Title Information

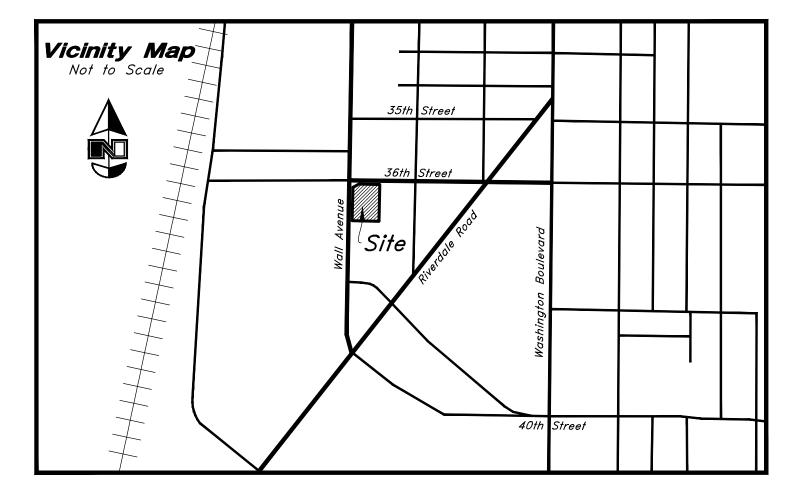
This survey was completed using Title Report File No. NCS-1219181-SLC1 dated April 16, 2024 from First American Title Insurance Company National Commercial Services:

The following survey related items circled (Solid) from Schedule B - Part II of the title report are plotted on the

The following survey related items circled (Dashed) from Schedule B — Part II of the title report blanket all or a portion of this site but contain nothing to plot:

The following survey related items not circled from Schedule B - Part II of the title report could not be plotted:

