SCALE: 1" = 150'

## NARRATIVE (SEE PAGE 8 FOR CONTINUATION)

MCNEIL ASPEN CONSULTANTS, L

THIS ALATA/ACSM LAND TITLE SURVEY WAS COMMISSIONED BY PAULA SABINO OF GENERAL GROWTH PROPERTIES, INC. FOR THE PURPOSE OF RETRACING THE BOUNDS OF THE SUBJECT PROPERTY, AND EVALUATING SCHEDULE B- SECTION 2 EXCEPTIONS TO COVERAGE LISTED IN THE COMMITMENT FOR TITLE

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. ALL INFORMATION REGARDING RECORD EASEMENTS, ADJOINERS AND OTHER DOCUMENTS THAT MIGHT AFFECT THE QUALITY OF TITLE TO TRACT SHOWN HEREON WAS GAINED FROM TITLE COMMITMENT HAVING AN ORDER NO: 565779-2 PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY NATIONAL COMMERCIAL SERVICES. WITH AN EFFECTIVE DATE OF SEPTEMBER 14, 2012, AT 7:30 AM.

SCHEDULE B- SECTION 2 EXCEPTIONS TO COVERAGE LISTED IN THE ABOVE REFERENCED COMMITMENT AND ADDRESSED BY THIS MAP ARE SHOWN ON PAGE 8 OF THIS SURVEY.

McNEIL ENGINEERING OR McNEIL ENGINEERING - SURVEYING L.C., MAKES NO REPRESENTATIONS AS TO THE EXISTENCE OF ANY OTHER RECORD DOCUMENTS THAT MAY AFFECT THIS PARCEL OTHER THAN THOSE SHOWN IN THE EXCEPTIONS OF SCHEDULE B-2 AS SHOWN HEREON.

THE BASIS OF BEARING FOR THIS SURVEY IS NORTH 89°26'02" WEST ALONG THE SECTION LINE BETWEEN THE SOUTHWEST CORNER AND THE SOUTH QUARTER CORNER, AS SHOWN ON THIS SURVEY. AS SHOWN ON SHEET 6 OF THIS SURVEY.

DEEDS COMMENCING FROM THE SOUTHWEST CORNER OF THE SECTION HAVE BEEN ROTATED CLOCKWISE 0°19'37", AS SHOWN ON PRIOR RECORDS OF SURVEYS PREPARED BY CRS FOR THE NEWGATE OFFICE PARCEL. WHICH APPEARS TO MATCH BOTH THE OCCUPATION OF THE PARCELS, AS WELL AS THE NUMEROUS FOUND PROPERTY MARKERS AS SHOWN ON THE FACE OF THE SURVEY.

THE CENTER OF SECTION AND THE WEST QUARTER CORNER WERE NOT IN PLACE AT THE TIME OF THIS SURVEY. THE POSITIONS OF THE CORNERS SHOWN HEREON ARE BASED UPON RECORD DEED TIES FROM MANY PARCELS IN THE AREA. FOUND CENTERLINE MONUMENT IN WALL AVENUE AT THE INTERSECTIONS OF 25TH STREET AND 63TH

BEARINGS FOR PARCELS CALLING TO AND ALONG THE WEST LINE OF WALL AVENUE WERE ADJUSTED TO MATCH THE BEARING AS MEASURED BETWEEN THE TWO MONUMENTS. RIGHT OF WAY LINE FOR RIVERDALE ROAD WERE REESTABLISHED BASED UPON TAKE PARCEL

DESCRIPTIONS CREATED PURSUANT TO A WIDENING PROJECT KNOWN AS PROJECT NUMBER SP-0026(4)0. COMBINED WITH OFFICIAL MAPS OF SAID PROJECT ON FILE IN THE DEPARTMENT OF TRANSPORTATION

PACIFIC AVENUE WAS CALL OUT IN MANY DEEDS OF RECORD AS BEING A 3 WIDE ROD ROAD, HOWEVER IT IS UNCLEAR IF THERE HAS BEEN ANY FORMAL STREET DEDICATION. HOWEVER, WEBER COUNTY OBTAINED A PORTION OF PACIFIC AVENUE BY DEED RECORDED IN BOOK 1369, AT PAGE 475. THE RIGHT OF WAY LINES NORTH OF THAT DEED HAVE BEEN BASED UPON THE WEST LINE OF PARCEL 'A' AND OFFSET 49.5' WEST, WHICH APPEARS TO MATCH THE OCCUPATION OF THE ROADWAY. PARCEL 'D' OF THE TITLE REPORT CALLS TO AND ALONG THE CENTERLINE OF PACIFIC AVENUE, HOWEVER NO PROPERTY MARKERS WERE SET TO MARK THE LOCATION OF THE WEST LINE OF PARCEL 'D'.

SITE IMPROVEMENTS LOCATED ON PARCEL 'K' AND 'L' OF THE TITLE REPORT (COUNTY TAX ID.: 05-139-0043) WAS UNDER CONSTRUCTION AT THE TIME OF THIS SURVEY. BUILDING LOCATION, UTILITY INFORMATION, AND SITE IMPROVEMENTS SHOWN HEREON ARE BASED UPON SITE DESIGN DRAWINGS PROVIDED TO THE SURVEYOR BY: KIMLEY HORN AND ASSOCIATES, INC. LOCATED AT: 765 THE CITY DRIVE, SUITE 200 ORANGE, CA 92868 PH.: (714) 705-1328. LOCATION OF SITE IMPROVEMENTS SHOWN HEREON MAY DIFFER FROM THAT OF WHICH IS ACTUALLY CONSTRUCTED.

IT APPEARS THAT THE INTENT OF THE THE 'MALL PARCEL' WAS TO DESCRIBE THE LOCATION OF THE EXISTING MALL BUILDING. HOWEVER, AN ERROR IN THE DESCRIPTION RESULTS IN A MATHEMATICAL MIS-CLOSURE. THEREFORE, THE LINES OF THE PARCEL WERE ADJUSTED TO MATCH THE MAJOR JOGS IN THE BUILDING AS MEASURED BY THE USE OF HIGH DEFINITION SCANNING.

PARCELS AND EXCEPTIONS LISTED IN THE TITLE COMMITMENT HAVE BEEN DUPLICATED THROUGHOUT THE REPORT. ALL OF DUPLICATED EXCEPTIONS AND PARCEL DESCRIPTIONS HAVE BEEN SHOWN HEREON FOR CONSISTENCY. HOWEVER, DUE TO LACK OF PLATTING SPACE ONLY THE FIRST REFERENCE TO THE EXCEPTION HAVE BEEN NOTED ON THE FACE OF THE MAP.

## **GENERAL NOTES:**

- ONLY FASEMENTS LISTED IN THE TITLE COMMITMENT ARE ADDRESSED BY THIS MAP. THIS MAP IS NOT PROOF OF OWNERSHIP
- THIS MAP MAKES NO ASSUMPTIONS AS TO ANY UNWRITTEN RIGHTS THAT MAY EXIST BY AND BETWEEN THE ADJOINING LAND OWNERS.
- COURSES AND DISTANCES SHOWN ON THIS MAP ARE MEASURED DIMENSIONS TAKEN FROM ACTUAL FIELD MEASUREMENTS, UNLESS CONTAINED WITHIN PARENTHESIS INDICATING A RECORD COURSE OR DISTANCE. RECORD INFORMATION IS TAKEN FROM MAPS, PLATS, DEEDS OF RECORD, OR OTHER SOURCES OF RECORD INFORMATION.
- THE LOCATIONS OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE-GROUND STRUCTURES ONLY. LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ALTHOUGH ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED, TO THE BEST OF OUR KNOWLEDGE THERE ARE NO EXISTING UTILITIES EXCEPT AS SHOWN ON THIS SURVEY. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES/STRUCTURES. BEFORE EXCAVATIONS ARE BEGUN, NOTIFY BLUE STAKES. PROPERTY CORNERS NOT FOUND WERE MONUMENT WITH A 5/8" REBAR 24" IN LENGTH AND A RED NYLON CAP STAMPED "McNEIL ENG.", OR A NAIL AND WASHER BEARING THE SAME INSIGNIA UNLESS
- OTHERWISE NOTED HEREON. THE SURVEY AND THE INFORMATION, CORNER AND DISTANCES SHOWN THEREON ARE CORRECT. THE TITLE LINES AND LINES OF OCCUPATION ARE THE SAME, EXCEPT AS SHOWN HEREON. THE RECORD DESCRIPTIONS OF THE SUBJECT PROPERTY FORMS A MATHEMATICALLY CLOSED
- FIGURES WITH THE EXCEPTION OF THE MALL PARCEL WHICH WAS ADJUSTED TO MATCH THE ACTUAL BUILDING CORNERS OF THE MALL. (SEE NARRATIVE) THE SURVEY CORRECTLY SHOWS THE LOCATION OF ALL BUILDINGS, STRUCTURES AND OTHER
- IMPROVEMENTS SITUATED ON THE PREMISES. THE NUMBER OF STRIPED PARKING SPACES LOCATED ON THE PREMISES, INCLUDING PARKING SPACES ON ADJOINING PREMISES WHICH BY AGREEMENT THE SUBJECT PARCEL IS ENTITLED TO USE
- IS: 3,962, AND TO THE EXTENT POSSIBLE, ARE GRAPHICALLY SHOWN HEREON. ALL SETBACK, SIDE YARD AND REAR YARD LINES SET FORTH IN THE APPLICABLE ZONING ORDINANCES ARE AS FOLLOWS: PARCELS 'C' & 'D' OF THE SUBJECT PROPERTY ARE LOCATED WITHIN RIVERDALE CITY ZONE "CP-3" (PLANNED COMMERCIAL ZONES. WITH 50 FOOT FRONT YARD SETBACKS; NO SIDE YARD SETBACKS. (EXCEPT FOR 10 FEET ADJOINING RESIDENTIAL ZONES & 20 FEET FOR CORNER LOTS FACING STREETS: AND NO REAR YARD SETBACKS EXCEPT FOR 20 FEET ADJOINING RESIDENTIAL ZONES. THE NORTHERN PORTION OF THE SUBJECT PARCEL IS LOCATED WITHIN OGDEN CITY ZONE C-3/CP3 REGIONAL COMMERCIAL, AND HAS NO MINIMUM FRONT YARD SETBACK FOR BUILDINGS AND 15 FEET FOR PARKING LOT OR DISPLAY AREAS; NO SIDE YARD SETBACKS, AND A 15 FEET FOR PARKING LOTS/ DISPLAY AREAS, AND 10 FEET ADJACENT TO RESIDENTIAL OR O-1 ZONES AND AN ADDITIONAL FOOT FOR EVERY FOOT THE BUILDING IS OVER 35 FEET; NO REAR YARD SETBACKS EXCEPT 10 FEET ADJACENT TO RESIDENTIAL OR 0-1 ZONES AND AN ADDITIONAL FOOT FOR EVERY FOOT THE BUILDING IS OVER 35 FEET. (THE ABOVE ARE GENERAL PROVISIONS LISTED IN THE APPLICABLE ORDINANCES. FOR ADDITIONAL INFORMATION, RESTRICTIONS, AND PROVISIONS, INTERESTED PARTIES SHOULD CONSULT WITH BOTH OGDEN AND RIVERDALE CITIES PLANNING AND
- THERE ARE NO ENCROACHMENTS INTO ADJOINING PREMISES, STREETS, ALLEYS, OR EASEMENTS AREAS BY ANY BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS, AND NO ENCROACHMENTS ONTO THE PREMISES BY BUILDING, STRUCTURES OR OTHER IMPROVEMENTS SITUATED ON ADJOINING PREMISES, EXCEPT AS SHOWN HEREON.
- . ALL UTILITIES SERVING THE PREMISES ENTER THROUGH ADJOINING PUBLIC STREETS AND/OR EASEMENTS OF RECORD; THAT, EXCEPT AS SHOWN, THERE ARE NO VISIBLE EASEMENTS OR RIGHTS OF WAY ACROSS THE PREMISES; THAT THE PROPERTY DESCRIBED HEREON IS THE SAME AS THE PROPERTY DESCRIBED IN THE COMMITMENT FOR TITLE INSURANCE PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY NATIONAL COMMERCIAL SERVICES COMMITMENT NO. 565779-2 WITH AN EFFECTIVE DATE OF SEPTEMBER 14, 2012, AT 7:30 A.M. AND THAT ALL EASEMENTS, COVENANTS AND RESTRICTIONS REFERENCED IN SAID TITLE INSURANCE COMMITMENT, OR EASEMENTS WHICH THE UNDERSIGNED HAS BEEN ADVISED OR HAS KNOWLEDGE, HAVE BEEN LISTED AND PLOTTED HEREON OR OTHERWISE NOTED AS TO THEIR EFFECT ON THE SUBJECT PROPERTY.
- 5. TO THE EXTENT POSSIBLE THE SURVEY SHOWS THE LOCATION AND DIRECTION OF ALL VISIBLE STORM DRAINAGE SYSTEMS FOR THE COLLECTION AND DISPOSAL OF ALL ROOF AND SURFACE DRAINAGE. 16. TO THE EXTENT POSSIBLE ANY DISCHARGE INTO STREAMS, RIVERS OR OTHER CONVEYANCE SYSTEM
- IS SHOWN ON THE SURVEY. SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION 'X' BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 49057C0428E, WITH A DATE OF IDENTIFICATION OF DECEMBER 16, 2005, FOR COMMUNITY PANEL NUMBER 0428E, IN WEBER COUNTY, STATE OF UTAH, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH THE PREMISES IS SITUATED.
- THE PREMISES HAS DIRECT PHYSICAL ACCESS TO WALL AVENUE, HARRIS STREET, & 36TH STREET, PUBLICLY DEDICATED STREET OR HIGHWAY.
- 19. THE FILED WORK WAS COMPLETED ON 20. THE FOLLOWING NOTES PERTAIN TO OPTIONAL TABLE 'A' ITEMS OF THE 2011 ALTA/ACSM LAND TITLE
- SURVEYS MINIMUM STANDARD DETAIL:

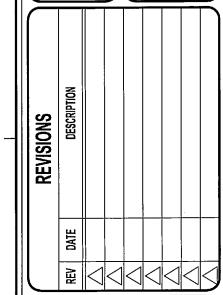
LINE TABLE: PARCELS							
LINE#	DIRECTION	LENGTH					
L1	S 83°22'41" E	30.00'					
L2	N 03°47'58" E	20.00'					
L3	S 09°40'23" E	28.13'					
L4	S 38°34'31" W	20.31'					
L5	S 51°25'29" E	30.00'					
L6	S 38°34'31" W	62.96'					
L7	S 89°26'43" E	30.00'					
L8	S 89°26'43" E	22.63'					
L9	S 60°34'33" E	60.30'					
L10	S 43°42'39" E	42.85'					
L11	N 88°44'56" W	75.00'					
L12	S 01°15'04" W	40.00'					
L13	S 88°44'56" E	98.88'					
L14	N 88°42'23" W	14.45'					
L15	S 03°45'37" W	60.00'					
L16	S 46°10'07" W	102.09'					
L17	S 07°04'37" W	26.00'					
L18	S 01°17'37" W	89.83'					
L19	S 88°44'48" E	147.83'					
L20	N 01°48'56" E	71.73'					
L21	N 24°19'12" W	77.30'					
L22	N 30°30'18" E	91.74'					
L23	N 27°17'21" W	48.35'					
L24	S 27°12'29" E	69.43'					
L25	S 29°52'27" W	62.04'					
L26	S 27°22'30" E	37.05'					
L27	S 01°10'38" W	37.47'					
L28	S 88°50'11" E	124.30'					
L29	S 01°14'43" W	12.00'					
L30	N 88°50'11" W	124.28'					
L31	S 05°41'41" W	29.46'					
L32	S 46°03'48" W	7.39'					
L33	N 30°20'28" E	63.29'					
L34	N 89°13'59" W	49.84'					
L35	N 26°31'27" W	61.38'					
L36	N 89°00'56" W	6.29'					
L37	N 29°17'34" E	61.85'					
L38	N 89°02'22" W	4.95'					
L39	N 27°20'19" W	75.26'					
L40	S 89°02'19" E	24.80'					
L41	N 29°08'13" W	76.79'					
L42	S 88°40'48" E	35.24'					
L43	N 30°02'14" E	62.64'					
L44	S 88°37'19" E	72.48'					
L45	N 26°09'02" W	62.16'					
L46	S 88°44'07" E	15.79'					
L47	N 30°09'26" E	64.07'					
L48	S 89°31'36" E	29.32'					
L49	N 28°47'47" E	75.73'					
L50	N 88°44'48" W	103.20'					
L51	N 01°10'29" E	10.00'					
L52	N 88°44'48" W	128.33'					
L53	N 01°14'43" E	14.00'					
L54	S 88°45'17" E	15.00'					
L55	N 01°14'43" E	18.00'					
	N 01 1443 E	10.00					

