

TITLE INSURANCE COMMITMENT BY LINCOLN TITLE INSURANCE, FILE 241679 DATED JANUARY 06, 2025

APPLICABLE SURVEY EXCEPTIONS:

- GENERAL TAXES FOR THE YEAR 2025 ARE ACCRUING AS A LIEN BUT NOT YET DUE AND PAYABLE. 2024 TAXES WERE PAID IN THE AMOUNT OF \$65,970.06. SERIAL NO.15-068-0011.NOTE:THE WEBER COUNTY TREASURER IS SHOWING A BALANCE OF \$0.00.
- SAID PROPERTY IS LOCATED WITHIN THE BOUNDARIES OF WEST HAVEN, AND WEBER COUNTY TAX DISTRICT 277, AND IS SUBJECT TO THE CHARGES AND ASSESSMENTS LEVIED THEREUNDER.
- NOTICE OF CREATION OF THE ENVIRONMENTAL RESOURCE AGENCY, AND THE TERMS AND CONDITIONS THEREOF, AND ANY CHARGES AND/OR ASSESSMENTS LEVIED THEREUNDER,RECORDED JANUARY 20, 2015 AS ENTRY NO.2718461, RECORDS OF WEBER COUNTY, UTAH.
- WATER RIGHTS, CLAIMS OR TITLE TO WATER, AND AGREEMENTS, COVENANTS, CONDITIONS OR RIGHTS INCIDENT THERETO, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS.
- MINERALS OF WHATSOEVER KIND, SUBSURFACE AND SURFACE SUBSTANCES, INCLUDING BUT NOT LIMITED TO COAL, LIGNITE, OIL, GAS, GEOTHERMAL RESOURCES, URANIUM, CLAY, ROCK, SAND AND GRAVEL,IN, ON, AND/OR UNDER AND THAT MAY BE PRODUCED FROM THE LAND, TOGETHER WITH ALL RIGHTS, PRIVILEGES, AND IMMUNITIES RELATING THERETO, WHETHER OR NOT APPEARING IN THE PUBLIC RECORDS OR LISTED IN SCHEDULE E, THE COMPANY MAKES NO REPRESENTATION AS TO THE PRESENT OWNERSHIP OF ANY SUCH INTERESTS. THERE MAY BE LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF INTERESTS THAT ARE NOT LISTED.
- EASEMENTS AND RIGHTS OF WAY OF RECORD OR ENFORCEABLE IN LAW AND EQUITY FOR ANY EXISTING ROADS, STREETS, ALLEYS, DITCHES, RESERVOIRS, UTILITIES, CANALS, PIPELINES, POWER, TELEPHONE, SEWER, GAS OR WATER LINES NOW EXISTING OVER,UNDER OR ACROSS SUBJECT PROPERTY AS DISCLOSED BY VISUAL INSPECTION.
- RIGHTS-OF-WAY FOR RAILROAD, SWITCH TRACKS, SPUR TRACKS, RAILWAY FACILITIES AND OTHER RELATED EASEMENTS, IF ANY, ON AND ACROSS THE LAND, AS DISCLOSED BY VISUAL INSPECTION.
- VEHICULAR ACCESS IS LIMITED TO OPENINGS PERMITTED BY THE UTAH STATE DEPARTMENT OF TRANSPORTATION IN ACCORDANCE WITH SECTION 41-6A-714, UTAH CODE ANNOTATED, AS AMENDED 2005.
- POSSIBLE IRRIGATION DITCHES ALONG THE STATE HIGHWAY AS PERMISSION WAS GRANTED IN DEED TO THE STATE ROAD COMMISSION OF UTAH, ITS SUCCESSORS AND/OR ASSIGNS, RECORDED MARCH 16, 1942, AS ENTRY NO. 67130, IN BOOK 156, AT PAGE 257, RECORDS OF WEBER COUNTY, UTAH, TO RELOCATE OUTSIDE THE RIGHT OF WAY, ALL IRRIGATION DITCHES EXISTING WITHIN THE LIMITS OF SAID RIGHT OF WAY.
- RIGHT OF WAY AND EASEMENT GRANT IN FAVOR OF MOUNTAIN FUEL SUPPLY COMPANY, ITS SUCCESSORS AND/OR ASSIGNS, AND THE TERMS AND CONDITIONS THEREOF, RECORDED JULY 18, 1973, AS ENTRY NO. 597514, IN BOOK 1030, AT PAGE 220, RECORDS OF WEBER COUNTY, UTAH.
- (AS PLOTTED HEREON)
- RIGHT OF WAY EASEMENT IN FAVOR OF THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY, A COLORADO CORPORATION, ITS SUCCESSORS AND/OR ASSIGNS, AND THE TERMS AND CONDITIONS THEREOF, RECORDED JULY 23, 1973, AS ENTRY NO. 597823, IN BOOK 1030, AT PAGE 595, RECORDS OF WEBER COUNTY, UTAH.
- (AS PLOTTED HEREON)
- RIGHT OF WAY EASEMENT IN FAVOR OF THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY, A COLORADO CORPORATION, ITS SUCCESSORS AND/OR ASSIGNS, AND THE TERMS AND CONDITIONS THEREOF, RECORDED JULY 23, 1973, AS ENTRY NO. 597824, IN BOOK 1030, AT PAGE 596, RECORDS OF WEBER COUNTY, UTAH.
- (AS PLOTTED HEREON)
- AGREEMENT-DEFERRING PUBLIC IMPROVEMENTS, AND THE TERMS AND CONDITIONS THEREOF, RECORDED JULY 07, 1987, AS ENTRY NO. 1017537, IN BOOK 1521, AT PAGE 900, RECORDS OF WEBER COUNTY, UTAH.
- AN AGREEMENT BY AND BETWEEN THE STATE OF UTAH, ACTING THROUGH THE BOARD OF WATER RESOURCES AND THE WILSON IRRIGATION COMPANY, FOR THE CONSTRUCTION OF WATER CONSERVATION PROJECTS WHICH, IN THE OPINION OF THE BOARD, WILL BEST CONSERVE AND UTILIZE THE WATER RESOURCES OF THE STATE OF UTAH, RECORDED MAY 17, 1996, AS ENTRY NO. 1406857, IN BOOK 1806, AT PAGE 2976, RECORDS OF WEBER COUNTY, UTAH. (EXACT LOCATION NOT DISCLOSED)