- (12) The land is included within the boundaries of Weber Basin Water Conservancy District, Central Weber Sewer District, Northwest Area Redevelopment Project Area Plan, Weber Area 911 and Dispatch and Emergency Services District and South Oaden City, and is subject to charges and assessments made thereby blankets this site along with more land. contains nothing to plot.
- (15) A 21 foot wide easement to the Town of South Ogden by Instrument recorded June 14, 1937 in Book X of Leases at Page 263 of Official Records. The centerline of said easement is described as being the center of Section 5 running East and West and falls within the Right-of-Way of 36th Street and does not affect this site and appears the existing sewer manholes are North of the easement described.
- 16 Slope Easement recorded July 03, 1958 as Entry No. 296401 in Book 584 at Page 456 of Official Records plots Southerly affects Parcel 1 of the Title Report, but does not affect Parcels 2-4.
- (17) Slope Easement recorded October 29, 1958 as Entry No. 302365 in Book 594 at Page 112 of Official Records Plots on the Westerly side of Wall Avenue as shown and does not affect this site.
- 18 An easement as granted to the State Road Commission of Utah by Instrument recorded January 26, 1960 as Entry No. 328779 in Book 636 at Page 199 of Official Records plots Southerly and affects Parcel 1 of the Title Report, but does not affect Parcels 2-4.
- 19 An easement as granted to the State Road Commission of Utah by Instrument recorded January 26, 1960 as Entry No. 328780 in Book 636 at Page 200 of Official Records same easement as exception 18 above and plots Southerly and affects Parcel 1 of the Title Report, but does not affect Parcels 2-4.
- $\widehat{(20)}$ An easement for sewer line and incidental purposes to Washington Terrace Non Profit Housing Corporation by Instrument recorded May 19, 1960 as Entry No. 335759 in Book 647 at Page 28 of Official Records contains 10 parcels. Parcel 1 defines a line between 27 and 30 feet Easterly of the centerline of Wall Avenue with no width aiven. Parcel 2 does not contain enough information to determine the location. Parcel 3 falls within Wall Avenue North of 36th Street. Parcel 4 does not contain enough information to determine the location. Parcels 5-9 plot off site and do not affect this site. Parcel 10 describes a line in 36th Street with no width and plots South of the existing sewer line in 36th Street.
- 21 An easement to The Mountain States Telephone and Telegraph Company of undisclosed size and location recorded June 25, 1964 as Entry No. 429142 in Book 777 at Page 454 of Official Records contains a weak legal description that does not contain a tie from a record corner, but appears to possibly blanket the Southerly portion of Parcel 1 of the Title Report which is not a part of this Survey and does not affect Parcels 2-4.
- 22 Agreement and Grant of Easements recorded as Entry No. 454685 in Book 810 at Page 469 of Official Records. Blankets Parcel 1, 2 and 3 of the Title Report, exception 30 below relinquishes this document.
- 23 An easement to Mountain Fuel Supply Company recorded December 06, 1966 as Entry No. 481815 in Book 851 at Page 80 of Official Records. Describes a 16 foot wide easement that affects Parcel 1 of the Title Report which is not a part of this Survey and does not affect Parcels 2-4.
- (24) 16 foot wide Right-of-Way contained in certain Deed recorded January 21, 1969 as Entry No. 515486 in Book 908 at Page 415 of Official Records describes a 16' wide easement over Parcel 2 in favor of an old description of the Costco
- 25 An easement to The Mountain States Telephone and Telegraph Company recorded July 18, 1974 as Entry No. 619460 in Book 1059 at Page 440 of Official Records. Describes a 5 foot wide easement on a property that plots Southwesterly and does not affect this site.
- 26 An easement for electric transmission and incidental purposes to Utah Power & Light Company recorded May 05, 1978 as Entry No. 741685 in Book 1246 at Page 671 of Official Records describes two guy anchors that plot South of Parcel 1 and do not affect this site.
- 27 An easement for communication and other facilities and incidental purposes to The Mountain States Telephone and Telegraph Company recorded as Entry No. 754541 in Book 1267 at Page 282 of Official Records. Describes a 5 foot wide easement that affects a property that plots Southwesterly and does not affect this site.
- (28) A 5 foot wide easement to South Ogden City Corporation by Instrument recorded February 17, 1995 as Entry No. 1333153 in Book 1747 at Page 526 of Official Records.
- (29) An easement for slopes, highway signing, power, water, telephone, and gas utilities, and appurtenant parts thereof and incidental purposes to South Ogden City Corporation by Instrument recorded June 06, 1995 as Entry No. 1348647 in Book 1759 at Page 1645 of Official Records.
- (30) Grant or Reciprocal Easements dated May 23, 2003 by and between Kimco of Utah, Inc., and America First Credit Union recorded May 29, 2003 as Entry No. 1942343 in Book 2375 at Page 1029 of Official Records relinquishment of Exception 22 above and grants shared parking—AFCU (Parcel 3), shared parking—Kimco which appears to cover the first row of parking stalls South of the drive aisle being South of Parcels 2 and 3, and a shared access which appears to be entirely on the AFCU Parcel and does not appear to cover the current drive aisle. Exhibits contain shaded areas that are unclear, contain old site configurations and do not contain any dimensions of said easement areas. (Parcel 1A)
- 31 The terms, conditions and provisions contained in the document entitled "Sign Easement and Agreement", executed by and between Kimco of Utah. Inc. and Wayne Leasina LLC. recorded May 29. 2003 as Entry No. 1942344 of Official Records. Describes a sign easement area located at the Southwest corner of Parcel 1 of the Title Report which is not part of this survey and does not affect Parcels 2-4.
- 32 An unrecorded Lease executed by Kimco of Utah, Inc., as Lessor, and Costco Wholesale Corporation, a Washington corporation, as Lessee, as disclosed by Memorandum of Lease recorded May 29, 2003 as Entry No. 1942345 in Book 2375 at Page 1054 of Official Records and a Subordination, Non-Disturbance and Attornment Agreement wherein Costco Wholesale Corporation, a Michigan corporation subordinates its leasehold interest in the land pursuant to a Lease, dated November 01. 2002, to that certain Deed of Trust executed by YFP Ogden, LLC, a Utah limited liability company as Trustor, in favor of Jackson National Life Insurance Company, a Michigan corporation its successors and assigns as Beneficiary in the amount of \$8,900,000.00, and subject to the terms and provisions of the Subordination, Non-Disturbance and Attornment Agreement recorded June 19, 2014 as Entry No. 2691144 of Official Records affects Parcel 1 of the Title Report which is not part of this survey and does not affect Parcels 2-4.
- (33) Non-Competition Covenant and Restriction recorded July 08, 2010 as Entry No. 2480937 of Official Records blankets Parcel 4 but contains nothing to plot.
- (37) A Notice of Creation from the Northern Utah Environmental Resource Agency ("NUERA") dated October 28, 2014 and recorded January 20, 2015 as Entry No. 2718461 of Official Records blankets Weber County along with other Counties, contains nothing to plot.
- (38) Notice of Adoption of the City Center Community Reinvestment Project Area Plan recorded June 04, 2020 as Entry No. 3059464 of Official Records blankets this site along with more land, contains nothing to plot.
- 39 An easement for utilities and incidental purposes over, across or through that portion of the vacated Street, as set forth in that certain Ordinance vacating said Street, recorded January 15, 2021 as Entry No. 3118353 of Official Records. Describes a vacated portion of Lincoln Avenue that defines the Easterly line of Parcel 1 of the Title Report, but does not affect Parcel 2-4.
- 40 Terms and conditions, as set forth within that certain Quit Claim Deed, YFP Ogden, LLC as Grantor and Seasons on Riverdale, LLC as Grantee recorded June 10, 2021 as Entry No. 3160035 of Official Records covers the same Parcel of land described in the above Exception 39 and does not affect Parcels 2-4.
- (41) A Notice of Lien dated May 03, 2023 filed by Shane B. Inglesby, on behalf of Geneva Rock Products, Inc., a Utah Corporation in the Amount of \$1,182.93 recorded May 03, 2023 as Entry No. 3282151 of Official Records affects Parcel 4 but contains nothing to plot.
- * Exception No.'s 1-11, 13, 14 and 42-45 are general and/or standard exceptions that do not reveal matters of survey.
- ** Exception No.'s 34, 35, and 36 describe and affect all or a portion of this site but do not reveal matters of survey.



