Together with half of the vacated alley abutting on the South.

Also, including, that certain parcel of real property in South Ogden, Weber County, Utah (being part of Riverdale Road as dedicated in Franklin Place) particularly described as follows:

Beginning at a point on the South Line of 36th Street, extended 53.77 feet North 89°02' West and 33 feet South 0°58' West from the Ogden City Survey Monument located at the Intersection on the Center Lines of 36th Street and Grant Avenue which said point is also 49.5 feet Westerly from the Center Line of Riverdale Road; running thence South 38'21' West parallel with the Center Line of Riverdale Road 171.16 feet; thence North 89'02' West 20.77 feet to the Southeast Corner of Block 11, Franklin Place, which point is also the South Corner of said Lot 1 of said Block; thence North 38°21' East 171.16 feet to the South Line of 36th Street, which point is the Northeast Corner of said Lot 1 of said Block 11; thence South 89°02' East 20.77 feet to the point of beginning.

Excluding therefrom a parcel of land for the widening of an existing road, Ogden City 36th Street, known as Project No. 3356, being more particularly described as follows:

Beginning at a point on the Southerly Right-of-way Line of 36th Street which point is the Northwest Corner of said Lot 5, said point being located 33.00 feet perpendicularly distant Southerly from the Centerline of 36th Street at Engineer Station 89+30.91 and running thence South 89°02'00" East along said Southerly Right—of—way Line 236.34 feet to the Westerly Right-of-way Line of Riverdale Road; thence South 38\*21'00" West 70.15 feet along said Westerly Right-of-way Line to a point which is 49.50 feet perpendicularly distant Northwesterly from the Centerline of said Riverdale Road at Engineer Station 211+12.50; thence North 25°54'34" West 47.91 feet to t appoint which is 46000 feet perpendicularly distant Southerly from the Centerline of said 36th Street at Engineer Station 91+03.00; thence North 89°02'00" West 48.00 feet to a point which is 46.00 feet perpendicularly distant Southerly from said Centerline at Engineer Station 90+55.00; thence North 83°40'38" West 80.35 feet to a point which is 38.50 feet perpendicularly distant Southerly from said Centerline at Engineer Station 89+75.00; thence North 89°02'00" West 44.09 feet to the West Line of Grantor's Property; thence North 00"58'00" East 5.50 feet 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.

#### Parcel 2:

Lot 6, and the East 22 feet of Lot 7, Black 11, Franklin Place. Ogden City, Weber County, Utah.

Together with Half of the vacated alley abutting on the South.

Less and Excepting therefrom the following described property

A parcel of land in fee from 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 Lots 6 and 7, Black 11 of the Franklin Place Addition to South Ogden City according to the Ogden City Survey (O.C.S) in the Northwest Quarter Southeast Quarter of Section 5, Township 5 North, Range 1 West, Salt Lake Base and Meridian.

Said parcel is a strip of land 5.5 feet wide adjoining Southerly the following Northerly Line:

Beginning at a point on the Southerly Right-of-way Line of 36th Street and the Northerly Block Line of said Block 11 which is 22.00 feet North 89°02'00" West from the Northeast Corner of said Lot 7, said point also being 33.00 feet perpendicularly distant Southerly from the Centerline of said 36th Street at Engineer Station 88+83.90; and running thence South 89°02'00" East 47.01 feet 9 survey distance equals 47.00 feet of record) along said Right-of- way Line and block Line to the Grantor's East Property Line as shown on the official map of said project on file in the office of the Utah Department of Transportation.

#### Parcel 3:

The West 3 feet of Lot 7, all of Lot 8 and the East 19 feet of Lot 9, Block 11, Franklin Place Addition to Ogden City.

Together with half of the vacated alley abutting on the South

Less and Excepting therefrom:

That portion deeded to South Ogden City Corporation by Warranty Deed recorded March 24, 1995 as Entry No. 1337839 in Book 1750 at Page 2585 of Official Records, described as follows:

A parcel of land in fee fro 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 Lots 7, 8 and 9, Block 11 of the Franklin Place Addition to South Ogden City according to the Ogden City Survey (O.C.S.) in the Northwest Quarter of Section 5, Township 5 North, Range 1 West, Salt Lake Base and Meridian.

