ALTA / NSPS LAND TITLE SURVEY
A Part Of SE 1/4 Of Section 13, Township 6 North, Range 3 West, Salt Lake Base And Meridian Unincorporated Weber County, Utah

COMMITMENT DESCRIPTIONS

Backman Title Services, Ltd.
Office: Layton
issuing Office File Number: 6-101894

Property Address: 700 South 6150 West, Ogden, UT 84404
Commitment Date: April 21, 2025 at 7:45 a.m.

Proposed Insured: JLM Development, LLC, a Utah limited liability company, Elevantage Consulting, L.L.C., a Utah limited liability company

The Title is, at the Commitment Date, vested in: William G. Howard and, as disclosed in the Public Records, has been since August 15, 2017.

Schedule A, Legal Description:
The Land is described as follows:

The North ½ of the Southeast Quarter of Section 13, Township 5 North, Range 3 West, Salt Lake Meridian, U.S. Survey.
Less and excepting that portion conveyed to George A. Muirbrook and wife Shirley A. Muirbrook in Book 916, Page 77.
Also part of the Southwest Quarter of Section 18, Township 6 North, Range 2 West, Salt Lake Meridian, U.S. Survey: Beginning East 138.2 feet to the West line of the county road and North along said road 500 feet from the Southwest corner of the North ½ of said quarter section; thence Northerly along the West line of said county road to West line of said quarter section; thence South along said line to the North property line of the George A. Muirbrook property conveyed in Book 916, Page 77; thence Northeast along said line to beginning.
Parcel No.: 10-035-0004

MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS
(Effective February 23, 2021)

5. A. Monuments
i. The location, size, character, and type of any monuments found during the fieldwork.
RESPONSE: All such have been shown and identified.
ii. The location, size, character, and type of any monuments set during the fieldwork, if item 1 of Table A was selected or if otherwise required by applicable jurisdictional requirements and/or standards of practice.
RESPONSE: None set in this survey and no Table A items were selected for this survey.
iii. The location, description, and character of any lines that control the boundaries of the surveyed property.
RESPONSE: This information is contained within this document as part of the written Narrative which is required by UCA 17-23-17.

5. B. Rights of Way and Access
i. The distance from the appropriate corner or corners of the surveyed property to the nearest right of way line, if the surveyed property does not abut a right of way.
RESPONSE: The property has frontage on the west right of way of 5900 West Street a public highway.
ii. The name of any street, highway, or other public or private way abutting the surveyed property, together with the width of the traveled way and the location of each edge of the traveled way including on divided streets and highways.
If the documents provided to or obtained by the surveyor pursuant to Section 4 indicate no access from the surveyed property to the abutting street or highway, the width and location of the traveled way needed to be located.
RESPONSE: Such has been shown and noted. Also, there appears to be a type of access to the south boundary of the property by way of a gravel lane known as 6150 West Street. The status of this street is not known and may only be a private prescriptive easement access. I have not seen any documents of record that address 6150 West.
iii. Visible evidence of physical access (e.g., curb cuts, driveways) to any abutting streets, highways, or other public or private ways.
RESPONSE: The access from 6150 West has been shown. Also, there is a gravel access at the northeast corner of the property. No other access points were observed at the time of the survey.
iv. The location and character of vehicular, pedestrian, or other forms of access by other than the apparent occupants of the surveyed property to or across the surveyed property observed in the process of conducting the fieldwork (e.g., driveways, alleys, private roads, railroads, railroad sidings and spurs, sidewalks, footpaths).
RESPONSE: Vehicular access has been shown and no pedestrian access points or the locations of foot paths were observed at the time of the survey.
v. Without expressing a legal opinion as to ownership or nature, the location and extent of any potentially encroaching driveways, alleys, and other ways of access from adjoining properties onto the surveyed property observed in the process of conducting the fieldwork.
RESPONSE: There were none such observed.
vi. Where documentation of the location of any street, road, or highway right of way abutting, on or crossing the surveyed property was not disclosed in documents provided to or obtained by the surveyor, or was not otherwise available from the controlling jurisdiction (see Section 6.C.iv. below), the evidence and location of parcel corners on the same side of the street as the surveyed property recovered in the process of conducting the fieldwork which may indicate the location of such right of way lines (e.g., lines of occupation, survey monuments).
RESPONSE: See prior responses.
vii. Evidence of access to and from waters adjoining the surveyed property observed in the process of conducting the fieldwork (e.g., paths, boat slips, launches, piers, docks).
RESPONSE: There are water courses which appear to be the result of ancient courses of the Weber River. These water courses now appear to be slough or areas where water appears to flow through the property. The source of the water is not known. No access points as noted were observed.