Narrative

This Survey was requested by America First Credit Union prerequisite to the development of this property.

This Survey retraces and honors a previous 2021 Survey by Sunrise Engineering covering Parcel 4 and a 2003 Survey by Sunrise Engineering covering Parcel 1 as rotated onto the State Plane basis - which also sets Parcels 2 and 3 as shown.

A minor gap between the two surveys appears as calculated due to the 13 second difference measured along 36th Street monument line when compared to the underlying Ogden City Plat (OCP) and deeds of record which match together as described.

A line between a Nail found marking the Southwest Corner and a Steal Cap in a PVC Pipe Found marking the South Quarter Corner of Section 5 was assigned the NAD83 Utah North Zone State Plane bearing of South 89°26'02" East as the Basis of Bearings to place the Survey on said State Plane Datum which matches the published 1994 Weber County Survey (WCS) bearing of this line.

This survey does not include Parcel 1 of the Title Report.

Parcel 1A contains Reciprocal Easements between Kimco of Utah and America First Federal Credit Union this agreement relinquishes the agreements made in Exception 22 and grants a reciprocal access easement over the shared access drive that appears to have changed from that which is shown on the exhibit therein. This agreement also describes two shared Parking easements described as the "Shared Parking-Kimco" and the "Shared Parking-AFCU". The exhibits contained therein are poor and do not show the existing conditions of the site and do not contain dimension of the easement areas. The Shared Parking-Kimco easement area appears to cover the first row of parking stalls on Parcel 1 South of the AFCU Parcels 2 and 3. The Shared Parking-AFCU easement area appears to cover all of Parcel 3. This document also contains agreements that cover work to be done by Kimco, Maintenance Obligations, Interference, and Taxes on Shared Parking-AFCU.

No Property Corners were placed with this Survey.