Said parcel is a strip of land 5.5 feet in width adjoining Southerly the following Northerly Line:

Beginning at a point in the Southerly Right-of-way Line of 36th Street and the Northerly block Line of said Block 11, 19.00 feet North 89"02'00" West from the Northeast Corner of said Lot 9, said point being 33.00 feet perpendicularly distant Southerly from the Centerline of said 36th Street at Engineer Station 88+36.89; and running thence South 89°02'00" East 47.01 feet (survey distance equals 47.00 feet of record) along said Right-of-way Line and Block Line to the Grantor's East Property Line as shown on the Official Map of said project on file in the Office of the Utah Department of Transportation.

The West 6 feet of Lot 9, All of Lot 10 and the East 16 feet of Lot 11, Block 11, Franklin Place addition. Oaden City, Weber County, Utah.

Together with half of the vacated alley abutting on the South.

Less and Excepting therefrom the following:

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 Lots 9, 10 and 11, Block 11 of the Franklin Place Addition to South Ogden City, according to the Ogden City Survey (O.C.S) in the Northwest Quarter Southeast Quarter of Section 5, Township 5 North, Range 1 West, Salt Lake Base and Meridian.

Said parcel is a strip of land 5.5 feet wide adjoining Southerly the following Northerly Line:

Beginning at a point in the Southerly right of way Line of 36th Street and the Northerly Block Line of said Block 11, 16.00 feet North 89°02'00" West from the Northeast Corner of said Lot 11 said point being 33.00 feet perpendicularly distant Southerly from the Centerline of said 36th Street at Engineer Station 87+89.88, and running thence South 89°02'00" East 47.01 feet (survey distance, equals 47.00 feet of record) along said right of way Line to the Grantor's East Property Line as shown on the Official Map of said project on file in the Office of the Utah Department of Transportation.

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 Lots 9, 10 and 11, Block 11 of the Franklin Place Addition to South Ogden City, according to the Ogden City Survey (O.C.S) in the Northwest Quarter Southeast Quarter of Section 5, Township 5 North, Range 1 West, Salt Lake Base and Meridian.

Said parcel is a strip of land 5.5 feet wide adjoining Southerly the following Northerly Line:

Beginning at a point in the Southerly right of way Line of 36th Street and the Northerly Block Line of said Block 11, 16.00 feet North 89°02'00" West from the Northeast Corner of said Lot 11 said point being 33.00 feet perpendicularly distant Southerly from the Centerline of said 36th Street at Engineer Station 87+89.88, and running thence South 89°02'00" East 47.01 feet (survey distance, equals 47.00 feet of record) along said right of way Line to the Grantor's East Property Line as shown on the Official Map of said project on file in the Office of the Utah Department of Transportation.

## Parcel 5:

The West 9 feet of Lot 11, all of Lot 12 and the East 13 feet of Lot 13, Block 11, Franklin Place Addition to

Together with half of the vacated alley abutting on the South

Less and Exception therefrom the following:

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 Lots 11, 12 and 13, Block 11 of the Franklin Place Addition to South Ogden City according to the Ogden City Survey (O.C.S) in the Northwest Quarter of Section 5 Township 5 North, Range 1 West, Salt Lake Base and Meridian.