LIIVL	. TABLE, FAI	· CLLO
LINE #	DIRECTION	LENGTH
L56	~ S 88°45'17" E	43.
L57	N 46°14'33" E	19.
L58	S 88°45'27" E	44.
L59	S 43°45'27" E	19.
L60	S 88°45'27" Ė	9.
L61	S 01°14'33" W	0.
L62	S 88°45'27" E	· 34.
L63	S 01°14'33" W	42.
L64	S 88°45'27" E	35.
L65	S 01°14'33" W	19.
L66	S 88°45'27" E	48.
L67	S 01°14'33" W	25.
L68	S 45°47'28" W	7.
L69	S 01°14'33" W	59.
L70	N 88°45'27" W	43.
L71	S 01°14'33" W	30.
L72	N 88°45'27" W	37.
L73	S 01°14'33" W	55.
L74	N 88°45'27" W	41.
L75	S 01°14'33" W	26.
L76	S 88°45'27" E	0.
L77	S 01°14'33" W	25
L78	S 01°14'33" W	28
L79	N 88°45'27" W	21
L80	N 01°14'33" E	28
L81	N 01°16'00" E	38
L82	S 86°58'04" E	4
L83	N 21°13'45" E	17
L84	N 16°35'06" W	16
L85	N 01°43'46" E	31
L86	S 88°30'49" E	39
L87	N 01°13'39" E	23
L88	S 88°47'39" E	34
L89	N 01°15'13" E	9
L90	N 88°42'41" W	23
L91	N 88°46'44" W	2
L92	N 90°00'00" E	1
L93	S 00°28'05" W	38
L94	N 88°43'14" W	18
L95	S 21°22'59" W	17
L96	S 01°33'40" W	30
L97	S 17°54'25" E	16
L98	S 88°42'23" E	4
L99	S 02°38'53" W	14
L100	S 57°28'50" W	14
L101	S 46°16'22" W	24
L102	S 43°07'56" E	24
L103	N 44°05'34" W	10
L104	S 66°14'06" W	16
L105	S 46°09'26" W	30
	S 26°51'42" W	17
	J 20 J 142 W	
L106	C 4262312711 L	
L107	S 43°32'37" E S 00°59'07" W	259

LINE TABLE: PARCELS

	CURVE TABLE: PARCELS								
	CURVE#	RADIUS	LENGTH	DELTA	BEARING	CHORD			
90'	C1	195.00'	37.03'	010°52'49"	S15°06'56"E	36.97			
30,	C2	165.00'	110.21'	038°16'12"	S28°48'29"E	108.17			
)0'	C3	20.00'	15.34'	043°56'45"	N66°46'34"W	14.97			
30'	C4	20.00'	31.41'	089°58'59"	S46°14'33"W	28.28			
98'	C5	10.00'	15.71'	090°00'42"	S43°44'35"E	14.14			
37'	C6	10.00'	16.65'	095°23'51"	S49°00'11"W	14.79			
33'	C7	20.00'	27.33'	078°17'41"	S37°51'13"E	25.25			
53'	C8 .	226.00'	27.54'	006°58'55"	N79°53'14"W	27.52			
33'	C9	87.50'	61.65'	040°22'01"	S25°52'44"W	60.38			
75'	C10	90.00'	41.73'	026°34'05"	N15°30'39"E	41.36			
33'	C11	105.00'	93.71'	051°08'05"	N27°47'35"E	90.63			
25'	C12	89.72'	61.40'	039°12'40"	N33°45'14"E	60.21			
25'	•	·	· .						
58'									
25'									
 02'									

PARKING COUNTY: GGP-NEWGATE REGULAR PARKING STALLS: 2,768 GGP-NEWGATE HANDICAP PARKING STALLS: 49 DILLARD'S REGULAR PARKING STALLS: 560 DILLARD'S HANDICAP PARKING STALLS: 14 WEST SIDE JOINT PARKING: REGULAR PARKING STALLS: 246 36TH STREET WEST SIDE JOINT PARKING: HANDICAP PARKING STALLS: 1 RIVERDALE LLC. PARKING: REGULAR PARKING STALLS: 317 RIVERDALE LLC PARKING: HANDI CAP PARKING STALLS: 7 TOTAL REGULAR PARKING STALLS: 3,891 TOTAL HANDICAP PARKING STALLS: 71



STREI

36TI

PROJECT NO: 12483 CAD DWG. FILE: 12483ALT DRAWN BY: KSL CALC BY: DKW FIELD CREW: DKW CHECKED BY: MDH 10-30-12

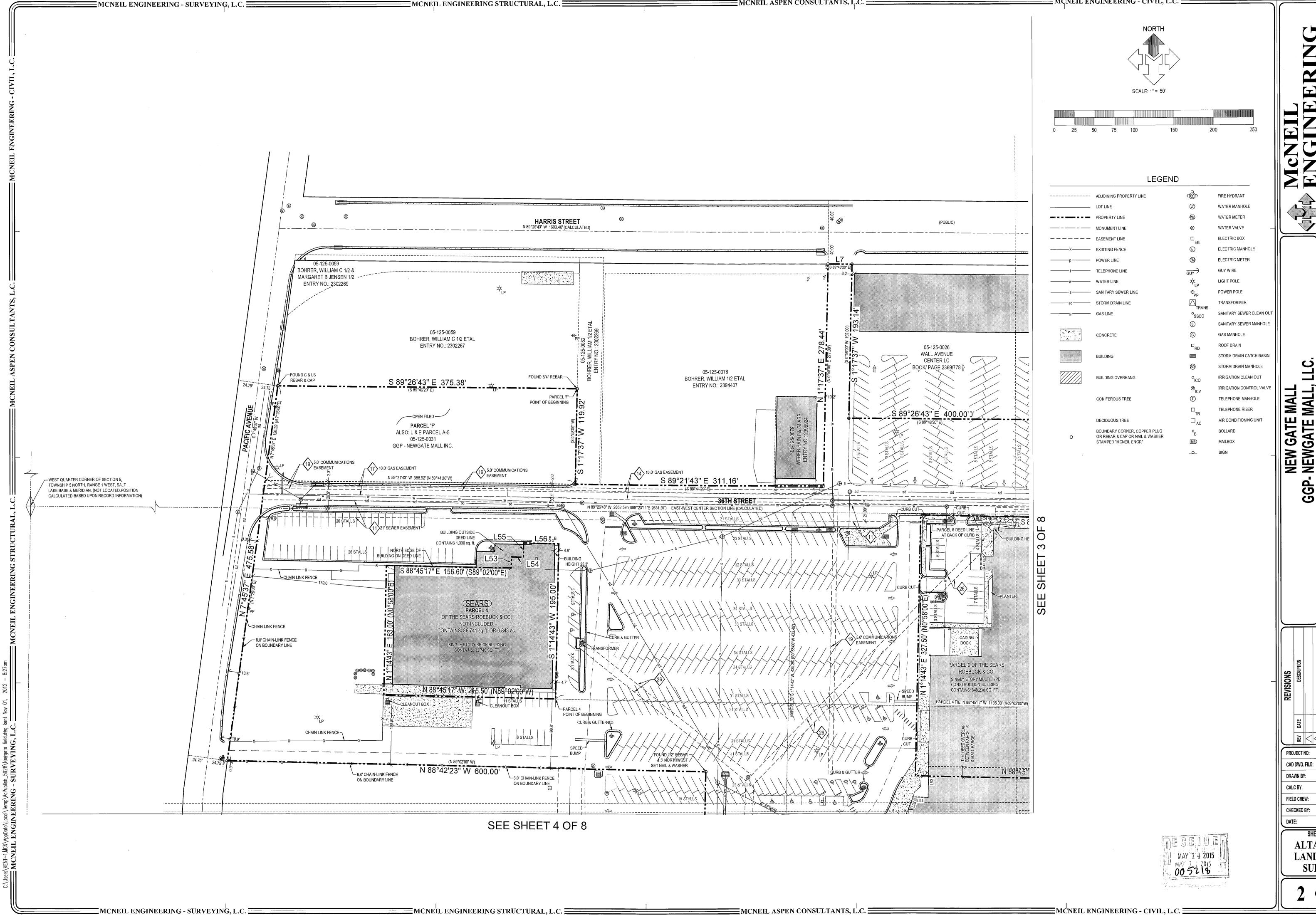
> ALTA/ACSM LAND TITLE **SURVEY**

EMCNEIL ENGINEERING - SURVEYING, L.C.

MCNEIL ENGINEERING STRUCTURAL, L.C.

≡MCNEIL ASPEN CONSULTANTS, L.C. :

VICINITY MAP



GGP

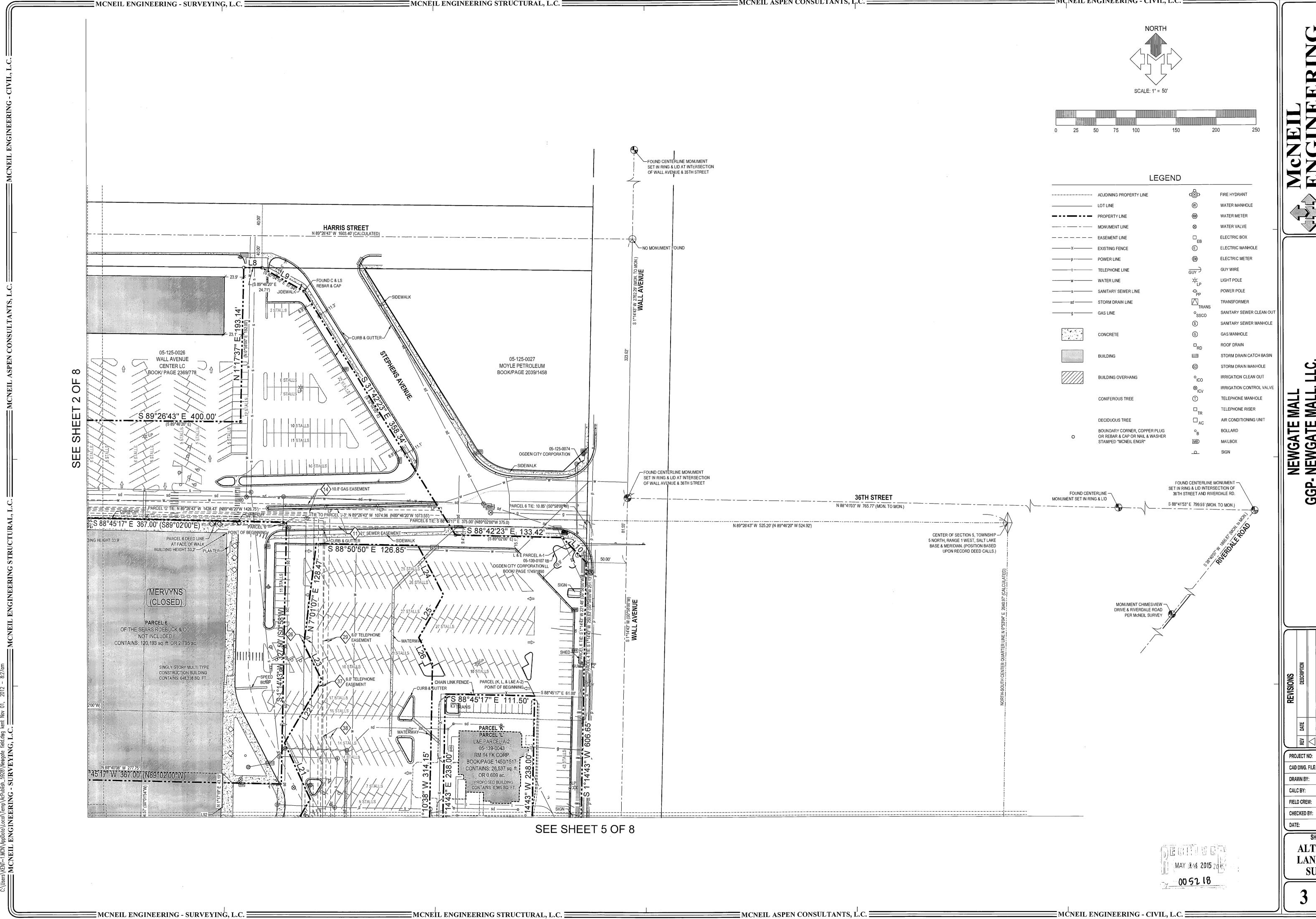
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PROJECT NO: 12483 CAD DWG. FILE: 12483ALT DRAWN BY: KSL