Benchmark

Brass Cap Monument for the South Quarter Corner of Section 5, T5N, R1W, SLB&M Elevation = 4395.60 feet (record Ortho Height 4395.6) Weber County Surveyor Tie Sheet. Observed April 9, 2024

Flood Plain Data

This property lies entirely within Flood Zone X with no screen as designated on FEMA Flood Insurance Rate Map for Weber County, Utah and Incorporated Areas Map Number 49057C0428F dated November 30, 2023. Flood Zone X with no screen is defined as "Area of minimal flood hazard"

Zoning Information

Gateway Core Building Setback Requirements 0-10' Front yard Back yard Side yard 0-10' (Corner) Height Restrictions 5 Stories

Notes

According to ALTA standards, the surveyor cannot certify a survey based upon an interpretation. The surveyor is not authorized to interpret zoning codes, nor can the surveyor determine whether certain improvements are burdening or actually benefiting the property.

Pertaining to ALTA Table A Item No. 6: No zoning report was supplied for review, information provided was found on the South Ogden City Zoning Website.

requested maps and received no response from: Lumen and South Ogden City.

parcels that may be part of any agreements are not included.

Pertaining to ALTA Table A Item No. 8: There were no observed areas of substantial refuse on the site. Pertaining to ALTA Table A Item No. 9: There are 135 parking stalls on this site, of which

5 are designated for accessible parking and access. Parking stalls contained within any adjacent

Pertaining to ALTA Table A Item No. 11(a): The location and/or elevation of existing utilities shown on this Survey are based on records of the various utility companies, and where possible measurements taken in the field. No underground explorations were performed. According to Bluestakes of Utah the following companies have Utilities in the area: Comcast, Lumen, Central Weber Sewer Improvement District, First Digital Telecom, Verizon Business (MCI), Ogden City, Dominion Energy, Rocky Mountain Power, South Ogden City, and UDOT. The Surveyor has

Record Descriptions

Parcel 1A:

Those certain easement rights appurtenant to Parcel 1 as set forth in the grant of Reciprocal Easements dated May 22, 2003 by and between Kimco of Utah, and America First Credit Union and recorded May 23, 2003, as Entry No. 1942343 in Book 2375 at Page 1029 of Official Records.

Parcel 2:

Part of the Southwest Quarter of Section 5, Township 5 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey: Beginning at a point on the East line of Wall Avenue, which is South 89°02' East 50 feet and South 0°58' West 418 feet from the Ogden City Survey Monument at the intersection of Wall Avenue and 36th Street; thence South 89°02' East 221.30 feet; thence North 0°58' East 210 feet; thence North 89°02' West 25 feet; thence North 0°58' East 175 feet to the South line of 36th street: thence North 89°02' West 21.3 feet: thence South 0°58' West 175 feet; thence North 89°02' West 175 feet to the East line of Wall Avenue; thence South 0°58' West 210 feet to beginning.

Less and Excepting therefrom that portion of Land Conveyed in that certain Warranty Deed recorded February 17, 1995, as Entry No. 1333152, in Book 1747, at Page 525 in the Office of Official Records, being more particularly described as follows:

A parcel of land in fee for the widening of an existing road Ogden City 36th Street known as Project No. 3356, being part of an entire tract of property, situate in the Northeast Quarter of Southwest Quarter of Section 5, Township 5 North, Range 1 West, Salt Lake Base and Meridian. Said Parcel is a strip of land 5.50 feet wide adjoining Southerly the following Northerly

Beginning at a point on the Grantor's East property line which is 9.92 feet South 00°58'00" West and 148.88 feet North 89°02'00" West from the Northeast Corner of said Southwest Quarter, said point also lies 33.00 feet perpendicularly distant Southerly from the Centerline of 36th Street at Engineer Station 80+15.91; and running thence North 89°02'00" West 101.30 feet, more or less, along the Southerly Right-of-Way line of said 36th Street to the West line of Grantor's property.

Parcel 3:

Part of the Southwest quarter of Section 5, Township 5 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey, and part of Lots 15 and 16 and part of adjoining vacated alley in Block 12, Franklin Place Addition: Beginning at a point on the South line of 36th street which is South 89°02' East 326.30 feet and South 0°58' West 33.00 feet from the O.C.S. monument at the intersection of Wall Avenue and 36th street (which point is also South 0°58' West 9.92 feet and North 89°02' West 148.88 feet from the center of Section 5, Township 5 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey); running thence North 89°02' West 80.00 feet; thence South 0°58' West 175.00 feet; thence South 89°02' East 25.00 feet; thence South 0°58' West 210.00 feet; thence South 89°02' East 55.00 feet; thence North 0°58' East 385.00 feet to the place of beginning.