5. C. Lines of Possession and Improvements along the Boundaries
i. The character and location of evidence of possession or occupation along the perimeter of the surveyed property, both by the occupants of the surveyed property and by adjoiners, observed in the process of conducting the fieldwork.
RESPONSE: Such observed items have been surveyed, shown and noted herein as well as being discussed throughout the narrative.
ii. Unless physical access is restricted, the character and location of all walls, buildings, fences, and other improvements within five feet of each side of the boundary lines, observed in the process of conducting the fieldwork (see Section 5.E.iv. regarding utility poles). Trees, bushes, shrubs, and other vegetation need not be located other than as specified in the contract, unless they are deemed by the surveyor to be evidence of possession or occupation pursuant to Section 5.C.i.
RESPONSE: See Minimum Standards Item 5.C.i., there are buildings on the property which have not been surveyed because their proximity to the boundary is greater than the 5 foot requirement. An aerial photograph has been included as a background to the survey to help with the nature and location of the buildings within the property. The date of the image collection is not known and no representation is made by the surveyor to the accuracy of the imagery to the current conditions.
iii. Without expressing a legal opinion as to the ownership or nature of the potential encroachment, the evidence, location and extent of potentially encroaching structural appurtenances and projections observed in the process of conducting the fieldwork (e.g., fire escapes, bay windows, windows and doors that open out, flue pipes, stoops, eaves, cornices, areaways, steps, trim) by or onto adjoining property, or onto rights of way, easements, or setback lines disclosed in documents provided to or obtained by the surveyor.
RESPONSE: No such items were observed on the properties.

5.D. Buildings
The location of buildings on the surveyed property observed in the process of conducting the fieldwork.
RESPONSE: See response 5.c.ii above.

5.E. Easements and servitudes
i. Evidence of any easements or servitudes burdening the surveyed property as disclosed in the documents provided to or obtained by the surveyor pursuant to Section 4 and observed in the process of conducting the fieldwork.
RESPONSE: Only records provided by the client or part of the title policy have been examined which are on record with the County Recorder's Office. No records research outside of the deed records of the County Recorder have been done and I did not find any that would affect the property.
ii. Evidence of easements, servitudes, or other uses by other than the apparent occupants of the surveyed property not disclosed in the documents provided to or obtained by the surveyor pursuant to Section 4, but observed in the process of conducting the fieldwork if they are on or across the surveyed property (e.g., roads; drives, sidewalks, paths, and other ways of access; utility service lines, utility locate markings (including the source of the markings, with a note if unknown), water courses, ditches, drains, telephone lines, fiber optic lines, electric lines, water lines, sewer lines, oil pipelines, gas pipelines).
RESPONSE: To the best of our ability such observed items that exist within the properties surveyed are shown and noted.
iii. Surface indications of underground easements or servitudes on or across the surveyed property observed in the process of conducting the fieldwork (e.g., utility cuts, vent pipes, filler pipes, utility locate markings (including the source of the markings, with a note if unknown)).
RESPONSE: There were no observed evidence of such items.
iv. Evidence on or above the surface of the surveyed property observed in the process of conducting the fieldwork, which evidence may indicate utilities located on, over or beneath the surveyed property. Examples of such evidence include pipeline markers, utility locate markings (including the source of the markings, with a note if unknown), manholes, valves, meters, transformers, pedestals, clean-outs, overhead lines, guy wires, and utility poles on or within ten feet of the surveyed property. Without expressing a legal opinion as to the ownership or nature of the potential encroachment, the extent of all encroaching utility pole cross members or overhangs.
RESPONSE: Only the existing guy pole and guy wires at the north east corner of the subject property. No other items were observed.

5.A. Cemeteries
As accurately as the evidence permits, the perimeter of cemeteries and burial grounds, and the location of isolated gravesites not within a cemetery or burial ground, (i) disclosed in the documents provided to or obtained by the surveyor, or (ii) observed in the process of conducting the fieldwork.
RESPONSE: There were no observed evidence of such items nor have I been provided with any verbal information relating to such.

5. G. Water Features
i. The location of springs, ponds, lakes, streams, rivers, canals, ditches, marshes, and swamps on, running through, or outside, but within five feet of the perimeter boundary of, the surveyed property, and observed during the process of conducting the fieldwork.
RESPONSE: The property contains individual areas of what appears to be ancient oxbow courses of the Weber River. The aerial photography back ground shows such. There is also a large culvert that carries water from the east side of 5900 West to the west side. This culvert is located near the southeast area of the property.
ii. The location of any water feature forming a boundary of the surveyed property. The attribute(s) of the water feature located (e.g., top of bank, edge of water, high water mark) should be congruent with the boundary as described in the record description or, in the case of an original survey, in the new description (see Section 6.B.vi. below).
RESPONSE: No boundaries are described to be coincident with a water course.