CALC BY: DKW FIELD CREW: DKW CHECKED BY: DKW 10-30-12

SHEET TITLE ALTA/ACSM LAND TITLE **SURVEY** 

2 of 8



VENUE GGP 36TI

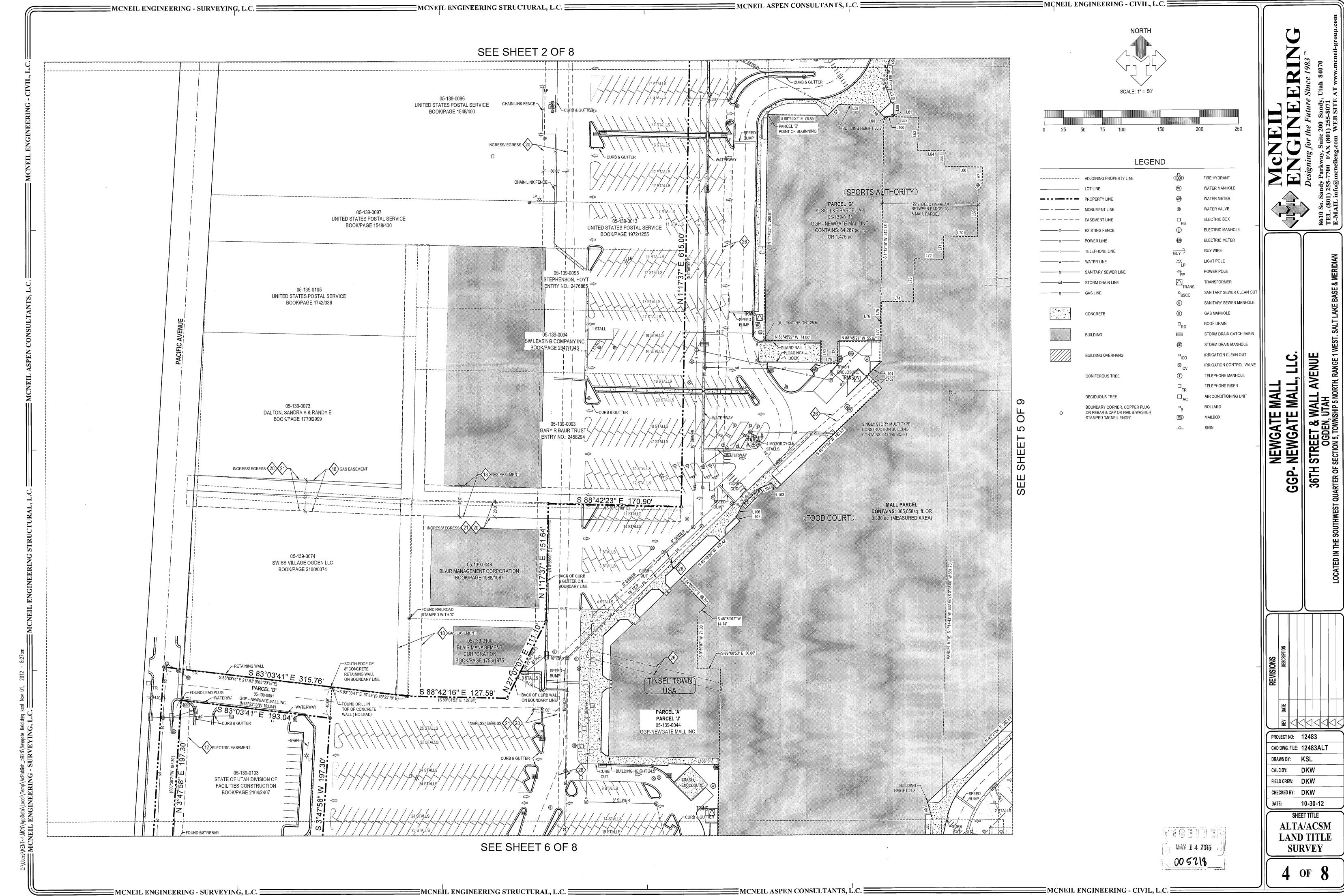
STREET OGDI SECTION 5, TC

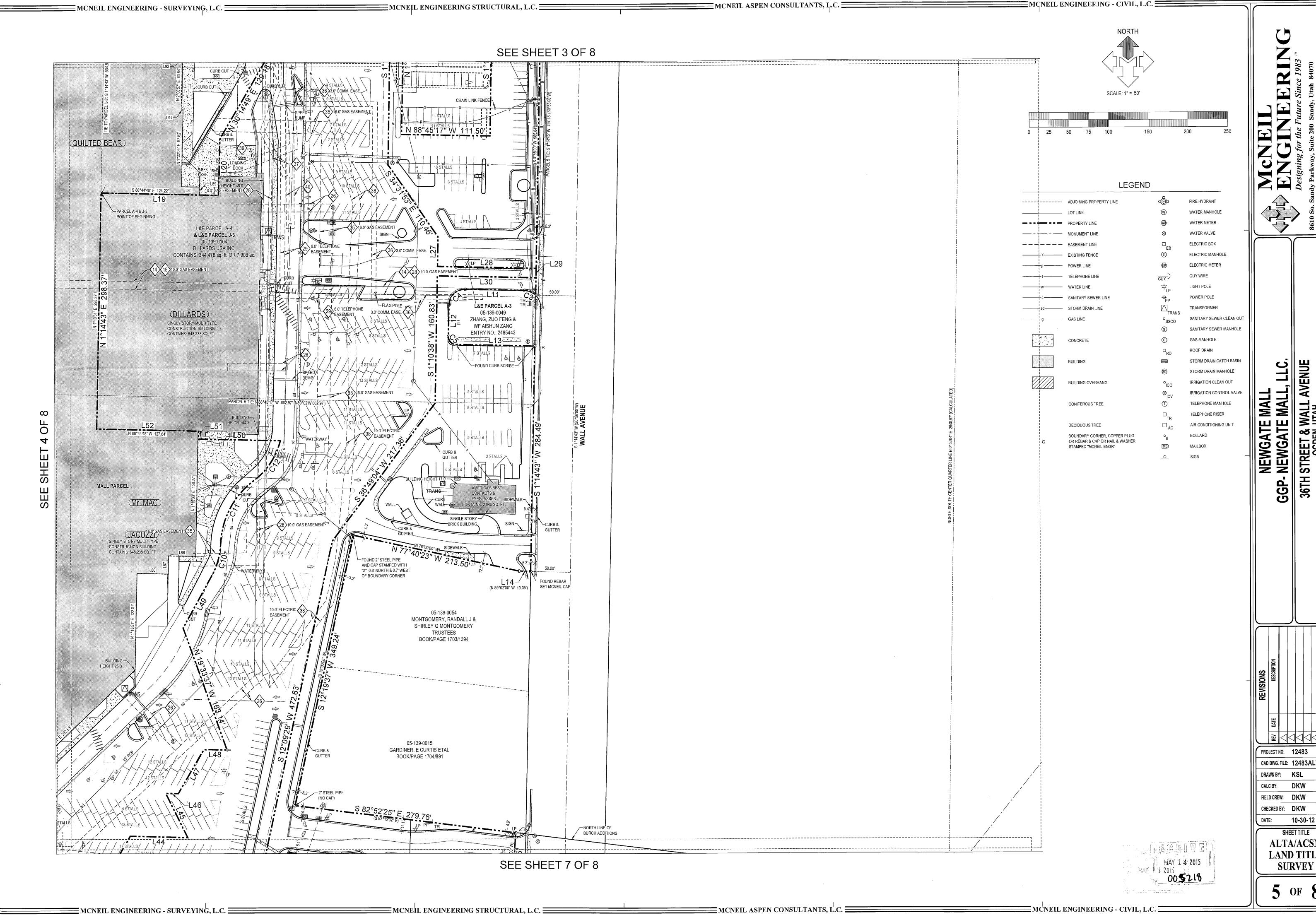
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FIELD CREW: **DKW** CHECKED BY: DKW 10-30-12

> ALTA/ACSM LAND TITLE **SURVEY**

3 of 8





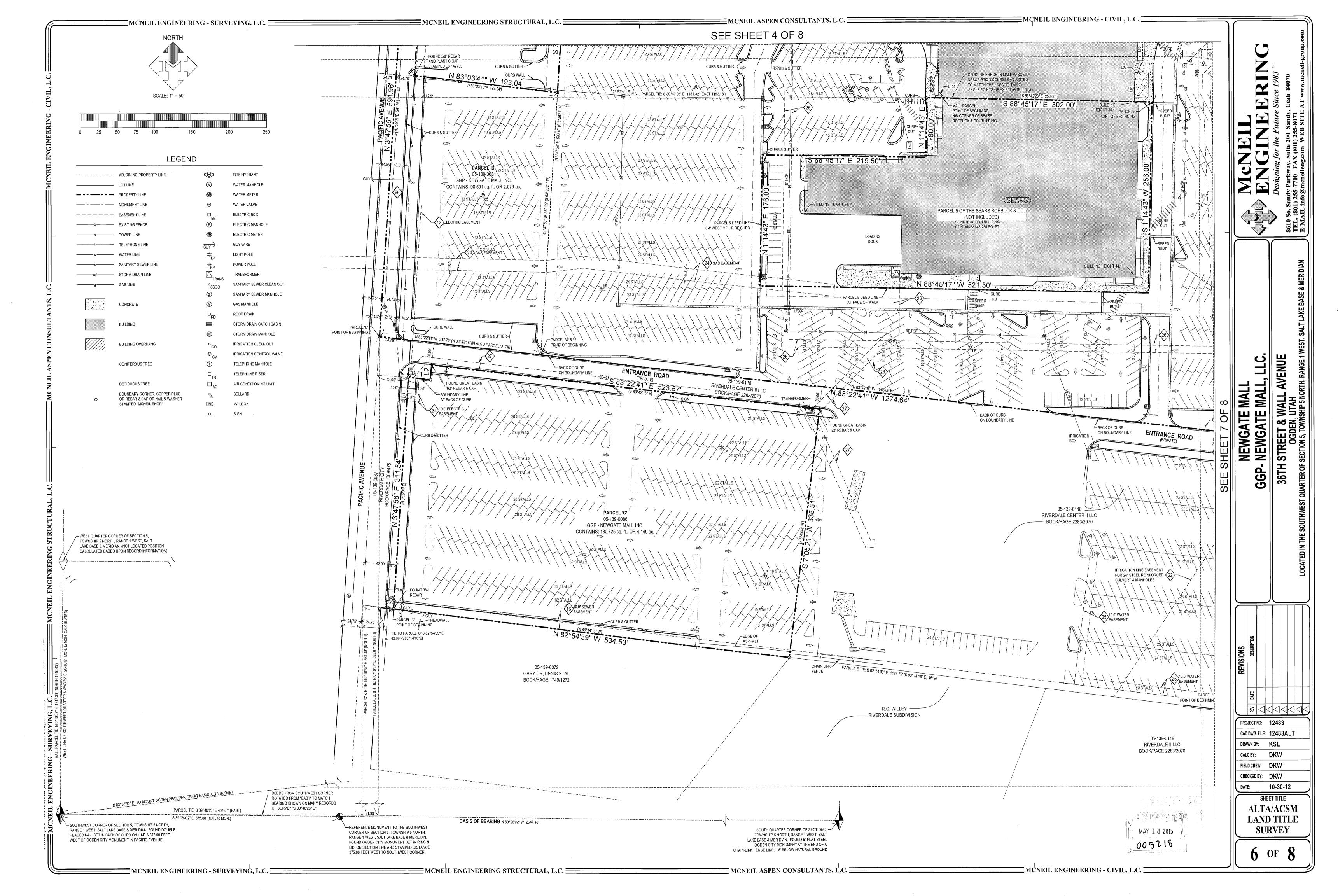
**AVENUE** 

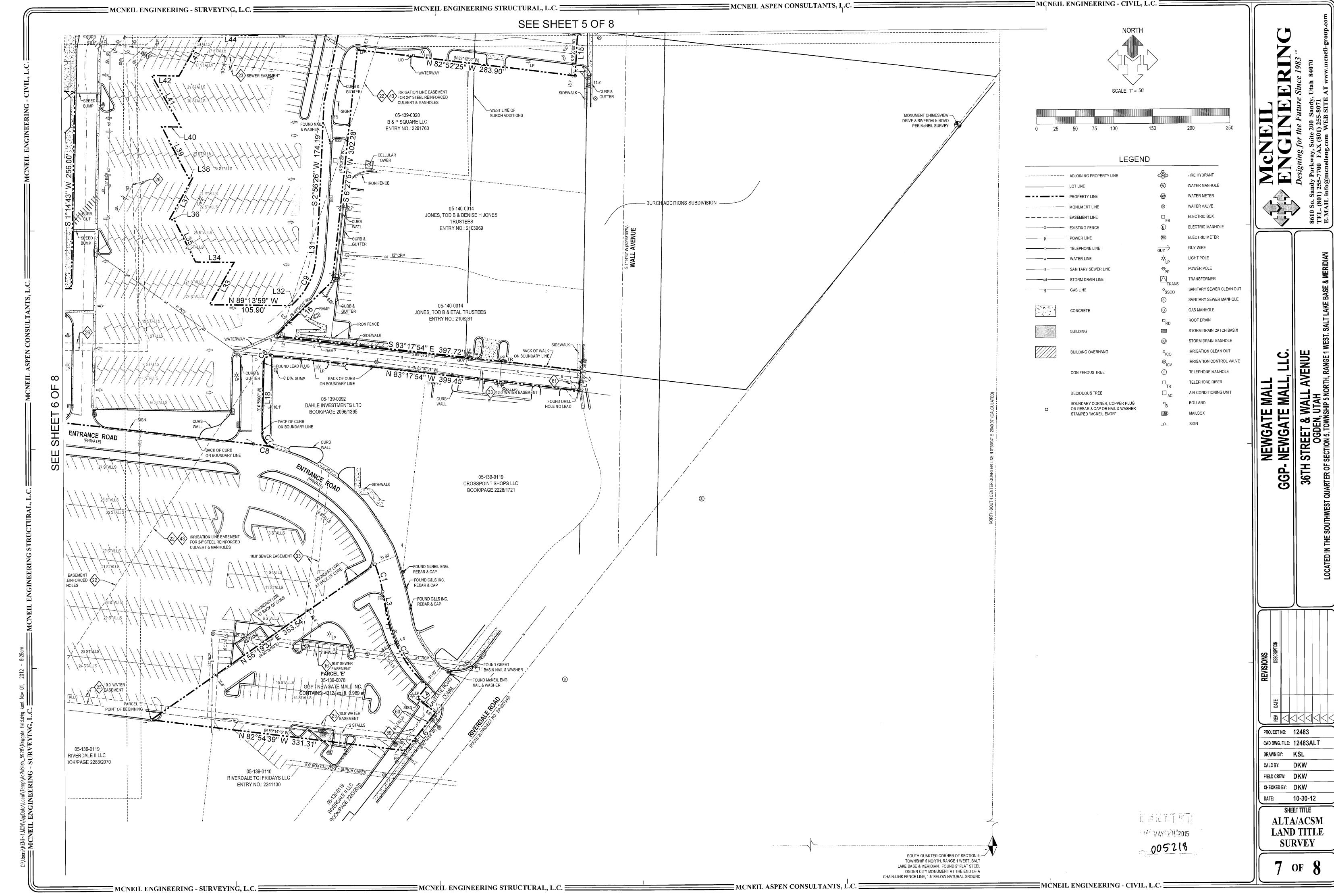
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OGDEN, I
SECTION 5, TOWNS 36T

PROJECT NO: 12483 CAD DWG. FILE: 12483ALT

10-30-12 ALTA/ACSM LAND TITLE

5 of 8





SECTION 5, AND RUNNING THENCE NORTH 03° 28' 21" EAST 590.75 FEET TO A FENCE, THENCE ALONG SAID FENCE SOUTH 83° 23' 18" EAST 97.89 FEET (SOUTH 84° 07' EAST DEED), THENCE SOUTH 89° 01' 53" EAST 127.64 O THE EAST LINE OF PACIFIC AVE. THENCE ALONG SAID EAST LINE NORTH 07° 26' EAST 475.58 FEET, THENCE SOUTH 89° 46' 20" EAST 375.38 FEET, THENCE SOUTH 0° 58' 00" WEST 119.92 FEET, THENCE SOUTH 89° 41' 20° EAST 311.16 FEET, THENCE NORTH 0° 58' 00° EAST 277.30 FEET TO THE SOUTH LINE HARRIS STREET, THENCE ALONG SAID SOUTH LINE SOUTH 89° 46' 20" EAST 30.00 FEET, THENCE SOUTH 0° 58' WEST 192.00 FEET. THENCE SOUTH 89° 46' 20" EAST 400.00 FEET, THENCE NORTH 0° 58' EAST 192.00 FEET TO THE SOUTH LINE OF HARRIS STREET, THENCE ALONG SAID SOUTH LINE SOUTH 89° 46' 20" EAST 24.71 FEET. THENCE SOUTH 60° 54' 10' EAST 57.94 FEET, THENCE SOUTH 32° 02' EAST 358.34 FEET, THENCE SOUTH 89° 02 EAST 163.42 FEET TO A POINT ON THE WEST LINE OF WALL AVENUE, SAID POINT BEARS NORTH 89° 46' 20" WEST 524.92 FEET AND SOUTH 0° 58' WEST 21.13 FEET FROM THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, THENCE SOUTH 0° 58' WEST 985.84, MORE OR LESS, FEET ALONG WEST LINE OF WALL AVENUE, THENCE NORTH 89° 02' WEST 13.35 FEET, THENCE NORTH 78° WEST 213.50 FEET, THENCE SOUTH 12° WEST 349.24 FEET (TO A FENCE DEEO), THENCE (ALONG SAID FENCE OEED) SOUTH 83° 12' 02" EAST 279.76 FEET TO THE WEST LINE OF WALL AVENUE AS WIDENED IN 1959 BY ORDER RECORDED IN BOOK 621 PAGE 183 OF THE WEBER COUNTY RECORDS, THENCE SOUTH 3° 26' WEST 60.00 FEET ALONG SAID WEST LINE, THENCE NORTH 83° 12' 02" WEST 283.90 FEET TO A POINT WHICH BEARS NORTH 6° 08' 20" EAST FROM HE NORTHEAST CORNER OF PROPERTY CONVEYED TO HERMES ASSOCIATES BY WARRANTY DEED RECORDEO IN BOOK 1234 PAGE 331 OF THE WEBER COUNTY RECORDS, THENCE SOUTH 6° 08' 20" WEST 302.28 FEET, THENCE SOUTH 45° 50' 30" WEST 102.09 FEET (TO A FENCE I)FED), THENCE (ALONG SAIO FENCE DEED) SOUTH 83° 37' 31" EAST 397.72 FEET, THENCE SOUTH 6° 45' WEST 26.0 FEET, THENCE NORTH 83° 37' 31 WEST 399.45 FEET, THENCE SOUTHWESTERLY ALONG THE ARC OF A 10 FOOT RADIUS CURVE TO THE LEFT A · OISTANCE OF 16.65 FEET (L.C. BEARS SOUTH 48° 40' 15" WEST 14.79 FEET), THENCE SOUTH 0° 58' WEST 89.83 FEET, THENCE SOUTHEASTERLY ALONG THE ARC OF A 20 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 27.33 FEET (L.C. BEARS SOUTH 38° 12' 48" EAST 25.25 FEET), THENCE NORTHWESTERLY ALONG THE ARC OF A 226 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 27.54 FEET (L.C. BEARS NORTH 80° 12' 51" WEST 27.52 EET). THENCE NORTH 83° 42' 18" WEST 1056.88 FEET TO THE POINT OF BEGINNING.

PARCEL A-1: EXCEPTING THEREFROM THAT PARCEL OF GROUND OWNED BY OGOEN CITY FOR PURPOSES OF

PARCEL A-2: ALSO EXCEPTING THEREFROM THE RF 14 FK CORP. PARCEL AS FOLLOWS: (FURRS CAFETERIA) A PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, OGDEN CITY, WEBER COUNTY, UTAH:

BEGINNING AT A POINT WHICH BEARS NORTH 89° 46' 20" WEST 524.92 FEET ALONG THE QUARTER SECTION PARCEL F: LINE, SOUTH 0° 58' WEST 221.48 FEET ALONG THE WEST LINE OF WALL AVENUE AND NORTH 89° 02' WEST 61.00 FEET FROM THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 5, ALSO BEING A POINT NORTH 89° 27' WEST 521.75 FEET, SOUTH 0° 58' WEST 2866.93 FEFT ALONG THE WEST LINE OF WALL AVENUE AND NORTH 89° 02' WEST 61.00 FEET FROM THE NORTHFAST CORNER OF THE NORTHWEST QUARTER OF SECTION 5, AND RUNNING THENCE SOUTH 0° 58' WEST 238.00 FEET, THENCE NORTH 89° 02' WEST 111.50 FEET, THENCE NORTH 0° 58' EAST 238.00 FEET, THENCE SOUTH 89° 02' EAST 111.50 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THE SKIPPERS PARCEL AS FOLLOWS:

PARCEL A-3: A PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST. SALT LAKE BASE ANO MERIDIAN, OGDEN CITY, UTAH:

BEGINNING AT A POINT ON THE WEST LINE OF WALL AVENUE WHICH BEARS NORTH 89°, 46' 20° WEST 524.92 FEET TO THE WEST LINE OF WALL AVENUE AND SOUTH 0° 58' WEST 723.63 FEET ALONG THE WEST LINE OF WALL AVENUE FROM THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SAID SECTION 5 AND RUNNING THENCE NORTH 89° 02' WEST 98.88 FEET, THENCE NORTHWESTERLY ALONG THE ARC OF A 10 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 15.71 FEET (L.C. BEARS NORTH 44° 02' WEST 14.14 FEET). THENCE NORTH 0° 58' EAST 40.00 FEET, THENCE NORTHEASTERLY ALONG THE ARC OF A 20 FOOT RAOIUS CURVE TO THE RIGHT A DISTANCE OF 31.41 FEET (L.C. BEARS NORTH 45° 58' EAST 28.28 FEET), THENCE WALLAVENUE, THENCE ALONG SAIO WEST LINE SOUTH 0° 58' WEST 64.39 FEET TO THE POINT OF BEGINNING.