Less and Excepting therefrom that portion of Land Conveyed in that certain Warranty Deed recorded February 17, 1995, as Entry No. 1333152, in Book 1747, at Page 525 in the Office of Official Records, being more particularly described as follows:

A parcel of land in fee for the widening of an existing road Ogden City 36th Street known as Project No. 3356, being part of an entire tract of property, situate in the Northeast Quarter of Southwest Quarter of Section 5, Township 5 North, Range 1 West, Salt Lake Base and Meridian. Said Parcel is a strip of land 5.50 feet wide adjoining southerly the following northerly

Beginning at a point on the Grantor's East property line which is 9.92 feet South 00°58'00" West and 148.88 feet North 89°02'00" West from the Northeast corner of said Southwest Quarter, said point also lies 33.00 feet perpendicularly distant southerly from the centerline of 36th Street at Engineer Station 80+15.91; and running thence North 89°02'00" West 101.30 feet, more or less, along the southerly right-of-way line of said 36th Street to the west line of Grantor's property.

Parcel 4:

Part of the Southwest quarter of Section 5, Township 5 North, Range 1 West, Salt Lake Base and Meridian:

Beginning at the point of intersection of the Easterly line of Wall Avenue with the Southerly line of 36th street; thence Southerly along said Easterly line of Wall Avenue 175 feet; thence Easterly and parallel with the Southerly line of 36th street a distance of 175 feet; thence Northerly and parallel with the Easterly line of Wall Avenue a distance of 175 feet to a point on the Southerly line of 36th street; thence Westerly along said Southerly line of 36th street 175 feet to the point of beginning.

Less and excepting therefrom that portion deeded to South Ogden city corporation by Warranty Deed recorded February 17, 1995 as entry no. 1333155 in Book 1747 at Page 530 of official records and being more particularly described as follows:

A parcel of land in fee for the widening of an existing road Ogden City 36th street known as project 3356, being part of an entire tract of property, situate in the Northeast Quarter of the Southwest Quarter of Section 5, Township 5 North, Range 1 West, Salt Lake Base and Meridian, the boundaries of said parcel are described as follows:

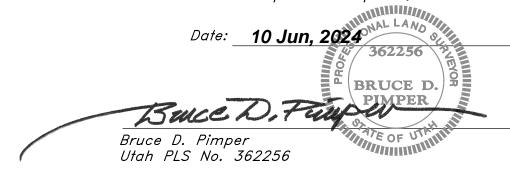
Beginning at the point of intersection of the Easterly line of Wall Avenue and the Southerly line of 36th street, said point lies 33.00 feet perpendicularly distant Southerly from the centerline of said 36th street at Engineer Station 77+39.61; and running thence South 89°02'00" East 175.00 feet along said Southerly right of way line of 36th street to a point on the grantor's East property line; thence South 00°58'00" West 5.50 feet along said East property line to a point which is 38.50 feet perpendicularly distant Southerly from the centerline of said 36th street at Engineer Station 79+14.61; thence North 89°02'00" West 112.61 feet; thence South 61°19'39" West 71.78 feet to a point on the grantor's West property line and said Easterly right of way line of Wall Avenue which is 74.00 feet perpendicularly distant Southerly from the centerline of said 36th street at Engineer Station 77+39.61; thence North 00°58'00" East 41.00 feet along said West property line and Easterly right of way line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

Certification

To America First Federal Credit Union, YFP Ogden LLC, America First Credit Union, a Utah corporation, DBA America First Federal Credit Union, a federally chartered credit union, Costco Wholesale Corporation, and First American Title Insurance Company National Commercial Services:

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, 5, 6(a), 7(a), 8, 9 and 11(a) of Table A thereof. The fieldwork was completed on April 9, 2024.