TABLE A of the ALTA STANDARDS

No Table A items were asked to be addressed as part of this ALTA/NSPS Land Title Survey by the owner or developer.

SECHEDULE B - PART II, Exceptions

Surveyors Note: Only numbered exceptions as contained hereon have been addressed by this survey for the properties described herein. Omitted numbered items have been deemed by the surveyor as non-survey related items and are not addressed herein.

SCHEDULE B Section II - Exceptions: Issuing Office File Number: 6-101894, Commitment Date: April 21, 2025 at 7:45am.

3. Any facts, rights, interest, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession, or claiming to be in possession, thereof.
SURVEY RESPONSE: See narrative related to the location of fences, section corners, and historic or ancient boundary lines, as it relates to lines of possession or claims of the property owner.

4. Easements, liens, encumbrances, or claims of easements, liens or encumbrances which are not shown by the public records.
SURVEY RESPONSE: Did not see any visible signs of encroachments that would rise to such. See narrative for additional detail related to 3. above.

5. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
SURVEY RESPONSE: This survey discloses such items. As to shortage of area the description of the property is an aliquot part of the section and is subject to overage or underage of area based on the location of the government monumentation. As to the monumentation of the section see the narrative for a more detailed explanation of how they affect the boundaries of the property.

6. Unpatented mining claims, reservations or exceptions in patents or in acts authorizing the issuance thereof, Indian treaty or aboriginal rights, including, but not limited to, easements or equitable servitudes, water rights, or claims or title to water.
SURVEY RESPONSE: I have not searched any of the listed title records nor is this a part of this survey. As to water and water rights I have not searched the records for such. It is advisable should it be necessary to produce a water title abstract that an attorney or civil engineer that is expert in such perform the needed research.

9. Any adverse claim based upon the assertion that
(a) Some portion of the land forms the bed or bank of a navigable river or lake, or lies below the mean high water mark thereof;
(b) The boundary of the land has been affected by a change in the course or water level of a navigable river or lake;
(c) The land is subject to water rights, claims or title to water and to any law or governmental regulation pertaining to wetlands.
SURVEY RESPONSE: With respect to 9.a and 9.b, none such were observed.
With respect to 9.c, no title with respect to water rights or claims of water rights are being addressed in this survey.
In an examination of FEMA flood maps, the property is located in Zone X.
With respect to wetlands, the designations found in the National Wetlands Inventory and their boundaries that affect this property are shown and noted.

17. Rights of way and easements for all existing roads, streets, alleys, ditches, reservoirs, utilities, canals, pipelines, power, telephone, cable, fiber optic, sewer, gas or water lines.
SURVEY RESPONSE: The property has not been marked by 811 Locator Services (Blue Stakes) as such any under ground utilities on the property have not been located, excepting for those specifically shown or noted. As to roads/streets/alleys, there are no alleys, the property fronts on 5900 West Street, a public road, and there is access on a gravel road known as 6150 West Street that connects to 900 South Street, however, it is not know what the right status of 6150 West Street whether it be by prescription, deed or grant. Such are noted on the plat.
There is a guy pole located near the northeast corner of the property and additional guy wire braces which are located on the property connecting to said guy pole.
As to reservoirs, the property has areas that appear to be ancient oxbows of the Weber River. However, I am not an expert in such areas and recommend that a professional versed in such matters should be consulted.

18. Subject to the meander lines of Little Weber Creek.
SURVEY RESPONSE: See response regarding oxbows in 17 above.

19. Any adverse claim based upon the assertion that:
(a) Some portion of the land forms the bed or bank of a navigable river or lake; or lies below the mean high water mark thereof;
(b) The boundary of the land has been affected by a change in the course or water level of a navigable river or lake;
(c) The land is subject to water rights, claims or title to water and to any law or governmental regulation pertaining to wetlands.
SURVEY RESPONSE: This is the same item as 9 above.

20. Easement, and the terms and conditions thereof:
Grantee: Warren Irrigation Company
Recorded: March 28, 1975
Entry No.: 634445
Book/Page: 1081/1
Purpose: Water conservation project.
SURVEY RESPONSE: The document grants to the Warren Irrigation Company certain easements and rights-of-way, specifically, "[a]n easement to the use of the irrigation system of the Grantor herein, which said irrigation system runs through parts of the following described Sections, to-wit:" and cites Section 13, Township 6 North, Range 3 West.
This appears to be a blanket easement covering any ditch that the Board of Water Resources, the grantor, had interest in at the time of the grant. It is unknown at this time if any of such irrigation systems are on the subject property.