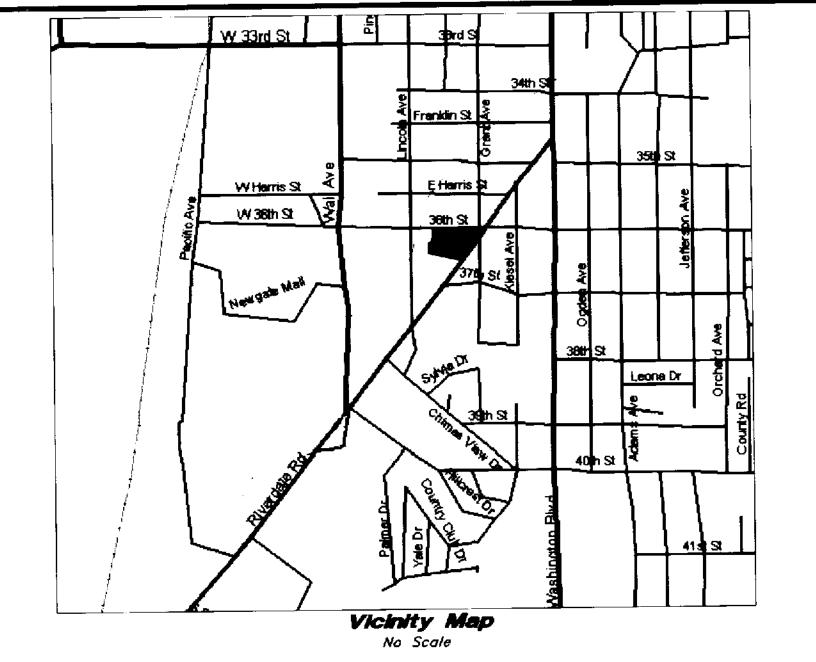
Said parcel is a strip of land 5.50 feet wide adjoining Southerly the following Northerly Line:

Beginning at the Northwest Corner of Grantor's Property which point is on the Southerly Right-of-way Line of 36th Street and the Northerly Block Line of said Block 11, said point is 13.00 feet North 89"02" West from the Northeast Corner of said Lot 13 said point also being located 33.00 feet perpendicularly distant Southerly from the Centerline of said 36th Street at Engineer Station 87+42.86; and running thence South 89"02'00" East 47.02 feet (survey distance, equals 47.00 feet of record) along said Right-of-way Line to a point on the Grantor's East Property Line as shown on the Official Map of said project on file in the Office of the Utah Department of

## Parcel 6:

Transportation.

The West 12 feet of Lot 13, all of Lot 14 and the East 12 feet of Lot 15, Block 11, Franklin Place, Ogden City, Weber County.



Together with half of the vacated alley abutting on the South

Less and excepting therefrom the following:

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 Lots 13, 14, and 15, Block 11 of the Franklin Place Addition to South Ogden City according to the Ogden City Survey (O.C.S.) in the Northwest Quarter of the Southeast 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 Line:

Beginning at the Northeast Corner of said entire tract which point is 12.00 feet North 89°02'00" West from the Northeast Corner of said Lot 15, said point also being located 33.00 feet perpendicularly distant Southerly from the Centerline of said 36th Street at Engineer Station 86+93.85; and running thence South 89°02'00" East 49.01 feet (survey distance, equals 49.00 feet of record) along said right of way Line and Block Line to a point on the Grantor's East Property Line as shown on the official map of said project on file in the office of the Utah Department of Transportation.

Beginning at a point South 89°02' East 13 feet from the Northwest Corner of Lot 15, Block 11, Franklin Place Addition, Ogden City, Weber County, Utah; running thence South 0°58' West 130.5 feet; thence North 89°02' West 58 feet; thence North 6'19' East 131.07 feet, more or less; thence South 89'02' East 45.78 feet, more or less, to the point of beginning.

Together with half of the vacated alley abutting on the South.

Less and Excepting therefrom the following:

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, situated in Lots 15, 16, and 17, Block 11 of the Franklin Place Addition to Ogden City according to the Ogden City Survey (O.C.S.) in the Northwest quarter of the Southeast quarter of Section 5, Township 5 North, Range 1 West, Salt Lake Base and Meridian:

Said parcel is a 5.50 foot wide strip of land adjoining Southerly the following Northerly line:

Beginning at a point on the Southerly right-of-way line of 36th Street and the Northerly Block Line of Block 11 which is 13.00 feet South 89°02'00" East from the Northwest Corner of said Lot 15, said point being located 33.00 feet perpendicularly distant, Southerly from the centerline of said 36th Street at Engineer Station 86+93.85; and running thence North 89°02'00" West 45.00 feet along said right-of-way Line as shown on the official map of said project on file in the office of the Utah Department of Transportation.