PARCEL A-4: ALSO EXCEPTING THE FOLLOWING LEGAL DESCRIPTION OF THE DILLARDS (PARCEL B)

07" EAST 71.73 FEET ALONG AND BEYOND SAID BUILDING, THENCE NORTH 30" 02' 00" EAST 129.18 FEET, THENCE NORTH 24° 32' 01" WEST 77.30 FEET, THENCE NORTH 30" 17' 29" EAST 91.74 FEET, THENCE NORTH 27° 30' 10" WEST 48.55 FEET, THENCE NORTH 66" 48' 16" EAST 128.47 FEET TO THE TOP BACK OF CURB, THENCE PARCEL H. WEST-314.15 FEET, THENCE SOUTH 34° 44' 42" EAST 110.46 FEET, THENCE SOUTH 0° 57' 49" WEST 37.47 FEET, 44' 16' WEST 61.38 FEET, THENCE NORTH 89° 13' 45' WEST 6.29 FEET, THENCE NORTH 29° 04' 44" EAST 61.85 1381689, IN BOOK 1786, PAGE 2055; ALL IN THE OFFICE OF THE WEBER COUNTY RECORDER. FEET, THENCE NORTH 89" 15" 11" WEST 4.95 FEET, THENCE NORTH 2/" 33" 08" WEST 75.26 FEET, THENCE SOUTH 89° 15' 08" EAST 24,80 FEET, THENCE NORTH 29° 21' 02" WEST 76.79 FEET, THENCE SOUTH 88° 53' 37" EAST 35.24 FEET. THENCE NORTH 29° 49' 25" EAST 62.64 FEET, THENCE SOUTH 88° 50' 08" EAST 72.48 FEET THENCE NORTH 29° 21'51" WEST 62 16 FEET, THENCE SOUTH 88° 56' 56" EAST 15.79 FEET, THENCE NORTH 29°

A PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE

NORTH 89° 46' 20" WEST 524.92 FEET ALONG THE QUARTER SECTION LINE, SOUTH 0° 58' WEST, 10.85 FEET NORTH 28° 34' 58" EAST 75.73 FEET, THENCE ALONG THE ARC OF A 90.00 FOOT RADIUS CURVE TO THE LEFT 298.18 FEET MORE OR LESS TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM PARCEL F DESCRIBED AS:FOLLOWS:

PARCEL "F"

PARCEL A-5: PART OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIOIAN, OGDEN CITY, WEBER COUNTY, UTAH.

BEGINNING AT A POINT WHICH BEARS NORTH 89° 46' 20" WEST 524.9 FEET ALONG THE QUARTER SECTION LINE, NORTH 0° 58' EAST 318.87 FEET (319.33 FEET MEASURED), NORTH 89° 46' 20" WEST 1174.10 FEET (1176.38 NORTHWEST QUARTER OF SECTION 5, ALSO BEING A POINT NORTH 89° 27' WEST 521.75 FEET, SOUTH 0° 58' FEET; THENCE SOUTH 44° 02' 00° EAST 9.90 FEET; THENCE SOUTH 89° 02' 00° EAST 256.00 FEET TO THE POINT WEST 2326.58 FEET. NORTH 89° 46' 20" WEST 1174.10 FEET, AND SOUTH 0° 58' WEST 165.74 FEET FROM THE OF BEGINNING. NORTHEAST CORNER OF SAIO NORTHWEST QUARTER OF SAIO SECTION 5, AND RUNNING THENCE SOUTH 0° 58' WEST 119.92 FEET, THENCE NORTH 89° 41' 20' WEST 388,92 FEET TO THE EAST LINE OF PACIFIC AVENUE, THENCE ALONG SAID EAST LINE NORTH 7° 26' EAST 120.29 FEET, THENCE SOUTH 89° 46' 20" EAST 375.38 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM PARCEL G DESCRIBED AS FOLLOWS:

PARCEL A-6: PART OF THE SOUTHWEST QUARTER SECTION OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1. WEST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY, OGDEN CITY, WEBER COUNTY, UTAH.

BEGINNING AT THE NORTHWEST CORNER OF THE OSHMANS BUILDING, SAID POINT OF BEGINNING BEING NORTH 89° 46' 20" WEST 1426.75 FEET ALONG THE QUARTER SECTION LINE AND SOUTH 0° 58' WEST 433.49 FEET FROM THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 5 AND RUNNING THENCE THE EAST LINE OF PACIFIC AVENUE; THENCE ALONG SAID EAST LINE NORTH 07° 26' EAST 475.58 FEET; SOUTH 89° 02' EAST 76.85 FEET, THENCE NORTH 45° 58' EAST 19.80 FEET, THENCE SOUTH 89° 02' EAST 44.00 FEET, THENCE SOUTH 44° 02' EAST 19.80 FEET, THENCE SOUTH 89° 02' EAST 9.98 FEET TO A WEST WALL OF 89° 41' 20' EAST 311.16 FEET; THENCE NORTH 0° 58' 00" EAST 277.30 FEET TO THE SOUTH LINE HARRIS LOCATED AND ERECTED ON THE ABOVE DESCRIBED PARCEL OF LAND. THE NEWGATE MALL BUILDING, THENCE SOUTH 0° 58' WEST 0.67 FEE!, THENCE SOUTH 89° 02' EAST 34.83 STREET; THENCE ALONG SAID SOUTH LINE SOUTH 89° 46' 20° EAST 30.00 FEET; THENCE SOUTH 0° 58' WEST FEET, THENCE SOUTH 0° 58' WEST 42.53 FEET, THENCE SOUTH 89" 02' EAST 35.33 FEET, SOUTH 0° 58' WEST 192.00 FEET; THENCE SOUTH 89" 46' 20" EAST 400.00 FEET; THENCE NORTH 0° 58' EAST 192.00 FEET TO THE PARCEL M: 19.75 FEET, THENCE SOUTH 89° 02' EAST 48.33 FEET, THENCE SOUTH 0° 58' WEST 25.25 FEET, THENCE SOUTH SOUTH LINE OF HARRIS STREET; THENCE ALONG SAID SOUTH LINE SOUTH 89° 46' 20" EAST 24.71 FEET; 45° 30' 55" WEST 7.25 FEET, THENCE SOUTH 0° 58' WEST 59.58 FEET, THENCE NORTH 89° 02' WEST 43.25 FEET, THENCE SOUTH 0° 58' WEST 30.02 FEET, THENCE NORTH 89° 02' WEST 37.29 FEET, THENCE SOUTH 0° 58'

EAST 163.42 FEET TO A POINT ON THE WEST LINE OF WALL AVENUE, SAIO POINT BEARS NORTH 89° 46' 20'

VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS FOR THE USE AND BENEFIT OF THE INSURED, ITS WEST 55.57 FEET. THENCE NORTH 89° 02 WEST 41.37 FEET, THENCE SOUTH 0° 58' WEST 26.96 FEET TO A SOUTH WALL OF THE NEWGATE MALL BUILDING, THENCE SOUTH 89° 02' EAST 0.33 FEET, THENCE SOUTH 0° 58' WEST 25.13 FEET, THENCE NORTH 89" 02' WEST 55.67 FEET, THENCE SOUTH 0" 58' WEST 28.50 FEET, THENCE NORTH 89° 02' WEST 21.00 FEET, THENCE NORTH 0° 58' EAST 28.50 FEET, THENCE NORTH 89° 02' WEST 74.00 FEET TO THE SOUTHWEST CORNER OF OSHMANS BUILDING, THENCE NORTH 0° 58' EAST 290.61 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTIONS PER TITLE REPORT (CONT)

A PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE 1) FURRS CAFETERIA: (J-1) AND MERIDIAN, RIVERDALE CITY, WEBER COUNTY, UTAH.

534.53 FEET TO THE POINT OF BEGINNING.

A PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, OGDEN CITY, WEBER COUNTY, UTAH.

42° 18" EAST OF THE POINT OF BEGINNING, THENCE NORTH 83° 42' 18" WEST (NORTH 83° 22' 41" WEST WEST LINE SOUTH 0° 58' WEST 64.39 FEET TO THE POINT OF BEGINNING. S.P.G.B.) 217.76 FEET TO THE POINT OF BEGINNING.

A PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, OGDEN CITY, WEBER COUNTY, UTAH, DESCRIBED AS FOLLOWS; BEGINNING AT A POINT AND MERIDIAN, RIVERDALE CITY, WEBER COUNTY, UTAH.

110.21 FEET (L.C. BEARS SOUTH 29° 08' 05" EAST 108.17 FEET), THENCE SOUTH 38° 14' 54" WEST 20.31 FEET. ALONG SAID CURB; THENCE SOUTH 27° 25' 18" EAST 69.43 FEET; THENCE SOUTH 29° 39' 38" WEST 62.04

· A PART OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, OGDEN CITY, WEBER COUNTY, UTAH.

BEGINNING AT A POINT WHICH BEARS NORTH 89° 46' 20" WEST 524.9 FEET ALONG THE QUARTER SECTION 61.38 FEET; THENCE NORTH 89° 13' 45" WEST 6.29 FEET; THENCE NORTH 29° 04' 44" EAST 61.85 FEET; THENCE LINE, NORTH 0° 58' EAST 318.87 FEET (319.33 FEET MEASURED), NORTH 89° 46' 20" WEST 1174.10 FEET (1176.38 NORTH 89° 15' 11" WEST 4.95 FEET; THENCE NORTH 27° 33' 08" WEST 75.26 FEET; THENCE SOUTH 89° 15' NORTHWEST QUARTER OF SECTION 5, ALSO A POINT NORTH 89° 27' WEST. 521.75 FEET, SOUTH 00° 58' WEST FEET; THENCE NORTH 29° 49' 25" EAST 62.64 FEET; THENCE SOUTH 88° 50' 08° EAST 72.48 FEET; THENCE 2326.58 FEET, NORTH 89° 46' 20' WEST 1174.10 FEET AND SOUTH 00° 58' WEST 165.74 FEET FROM THE NORTH 26° 21' 51' WEST 62.16 FEET; THENCE SOUTH 88° 56' 56" EAST 15.79 FEET; THENCE NORTH 29° 56' 37' NORTHEAST CORNER OF SAID NORTHWEST CORNER OF SAIO SECTION 5, AND RUNNING THENCE SOUTH 0° 58' WEST 119.92 FEET, THENCE NORTH 89° 41' 20' WEST 388.92 FEET TO THE EAST LINE OF PACIFIC TO THE CENTERLINE OF A ROADWAY, THENCE FOUR COURSES ALONG SAIO ROADWAY AS FOLLOWS: NORTH AVENUE, THENCE ALONG SAID EAST LINE NORTH 7° 26' EAST 120.29 FEET, THENCE SOUTH 89° 46' 20° EAST 28° 34' 58" EAST 75.73 FEET; THENCE ALONG THE ARC OF A 90.00 FOOT RADIUS CURVE TO THE LEFT 375.38 FEET TO THE POINT OF BEGINNING.

PART OF THE SOUTHWEST QUARTER SECTION OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY, OGDEN CITY, WEBER COUNTY, UTAH,

SOUTH 89° 02' EAST 75.00 FEET, THENCE SOUTHEASTERLY ALONG THE ARC OF A 20 FOOT RADIUS CURVE TO

NORTH 89° 46' 20" WEST 1426.75 FEET ALONG THE QUARTER SECTION LINE AND SOUTH 0° 58' WEST 433.49

EAST 298.18 FEET MORE OR LESS TO THE POINT OF BEGINNING. THE RIGHT A DISTANCE OF 15.34 FEET (L.C. BEARS SOUTH 67° 03' 35" EAST 14.97 FEET) TO THE WEST LINE OF FEET FROM THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 5 AND RUNNING THENCE SOUTH 89° 02' EAST 76.85 FEET, THENCE MORTH 45° 58' EAST 19.80 FEET, THENCE SOUTH 89° 02' EAST 44.00 THREE HOMART DEVELOPMENT CO. PARCELS (SEARS ROEBUCK & CO.) KNOWN AS TAX PARCEL NOS. FEET, THENCE SOUTH 44° 02' EAST 19.80 FEET, THENCE SOUTH 89° 02' EAST 9.98 FEET TO A WEST WALL OF 05-139-0041, 05-139-0021 AND 05-139-0042, DESCRIBED AS FOLLOWS: THE NEWGATE MALL BUILDING, THENCE SOUTH 0° 58' WEST 0.67 FEET, THENCE SOUTH 89° 02' EAST 34.83 FEET, THENCE SOUTH 0° 58' WEST 42.53 FEET, THENCE SOUTH 89° 02' EAST 35.33 FEET, SOUTH 0° 58' WEST PARCEL 4) PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT 19.75 FEET, THENCE SOUTH 89° 02' EAST 48.33 FEET, THENCE SOUTH 0° 58' WEST 25.25 FEET, THENCE SOUTH LAKE BASE AND MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH BEARS A PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE 45° 30' 55° WEST 7.25 FEET, THENCE SOUTH 0° 58' WEST 59.58 FEET, THENCE SOUTH 89° 46' 20' WEST 524.92 FEET ALONG THE QUARTER SECTION LINE SOUTH 10° 58' WEST 251.13 FEET THENCE SOUTH 0° 58' WEST 30.02 FEET, THENCE NORTH 89° 02' WEST 37.29 FEET, THENCE SOUTH 0° 58' ALONG THE WEST LINE OF WALL AVENUE AND NORTH 89° 02' WEST 1195.00 FEET FROM THE NORTHEAST WEST 56.57 FEET, THENCE NORTH 89° 02' WEST 41.37 FEET, THENCE SOUTH 0° 58' WEST 26.96 FEET TO A CORNER OF SAID SOUTHWEST QUARTER OF SECTION 5, ALSO BEING A POINT WHICH BEARS NORTH 89° 27' BEGINNING AT A POINT WHICH BEARS NORTH 89° 46' 20° WEST 1073.55 FEET ALONG SECTION LINE AND SOUTH WALL OF THE NEWGATE MAIL BUILDING, THENCE SOUTH 89° 02' EAST 0.33 FEET, THENCE SOUTH 00° 58' WEST 2896.58 FEET AND NORTH 89° 02' WEST, 1195.00 FEET FROM THE SOUTH 01° 01' 54" WEST 533.55 FEET MORE OR LESS TO THE NORTHWEST FOUNDATION CORNER OF THE 58' WEST 25.13 FEET, THENCE SOUTH 0° 58' WEST 25.13 FEET, THENCE SOUT SOUTH 88° 57' 37" EAST 147.83 FEET ALONG SAID FOUNDATION TO AN ANGLE POINT, THENCE NORTH 01° 36' 89° 02' WEST 74.00 FEET TO THE SOUTHWEST CORNER OF OSHMANS BUILDING, THENCE NORTH 0° 58' EAST 290.61 FEET TO THE POINT OF BEGINNING.

SOUTH 29° 39' 38" WEST 62.04 FEET, THENCE SOUTH 27° 35' 19" EAST 37.05 FEET, THENCE SOUTH 0° 57' 49"

TOGETHER WITH THE RIGHTS AND EASEMENTS APPURTENANT TO THE PROPERTY DESCRIBED ABOVE SOUTH 0° 58' WEST 195 FEET TO THE POINT OF BEGINNING. PURSUANT TO THAT CERTAIN CONSTRUCTION, OPERATING AND RECIPROCAL EASEMENT AGREEMENT, BY THENCE SOUTH 89° 03' 00° EAST 123.96 FEET TO THE WEST LINE OF WALL AVENUE, THENCE SOUTH 0° 58' 00°
AND BETWEEN HOMART DEVELOPMENT CO. AND DILLARDS DEPARTMENT STORES, INC., DATED AS OF PARCEL 5) PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT WEST 12.00 FEET ALONG SAID STREET, THENCE NORTH 89° 03' 00" WEST 123.96 FEET, THENCE SOUTH 0° 57' NOVEMBER 15, 1994 AND RECORDED MARCH 31, 1994 AND RECORDED MARCH 31, 1994 AND RECORDED JUNE 09, 1975 AS ENTRY NO. 639351 IN BOOK 1088 AT PAGE 395 AND RE-RECORDED MARCH 31, 1994 AND RECORDED MARCH 31, 49" WEST 160.83 FEET, THENCE SOUTH 36° 36' 15" WEST 217.36 FFET, THENCE SOUTH 11° 56' 40' WEST 472.63

2999; AS AFFECTED BY THAT CERTAIN AMENDEO AND RESTATED JOINT EASEMENT AGREEMENT, BY AND 1524.92 FEET ALONG THE WEST LINE OF 1978 IN BOOK 1233 AT PAGE 546 OF OFFICIAL RECORDS. (SHOWN HEREON. AFFECTS THE WESTERLY FEET, THENCE SOUTH 02° 43' 37" WEST 174.19 FEET, THENCE SOUTH 05° 28' 52" WEST 29.46 FEET, THENCE

BETWEEN HOMART DEVELOPMENT CO. AND SMITH'S FOOD & DRUG CENTERS, INC., OATED MAY 31, 1995 AND

WALL AVENUE, NORTH 89° 02' WEST 662.97 FEET AND SOUTH 0° 58' WEST 631.73 FEET FROM THE NORTHEAST

PORTION OF PARCEL A & J) RECORDED JUNE 28, 1995 AS ENTRY NUMBER 1351627, IN BOOK 1761, PAGE 2796; AND ASSIGNED TO HOMART CORNER OF SAID SOUTHWEST QUARTER OF SECTION 5, AND RUNNING THENCE SOUTH 0° 58' WEST 256 FEET; WEST 60.38 FEET), THENCE SOUTH 45° 50' 59" WEST 7.39 FEET, THENCE NORTH 89° 26' 48" WEST 105.90 FEET,

NEWCO ONE; INC., BY THAT CERTAIN QUIT CLAIM ASSIGNMENT AND ASSUMPTION OF RECIPROCAL

THENCE NORTH 89° 02' WEST 521.5 FEET; THENCE NORTH 89° 02' WEST 521.5 FEET; THENCE SOUTH 89° 02' EAST THENCE NORTH 30° 07' 39" EAST 63.29 FEET, THENCE NORTH 69° 26' 48" WEST 49.84 FEET, THENCE NORTH 26°.