AN EASEMENT TO USE DISTRIBUTION SYSTEM IN FAVOR OF THE STATE OF UTAH, ACTING THROUGH THE BOARD OF WATER RESOURCES, FOR AND IN CONSIDERATION OF THAT CERTAIN AGREEMENT SHOWN ABOVE, TO USE THE EXISTING WATER DISTRIBUTION SYSTEM OF CANALS, DITCHES, PIPELINES AND ALL APPURTENANT WORKS AND FACILITIES OF THE WILSON IRRIGATION COMPANY, RECORDED MAY 17, 1996, AS ENTRY NO. 1406858, IN BOOK 1806, AT PAGE 2985, RECORDS OF WEBER COUNTY, UTAH. (EXACT LOCATION NOT DISCLOSED)

22. UNDERGROUND RIGHT OF WAY EASEMENT IN FAVOR OF ROCKY MOUNTAIN POWER, AN UNINCORPORATED DIVISION OF PACIFICORP, ITS SUCCESSORS AND/OR ASSIGNS, AND THE TERMS AND CONDITIONS THEREOF, RECORDED NOVEMBER 17, 2022, AS ENTRY NO.3263928, IN BOOK N/A, AT PAGE N/A, RECORDS OF WEBER COUNTY, UTAH.

NOTICE OF MORTGAGE, AND THE TERMS AND CONDITIONS THEREOF,RECORDED APRIL 04, 2023,AS ENTRY NO. 3278650, IN BOOK N/A, AT PAGE N/A, RECORDS OF WEBER COUNTY, UTAH.