Part of Lot 23, Block 11, Franklin Place Addition, Ogden City, Weber County, Utah, described as follows:

Beginning at a point 111 feet East of the Northwest Corner of said Lot 23 and running thence East 167.8 feet to a point 100 feet West of the Northeast Corner of said Lot 23; thence South to the South Line of said Lot 23; thence Northwesterly along the South Line of said Lot 23, to a point South of beginning; thence North to the place of beginning.

Together with half of the vacated alley abutting on the North.

The East 100 feet of Lot 23, all of Lots 24, 25, and 26, Block 11, Franklin Place Addition, Ogden City, Weber County, Utah, according to the Official Plat thereof, on file and of record in the Office of the Weber County Recorder

Together with half of the vacated alley abutting on the North.

Part of Franklin Place Addition, Ogden City, Weber County, Utah, described as follows:

Beginning at the Southeast Corner of Block 11, said Franklin Place Addition, Ogden City, which point is the intersection of the North Line of Armstrong Avenue, with the West Line of the County Road (known as Riverdale Road), and running thence West along the South Line of said Block 11, a distance of 67 feet 8 inches, more or less, to a point where the South Line of sald Franklin Place Addition intersects the North Line of Armstrong Avenue; thence Southeasterly along the South Line of said Franklin Place Addition. 78 feet, more or less, to the West Line of said County Road; thence Northeasterly along the West Line of said County Road, 20 feet 10 Inches, more or less, to the place of beginning.

Together with the vacated portion of Riverdale Road abutting said tract of land on the East.

## Narrative

This Survey was requested by Mr. Brian Huffaker of the Hawkins Companies prerequsite to development of this property. A line between monuments found along Riverdale Road from South of Chimes View Drive and at 35th Street inclusive was

assigned the Ogden City Plat Bearing of N 38°21' E as the Basis of Bearings. The monument found at 36th Street and Riverdale Road is misplaced by 1.1 feet and was not honoured for position. This

monument adjustment then places an overage between Lincoln Avenue and Riverdale Road similar to the overage measured between Lincoln Avenue and Wall Avenue. The overage has been prorated East to West through the lots of the Franklin Place Addition. The original 1890 Subdivision Plat Boundary does not mathematically close. The Southerly line of the subdivision was established by record distances South from 36th Street. No prorating was placed into the subdivision in the North to South

The adjoining deeds to the South had to be rotated onto the section line bearing and the first East deed call shortened by 1.5 feet to motch the centerline of Riverdale Road. The CJW Investment Porcel is thereby slid far enough West to clear the existing building on the property. Both of the adjoining deeds to the South would mathematically overlap the subdivision line by 2.2 feet except the Van Kampen deed clearly calls for the South line of the subdivision.

Parcel 8c is somewhat ambiguous with deed calls and mathematical dimensions not forming a complete thought and leaves a question as to whether it includes the Riverdale Road right-of-way to the 49.5 foot mark. The Bighorn Inc. Property to the West leaves a 2.75 foot gap to the warranty deed, but the Quit Claim overlaps by 0.26

The as-surveyed description was prepared to match the CJW Deed Line on the South and the Bighorn Quit Claim in the Northwest Corner at the buyers request.

No Property Corners were placed with this Survey.

## Title Information

This survey was completed using Title Report Commitment No. NCS-51988SLC Amendment No. 2 dated January 16. 2004 from First American Title Insurance Company.

The following circled survey related items disclosed in Schedule B - Section 2 of the Title Report have been plotted on the survey.

The following uncircled survey related items disclosed in Schedule B — Section 2 of the Title Report could not be plotted on the survey.

