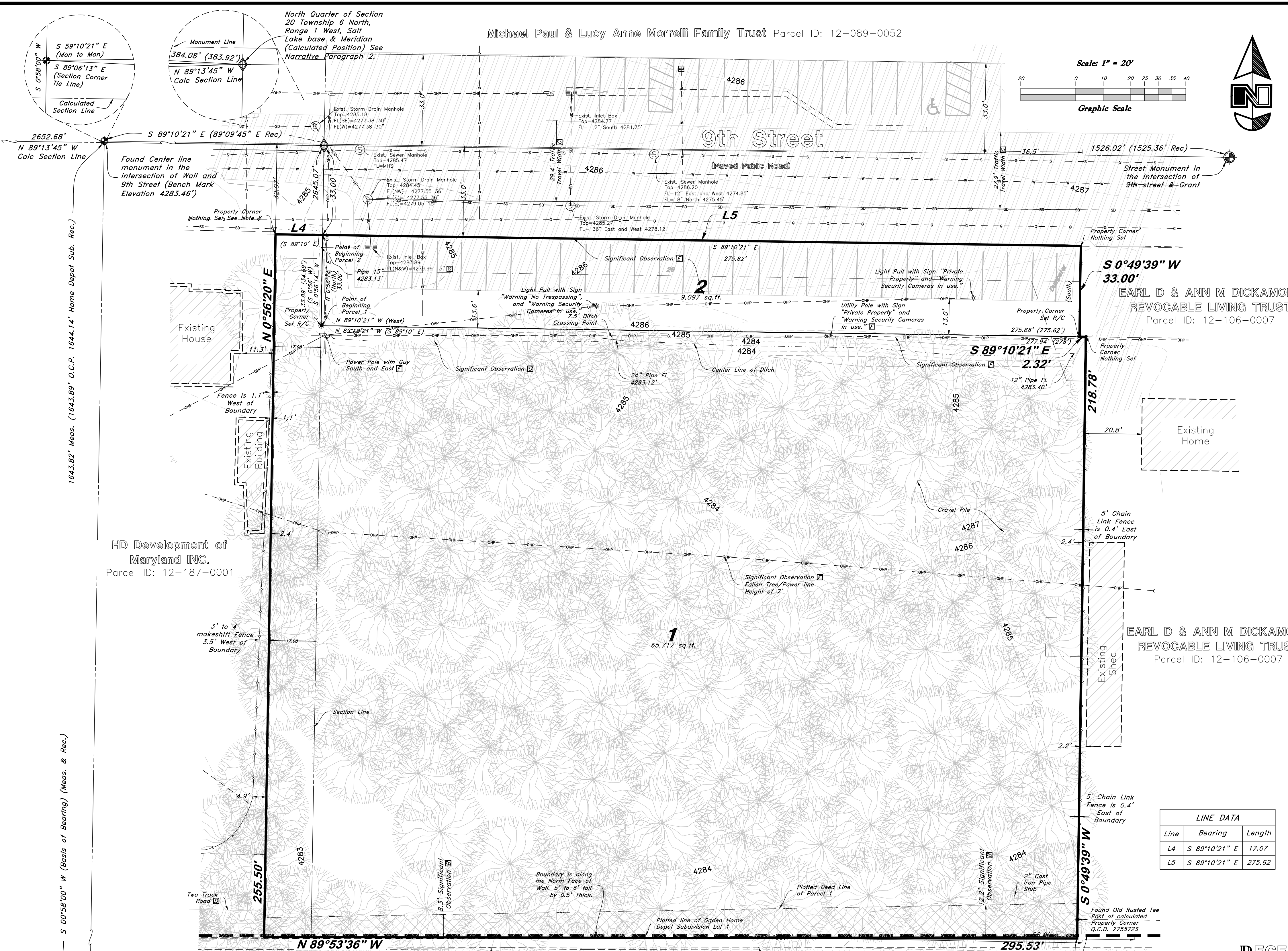
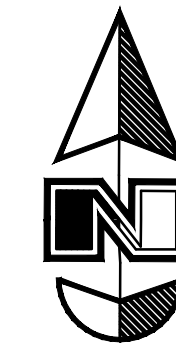
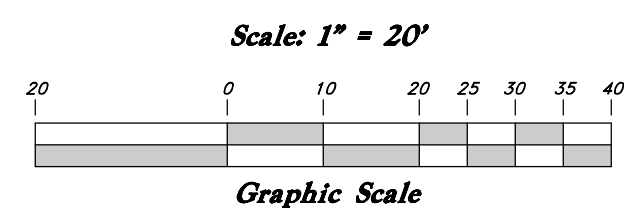


Table with 3 columns: Line, Bearing, Length. Contains data for lines L4 and L5.