Designed by: BP Drafted by: TC Client Name:

AFCU

20-055as



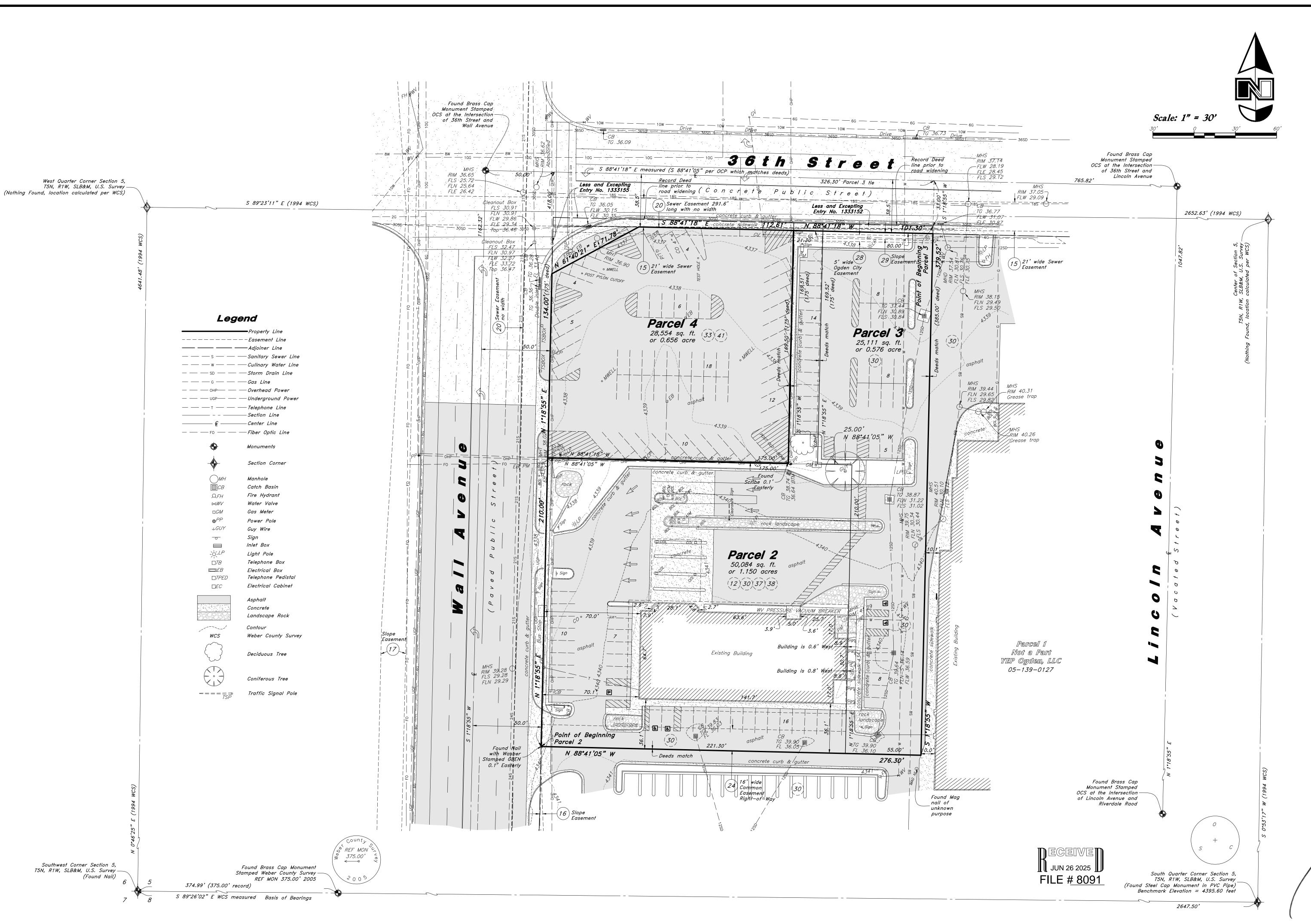
20 Title

Ogd South

NSPS

30 May, 2024

SHEET NO.



Designed by: BP Drafted by: TC Client Name: **AFCU**

20-055as

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EFFICE D. 10 Jun, 2024

30 May, 2024