EASEMENT AGREEMENT, DATED DECEMBER 22, 1995 AND RECORDED JANUARY 05, 1996 AS ENTRY NUMBER

219.5 FEET; THENCE NORTH 0° 58' EAST 80 FEET; THENCE SOUTH 89° 02' EAST 302 FEET TO THE POINT OF

56' 37" EAST 64.07 FEET, THENCE SOUTH 89" 44' 25" EAST 29.32 FEET, THENCE NORTH 19" 46' 26" WEST 163.14

AND MERIDIAN, OGDEN CITY, WEBER COUNTY, UTAH, DESCRIBED AS FOLLOWS: BEGINNING AT THE AND NORTH 89" 02' WEST 375.0 FEET FROM THE SOUTHEAST CORNER OF SAIO NORTHWEST QUARTER OF FEET TO THE CENTERLINE OF A ROADWAY, THENCE FOUR COURSES ALONG SAID ROADWAY AS FOLLOWS:

SOUTHWEST CORNER OF THE NEWGATE MALL BUILDING, SAID CORNER ALSO BEING THE NORTHWEST SECTION 5, ALSO BEING A POINT NORTH 89° 27' WEST 521.75 FEET, SOUTH 0° 58' WEST 2656.30 FEET AND. CORNER OF THE SEARS, ROEBUCK & COMPANY BUILDING, SAID POINT OF BEGINNING BEING NORTH 1216.45 NORTH 89° 02' WEST 375.0 FEET FROM THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR PIPELINES, VALVES, VALVE BOXES AND 41.74 FEET (L.C. BEARS NORTH 15° 17' 50" EAST 41.36 FEET), THENCE ALONG THE ARC OF A 105 FOOT RADIUS FEET AND EAST 1183.18 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 5, RUNNING THENCE SOUTH 0° 58' WEST 327.5 FEET; THENCE NORTH 89° 02' WEST 367.0 FEET; CURVE TO THE RIGHT 93.71 FEET (L.C. BEARS NORTH 27° 34' 46" EAST 90.63 FEET), THENCE ALONG THE ARC

SOUTH 89° 02' 00" EAST 256.00 FEET; THENCE SOUTH 89° 02' 00" EAST 39.00 FEET; THENCE SOUTH 89° 02' 00" EAST 367.0 FEET TO THE POINT OF OF A 89.72 FOOT RADIUS CURVE TO THE LEFT 61.41 FEET (L.C. BEARS NORTH 33° 32' 25" EAST 60.21 FEET) TO EAST 4.00 FEET; THENCE NORTH 20° 58' .00° EAST 17.03 FEET; THENCE NORTH 0° 58' .00° EAST 31.00 FEET; BEGINNING. A POINT WHICH IS PARALLEL AND SOUTH 10.00 FEET FROM THE SOUTH LINE OF THE FOUNDATION OF THE THENCE NORTH 19° 02' 00° WEST 17.03 FEET; THENCE NORTH 45° 58' 00° EAST 265.36 FEET; THENCE NORTH 0° DILLARDS BUILDING, THENCE NORTH 88° 57' 37" WEST 103.20 FEET TO THE EAST BUILDING LINE OF NEWGATE 58' 00" EAST 119.00 FEET; THENCE SOUTH 89° 02' 00" EAST 38.67 FEET; THENCE NORTH 0° 58' 00" EAST 24.33 PARCEL K: MALL, THENCE NORTH 0° 57" 40" EAST 10.00 FEET MORE OR LESS TO THE SOUTH SIDE OF THE BUILDING FEET; THENCE SOUTH 89° 02' 00" EAST 28.00 FEET; THENCE NORTH 00° 58' 00" EAST 159.83 FEET; THENCE FOUNCATION OF DILLARDS, THENCE NORTH 88° 57' 37" WEST 128.33 FEET MORE OR LESS ALONG SAID NORTH 88° 57' 37" WEST 122.66 FEET; THENCE SOUTH 88° 57' ALL BUILDINGS, IMPROVEMENTS AND FIXTURES NOW AND HEREAFTER LOCATED AND ERECTED ON THE FOUNDATION TO THE SOUTHWEST CORNER OF SAIO BUILDING FOUNDATION, THENCE NORTH 01° 01' 54" EAST 37" EAST 124.32 FEET; THENCE NORTH 00° 58' 00" EAST 9.98 FEET; THENCE NORTH 89° 02' 00" WEST 23.00 FOLLOWING DESCRIBEO PARCEL OF LAND: FEET; THENCE NORTH 0° 58' 00" EAST 98.12 FEET; THENCE NORTH 89" 02' 00" WEST 4.00 FEET; THENCE NORTH 0° 58' 00° EAST 64.00 FEET; THENCE SOUTH 89° 02' 00° EAST 4.00 FEET; THENCE NORTH 0° 58' 00° EAST 42.60 A PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE FEET; THENCE NORTH 89° 02' 00" WEST 276.97 FEET; THENCE SOUTH 0° 58' .00" WEST 38.60 FEET; THENCE AND MERIDIAN, U.S. SURVEY, OGOEN CITY, WEBER COUNTY, UTAH: NORTH 89° 02' 00" WEST 19.00 FEET; THENCE SOUTH 20° 58' 00" WEST 17.03 FEET; THENCE SOUTH 0° 58' 00" WEST 31.00 FEET; THENCE SOUTH 19° 02' 00" EAST 17.03 FEET; THENCE SOUTH 89° 02' 00" EAST 4.00 FEET; BEGINNING AT A POINT WHICH BEARS NORTH 89° 46'20" WEST 524.92 FEET ALONG THE QUARTER SECTION THENCE SOUTH 0° 58' 00" WEST 13.00 FEET; THENCE SOUTH 45° 58' 00" WEST 16.97 FEET; THENCE SOUTH 0° LINE, SOUTH 0°58' WEST 221.48 FEET ALONG THE WEST LINE OF WALL AVENUE AND NORTH 89°02' WEST 61.00

UTAH POWER & LIGHT COMPANY, A UTAH CORPORATION) SUBSEQUENTLY EXECUTED A DISCLAIMER 58' 00" WEST 311.90 FEET; THENCE SOUTH 45" 58' 00" WEST 24.67 FEET; THENCE SOUTH 44" 02' 00" EAST 24.67 FEET FROM THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 5, ALSO BEING A POINT FEET; THENCE SOUTH 45° 58' 00" WEST 184.32 FEET; THENCE NORTH 44° 02' 00" WEST 10.00 FEET; THENCE NORTH 89°27' WEST 521.75 FEET, SOUTH 0°58' WEST 2866.93 FEET ALONG THE WEST LINE OF WALL AVENUE SOUTH 65° 58' 00" WEST 17.03 FEET; THENCE SOUTH 45° 58' 00" WEST 31.00 FEET; THENCE SOUTH 25° 58' 00"

AND NORTH 89°02' WEST 61.00 FEET FROM THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF EAST 17.03 FEET; THENCE SOUTH 44° 02' 00" EAST 10.00 FEET; THENCE SOUTH 45° 58' 00" WEST 107.42 FEET; SECTION 5; AND RUNNING THENCE SOUTH 0°58' WEST 238.00 FEET; THENCE NORTH 89°02' WEST 111.50 FEET; THENCE SOUTH 44° 02' 00° EAST 48.78 FEET; THENCE SOUTH 45° 58' 00" WEST 14.14 FEET; THENCE SOUTH 0° THENCE NORTH 0°58' EAST 238.00 FEET; THENCE SOUTH 89°02' EAST 111.50 FEET TO THE POINT OF FEET MEASURED) AND SOUTH 0° 58' WEST 165.74 FEET FROM THE SOUTHEAST CORNER OF SAID 58' 00" WEST, 71.00 FEET; THENCE SOUTH 89° 02' 00" EAST 30.00 FEET; THENCE SOUTH 0° 58' 00" WEST 259.00 BEGINNING.

A PART OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, AODITION TO SOUTH OGDEN CITY, WEBER COUNTY, UTAH:

SECTION 5, AND RUNNING THENCE NORTH 03° 38' 21" EAST 590.75 FEET TO A FENCE; THENCE ALONG SAID AND NORTH 89°02' WEST 61.00 FEET FROM THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF 02 EAST, 170.90 FEET; THENCE NORTH 0° 58' EAST 615.00 FEET; THENCE NORTH 89° 02' WEST 600.00 FEET TO BEGINNING. THENCE SOUTH 89° 46' 20" EAST 375.38 FEET; THENCE SOUTH 0° 58' 00" WEST 119.92 FEET; THENCE SOUTH LESS AND EXCEPTING THEREFROM ALL BUILDINGS, IMPROVEMENTS AND FIXTURES NOW AND HEREAFTER THENCE SOUTH 60° 54' 10" EAST 57.94 FEET; THENCE SOUTH 32° 02' EAST 358.34 FEET; THENCE SOUTH 89° 02' NON-EXCLUSIVE EASEMENTS APPURTENANT TO PARCELS 1 AND 2, FOR THE PURPOSE OF PARKING, WEST 524.92 FEET AND SOUTH 0° 58', WEST 21.13 FEET FROM THE NORTHEAST CORNER OF THE SOUTHWEST SUCCESSORS, ASSIGNS, LICENSEES, TENANTS, SUPPLIERS, AND CUSTOMERS, OVER, UPON AND ACROSS QUARTER OF SAIO SECTION 5; THENCE SOUTH 0° 58' WEST 985.84 MORE OR LESS FEET ALONG WEST LINE OF THE COMMON AREA PORTIONS OF THE NEWGATE MALL AS CREATED, LIMITED AND DEFINED BY COVENANTS, WALL AVENUE; THENCE NORTH 89° 02 WEST 13.35 FEET; THENCE NORTH 78° WEST 213.50 FEET; THENCE CONDITIONS AND RESTRICTIONS AGREEMENT DATED AUGUST 4, 1982, RECORDED DECEMBER 22, 1982, AS SOUTH 12° WEST 349.24 FEET (TO A FENCE DEED); THENCE (ALONG SAID FENCE DEED) SOUTH 83° 12' 02" ENTRY NO. 870295 IN BOOK 1415 AT PAGE 999, AS AMENDED BY AMENDMENT TO COVENANTS, CONDITIONS ENTRY NO. 816532 IN BOOK 1363 AT PAGE 86 OF OFFICIAL RECORDS AN AMENDED DECLARATION OF EAST 279.76 FEET TO THE WEST LINE OF WALL AVENUE AS WIDENED IN 1959 BY ORDER RECORDED IN BOOK AND RESTRICTIONS AGREEMENT DATED MARCH 25, 1994, RECORDED SEPTEMBER 20, 1994, AS ENTRY NO. 621 PAGE 183 OF THE WEBER COUNTY RECORDS; THENCE SOUTH 03° 26' WEST 60.00 FEET ALONG SAID WEST

1312515, IN BOOK 1731 AT PAGE 950; AND BY AGREEMENT RECORDEO APRIL 23, 1981 AS ENTRY NO. 834401 IN LINE; THENCE NORTH 83" 12" 02" WEST 283.90 FEET TO A POINT WHICH BEARS NORTH 6" 08' 20" EAST FROM BOOK 1380 AT PAGE 1041; AND BY EASEMENT AGREEMENT DATEO NOVEMBER 14, 1983, RECORDED JULY 6, THE NORTHEAST CORNER OF PROPERTY CONVEYED TO HERMES ASSOCIATES BY WARRANTY DEED 1983, AS ENTRY NO. 913073, IN BOOK 1449 AT PAGE 1255, OF OFFICIAL RECORDS. RECORDED IN BOOK 1234 PAGE 331 OF THE WEBER COUNTY RECORDS: THENCE SOUTH 6° 08' 20" WEST 302.28 FEET; THENCE SOUTH 45° 50' 30" WEST 102.09 FEET (TO A FENCE DEED); THENCE (ALONG SAIO FENCE DEED) SOUTH 83° 37' 31" EAST 397.72 FEET; THENCE SOUTH 6° 45' WEST 26.0 FEET; THENCE NORTH 83° 37' 31' WEST 399.45 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF A 10 FOOT RADIUS CURVE TO THE LEFT A OISTANCE OF 16.65 FEET (L.C. BEARS SOUTH 48° 40' 15" WEST 14.79 FEET); THENCE SOUTH 0° 58, WEST 89.83 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 20 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 27.33 FEET (L.C. BEARS SOUTH 38° 12' 48" EAST 25.25 FEET); THENCE NORTHWESTERLY ALONG THE ARC OF A 226 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 27.33 FEET (L.C. BEARS NORTH 80° 12' 51" WEST 27.54 FEET); THENCE NORTH 83° 42' 18" WEST 1056,88 FEET TO THE POINT OF BEGINNING:

LEGAL DESCRIPTIONS PER TITLE REPORT (CONT)

EXCEPTING THEREFROM THE FOLLOWING 6 PARCELS WHICH ARE A PART OF PARCEL "J" ABOVE:

BEGINNING AT A POINT WHICH BEARS EAST 426.75 FEET, NORTH 895.07 FEET TO THE CENTER OF A 3 ROO

BEGINNING AT A POINT WHICH BEARS EAST 404.87 FEET, NORTH 534.48 FEET TO THE CENTER LINE OF AND MERIDIAN, OGDEN CITY, WEBER COUNTY, UTAH: BEGINNING AT A POINT WHICH BEARS NORTH 89° 46' 20° ROAD (PACIFIC AVENUE) AND SOUTH 83° 42' 18" EAST 217.76 FEET FROM THE SOUTHWEST CORNER OF SAID

PACIFIC AVENUE AND SOUTH 83° 14' 16" EAST 42.06 FEET FROM THE SOUTHWEST CORNER OF SAID

PACIFIC AVENUE AND SOUTH 83° 14' 16" EAST 42.06 FEET FROM THE SOUTHWEST CORNER OF SAID

PACIFIC AVENUE AND SOUTH 83° 14' 16" EAST 42.06 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION

WEST 524.92 FEET ALONG THE QUARTER SECTION LINE, SOUTH 0° 58' WEST 221.48 FEET ALONG THE WEST 5, AND RUNNING THENCE NORTH 03° 28' 21" EAST 311.54 FEET ALONG THE EAST LINE OF PACIFIC AVENUE, LINE OF WALL AVENUE AND NORTH 89° 02' WEST 61.00 FEET FROM THE NORTHEAST CORNER OF SAID THENCE SOUTH 83° 42' 18" EAST 30.00 FEET, THENCE NORTH 03° 28' 21" EAST 20.00 FEET, THENCE SOUTH 83° SOUTHWEST QUARTER OF SECTION 5, ALSO BEING A POINT NORTH 89° 27' WEST 521.75 FEET, SOUTH 0° 58' FEET, THENCE NORTH 26° 47' 30° EAST 111.10 FEET, THENCE NORTH 0° 58' EAST 151.64 FEET, THENCE SOUTH 42' 18° EAST 523.57 FEET TO THE WEST LINE OF (SKAGGS PROPERTIES) SMITH FOOD AND DRUG PROPERTY, WEST 2866.93 FEET ALONG THE WEST LINE OF WALL AVENUE AND NORTH 89° 02' WEST 61.00 FEET FROM THE ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE THENCE ALONG SAID WEST LINE SOUTH 06° 45' 44" WEST 335.51 FEET, THENCE NORTH 83° 14' 16" WEST NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 5 AND RUNNING THENCE SOUTH 0° 58' SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 4, 7, 8, 9, WEST 238.00 FEET; THENCE NORTH 89° 02' WEST 111.50 FEET; THENCE NORTH 0° 58' EAST 238.00 FEET; 11(a), 13 & 14 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 10/18/2012. THENCE SOUTH 89° 02' EAST 111.50 FEET TO THE POINT OF BEGINNING.

A PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, OGDEN CITY, UTAH, BEGINNING AT A POINT. ON THE WEST LINE OF WALL AVENUE WHICH BEGINNING AT A POINT WHICH BEARS EAST 426.75 FEET AND NORTH 895.07 FEET TO THE CENTER OF A 3 ROO BEARS NORTH 89° 46° 20° WEST 524.92 FEET TO THE WEST LINE OF WALL AVENUE AND SOUTH 0° 58' WEST ROAD (PACIFIC AVENUE) FROM THE SOUTHWEST CORNER OF SAID SECTION 5, AND RUNNING THENCE NORTH 723.63 FEET ALONG THE WEST LINE OF WALL AVENUE FROM THE NORTHEAST CORNER OF SAID SOUTHWEST 03° 28' 21" EAST 591.96 FEET ALONG THE CENTERLINE OF PACIFIC AVENUE TO A POINT ON A PROJECTION OF QUARTER OF SAID SECTION 5 AND RUNNING THENCE NORTH 89° 02' WEST 98.88 FEET; THENCE A FENCE TO THE EAST, THENCE SOUTH 83° 23' 18° EAST 217.83 FEET (SOUTH 83° 03' 41" EAST STATE PLANE NORTHWESTERLY ALONG THE ARC OF A 10 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 15.71 FEET GRID BEARING) ALONG SAID FENCE, THENCE SOUTH 03° 28' 21" WEST (SOUTH 03° 47' 58" WEST S.P.G.B.) 40.06 (L.C. BEARS NORTH 44° 02 WEST 14.14 FEET); THENCE NORTH 0° 58' EAST 40.00 FEET; THENCE FEET, THENCE NORTH 83° 23' 18" WEST (NORTH 83° 03' 41" WEST S.P.G.B.) 193,04 FEET TO THE EAST LINE OF NORTHEASTERLY ALONG THE ARC OF A 20 FOOT RAGIUS CURVE TO THE RIGHT A DISTANCE OF 31.41 FEET PACIFIC AVENUE, THENCE SOUTH 03° 28' 21" WEST (SOUTH 03° 47' 58" WEST S.P.G.B. ) 197.30 FEET ALONG (L.C. BEARS NORTH 45° 58' EAST 28.28 FEET); THENCE SOUTH 89° 02' EAST 75.00 FEET; THENCE SAIO EAST LINE, THENCE SOUTH 83° 23' 18" EAST (SOUTH 83° 03' 41" EAST S.P.G.B.) 193.04 FEET, THENCE SOUTHEASTERLY ALONG THE ARC OF A 20 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 15.34 FEET LICENSE NO. 6135190 SOUTH 03° 28' 21" WEST (SOUTH 03° 47' 58" WEST S.P.G.B.) 353.39 FEET TO A POINT WHICH BEARS SOUTH 83" (L.C. BEARS SOUTH 67° 03' 35' EAST 14.97 FEET) TO THE WEST LINE OF WALL AVENUE; THENCE ALONG SAID

A PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE WHICH BEARS NORTH 89° 46' 20" WEST 1073.55 FEET ALONG SECTION LINE AND SOUTH 01" 01' 54" WEST 533.55 FEET MORE OR LESS TO THE NORTHWEST FOUNDATION CORNER OF THE OILLARDS BUILDING FROM BEGINNING AT A POINT WHICH BEARS EAST 404.87 FEET, NORTH 534.48 FEET AND SOUTH 83° 14' 16" EAST THE NORTHEAST CORNER OF SAID QUARTER SECTION, AND RUNNING THENCE SOUTH 88° 57' 37" EAST 147.83 1164.79 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 5 AND RUNNING THENCE NORTH 55° EAST FEET ALONG SAID FOUNDATION TO AN ANGLE POINT; THENCE NORTH 01° 36' 07" EAST 71.73 FEET ALONG AND 353.54 FEET, THENCE SOUTHEASTERLY ALONG THE ARC OF A 195 FOOT RADIUS CURVE TO THE RIGHT A BEYOND SAID BUILDING; THENCE NORTH 30" 02' 00" EAST 129.18 FEET; THENCE NORTH 24° 32' 01" WEST 77.30 DISTANCE OF 37.03 FEET (L.C. BEARS SOUTH 15° 26' 33" EAST 36.97 FEET), THENCE SOUTH 10° EAST 28.13 FEET; THENCE NORTH 30° 17' 29" EAST 91.74 FEET; THENCE NORTH 27° 30' 10" WEST 48.35 FEET; THENCE FEET, THENCE SOUTHEASTERLY ALONG THE ARC A 165 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF NORTH 06° 48' 16" EAST 128.47 FEET TO THE TOP BACK OF CURB; THENCE SOUTH 89° 03' 39" EAST 126.85 FEET THENCE SOUTH 51° 45' 06" EAST 30,00 FEET TO THE WEST LINE OF RIVERDALE ROAD, THENCE ALONG SAID FEET; THENCE SOUTH 27° 35' 19" EAST 37.05 FEET; THENCE SOUTH 0° 57' 49" WEST 314.15 FEET; THENCE WEST LINE SOUTH 38° 14' 54° WEST 62.96 FEET, THENCE NORTH 83° 14' 16" WEST 331.31 FEET TO THE POINT SOUTH 34° 44' 42" EAST 110.46 FEET, THENCE SOUTH 0° 57' 49" WEST 37.47 FEET; THENCE SOUTH 89° 03' 00" EAST 123.96 FEET TO THE WEST LINE OF WALL AVENUE, THENCE SOUTH 0° 58' 00" WEST 12.00 FEET ALONG SAIO STREET; THENCE NORTH 89° 03' 00" WEST 123.96 FEET; THENCE SOUTH 0° 57' 49" WEST 160.83 FEET; THENCE SOUTH 36° 36' 15" WEST 217.36 FEET: THENCE SOUTH 11° 56' 40" WEST 472.63 FEET; THENCE SOUTH 02° 43' 37" WEST 174.19 FEET; THENCE SOUTH 05" 28' 52" WEST 29.46 FEET; THENCE ALONG THE ARC OF A 87.50 FOOT RACIUS CURVE TO THE RIGHT 61.65 FEET (L.C. BEARS SOUTH 25° 39' 55" WEST 60.38 FEET): THENCE SOUTH 45° 50' 59" WEST 7.39 FEET; THENCE NORTH 89° 26' 48" WEST 105.90 FEET; THENCE NORTH 30° 07' 39" EAST 63.29 FEET; THENCE NORTH 89° 26' 48" WEST 49.84 FEET; THENCE NORTH 26" 44' 16" WEST FEET MEASURED), AND SOUTH 0° 58' WEST 165.74 FEET FROM THE SOUTHEAST CORNER OF SAID 08' EAST 24.80 FEET; THENCE NORTH 29° 21' 02" WEST 76.79 FEET; THENCE SOUTH 88° 53' 37" EAST 35.24 EAST 64.07 FEET; THENCE SOUTH 89° 44' 25" EAST 29.32 FEET; THENCE NORTH 19° 46' 26" WEST 163.14 FEET 41.74 FEET (L.C. BEARS NORTH 15° 17' 50" EAST 41.36 FEET); THENCE ALONG THE ARC OF A 105.00 FOOT RADIUS CURVE TO THE PIGHT 93.71 FEET (L.C. BEARS NORTH 27° 34' 46" EAST 90.63 FEET); THENCE ALONG THE ARC OF A 89.72 FOOT RADIUS CURVE TO THE LEFT 61.41 FEET (L.C. BEARS NORTH 33° 32' 25" EAST 60.21 FEET) TO A POINT WHICH IS PARALLEL AND SOUTH 10.00 FEET FROM THE SOUTH LINE OF THE FOUNDATION OF THE DILLARDS BUILDING; THENCE NORTH 88° 57' 37" WEST 103.20 FEET TO THE EAST BUILDING LINE OF NEWGATE MALL; THENCE NORTH 0° 57' 40" EAST 10.00 FEET MORE OR LESS TO THE SOUTH SIDE OF THE BUILDING FOUNDATION OF DILLARDS; THENCE NORTH 88° 57' 37" WEST 128.33 FEET MORE OR LESS ALONG BEGINNING AT THE NORTHWEST CORNER OF THE OSHMANS BUILDING, SAID POINT OF BEGINNING BEING SAID FOUNDATION TO THE SOUTHWEST CORNER OF SAID BUILDING FOUNDATION; THENCE NORTH 01° 01' 54"

15 FEET WEST OF BUILDING SETBACK LINE NO. 3 IN THE NEWGATE MALL SHOPPING CENTER AS DESCRIBED INSTRUMENT RECORDED DECEMBER 13, 1977 IN BOOK 1214 AT PAGE 847 OF OFFICIAL RECORDS. (AS SHOWN IN GRANT OF EASEMENTS WITH COVENANTS AND RESTRICTIONS AFFECTING LAND BOOK 628, PAGE 119 OF HEREON, AFFECTS THE NORTH PORTION OF PARCEL A & J) THE WEBER COUNTY RECORDS AND RUNNING THENCE NORTH 89° 02' WEST 215.50 FEET; THENCE NORTH 0° 58' EAST 163 FEET; THENCE SOUTH 89° 02' EAST 156.60 FEET; THENCE NORTH 00° 58' EAST 14 FEET; THENCE 02' EAST 15 FEET; THENCE NORTH 0° 58' EAST 18 FEET; THENCE SOUTH 89° 02' EAST 43.90 FEET; THENCE SIDE OF PARCEL A & J)

PARCEL 6) PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT (2) AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR SEWER PIPELINE AND INCIDENTAL

AND MERIDIAN, U.S. SURVEY, OGDEN CITY, WEBER COUNTY, UTAH:

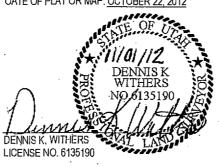
RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, OGDEN CITY, AND A PART OF LOTS 2 AND 3 OF BURCH BEGINNING AT A POINT WHICH BEARS NORTH 89°46'20° WEST 524.92 FEET ALONG THE QUARTER SECTION LINE, SOUTH 0°58' WEST 221.48 FEET ALONG THE WEST LINE OF WALL AVENUE AND NORTH 89°02' WEST 61.00 BEGINNING AT A POINT WHICH BEARS EAST 426.75 FEET, NORTH 895.07 FEET TO THE CENTER OF A 3 ROD FEET FROM THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 5, ALSO BEING A POINT ROAO (PACIFIC AVENUE) AND SOUTH 83° 42' 18" EAST 217.76 FEET FROM THE SOUTHWEST CORNER OF SAID NORTH 89°27' WEST 521.75 FEET, SOUTH 0°58' WEST 2866.93 FEET ALONG THE WEST LINE OF WALL AVENUE FENCE SOUTH 83° 23' 18" EAST 97.89 FEET (S 84° 07' E DEED); THENCE SOUTH 89° 01' 53" EAST, 127.64 FEET; SECTION 5; AND RUNNING THENCE SOUTH 0°58' WEST 238.00 FEET; THENCE NORTH 89°02' WEST 111.50 FEET; THENCE NORTH 26° 47' 30" EAST, 111.10 FEET; THENCE NORTH 0° 58' EAST, 151.64 FEET; THENCE SOUTH 89° THENCE NORTH 0°58' EAST 238.00 FEET; THENCE SOUTH 89°02' EAST 111.50 FEET TO THE POINT OF

MCNEIL ENGINEERING STRUCTURAL, L.C.

SURVEYOR'S CERTIFICATE

THIS SURVEY IS MASE FOR THE BENEFIT OF : GENERAL GROWTH PROPERTIES. INC.: GGP - NEWGATE MALL INC. A DELAWARE CORPORATION AS TO PARCEL A C. D. E. E. G. RM14 EK. CORP. AS TO PARCELS KIAND I. ANO NEWGATE MALL LAND ACCUSATIONS, LLC. A OELAWARE LIMITED LIABILITY COMPANY, AS TO A PORTION OF PARCEL J; FIRST AMERICAN TITLE INSURANCE COMPANY NATIONAL COMMERCIAL SERVICES; GGP LIMITED PARTNERSHIP, UBS REAL ESTATE SECURITIES INC., BARCLAYS BANK PLC AND ANY LENDER OR LENDERS HOLOING AN INTEREST IN THE PROPERTY OR THE DIRECT OR INDIRECT EQUITY INTERESTS IN BORROWERS AND ALL OF THEIR RESPECTIVE SUCCESSORS, ASSIGNS AND PARTICIPANTS.

OATE OF PLAT OR MAP: OCTOBER 22, 2012



SCHEDULE B- SECTION 2 EXCEPTIONS:

10) RIGHT OF WAY TO ERECT, OPERATE AND MAINTAIN ELECTRIC POWER TRANSMISSION AND TELEPHONE NES OVER AND ACROSS THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5 (EXACT LOCATION NOT DISCLOSED), AS CONVEYED TO UTAH POWER LIGHT COMPANY, BY INSTRUMENT RECORDED MAY 24, 1913 IN BOOK "S", PAGE 410 OF LEASES. (BLANKET EASEMENT AFFECTS 1/4 SECTION)

(1) A RIGHT OF WAY AND EASEMENT 21 FEET IN WIDTH, WITH THE RIGHT, PRIVILEGE, AND AUTHORITY TO CONSTRUCT, ERECT, OPERATE AND MAINTAIN SEWER LINE ALONG. IN, THROUGH, ACROSS AND UNDER THE LAND RUNNING EAST AND WEST ALONG THE CENTERLINE OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST. SALT LAKE BASE AND MERIDIAN AS CONVEYED TO THE TOWN OF SOUTH OGDEN, A MUNICIPAL CORPORATION BY AN AGREEMENT DATED FEBRUARY 08, 1937 AND RECORDEO JUNE 14, 1937 IN BOOK "X", PAGE 263 OF LEASES. (AS SHOWN HEREON, AFFECTS NORTH PORTION OF PARCEL A & J)

AN FASEMENT OVER. ACROSS OR THROUGH THE LAND FOR ELECTRIC TRANSMISSION, DISTRIBUTION, AND OTHER ATTACHMENTS AFFIXED THERETO AND INCIDENTAL PURPOSES, AS GRANTED TO UTAH POWER ANO LIGHT COMPANY, A CORPORATION BY INSTRUMENT RECORDED OCTOBER 04, 1944 IN BOOK 199 AT PAGE 150.0F OFFICIAL RECORDS. (AS SHOWN HEREON, AFFECTS PARCEL D)

(13) AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR CUT AND/OR FILL SLOPE'S AND NECESSARY DRAINAGE DITCHES AND APPURTENANT PARTS THEREOF AND INCIDENTAL PURPOSES, AS GRANTED TO STATE ROAD COMMISSION OF UTAH BY INSTRUMENT RECORDED OCTOBER 29, 1958 IN BOOK 594 AT PAGE 112

(14) AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR PIPELINES, VALVES, VALVE BOXES AND OTHER GAS TRANSMISSION AND DISTRIBUTION FACILITIES AND INCIDENTAL PURPOSES, AS GRANTED TO MOUNTAIN FUEL SUPPLY COMPANY BY INSTRUMENT RECORDEO JULY 29, 1959 IN BOOK 618 AT PAGE 258 OF OFFICIAL RECORDS. (AS SHOWN HEREON, AFFECTS THE EAST & NORTH SIDE OF PARCEL A & J)

45 AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR PIPELINES, VALVES, VALVE BOXES AND ITHER GAS TRANSMISSION AND DISTRIBUTION FACILITIES AND INCIDENTAL PURPOSES, AS GRANTEO TO MOUNTAIN FUEL SUPPLY COMPANY BY INSTRUMENT RECORDED IN BOOK 655 AT PAGE 419 OF OFFICIAL RECORDS. (AS SHOWN HEREON AFFECTS EAST SIDE PARCEL A & J)

(16) AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR SEWER PIPELINE AND APPURTENANT STRUCTURES AND INCIDENTAL PURPOSES, AS GRANTED TO MOUNTAIN FUEL SUPPLY COMPANY BY INSTRUMENT RECORDED IN BOOK 848 AT PAGE 46 OF OFFICIAL RECORDS. (AS SHOWN HEREON, AFFECTS

(17) AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR PIPELINES, VALVES, VALVE BOXES AND

YTHER GAS TRANSMISSION AND DISTRIBUTION FACILITIES AND INCIDENTAL PURPOSES. AS GRANTED TO MOUNTAIN FUEL SUPPLY COMPANY BY INSTRUMENT RECORDED MAY 31, 1973 IN BOOK 1025 AT PAGE 886 OF OFFICIAL RECORDS. (AS SHOWN HERON, AFFECTS NORTHWEST CORNER OF PARCEL A & J) AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR PIPELINES, VALVES, VALVE BOXES AND OTHER GAS TRANSMISSION AND DISTRIBUTION FACILITIES AND INCIDENTAL PURPOSES, AS GRANTED TO

MOUNTAIN FUEL SUPPLY COMPANY BY INSTRUMENT RECORDED JUNE 04, 1974 IN BOOK 1055 AT PAGE 486 OF OFFICIAL RECORDS. (AS SHOWN HEREON, AFFECTS THE WEST SIDE OF PARCEL A & J) (19) AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR COMMUNICATION AND OTHER FACILITIES AND

A RIGHT OF WAY FOR PURPOSES OF INGRESS AND EGRESS AND INCIDENTAL PURPOSES RECORDE MARCH 12, 1980 IN BOOK 1350 AT PAGE 438 OF OFFICIAL RECORDS. (AS SHOWN HEREON. AFFECTS WEST