Parcel 1: (#10) - Ordinance No. 213 - An Ordinance vacating that portion of Riverdale Road which exceeds a width of 99

feet, and authorizing a Quit Claim Deed to that portion lying beyond such restricted limits recorded April 15, 1953 as Entry No. 203408 in Book 415 at Page 222 of Official Records. - Ordinance No. 927 (abandonment of an alleyway) recorded September 26, 2003 as Entry No. 1973059 of

Official Records.

(#15) - 5 foot wide easement for cut/fill slopes to South Ogden City recorded October 9, 2003 as Entry No. 1981499 of Official Records.

### Parcel 2:

(#19) - Easement in favor of South Ogden City, subject to the terms and conditions contained therein, instruments recorded February 22, 1995 as Entry No. 1333582 Book 1747 at Page 1486 of Official Records.

- Ordinance No. 927 (abandonment of an alleyway) recorded September 26, 2003 as Entry No. 197786 of Official Records.

### Parcel 3:

(#26) - Easement if favor of South Ogden City Corporation, for the purpose of constructing and maintaining thereon out and fill slopes, highway signing, power, water, telephone, and gas utilities, and appurtenant parts thereof incident to the widening of the existing road Ogden 36th Street known as Project No. 3356, also subject to said project, as disclosed by easement recorded March 23, 1995 as Entry No. 1337840 in Book 1750 at Page 2586 of Official Records.

(#30) - Ordinance No. 927 (abandonment of an alleyway) recorded September 26, 2003 as Entry No. 197786 of Official Records.

#### Parcel 4:

- An Easement over, across or through the land for the purpose of construction and maintaining thereon cut and fill slopes, highway signing, power, water, telephone, and gas utilities, and appurtenant parts thereof incident to the widening of the existing road Ogden 36th Street known as Project No. 3356 and incidental purposes, as granted to South Ogden City Corporation by Instrument recorded February 22, 1995 as Entry No. 1333577 in Book 1747 at Page 1481 of Official Records.

- Ordinance No. 927 (abandonment of an alleyway) recorded September 26, 2003 as Entry No. 197786 of Official Records.

### Parcel 5:

(#40) - An Easement over, across or through the land for a perpetual Easement, upon part of an entire tract of land in Lots 11, 12, and 13, Block 11 of the Franklin Place Addition according to the Ogden City Survey (OCS) in the Northwest Quarter Southeast Quarter of Section 5, Township 5 North, Range 1 West, Salt Lake Base and Meridian, in Weber County, Utah, for the purpose of constructing and maintaining thereon cut and fill slopes, highway signing, power, water, telephone, and gas utilities, and appurtenant parts thereof incident to the widening of the existing road Ogden 36th Street known as Project No. 3356 and incidental purposes, as granted to South Ogden City Corporation by Instrument recorded May 30, 1997 as Entry No. 1474643 in Book 1864 at Page 2099 of Official Records.

(#42) - Ordinance No. 927 (abandonment of an alleyway) recorded September 26, 2003 as Entry No. 197786 of Official Records.

# Parcel 6:

(#46) - An Easement over, across or through the land for the purpose of constructing and maintaining thereon cut and fill slopes, highway signing, power, water, telephone, and gas utilities, and appurtenant parts thereof incident to the widening of the existing road Ogden 36th Street known as Project No. 3356 and incidental purposes, as granted to South Ogden City Corporation by Instrument recorded February 27, 1996 as Entry No. 1333166 in Book 1747 at Page 551 of Official Records.

(#48) - Ordinance No. 927 (abandonment of an alleyway) recorded September 26, 2003 as Entry No. 197786 of Official Records.

## Parcel 7:

— An easement affecting the North 5 feet of subject property for the purpose of constructing and maintaining thereon cut and fill slopes, highway signing, power, water, telephone, and gas utilities, and appurtenant parts thereof incident to the widening of the existing road Ogden 36th Street, as granted to South Ogden City Corporation, by Instrument recorded March 2, 1995 in Book 1748 at Page 1365 and in Book 1748 at Page 1369 of Official Records also recorded April 6, 1995 in Book 1752 at Page 1406 and in Book 1752 at Page

(#57) - Ordinance No. 927 (abandonment of an alleyway) recorded September 26, 2003 as Entry No. 197786 of Official Records.