- (SEE SKETCH, LOWER RIGHT)
- RIGHTS OF PARTIES TO POSSESSION OF THE SUBJECT PROPERTY UNDER UNRECORDED LEASES, RENTAL OR OCCUPANCY AGREEMENTS AND ANY CLAIMS OR INTERESTS ARISING THEREUNDER.
- ANY FACTS, RIGHTS, INTERESTS OF CLAIMS WHICH ARE NOT SHOWN BY PUBLIC RECORDS BUT WHICH COULD BE ASCERTAINED BY MAKING INQUIRY OF TENANTS OR LESSEES.
- ANY UNRECORDED CONTRACTS, LEASES, OR ASSIGNMENTS THEREOF.
- A DEED OF TRUST DATED MARCH 03, 2021, EXECUTED BY B&D REAL ESTATE HOLDINGS, LLC, A UTAH LIMITED LIABILITY COMPANY, AS TRUSTOR, IN THE AMOUNT OF \$4,196,000.00,IN FAVOR OF GOLDEN WEST FEDERAL CREDIT UNION, AS TRUSTEE AND GOLDEN WEST FEDERAL CREDIT UNION AS BENEFICIARY, RECORDED MARCH 04, 2021 AS ENTRY NO.3131657, IN BOOK N/A, AT PAGE N/A, RECORDS OF WEBER COUNTY, UTAH.
- ASSIGNMENT OF RENTS, RECORDED MARCH 04, 2021 AS ENTRY NO. 3131658, IN BOOK N/A, AT PAGE N/A, RECORDS OF WEBER COUNTY, UTAH.
- A DEED OF TRUST DATED SEPTEMBER 10, 2021, EXECUTED BY B&D REAL ESTATE HOLDINGS LLC, A UTAH LIMITED LIABILITY COMPANY, AS TRUSTOR, IN THE AMOUNT OF \$859,000.00, IN FAVOR OF GOLDEN WEST FEDERAL CREDIT UNION, AS TRUSTEE AND GOLDEN WEST FEDERAL CREDIT UNION AS BENEFICIARY, RECORDED SEPTEMBER 14, 2021 AS ENTRY NO. 3183461, IN BOOK N/A, AT PAGE N/A, RECORDS OF WEBER COUNTY, UTAH.

A MODIFICATION AGREEMENT RECORDED JANUARY 30, 2023 AS ENTRY NO. 3271614, RECORDS OF WEBER COUNTY, UTAH.

- ASSIGNMENT OF RENTS, RECORDED SEPTEMBER 14, 2021 AS ENTRY NO. 3183462,IN BOOK N/A, AT PAGE N/A, RECORDS OF WEBER COUNTY, UTAH.
- ANY STATE OF FACTS AS WOULD BE DISCLOSED BY AN ACCURATE SURVEY AND INSPECTION OF THE PREMISES.
- LOSS OF PRIORITY TO ANY AND ALL MECHANICS' AND/OR MATERIALMEN'S LIEN CLAIMS DUE TO THE FILING OF A PRELIMINARY NOTICES SHOWN AS SCR ENTRY NO(S). 10128431, 10146199, 10295051, 10399349, 10626385, 11225005, 11482585 WITH THE STATE CONSTRUCTION REGISTRY PRIOR TO THE RECORDATION OF THE SECURITY INSTRUMENT TO BE INSURED (SEE SCHEDULE B-1 FOR REQUIREMENTS).
- ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.

REQUIREMENTS; THIS EXCEPTION MAY BE DELETED FROM THE POLICY IF NO PRELIMINARY NOTICES HAVE BEEN FILED WITH THE STATE CONSTRUCTION REGISTRY (SCR), AND THE FOLLOWING REQUIREMENTS ARE MET:

(1)THE SCR MUST BE SEARCHED PRIOR TO RECORDING OF THE CONSTRUCTION TRUST DEED.

(2)(NEW CONSTRUCTION) NOTICE OF CONSTRUCTION LOAN MUST BE FILED WITH THE SCR.

(3)(COMPLETED CONSTRUCTION) CERTIFICATE OF OCCUPANCY MUST BE FILED WITH THE SCR, AND VERIFICATION THAT ALL CONTRACTORS WHO HAVE FILED WITH THE SCR HAVE BEEN PAID.

(4)CONSTRUCTION INDEMNITY AGREEMENT SIGNED BY THE OWNER.