DECLARATION OF RECIPROCAL EASEMENTS AND BURDENS, DATED JUNE 06, 1975, BY AND BETWEEN J

(22) EASEMENT AGREEMENT BY AND BETWEEN NEWMART ASSOCIATED AND WEBER CANAL WATER COMPANY RECORDED AUGUST 08, 1980 IN BOOK 1363 AT PAGE 70 OF OFFICIAL RECORDS. (SHOWN HEREON, AFFECTS THE SOUTHEAST PORTION OF PARCELS A & J)

PURPOSES. AS GRANTEO TO DEAN O. BURCH BY INSTRUMENT RECORDED OCTOBER 02, 1980 IN BOOK 1367. AT PAGE 1111 OF OFFICIAL RECORDS. (AS SHOWN HEREON, AFFECTS THE SOUTHEAST CORNER OF PARCEL

OTHER GAS TRANSMISSION AND DISTRIBUTION FACILITIES AND INCIDENTAL PURPOSES, AS GRANTED TO MOUNTAIN FUEL SUPPLY COMPANY BY INSTRUMENT RECORDEO NOVEMBER 24, 1980 IN BOOK 1371 AT PAGE 1266 OF OFFICIAL RECORDS (AS SHOWN HEREON, AFFECTS THE SOUTH HALF OF PARCEL D AND THE SOUTHWEST CORNER OF PARCELS A & J)

25) AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR AN EXISTING WATER LINE AND INCIDENTAL PURPOSES, AS GRANTED TO RIVERDALE CITY BY INSTRUMENT RECORDED MARCH 23, 1981 IN BOOK 1378 AT PAGE 1223 OF OFFICIAL RECORDS. (AS SHOWN HEREON, AFFECTS THE SOUTH HALF OF PARCEL E)

26 AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR ELECTRIC TRANSMISSION AND/OR STRIBUTION SYSTEM AND INCIDENTAL PURPOSES, AS GRANTED TO UTAH POWER ANO LIGHT COMPANY BY INSTRUMENT RECORDED MAY 01, 1981 IN BOOK 1381 AT PAGE 188 OF OFFICIAL RECORDS, PACIFICORP, AN OREGON CORPORATION, DBA UTAH POWER & LIGHT COMPANY (SUCCESSOR IN INTEREST BY MERGER TO UTAH POWER & LIGHT COMPANY, A UTAH CORPORATION) SUBSEQUENTLY EXECUTED A DISCLAIMER
TO A PORTION OF THE ABOVE EASEMENT WHICH IS DATED SEPTEMBER 20, 1994, AND RECORDED
TO A PORTION OF THE ABOVE EASEMENT WHICH IS DATED SEPTEMBER 20, 1994, AND RECORDED TINES OVER AND ACROSS THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5 HEREON. AFFECTS PARCELS A, J & 6)

AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR ELECTRIC TRANSMISSION, DISTRIBUTION, AND OTHER ATTACHMENTS AND INCIDENTAL PURPOSES, AS GRANTED TO UTAH POWER AND LIGHT CONSTRUCT, ERECT, OPERATE AND MAINTAIN SEWER LINE ALONG, IN, THROUGH, ACROSS AND UNDER THE CONSTRUCT, ERECT, OPERATE AND MAINTAIN SEWER LINE ALONG, IN, THROUGH, ACROSS AND UNDER THE PAGE 191 OF OFFICIAL RECORDS. (AS SHOWN HEREON, AFFECTS NORTHEAST CORNER OF PARCEL C) A PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE (8) AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR PIPELINES, VALVES, VALVE BOXES AND

YTHER GAS TRANSMISSION AND DISTRIBUTION FACILITIES AND INCIDENTAL PURPOSES, AS GRANTED TO MOUNTAIN FUEL SUPPLY COMPANY BY INSTRUMENT RECORDED MAY 01, 1981 IN BOOK 1381 AT PAGE 738 OF AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR CUT AND/OR FILL SLOPES AND NECESSARY 29) A SIX FOOT EASEMENT, BEING 3 FEET ON EACH SIDE OF BURIED TELEPHONE FACILITIES AS SHOWN IN EXHIBITS ATTACHED TO INSTRUMENT RECORDED MAY 21, 1981 IN BOOK 1382, PAGE 530 OF OFFICIAL

RECORDS, AS PARTIALLY RELEASED BY THE INSTRUMENT RECORDED SEPTEMBER 22, 1994, AS ENTRY NO.

1313055 IN BOOK 1731 AT PAGE 2236 OF OFFICIAL RECORDS. (AS SHOWN HEREON, AFFECTS DILLARD'S (30) AN EASEMENT AGREEMENT BY AND BETWEEN NEW MART ASSOCIATES, GRANTOR AND PB TRUST (OF WHICH EDWARD F. BOHNER IS THE TRUSTEE) AND KEN-SAN PROPERTIES, A PARTNERSHIP, GRANTEES, RECORDED JUNE 11, 1981 IN BOOK 1383 AT PAGE 1189 OF OFFICIAL RECORDS: ( NO SPECIFIC EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR PIPELINES, VALVES, VALVE BOXES AND OTHER GAS TRANSMISSION AND DISTRIBUTION FACILITIES AND INCIDENTAL PURPOSES, AS GRANTED TO

(3) AN AGREEMENT DATED APRIL 09. 1980 BY ANO BETWEEN NEW MART ASSOCIATES, A UTAH JOINT

ASSOCIATES, A UTAH JOINT VENTURE, AND SKAGGS PROPERTIES, INC., RECORDED AUGUST 08, 1980 AS ENTRY NO. 816532 IN BOOK 1363 AT PAGE 86 OF OFFICIAL RECORDS AN AMENDED DECLARATION OF CHECK AND STREET OVER, ACROSS OR THROUGH THE LAND FOR PIPELINES, VALVES, VALVE BOXES AND CONTROL OF CHECK AT PAGE 88 OF OFFICIAL RECORDS AN AMENDED DECLARATION OF CHECK AT PAGE 88 OF OFFICIAL RECORDS AN AMENDED DECLARATION OF CHECK AT PAGE 88 OF OFFICIAL RECORDS AN AMENDED DECLARATION OF CHECK AT PAGE 88 OF OFFICIAL RECORDS AN AMENDED DECLARATION OF CHECK AT PAGE 88 OF OFFICIAL RECORDS AN AMENDED DECLARATION OF CHECK AT PAGE 88 OF OFFICIAL RECORDS AN AMENDED DECLARATION OF CHECK AT PAGE 88 OF OFFICIAL RECORDS AN AMENDED DECLARATION OF CHECK AT PAGE 88 OF OFFICIAL RECORDS AN AMENDED DECLARATION OF CHECK AT PAGE 88 OF OFFICIAL RECORDS AN AMENDED DECLARATION OF CHECK AT PAGE 88 OF OFFICIAL RECORDS AN AMENDED DECLARATION OF CHECK AT PAGE 88 OF OFFICIAL RECORDS AN AMENDED DECLARATION OF CHECK AT PAGE 88 OF OFFICIAL RECORDS AN AMENDED DECLARATION OF CHECK AT PAGE 88 OF OFFICIAL RECORDS AN AMENDED DECLARATION OF CHECK AT PAGE 88 OF OFFICIAL RECORDS AN AMENDED DECLARATION OF CHECK AT PAGE 88 OF OFFICIAL RECORDS AN AMENDED DECLARATION OF CHECK AT PAGE 88 OF OFFICIAL RECORDS AND DECLARATION OF CHECK AT PAGE 88 OF OFFICIAL RECORDS AND DECLARATION OF CHECK AT PAGE 88 OF OFFICIAL RECORDS AND DECLARATION OF CHECK AT PAGE 88 OF OFFICIAL RECORDS AND DECLARATION OF CHECK AT PAGE 88 OF OFFICIAL RECORDS AND DECLARATION OF CHECK AT PAGE 88 OF OFFICIAL RECORDS AND DECLARATION OF CHECK AT PAGE 88 OF OFFICIAL RECORDS AND DECLARATION OF CHECK AT PAGE 88 OFFICIAL RECORDS AND DECLARATION OF CHECK AT PAGE 88 OFFICIAL RECORDS AND DECLARATION OF CHECK AT PAGE 88 OFFICIAL RECORDS AND DECLARATION OF CHECK AT PAGE 88 OFFICIAL RECORDS AND DECLARATION OF CHECK AT PAGE 88 OFFICIAL RECORDS AND DECLARATION OF CHECK AT PAGE 88 OFFICIAL RECORDS AND DECLARATION OF CHECK AT PAGE 88 OFFICIAL RECORDS AND DECLARATION OF CHECK AT PAGE 88 OFFICIAL RECORDS AND DECLARATION OF CHECK A (32) DECLARATION OF RESTRICTIONS AND GRANT OF EASEMENTS DATED JULY 09, 1980 BE I WEEN NEWMART. RECORDS. (PARKING EASEMENTS. NO SPECIFIC EASEMENT LOCATION DEFINED, NOT PLOTTABLE)

AFFECTS THE EAST SIDE OF PARCEL A AND THE NORTH OF PARCEL E)

INSTRUMENT RECORDED JANUARY 28, 1982 IN BOOK 1396 AT PAGE 1475 OF OFFICIAL RECORDS. (AS SHOWN HEREON. AFFECTS THE NORTHWEST CORNER OF PARCEL C)

(35) AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR PIPELINES; VALVES, VALVE BOXES AND THER GAS TRANSMISSION AND DISTRIBUTION FACILITIES AND INCIDENTAL PURPOSES, AS GRANTED TO MOUNTAIN FUEL SUPPLY COMPANY BY INSTRUMENT RECORDED SEPTEMBER 22, 1994 AS ENTRY NO. 1313048 IN BOOK 1731 AT PAGE 2225 OF OFFICIAL RECORDS AND RE-RECORDEO OCTOBER 14, 1994 AS ENTRY NO 22 82 EASEMENT AGREEMENT BY AND BETWEEN NEWMART ASSOCIATED AND WEBER CANAL WATER COMPANY RECORDED AUGUST 08, 1980 IN BOOK 1363 AT PAGE 70 OF OFFICIAL RECORDS. (AS SHOWN HEREON. AFFECTS A PORTION OF

NCIDENTAL PURPOSES, AS GRANTED TO U.S. WEST COMMUNICATIONS INC. BY INSTRUMENT RECORDED SEPTEMBER 22, 1994 AS ENTRY NO. 1313049 IN BOOK 1731 AT PAGE 2227 OF OFFICIAL RECORDS.(AS SHOWN HEREON. AFFECTS THE DILLARD'S PARCEL AND PARCEL A-3)

(37) AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR COMMUNICATION AND OTHER FACILITIES AND NCIDENTAL PURPOSES, AS GRANTED TO U.S. WEST COMMUNICATIONS INC., BY INSTRUMENT RECORDED SEPTEMBER 22, 1994 AS ENTRY NO. 1313050 IN BOOK 1731 AT PAGE 2228 OF OFFICIAL RECORDS. (SHOWN HEREON. (AFFECTS THE NORTH PORTION OF PARCEL A & JAND THE OILLARD'S PARCEL)

38 AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR ELECTRIC TRANSMISSION ANO/OR STRIBUTION SYSTEM AND INCIDENTAL PURPOSES, AS GRANTED TO PACIFICORP, AN OREGON CORPORATION BY INSTRUMENT RECORDED SEPTEMBER 22, 1994 AS ENTRY NO. 1313051 IN BOOK 1731 AT 25 86 AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR ELECTRIC TRANSMISSION AND/OR PAGE 2229 OF OFFICIAL RECORDS. (AFFECTS THE NORTH PORTION OF PARCEL A & J AND THE DILLARD'S

DISTRIBUTION SYSTEM AND INCIDENTAL PURPOSES, AS GRANTED TO PACIFICORP, AN OREGON CORPORATION BY INSTRUMENT RECORDED SEPTEMBER 22, 1994 AS ENTRY NO. 1313052 IN BOOK 1731 AT PAGE 2231 OF OFFICIAL RECORDS. (SHOWN HEREON, AFFECTS THE DILLARD'S PARCEL)

CORPORATION BY INSTRUMENT RECORDED SEPTEMBER 22, 1994 AS ENTRY NO. 1313053 IN BOOK 1731 AT OFFICIAL RECORDS. PAGE 2233 OF OFFICIAL RECORDS. (SHOWN HEREON, AFFECTS THE DILLARD'S PARCEL)

(41) COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS AGREEMENT DATED APRIL 24, 1984 BY AND BETWEEN HOMART DEVELOPMENT CO., A DELAWARE CURPORATION, AND SKIPPER'S INC., A WASHINGTON CORPORATION, RECORDED JUNE 01, 1984 AS ENTRY NO. 910154 IN BOOK 1447 AT PAGE 844 OF OFFICIAL RECORDS. THE INTEREST OF SKIPPERS, INC. WAS LATER CONVEYED TO WILLIAM BARTON AND KAREN BARTON IN QUIT-CLAIM OEED RECORDED IN BOOK 2095 AT PAGE 1894 OF OFFICIAL RECORDS.

THE INTEREST OF WILLIAM BARTON AND KAREN BARTON WAS LATER CONVEYED TO THE BARTON FAMILY

WHICH EDWARD F. BOHNER IS THE TRUSTEE) AND KEN-SAN PROPERTIES, A PARTNERSHIP, GRANTEES, BARTON IN QUIT-CLAIM OEED RECORDED IN BOOK 2095 AT PAGE 1894 OF OFFICIAL RECORDS. TRUST, AS DISCLOSEO IN BOOK 2105 AT PAGE 651 OF OFFICIAL RECORDS. THE INTEREST OF THE BARTON FAMILY TRUST WAS LATER CONVEYED TO WILLIAM BARTON, LLC IN BOOK 2284 AT PAGE 1016 OF OFFICIAL RECORDS. ( NOT PLOTTABLE, NO SPECIFIC EASEMENT LOCATION DEFINED)

DELAWARE CORPORATION, FURR'S CAFETERIAS, INC., A TEXAS CORPORATION., K-MART CORP., A MICHIGAN CORPORATION, LYNX PROPERTIES CORP., A DELAWARE CORPORATION, AND NATIONAL BANK OF DETROIT, A

INSTRUMENT RECORDED JANUARY 28, 1982 IN BOOK 1396 AT PAGE 1475 OF OFFICIAL RECORDS. NATIONAL BANKING ASSOCIATION RECORDED JULY 08, 1983 AS ENTRY NO. 913073 IN BOOK 1449 AT PAGE 1255 OF OFFICIAL RECORDS. (PARKING EASEMENT AFFECTS ENTIRE SUBJECT PARCEL)

AUGUST 09, 1993 ENTRY NO. 1240731 IN BOOK 1675 AT PAGE 1123 OF OFFICIAL RECORDS. (SHOWN HEREON. IRRIGATION EASEMENT. SAME AS EXCEPTION 22 OF THIS SURVEY.) 440 CONSTRUCTION, OPERATION AND RECIPROCAL EASEMENT AGREEMENT BY AND BETWEEN HOMART DEVELOPMENT CO., A DELAWARE CORPORATION, AND DILLARDS DEPARTMENT STORES, INC., A DELAWARE

CORPORATION RECORDED NOVEMBER 15, 1994 AS ENTRY NO. 1321367 IN BOOK 1737 AT PAGE 2999 OF QUIT CLAIM ASSIGNMENT AND ASSUMPTION OF RECIPROCAL EASEMENT AGREEMENT WHEREIN THE  $^{\checkmark}$ 

ONE, INC., A DELAWARE CORPORATION RECORDED JANUARY 05, 1996 AS ENTRY NO. 1381689 IN BOOK 1786 AT PAGE 2055 OF OFFICIAL RECORDS

RECORDEO NOVEMBER 24, 1999 AS ENTRY NO. 1675738 IN BOOK 2045 AT PAGE 1675 OF OFFICIAL RECORDS. 45 DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS DATED JULY 09, 1996 BY AND BETWEEN 39 97 AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR ELECTRIC TRANSMISSION AND/OR RIVERDALE CENTER, L.C., A UTAH LIMITEO LIABILITY COMPANY ("BUYER"), GGP/HOMAR I, INC., A DELAWARE CORPORATION ("GENERAL"), AND SMITH'S FOOD & DRUG CENTERS, INC., A DELAWARE CORPORATION ("SMITH'S") RECORDED JULY 29, 1996 AS ENTRY NO. 1420228 IN BOOK 1817 AT PAGE 2804 OF OFFICIAL RECORDS. (PARKING, INGRESS/EGRESS EASEMENT, AFFECTS ENTIRE SUBJECT PARCEL, NOT PLOTTABLE)

BUT DOES NOT DISCRIMINATE AGAINST HANDICAP PERSONS. AMENDED AND RESTATED DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS RECORDED DECEMBER 20, 1996 AS ENTRY NO. 1446398 IN BOOK 1840 AT PAGE 973 OF OFFICIAL RECORDS. ASSIGNMENT AND ASSUMPTION OF DECLARATION OF EASEMENTS, COVENANTS AND CONDITIONS

46) COVENANTS, CONDITIONS AND RESTRICTIONS AGREEMENT DATED AUGUST 04, 1982 BY ANO BETWEEN MOMART DEVELOPMENT CO., AND MOORE AND COMPANY AND/OR ASSIGNS RECORDED DECEMBER 22, 1982 AS ENTRY NO. 870295 IN BOOK 1415 AT PAGE 999 OF OFFICIAL RECORDS. (NOT PLOTTABLE)

EXCEPTIONS 47-58 NOT ADDRESSED BY THIS MAP

59) AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR ROADWAY IMPROVEMENTS AND INCIDENTAL PURPOSES, AS GRANTED TO THE UTAH DEPARTMENT OF TRANSPORTATION BY INSTRUMENT RECORDED DEVELOPMENT CO., A DELAWARE CORPORATION, AND DILLARDS DEPARTMENT STORES, INC., A DELAWARE MAY 22, 2009 AS ENTRY NO: 2413479 OF OFFICIAL RECORDS. (AS SHOWN HEREON, AFFECTS PARCEL E)

AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR PUBLIC UTILITIES AND APPURIENANT PARTS HEREOF AND HIGHWAY APPURTENANCES AND INCIDENTAL PURPOSES, AS GRANTED TO THE UTAH DEPARTMENT OF TRANSPORTATION BY INSTRUMENT RECORDED MAY 22, 2009 AS ENTRY NO. 2413480 OF OFFICIAL RECORDS. (AS SHOWN HEREON, AFFECTS PARCEL E)

AN EASEMENT OVER, ACROSS OR THROUGH THE LANO FOR ROADWAY IMPROVEMENTS AND INCIDENTAL PURPOSES, AS GRANTED TO THE UTAH DEPARTMENT OF TRANSPORTATION BY INSTRUMENT RECORDED MAY 22, 2009 AS ENTRY NO. 2413481 OF OFFICIAL RECORDS. (AS SHOWN HEREON, AFFECTS PARCEL 'A')

EXCEPTIONS 62-65 NOT ADDRESSED BY THIS MAP. SORIGHTS OF THE PUBLIC IN AND TO THAT PORTION OF THE LAND LYING WITHIN PACIFIC AVENUE. (AREA OF RCEL D EXTENDS TO THE CENTERLINE OF PACIFIC AVENUE AS SHOWN HEREON)

A NON-EXCLUSIVE RIGHT OF WAY FOR THE CONSTRUCTION AND USE OF A SPUR TRACT RUNNING FROM PACIFIC AVENUE TO THE REDMAN VAN & STORAGE CO. PROPERTY. (NO DOCUMENT PROVIDEO) EXCEPTIONS 68-70 NOT ADDRESSED BY THIS MAP.