21. Right of Way Easement, and the terms and conditions thereof:
Grantee: PacifiCorp, an Oregon Corporation
Recorded: February 12, 2008
Entry No.: 2321064
Purpose: Right of way for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of electric power distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: supporting towers, poles, props, guy and anchors, including guys and anchors outside of the right of way; wires, fibers, cables and other conduits, switches, vaults and cabinets, as located by Grantee on, over, or under the surface of the real property.
SURVEY RESPONSE: The location of the physical easement is unknown. There was no visible signs of the utility at the time of the survey. The easement describes the subject property and references an Exhibit A which is a sketch drawing of the easement. There is no basis of bearing noted on the sketch to be able to accurately relate the easement to the actual location. The sketch does have a tie to the southeast corner of Section 13. Because of the lack of definition of a bearing basis, I have shown two locations one is the location as it is described in Exhibit A with no modification to the bearings of the sketch and the second location is a rough rotated plotting to more conform to the representation of property lines in Exhibit A. To identify the actual location of this easement 811 Locator Services should be employed to find it for survey measurements.
The Exhibit A contains a notation that "[t]his drawing should be used only as a representation of the location of the easement being conveyed. The exact location of all structures, lines and appurtenances is subject to change within the boundaries of the described easement area." therefore, the easement is actually granted in the constructed location, in my professional opinion.

22. Easement, and the terms and conditions thereof:
In Favor of: Rocky Mountain Power, an unincorporated division of PacifCorp its successors and assigns
Purpose: A perpetual easement and right of way for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of electric power transmission, distribution, and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: supporting towers, poles, guys and anchors, including guys and anchors outside of the right of way; wires, fibers, cables, and other conductors, on over, or under the surface of the real property of the Grantor
Recorded: December 10, 2019
Entry No.: 3021581
SURVEY RESPONSE: This easement is for a Guy Pole and Guy wires that are located in the northeast area of the property. The location has been shown and noted.

23. Expandable Right of Way and Utility Easement Grant, and the terms and conditions thereof:
Grantee: William G. Howard, his successors and assigns
Recorded: April 18, 2025
Entry No.: 3365764
SURVEY RESPONSE: The document appears to contain conflicting provisions regarding a grant in *presente* or a grant in *futuro*.
The conflicting statements are:
"Hereby grant and Convey to:" ... "the following described A Permanent and Perpetual Expandable Right of Way, and Utility Easement, ..." (First Statement), and
"GRANTOR hereby agrees that the Right of Way and Utility Easement strip hereby being granted shall be dedicated to the use of the public with the development of the Dominant Estate, subject to the approval of the Land Use Authority." (Second Statement).
The issue is that the First Statement is connected with "[a] strip of land sixty-six feet (66.00) wide" and is found at the beginning of the document, page 1, and makes a grant in *presente* for the strip described immediately thereafter. Then at the end of page 1 is the Second Statement prefaced with, "subject to and together with the following recitals" followed by the second statement which uses the wording "shall be dedicated to the use of the public" ... "subject to the approval of the Land Use Authority." and thereafter describes the properties that are being designated as the Dominant Estate and Servient Estate followed by an "Exhibit" which is a copy of a survey on file with the County Surveyor as file number 8026.
In my professional opinion, the grant in *presente* being the First Statement does create "A Permanent and Perpetual Expandable Right of Way, and Utility Easement across the Servient Estate as therein described and that the grant in *futuro* being the Second Statement is an agreement to "dedicate" the described 66 foot wide easement for public uses but is not doing so in this document.
A particular issue is the use of the word "expandable" in that the meaning of the term "expandable" is not defined in the body of the document nor on the face of the filed survey no. 8026. This could have two meanings; one, the width of the easement could be modified to include additional width or, two, the use of the easement could be expanded to include something in addition to what is being presently granted in the document.
In the context of the overall meaning of the document I can only assume that the "expandable" portion of the document is actually making reference to the grant of dedication to the use of the public and that the present intent of the document is to only convey a private grant of right of way and utility easement that can only be exercised at a future event, that being the development of the grantee(s) property as evidenced by the language "...for an Expandable Right of Way to facilitate a future Public Roadway and the installation of Public Utilities for any future development...",
Therefore, in my professional opinion, this easement is limited to a future event, that of the development of the Dominant Estate, and will require further dedication to create a public use of the right of way/utility easement.