NOTE: JUDGMENTS HAVE BEEN CHECKED AGAINST THE FOLLOWING NAMES. IF ANY JUDGMENTS WERE FOUND THEY ARE LISTED HEREIN:

B&D REAL ESTATE HOLDINGS LLC

CHAIN OF TITLE - ACCORDING TO OFFICIAL RECORDS, THERE HAVE BEEN NO DOCUMENTS CONVEYING THE LAND DESCRIBED HEREIN WITHIN A PERIOD OF 24 MONTHS PRIOR TO THE DATE OF COMMITMENT, EXCEPT AS FOLLOWS:

DOCUMENT NAME: RECORDING DATE: ENTRY NO. BOOK/PAGE:

NONE

NOTE:THE POLICY TO BE ISSUED MAY CONTAIN AN ARBITRATION CLAUSE. WHEN THE AMOUNT OF INSURANCE IS LESS THAN THE CERTAIN DOLLAR AMOUNT SET FORTH IN ANY APPLICABLE ARBITRATION CLAUSE, ALL ARBITRABLE MATTERS SHALL BE ARBITRATED AT THE OPTION OF EITHER THE COMPANY OR THE INSURED AS THE EXCLUSIVE REMEDY OF THE PARTIES. IF YOU DESIRE TO REVIEW THE TERMS OF THE POLICY, INCLUDING ANY ARBITRATION CLAUSE THAT MAY BE INCLUDED, CONTACT THE OFFICE THAT ISSUED THIS COMMITMENT OR REPORT TO OBTAIN A SAMPLE OF THE POLICY JACKET FOR THE POLICY THAT IS TO BE ISSUED IN CONNECTION WITH YOUR TRANSACTION.

LEGEND:

- PROPERTY LINE
- SECTION LINE
- SECTION TIE LINE
- EXISTING SEWER AND MANHOLE
- EXISTING WATER
- EXISTING GAS
- EXISTING CABLE
- EXISTING BURIED POWER
- OVERHEAD POWER AND POLE
- EXISTING COMMUNICATION LINE
- EXISTING FIBER OPTIC LINE
- EXISTING FENCELINE
- EXISTING RAILROAD TRACKS
- ASPHALT PATCHES
- CURB AND GUTTER
- TRAFFIC STRIPING

- SECTION CORNER MONUMENTS
- PROPERTY CORNER (TO BE SET)
- GAS VALVE
- FIRE HYDRANT AND VALVE
- COMMUNICATIONS JUNCTION BOX
- CATCH BASIN AND DROP-INLET
- BOULARD(S)

SURVEY NARRATIVE

- THE PURPOSE OF THIS SURVEY IS TO PROVIDE AN "ALTA/ACSM LAND TITLE SURVEY" ON THE SUBJECT PROPERTY PER CLIENT'S REQUEST.
- 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 NO: 241679 PREPARED BY LINCOLN TITLE INSURANCE EFFECTIVE NOVEMBER 21, 2024, AT 7:30 AM.
- ROADRUNNER SURVEYING & CONSTRUCTION STAKING P.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 00°49'33" EAST ALONG THE MONUMENT LINE, BETWEEN THE GOUND BRASS CAP MONUMENTS, AS SHOWN ON THIS SURVEY.
- THE LOCATIONS OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE-GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED THE SURVEYOR, AS WELL AS BLUE STAKE MARKINGS FROM AN EARLIER BLUE STAKE REQUEST. 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. THERE MAY EXIST ADDITIONAL RECORD DOCUMENTS THAT WOULD AFFECT THIS PARCEL.

ALTA/NSPS LAND TITLE SURVEY

LOCATED IN THE SOUTHWEST CORNER OF SECTION 25, TOWNSHIP 6 NORTH,
RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN
WEST HAVEN CITY, WEBER COUNTY, UTAH.

RECORD DESCRIPTION OF SURVEYED PARCEL:

PART OF THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST RIGHT OF WAY LINE OF 1900 WEST STREET, SAID POINT BEING NORTH 00°49'33" EAST 799.50 FEET ALONG THE SECTION LINE, (BASIS OF BEARING), AND SOUTH 88°49'46" EAST 48.00 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 25 AND RUNNING THENCE NORTH 00°49'33" EAST 426.44 FEET (423.5 FEET, RECORD) ALONG SAID EAST RIGHT OF WAY LINE, THENCE SOUTH 89°08'44" EAST 203.99 FEET, THENCE NORTH 00°49'33" EAST 97.00 FEET, THENCE SOUTH 89°08'44" EAST 236.00 FEET, THENCE SOUTH 00°49'33" WEST 657.98 FEET (652.5 FEET, RECORD), THENCE NORTH 88°49'46" WEST 130.00 FEET, THENCE NORTH 00°49'33" EAST 132.00 FEET, THENCE NORTH 88°49'46" WEST 330.00 FEET TO THE POINT OF BEGINNING.