Legend

- 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 Fire Hydrant, Existing Telephone Manhole, Existing Gas Manhole, Existing Inlet Box, Existing Valve, Existing Catch Basin, Center line of Road, Existing Parcel Line, Survey Monument Line, Easement Line, Exception Line, Centerline Ditch, Existing Concrete, Lot and Block, 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, Not of Record, Ogden City Plat, Existing Asphalt, Existing Concrete, Existing Building, Existing Building Overhang, Deed overlap or gap, Coniferous Tree, Deciduous Tree, Found Section Monument, Calculated Section Monument, Found Center line Monument, Set 5/8" x 24" Long Rebar & Cap w/ Lathe

Ogden Home Depot Subdivision Lot 1 Book 55 Page 1

NOTES

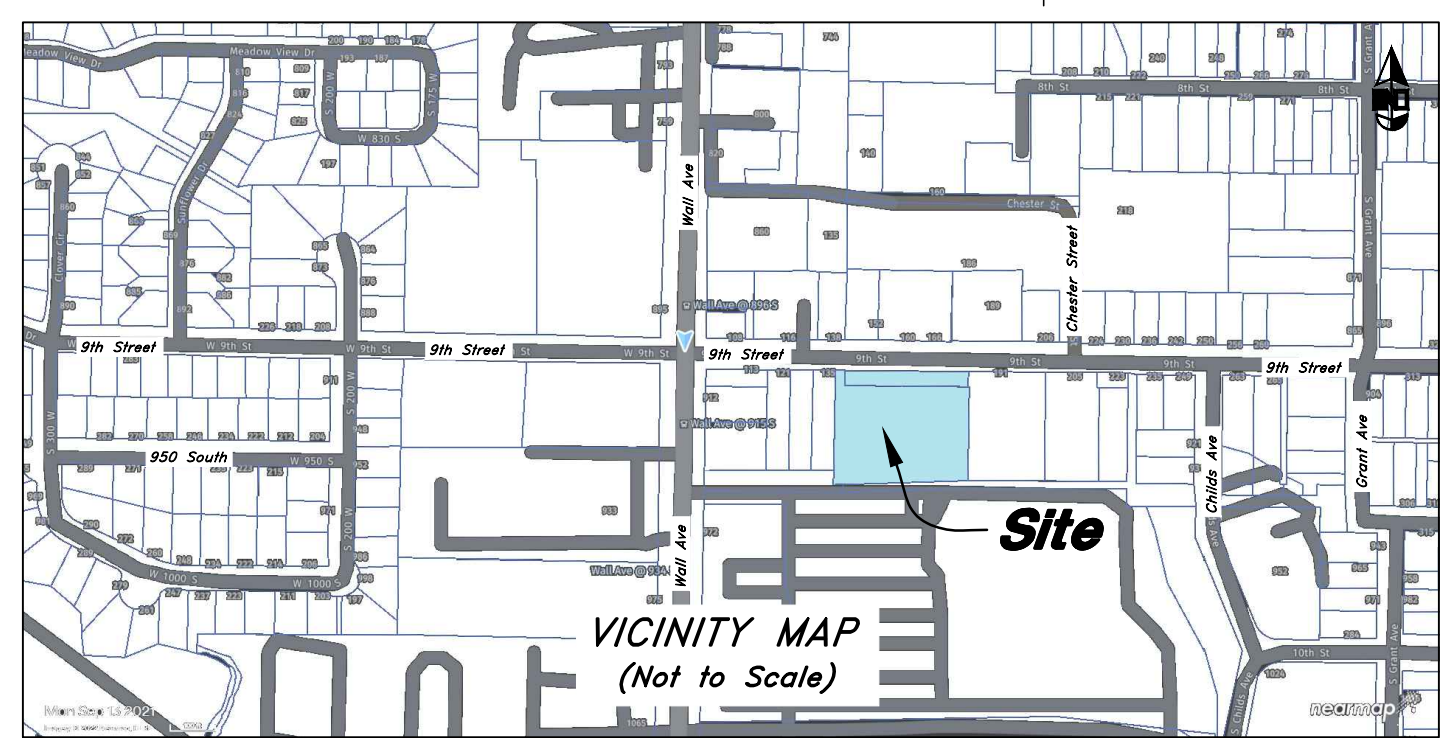
- 1. Total Gross land area for Parcel 1 and 2 is 74,535 sq.ft or 1.7111 Acres. (Subject to change based on resolution to Significant Observation A.)
1.1. Total Gross land area for Parcel 1 is 9,097 sq.ft.
1.2. Total Gross land area for Parcel 2 is 65,438 sq.ft. or 1.5022 Acres. (Subject to change based on resolution to Significant Observation A.)
2. No zoning information was provided to the surveyor at the time of survey.
3. There are 29 parking stalls observed at the time of field work one of which contains a dumpster.
4. Parcel 1 and 2 have no official assigned address.
5. There is evidence of recent earthwork in cleaning out the ditch South of the North line of Parcel 1.
6. There is evidence of proposed changes in Right of Way lines to the knowledge of the Surveyor along 9th Street West of the Section Line. The Proposed changes is to have a 33.00 foot half width along the South Right of Way of said 9th street.
7. No Address has been assigned to Parcel 1 or Parcel 2 that is known of the Surveyor.
8. The centerline monument utilized located at the intersection of 9th Street and Wall Avenue was used as the benchmark with an elevation of 4283.46'.

FLOOD PLAIN

This property lies entirely within flood Zone X (No Shading) as shown on the FEMA Flood Insurance Rate Map for Weber County, Utah, Map Number 49057C0426E dated 16 December, 2005. Flood Zone X (No Shading) is defined as less than a 0.2% chance of annual Flood Hazard.

HD Development of Maryland INC. Parcel ID: 12-187-0001

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GREAT BASIN ENGINEERING logo and contact information: 5746 SOUTH 1475 EAST OGDEN, UTAH 84403, MAIN (801)994-4515, S.L.L.C (801)921-0222, FAX (801)992-7544, WWW.GRETBASINENGINEERING.COM

ALTA/NPSA Land Title Survey logo and Surge Development information: Surge Development, 9th & Wall Avenue, Ogden City, Weber County, Utah, A part of Section 20, T6N, R1W, S1E&M, U.S. Survey

April, 2023 SHEET NO. ALTA logo and 22N002 - ALTA