24. Agreement, and the terms and conditions thereof:
Between: State of Utah, acting through the Utah Water and Power Board
And: Warren Irrigation Company
Dated: September 20, 1961
Recorded: December 29, 1961
Entry No.: 371452
Book/Page: 699/304
Providing: A water conservation project consisting of a folding frame storage dam and related works in the Weber River Channel and 4-Mile Creek.
SURVEY RESPONSE: This document does not appear to affect property in Section 13, T 6 N, R 3 W since said section is not listed in the document. It does, however, list Section 18, T 6 N, R 2 W in which a small portion of the subject property resides. However, the document seems to limit the grant to a structure in the Weber River and Four Mile Creek, neither of which are on the subject property that is within said Section 18.
The document only affects the system which the Warren Irrigation Company has jurisdiction over. It is not known at this time if the Company has any jurisdiction over the water or channels that exist on the subject property within said Section 18.

25. The terms and conditions of that certain Ordinance No. 17-94, changing the numerical designation of the West Warren Park Service Area:
Recorded: November 25, 1994
Entry No.: 1322791
Book/Page: 1739/432
SURVEYOR RESPONSE: Not a matter of survey.

26. The terms and conditions of that certain Notice of Creation of an Agricultural Protection Area:
Recorded: November 5, 2001
Entry No.: 1806203
Book/Page: 2181/296
SURVEYOR RESPONSE: Listed as Parcel 66 in the document is:
Land Serial Number: 10-035-0044 Acreage: 78.25
Legal Description: Attached
Property Owner(s): Lee Roy Howard or Norma Birda Howard, Trustees
The description that is attached is a copy of the tax record for said parcel number which describes the subject property.
The document established an Agricultural Protection Area (APA) and is created pursuant to Section 17-41-304(3)(a)(b) of Utah Code. The statutory provisions associated with said APA would be controlling as to the effect such has on the subject property. An attorney should be consulted for a more complete interpretation of such.

27. The terms and conditions of that certain Resolution No. 23-2005 creating and establishing the Weber Area Dispatch 911 and Emergency Services District:
Recorded: January 24, 2006
Entry No.: 2156401
SURVEY RESPONSE: This is not a matter of survey.

28. The terms and conditions of that certain Certificate of Beneficial Use:
Recorded: March 22, 2010
Entry No.: 2463776
SURVEY RESPONSE: This is a document affecting water rights associated with a place of use in Section 13, T 6 N, R 3 W and is in the name of Lee R Howard. Water rights or associated maters are not part of this survey and are not addressed herein.

29. The terms and conditions of that certain Resolution No. 27-2012 confirming the tax to be levied for municipal services provided to the unincorporated area of Weber County and describing the services to be provided therein:
Recorded: December 13, 2012
Entry No.: 2610456
SURVEY RESPONSE: This is not a matter of survey.

30. Certificate of Creation establishing the Northern Utah Environmental Resource Agency:
Recorded: January 20, 2015
Entry No.: 2718461
SURVEY RESPONSE: This is not a matter of survey.

SURVEYOR'S CERTIFICATE

To Backman Title Services, Ltd., Layton, Utah, Old Republic National Title Insurance, JLM Development, LLC, and Elevantage Consulting, L.L.C.,
This is to certify that this/these map(s) or plat(s) and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by American Land Title Association and The National Society of Professional Surveyors. Table A items as requested have been addressed herein. The field work was completed June 28, 2025. Any warranties, express or implied, are limited to the above named party(s), no certification or warranties are extended to successor(s), assign(s) or heir(s) of said party(s) nor to adjacent owner(s) of properties of which may or may not share a common boundary with the property(s) surveyed herein.