## Parcel 8.

· Ordinance No. 213 — An ordinance vacating that portion of the Riverdale Road which exceeds a Width of 99 feet, and authorizing a quit claim deed to that portion lying beyond such restricted limits recorded April 15, 1953 ad Entry No. 203408 in Book 415 at Page 222 of Official Records.

- Notice of Claim of Interest dated October 5, 1994 executed by Reagan Outdoor Advertising recorded October 5, 1994 as Entry No. 1315280 in Book 1733 at Page 1229 of Official Records.

- Ordinance No. 927 (abandonment of an alleyway) recorded September 26, 2003 as Entry No. 197786 of Official Records.

## As Surveyed Description

A part of Block 11, Franklin Place Addition together with a portion of vacated Armstrong Street and Riverdale Road and a vacated 20 foot wide alleyway in South Ogden, Weber County, Utah:

Beginning at a point on the South Line of 36th Street as widened to 38.50 foot wide half-width being 5.50 feet South 0.58'00" West along the Lot Line from the Northwest Corner of Lot 5, said Block 11 of said Franklin Place Addition; said point of beginning is located 324.36 feet North 89°02'00" West along the Monument Line of 36th Street and 38.50 feet South 0°58'00" West from the Monument Line Intersection of Riverdale Road and 36th Street; and running thence along the widened South Line of 36th Street the following three courses: South 89°02'00" East 44.60 feet; South 83°40'38" East 80.35 feet; and South 89°02'00" East 48.00 feet; thence South 25°54'34" East 47.91 feet to the Northwesterly Line of Riverdale Road as it exists at 49.50 foot half-width; thence South 38\*21'00" West 315.14 feet along said Northwesterly Line of Road to the Northeasterly Line of the CJW Investments Deed Line: thence North 77°34'05" West (North 78° West record) 109.97 feet along said Northeasterly Deed Line to the most Northerly Corner thereof; thence South 38°13'50" West (South 37°48' West record) 2.49 feet to the Southerly Line of said Franklin Place Addition; thence North 77\*35'00" West 223.21 feet along said Southerly Line of Franklin Place Addition; thence North 0°58'00" East 95.96 feet to the Center of a vacated alley; thence South 89°02'00" East 30.28 feet along the Centerline of said vacated alley; thence North 0°58'00" East 10.00 feet to the North Line of said vacated alley; thence North 6°19'07" East (North 6°19' East record) 131.07 feet along the Easterly Line of the Bighorn Inc. Deed Line to the South Line of 36th Street as widened to 38.50 foot wide half-width; thence South 89°02'00" East 282.62 feet along said South Line to the point of beginning.

> Contains 115.452 square feet Or 2.650 acres

## Certification

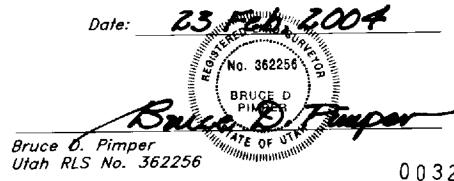
To the Hawkins Companies LLC, Walgreens, an Illinois Company, and First American Title Insurance Agency:

This is to certify that this map or plat and the survey on which it is based were made in accordance with "Minimum Standard Detail Requirements for ALTA/ ACSM Land Title Surveys, "jointly established and adopted by ALTA, ACSM, and NSPS in 1999, and includes Items 2, 3, 4, 5, 6, 7a, 8, 9, 10, 11, and 13 of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA, NSPS, and ACSM and in effect on the date of this certification, undersigned further certifies that the Positional Uncertainties resulting from the survey measurements made on the survey do not exceed the allowable Positional Tolerance.

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Weber County Surveyor



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