(EXACT LOCATION NOT DISCLOSED), AS CONVEYED TO UTAH POWER LIGHT COMPANY, BY INSTRUMENT RECORDED MAY 24, 1913 IN BOOK "H", PAGE 410 OF LEASES.

LAND RUNNING EAST AND WEST ALONG THE CENTERLINE OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AS CONVEYED TO THE TOWN OF SOUTH OGDEN, A MUNICIPAL CORPORATION BY AN AGREEMENT DATED FEBRUARY 08, 1937 AND RECORDED JUNE 14, 1937 IN BOOK "X". PAGE 263 OF LEASES.

PRAINAGE DITCHES AND APPURTENANT PARTS THEREOF AND INCIDENTAL PURPOSES, AS GRANTED TO STATE ROAD COMMISSION OF UTAH BY INSTRUMENT RECORDED OCTOBER 29, 1958 IN BOOK 594 AT PAGE 112 OF OFFICIAL RECORDS.

AV74) AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR PIPELINES, VALVES, VALVE BOXES AND OTHER GAS TRANSMISSION AND DISTRIBUTION FACILITIES AND INCIDENTAL PURPOSES, AS GRANTED TO MOUNTAIN FUEL SUPPLY COMPANY BY INSTRUMENT RECORDED JULY 29, 1959 IN BOOK 618 AT PAGE 258 OF OFFICIAL RECORDS.

MOUNTAIN FUEL SUPPLY COMPANY BY INSTRUMENT RECORDED IN BOOK 655 AT PAGE 419 OF OFFICIAL AN AGREEMENT DATED APRIL 09, 1900 BT AND DETTILED THE TANK AND JET AND DETTILED THE LAND FOR SEWER PIPELINE AND APPURTENANT TO JET AND STRUCTURES AND INCIDENTAL PURPOSES, AS GRANTED TO MOUNTAIN FUEL SUPPLY COMPANY BY INSTRUMENT RECORDEO IN BOOK 848 AT PAGE 46 OF OFFICIAL RECORDS.

MOUNTAIN FUEL SUPPLY COMPANY BY INSTRUMENT RECORDED MAY 31, 1973 IN BOOK 1025 AT PAGE 886 OF OFFICIAL RECORDS

MOUNTAIN FUEL SUPPLY COMPANY BY INSTRUMENT RECORDED JUNE 04, 1974 IN BOOK 1055 AT PAGE 486 OF OFFICIAL RECORDS 19 79) AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR COMMUNICATION AND OTHER FACILITIES AND INCIDENTAL PURPOSES, AS GRANTED TO MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY BY INSTRUMENT RECORDEO OECEMBER 13, 1977 IN BOOK 1211 AT PAGE 847 OF OFFICIAL RECORDS.

34) AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR ELECTRIC TRANSMISSION AND/OR 20 80 A RIGHT OF WAY FOR PURPOSES OF INGRESS AND EGRESS AS RESERVED IN WARRANTY DEED DISTRIBUTION SYSTEM AND INCIDENTAL PURPOSES, AS GRANTEO TO UTAH POWER AND LIGHT COMPANY BY RECORDED MARCH 12, 1980 IN BOOK 1350 AT PAGE 438 OF OFFICIAL RECORDS, AS SHOWN ON THE SURVEY. RECORDED MARCH 12, 1980 IN BOOK 1350 AT PAGE 438 OF OFFICIAL RECORDS, AS SHOWN ON THE SURVEY."

1978 IN BOOK 1233 AT PAGE 546 OF OFFICIAL RECORDS

AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR COMMUNICATION AND OTHER FACILITIES AND PURPOSES, AS GRANTED TO DEAN O. BURCH BY INSTRUMENT RECORDED OCTOBER 02, 1980 IN BOOK 1367 23×83) AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR SEWER PIPELINE AND INCIDENTAL

> (24) AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR PIPELINES, VALVES, VALVE BOXES AND OTHER GAS TRANSMISSION AND DISTRIBUTION FACILITIES AND INCIDENTAL PURPOSES, AS GRANTED TO MOUNTAIN FUEL SUPPLY COMPANY BY INSTRUMENT RECORDED NOVEMBER 24, 1980 IN BOOK 1371 AT PAGE 1266 OF OFFICIAL RECORDS.

(95) AN EASEMENT OVER, ACROSS OR THROUGH THE LANO FOR AN EXISTING WATER LINE AND INCIDENTAL PURPOSES, AS GRANTEO TO RIVERDALE CITY BY INSTRUMENT RECORDED MARCH 23, 1981 IN BOOK 1378 AT PAGE 1223 OF OFFICIAL RECORDS.

SISTRIBUTION SYSTEM AND INCIDENTAL PURPOSES, AS GRANTED TO UTAH POWER AND LIGHT COMPANY BY INSTRUMENT RECORDED MAY 01, 1981 IN BOOK 1381 AT PAGE 188 OF OFFICIAL RECORDS. AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR ELECTRIC TRANSMISSION AND/OR BY MERGER TO UTAH POWER & LIGHT COMPANY, A UTAH CORPORATION) SUBSEQUENTLY EXECUTED A DISCLAIMER TO A PORTION OF THE ABOVE EASEMENT WHICH IS DATED SEPTEMBER 20, 1994, AND

AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR ELECTRIC TRANSMISSION AND/OR OTHER GAS TRANSMISSION AND DISTRIBUTION FACILITIES AND INCIDENTAL PURPOSES, AS GRANTED TO DISTRIBUTION SYSTEM AND INCIDENTAL PURPOSES, AS GRANTED TO PACIFICORP, AN OREGON MOUNTAIN FUEL SUPPLY COMPANY BY INSTRUMENT RECORDED MAY 01, 1981 IN BOOK 1381 AT PAGE 238 OF

> (29) (88) A SIX FOOT EASEMENT, BEING 3 FEET ON EACH SIDE OF BURIEO TELEPHONE FACILITIES AS SHOWN IN EXHIBITS ATTACHED TO INSTRUMENT RECORDED MAY 21, 1981 IN BOOK 1382, PAGE 530 OF OFFICIAL RECORDS, AS PARTIALLY RELEASED BY THE INSTRUMENT RECORDED SEPTEMBER 22, 1994, AS ENTRY NO. 1313055 IN BOOK 1731 AT PAGE 2236 OF OFFICIAL RECORDS.

RECORDED JUNE 11, 1981 IN BOOK 1383 AT PAGE 1189 OF OFFICIAL RECORDS.

(93) AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR PIPELINES, VALVES, VALVE BOXES AND THER GAS TRANSMISSION AND DISTRIBUTION FACILITIES AND INCIDENTAL PURPOSES, AS GRANTED TO

(36) (94) AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR COMMUNICATION AND OTHER FACILITIES AND MCIDENTAL PURPOSES, AS GRANTED TO U.S. WEST COMMUNICATIONS INC. BY INSTRUMENT RECORDED SEPTEMBER 22, 1994 AS ENTRY NO. 1313049 IN BOOK 1731 AT PAGE 2227 OF OFFICIAL RECORDS.

MCIDENTAL PURPOSES, AS GRANTED TO U.S. WEST COMMUNICATIONS INC., BY INSTRUMENT RECORDED INTEREST OF HOMART DEVELOPMENT CO., A DELAWARE CORPORATION WAS ASSIGNED TO HOMART NEWCO.

SEPTEMBER 22, 1994 AS:ENTRY NO. 1313050 IN BOOK 1731 AT PAGE 2228 OF OFFICIAL RECORDS.

(38) (96) AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR ELECTRIC TRANSMISSION AND/OR DISTRIBUTION SYSTEM AND INCIDENTAL PURPOSES, AS GRANTED TO PACIFICORP, AN OREGON ASSIGNMENT AND ASSUMPTION OF DECLARATION OF EASEMENTS, COVENANTS AND CONDITIONS CORPORATION BY INSTRUMENT RECORDED SEPTEMBER 22, 1994 AS ENTRY NO. 1313051 IN BOOK 1731 AT PAGE 2229 OF OFFICIAL RECORDS

> DISTRIBUTION SYSTEM AND INCIDENTAL PURPOSES. AS GRANTED TO PACIFICORP, AN OREGON CORPORATION BY INSTRUMENT RECORDED SEPTEMBER 22, 1994 AS ENTRY NO. 1313052 IN BOOK 1731 AT

PAGE 2233 OF OFFICIAL RECORDS.

RECORDED NOVEMBER 24, 1999 AS ENTRY NO. 1675737 IN BOOK 2045 AT PAGE 1662 OF OFFICIAL RECORDS. (42) (42) EASEMENT AGREEMENT BY AND DETWEEN HOMART DEVELOPMENT CO., A DELAWARE CORP., FURR'S

(43) (05) AN EASEMENT OVER, ACROSS OR THROUGH THE LAND, AS DISCLOSED BY QUIT-CLAIM DEED RECORDED AUGUST 09, 1993 EN IRY, NO. 1240/31 IN BOOK 1675 AT PAGE 1123 OF OFFICIAL RECORDS.

CORPORATION RECORDEO NOVEMBER 15, 1994 AS ENTRY NO. 1321367 IN BOOK 1/37 AT PAGE 2999 OF QUIT CLAIM ASSIGNMENT AND ASSUMPTION OF RECIPROCAL EASEMENT AGREEMENT WHEREIN THE INTEREST OF HOMART DEVELOPMENT CO., A DELAWARE CORPORATION WAS ASSIGNED TO HOMART NEWCO ONE, INC., A DELAWARE CORPORATION RECORDED JANUARY 05, 1996 AS ENTRY NO. 1381689 IN BOOK 1786 AT PAGE 2055 OF OFFICIAL RECORDS.

EXCEPTION 107-115 NOT ADDRESSED BY THIS MAP

(42)(16) TERMS AND PROVISIONS OF EASEMENT AGREEMENT DATED NOVEMBER 14, 1983 BY AND BETWEEN MART DEVELOPMENT CO., A DELAWARE CORPORATION, FURR'S CAFETERIAS, INC., A TEXAS CORPORATION, K MART CORPORATION, A MICHIGAN CORPORATION, LYNX PROPERTIES CORP., A DELAWARE CORPORATION AND NATIONAL BANK OF DETROIT, A NATIONAL BANKING ASSOCIATION RECORDED JULY 06,

EXCEPTION 117-120 NOT ADDRESSED BY THIS MAP

(7) (7)

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CAD DWG. FILE: 12483ALT FIELD CREW: **DKW** CHECKED BY: DKW 10-30-12

ALTA/ACSM LAND TITLE **SURVEY** 

MCNEIL ENGINEERING - SURVEYING, L.C.  $\equiv$ 

AGREEMENT OF COVENANTS, CONDITIONS AND ESTABLISHMENT OF RESTRICTIONS AND GRANT OF EASEMENTS BETWEEN NEW MART ASSOCIATES, AS SELLER, AND MOUNTAIN WEST SAVINGS, AS BUYER OTHER GAS TRANSMISSION AND DISTRIBUTION FACILITIES AND INCIDENTAL PURPOSES, AS CRANTED TO

 $\Omega$ DECLARATION OF RECIPROCAL EASEMENTS AND BURDENS, DATED JUNE 06, 1975, BY AND BETWEEN J. RON STACY AND GERALDINE (JERI) H. STACEY, HUSBAND AND WIFE, AND FRET FROERER, JR. TRUSTEE RECORDED JUNE 09, 1975 AS ENTRY NO. 639351 IN BOOK 1088 AT PAGE 395 AND RE-RECORDED MARCH 31

AT PAGE 1111 OF OFFICIAL RECORDS.

RECORDED SEPTEMBER 22, 1994 AS ENTRY NO. 1313057 IN BOOK 1731 AT PAGE 2239 OF OFFICIAL RECORDS.

EXCEPTIONS 90 & 91 NOT ADDRESSED BY THIS MAP AN EASEMENT AGREEMENT DATED NOVEMBER 14, 1983 BY AND BETWEEN HOMART DEVELOPMENT CO., A STEAMARE CORPORATION, FURR'S CAFETERIAS, INC., A TEXAS CORPORATION., K-MART CORP., A MICHIGAN DISTRIBUTION SYSTEM AND INCIDENTAL PURPOSES, AS GRANTED TO UTAH POWER AND LIGHT COMPANY BY

AN EASEMENT OVER, ACROSS OR THROUGH THE LAND, AS DISCLOSED BY QUIT-CLAIM DEED RECORDED MOUNTAIN FUEL SUPPLY COMPANY BY INSTRUMENT RECORDED SEPTEMBER 22, 1994 AS ENTRY NO. 1313048 IN BOOK 1731 AT PAGE 2225 OF OFFICIAL RECORDS AND RE-RECORDED OCTOBER 14, 1994 AS ENTRY NO. 1316617 IN BOOK 1734 AT PAGE 1173 OF OFFICIAL RECORDS.

(95) AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR COMMUNICATION AND OTHER FACILITIES AND

PAGE 2231 OF OFFICIAL RECORDS BUT OMITTING ANY COVENANT OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, 40 98 AN EASEMENT OVER, ACROSS OR THROUGH THE LAND FOR ELECTRIC TRANSMISSION AND/OR FAMILIAL STATUS, OR NATIONAL ORIGIN UNLESS AND ONLY TO THE EXTENT THAT SAID COVENANT (A) IS DISTRIBUTION SYSTEM AND INCIDENTAL PURPOSES, AS GRANTED TO PACIFICORP, AN OREGON EXEMPT UNDER CHAPTER 42, SECTION 3607. OF THE UNITED STATES CODE OR (B) RELATES TO HANDICAP

CORPORATION BY INSTRUMENT RECORDED SEPTEMBER 22, 1994 AS ENTRY NO. 1313053 IN BOOK 1731 AT

EXCEPTIONS 99-103 NOT ADDRESSED BY THIS MAP.

CAFETERIAS, INC., A TEXAS CORP., K-MART CORP., A MICHIGAN CORP., LYNX PROPERTIES CORP., A DELAWARE CORP. AND NATIONAL BANK OF DETROIT DATEO NOVEMBER 14, 1983 AND RECORDED JULY 08, 1983 AS ENTRY NO. 913073 IN BOOK 1449 AT PAGE 1255 OF OFFICIAL RECORDS.

ASSIGNMENT AND ASSUMPTION OF DECLARATION OF EASEMENTS, COVENANTS AND CONDITIONS RECORDED NOVEMBER 24, 1999 AS ENTRY NO. 1675738 IN BOOK 2045 AT PAGE 1675 OF OFFICIAL RECORDS.

1984 AS ENTRY NO. 913073 IN BOOK 1449 AT PAGE 1255 OF OFFICIAL RECORDS.

PROJECT NO: 12483