PROFESSIONAL LAND SURVEYOR
ERNEST
No. 171781
3-Dec-25
ROWLEY
STATE OF UTAH

NARRATIVE

1. *This narrative related to the survey shown hereon is being done in compliance with UCA 17-23-17. The purpose of this survey is to provide an ALTA/NSPS Land Title Survey.*
2. *The purpose of the survey is not to identify utility locations, above or underground except as required in an ALTA survey. Any utilities which may be shown hereon are based on physical survey ties of visible utilities or from 811 Locator Services (Blue Stakes), or from documents of record. Said Blue Stakes markings were not ordered for this survey. No representation as to accuracy or existence of underground or underground utilities or 811 Locator Service markings is made herein.*
3. *The basis of bearing is N 00°46'24" E between the monumented East Quarter and Northeast corners of Section 13, T 6 N, R 3 W, as noted and/or indicated on the plat. The survey is based on NAD83 Utah North Zone State Plane Coordinate system in conformance with UCA 57-10-11 as derived by GPS observations using Leica Network base references and/or local county surveyor records.*
4. *The monumentation shown and noted on the plat have been used as control for this survey as stated herein. It should be noted that the Weber County Survey (WCoS) monumentation shown hereon may or may not represent the locations of the original federal survey. Where possible or as evaluated in this survey appropriate differences as to the location(s) of section corners or other control monuments may be noted and such is the professional opinion of the certifying surveyor.*
5. *All survey data shown or noted on this survey plat represent measured data unless otherwise shown or noted as "r" or "R".*
6. *The WCoS Interactive GIS map monument tie sheet links contain notes from the original GLO (General Land Office) survey of the corners shown. This information being part of the county tie sheet record, in my opinion, is possibly inferring the current location matches the original location of the GLO corners. However, only corners that specifically state in the abstract history of monument(s) identifying the point as having been a perpetuation of the GLO survey would represent such.*
7. *The following is a summary of the monument information for the corners noted:*
8. *Northeast Corner of Sec 13:*
   a. *This corner is currently monumented by a WCoS brass cap but in a previous survey that I have done an alternative location of this corner has been evaluated for properties located in Sec 7, T 6 N, R 2 W. That survey, Landmark proj no. 4293, is being included as part of this ALTA survey to identify the position of this alternate location. Said survey was done for Doug Hansen in connection with possible litigation and a digitally signed copy was provided to Mr. Hansen for his attorney's use in the case. The survey was signed 09-14-2022. The survey was not filed in anticipation of that litigation and a possible outcome of the case, however, I have not received any further communication from either the client or the attorney regarding the matter so I am including a signed copy of that survey as supplemental to this ALTA survey.*
9. *North Quarter corner of Sec 13:*
   a. *This location is being held at an old fence corner. See Landmark proj no. 4293 survey for additional information related to this corner.*
10. *Northwest and West Quarter corners of Section 13:*
    a. *Both of these locations were found to be WCoS monuments. No other survey evaluation regarding them has been made.*
11. *South Quarter corner of Sec 13:*
    a. *This location was not found, however, it may be buried under recent road paving. The location used on this plat is from WCoS record information of the corner.*
12. *Southeast corner of Sec 13:*
    a. *This location is shown on the plat as the WCoS record location and has two witness monuments for the position. This corner may not be located in the correct location based on some historical fencing and deed data. Alternate positions for the corner have not been evaluated because such alternate locations would not affect the boundaries of the subject property. It is true that the subject property in Sec 13 is described as an aliquot part of the section, however, physical evidence of the North, West, and South boundaries have been held to identify those boundaries of the subject property. The East boundary of the property is held to be on the west right of way line of 5900 West Street. Additional, information will be given hereinafter on this boundary location, as for the east section line location for Sec 13 because the east boundary of the subject property is the road right of way it is immaterial to the property where that line is located.*
13. *Center Quarter corner of Section 13:*
    a. *This corner has some challenges in that from the evaluation that I have done it appears that there are two locations that have been used for the C 1/4 corner as evidenced by historical fencing and long time occupation. This corner location is the Northwest corner of the subject property which is described as an aliquot part of the section. This description, the North Half of the Southeast Quarter of the section originated by deed Book 6 page 472 recorded 03-24-1890. The property has always been described using this aliquot description. Further information will be given hereinafter on this corner location in the discussion of the property boundaries.*
14. *The following is a summary of the individual boundaries of the property:*
15. *The West boundary of the property is described as the north-south quarter section line of the section. There is a fence that, according to William "Bill" Howard, has existed on the line for many decades. The Howard family obtained the property by E#1109936 in 1990, a total of 35 years. Bill told me that the fences on the west and south of the property have been maintained in the same location as the original fence for the entire time that they have owned the property.*
16. *When holding the south quarter corner monument position and running a straight line to the fence corner (Fence Cor 1) at the north end of Fence 1 and extending the line to an intersection of another fence, being the east-west quarter section line, the line follows closely to the existing fence and in an existing ditch line on the west of the fence. Note that the southern end of the Fence 1 coincides with the straight line quarter section line as platted to a location where the ditch turns west.*
17. *The Fence 1 then bends to the east to follow along the east bank of the ditch until the ditch runs in a northwesterly direction and then begins to angle back in line with the straight line quarter section line. It is my professional opinion that the straight line as described is the quarter section line and that a portion of the fence line that runs on the east side of an existing ditch is not the property line. The lower section, from Point 1 to Point 2, however, does represent the actual property line and the quarter section line.*
18. *The North boundary of the property is described as the east-west quarter section line of the section. There is more than one fences along this line as can be seen from the plat.*
19. *The fence labeled Fence 2 is an older fence line that has been on the south side of the drain ditch that parallels this fence line. Fence 2 runs from near the northeast corner of the property in a westerly direction through a slough and eventually to Fence cor 2 near the Center 1/4 of the section.*
20. *Fence 3 is a fence line that Bill Howard told me he built to be higher up the bank of the drain ditch to better keep cows out of the ditch. He did say that he has believed that his property line was further to the north somewhere in the drain ditch. I have not been able to find any information that would support such belief. Which leads this narrative to an evaluation of the east and north boundaries of the property.*
21. *The East boundary of the property is called to be the west right of way line of 5900 West Street.*
22. *The road right of way is described in deed Book 28 page 452 recorded December 29th, 1896. The description pertaining to this portion of the road is as follows:*
    a. *"A strip of land thirty three feet wide on each side of the following described line, viz. Commencing at a point 261 feet East and 613 feet south from the Section corner to Sections 13, 24 & 18, 19 in Township 6 North of Ranges 2 & 3 West of S.L.M. running thence North 0-19' West (at 16°45' E var) 2598 feet to a post, Thence North 12°24'West 670 feet to the quarter section corner to Sections 13 & 18 Tp 6 N Rg 2 & 3 west."*
23. *Some key language in the description is the notation of variance which would indicate that this road was surveyed as long ago as 1896. Also, the notation that the end of the centerline of the road is at the 1/4 section corner.*
24. *This means that in 1896 it was believed that the corner of the section was in the middle of the road. I have plotted this description holding the WCoS corner location for the SE corner and it demonstrates that the county location of the SE corner is not where it was believed to be in 1896 because the description plots some 60 feet east of the center line of the street.*
25. *Adjusting the description to conform to two portions of existing fence, Fence 4 and Fence 5, I found that I could get the described right of way to closely match these fences. There is a slight discrepancy in the interior angle as described and what the fence lines produce but the intent of the description can still be seen as it exists on the ground by these two portions of old fences. I have labeled another portion of fence as Fence 6 which is chain link fencing and may have been built based on a survey filed as no. 8017. This chain link fence begins at a found Rebar and Cap of Gardner's and runs to the south about 225 feet before it turns west.*
26. *The Gardner rebar and cap has been determined in this ALTA survey to identify the location of the most south and east corner of the property.*
27. *In the evaluation of the road deed I have held Fence 4 and Fence 5 and intersected them to create the angle point of the road (Point 3) and rotated to approximately parallel Fence 4 and holding the center line termination point at the WCoS monument the location of the street and right of way did not conform to the existing road or fences.*
28. *Another road deed Book 33-189 recorded December 23, 1898 for the west half of 5900 West north of the quarter corner reads:*
    a. *"Beginning Eighty (80) rods south of the North East corner of Section 13 in Township 6 North of Range 3 West, Salt Lake Meridian. U.S. Survey: running thence South Eight (80) rods, thence West two (2) rods, thence North Eighty (80) rods, thence east two (2) rods to the place of beginning";*
29. *Other old documents indicate that the section line is the centerline of the road for this northern part of Section 13 and 18. Running an evaluation of this description would place the Northeast corner of the section in the center of the highway. Note that based on the evaluation from my proj no. 4293 this description would identify a third location for the corner.*
30. *The north-south distances of 80 plus 80 rods would be 2640 feet and plotting the descriptions from the monumented NE corner of Sec 13 then rotating so that the west right of way as described coincides with a fence on the north of the drain ditch near the E 1/4 corner identifies a location for the center line of the highway.*
31. *The latitudinal difference between the SE and E 1/4 as described by road deed 28-452 is approximately 2624 feet which is about 16 feet short of a standard section. The record distance between the monumented E 1/4 corner and the record SE corner is 2645.37 feet, being 5.37 feet long. In working to rectify the call for the center of the road in 28-452 as the E 1/4 corner and the deed to the north, 33-189, I have held Fence 4 as a rotation for 28-452. Then the derived centerline of the road was extended northwesterly to intersect the described centerline of 33-189. This produced an alternate location for the E 1/4 corner at a location N 82°57'43" E 12.25 feet from the existing monument.*
32. *For the boundary of the subject property I am holding a line between the Alternate E 1/4 corner and the C 1/4 at Fence cor 2 as the best evidence of the location of the historic 1/4 section line.*
33. *The original 80 acre aliquot part was altered by a transaction recorded in a Warranty Deed as Entry number 520017 (Book 916 page 77) recorded May 6, 1969. This document has two courses along the south boundary of the property which total 760.00 feet (621.8 and 138.2). When holding the west right of way as determined in this survey to be the existing fence line, and marking a distance of the total 760 feet it identifies a location within 4 feet, longitudinally, of the corner post of the existing fence (Point 4). The description also identifies the length of the east boundary to be 500 feet north-south but the distance between the southeast fence corner (Point 5) and the found Gardner Rebar and cap is over 10 feet long with no explanation of why the extra length was added. However, on the ROS plat they label the frontage as being 479.65 which is 20.35 feet short of the record 500 and no explanation as to why, yet, they show that the south boundary is south of the south fence line. This is inconsistent with what I have found on the ground.*
34. *The Gardner survey, file no 8017, shows that Fence 7 and Fence 8 were existing at the date of the survey which was done January 2020. Based on aerial imagery from Google Earth it appears that the fence originated sometime between 2015, when it does not show, and 2016, when it does show on the aerials. This means that the fence did not originate in 1969 may not represent the grant of title and the required 20 year time period of a fence to be consider for a boundary by acquiescence has not been meet. The frontage on 5900 West is only called to be 500 feet and the distance between the pipe rail fence and the old fence corner to the south (Point 5) is 510.55 feet in length. Yet, the Gardner survey and found rebar and cap identify the NE corner of the property at the corner of the pipe rail fence.*
35. *This reflects a conflict between the location of the fence line and the title line. My as surveyed description is holding the pipe rail fence line as the occupied boundary, however, there is still a potential conflict with this occupied line as shown.*
36. *The South boundary of the property is intended to be the 1/16th section line.*
37. *This line has several different types of fencing and they are not all in a straight line. I used 4 fence posts that I believe are old enough to have existed for a long period of time and would represent control for a least square best fit of a line (the control posts are noted as "L.S.A. #" where # represents the number of the point). This produced a line with the bearing as shown and when holding the location of L.S.A.4 the latitudinal differences are as noted.*
38. *In a record of survey, file no. 8026, the fence line between L.S.A 1 and L.S.A.2 has a note "ancient fence line held as Acquiesced Boundary". With regard to the statement concerning the fence, while I have no information regarding mutual acquiescence in the line I have been able to demonstrate that the line best represents the 1/16th section line which is also the south boundary of the subject property.*

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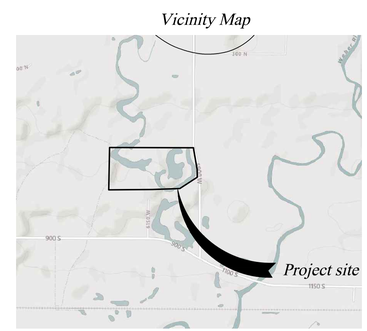
Vicinity Map



AS SURVEYED DESCRIPTION

A tract as described originally as the North Half of the Southeast Quarter of Section 13, Township 6 North, Range 3 West, Salt Lake Base and Meridian by Warranty Deed recorded Book 6 page 472 on April 17, 1890 (said tract now subject to Warranty Deed recorded Book 28 page 452 with Weber County as grantee for road purposes and subject to Warranty Deed recorded Book 916 page 77 on May 6, 1969), having a basis of bearing on Utah North Zone State Plane Coordinate System of 1983 (NAD83) established by Global Positioning Systems (GPS) utilizing Leica GPS Network of South 89°03'27" East between the monumented locations of the East Quarter corner (having measured State Plane Coordinates of N=3617988.433 E=1469173.300 U.S.ft) and the Northeast corner (having measured State Plane Coordinates of N=3620651.670 E=1469209.247 U.S.ft), of said Section 13 described by survey as follows:

COMMENCING at a point located 20.95 feet North 83°57'51" West, along the monumented quarter section line, FROM said East Quarter corner of Section 13;

RUNNING thence southerly the following Two (2) courses along the west right if way line of 5900 West Street, a county road as conveyed by deed recorded in Book 28 page 452 on December 29, 1896;
1) South 13°06'00" East (S 12°24' E by deed B28-p452) 756.45 feet;
2) South 00°05'55" West (S 0°19' E by deed B28-p452) 65.67 feet, to a Gardner rebar and cap as established in record of survey number 8017, to a pipe rail fence corner;
Thence South 56°38'49" West 902.13 feet, along said pipe rail fence being the evidence of a line described in deed Book 916 page 77 as "thence Northeasterly to a point on the West line of road 500 feet North of a point East of beginning" (deed line is in the reverse direction to this course), to a point on a line determined, by survey, to be the historical east-west sixteenth section line;
Thence North 88°53'29" West 2021.69 feet, along said historical east-west sixteenth line, to a point identified as the Center-Center South sixteenth corner (C-C S 1/16th) of said Section 13;
Thence North 00°40'20" East 1319.26 feet, along an old fence line representing the historic quarter section line, to the monumented east-west quarter section line and a point having been determined by survey to be the Northwest corner of the Southeast quarter of said Section 13, said east-west quarter section line being evidenced by an old fence line;
Thence South 88°44'46" East 34.45 feet, along said east-west quarter section line, to a point having been determined by survey to be the Southwest corner of the Northeast quarter of said Section 13;
Thence South 88°46'59" East 2554.23 feet, along said east-west quarter section line, to the point of beginning.

Containing 77.7459 acres, more or less.

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Contact@LandmarkSurveyUtah.com
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West Haven, UT 84401
801-731-4075

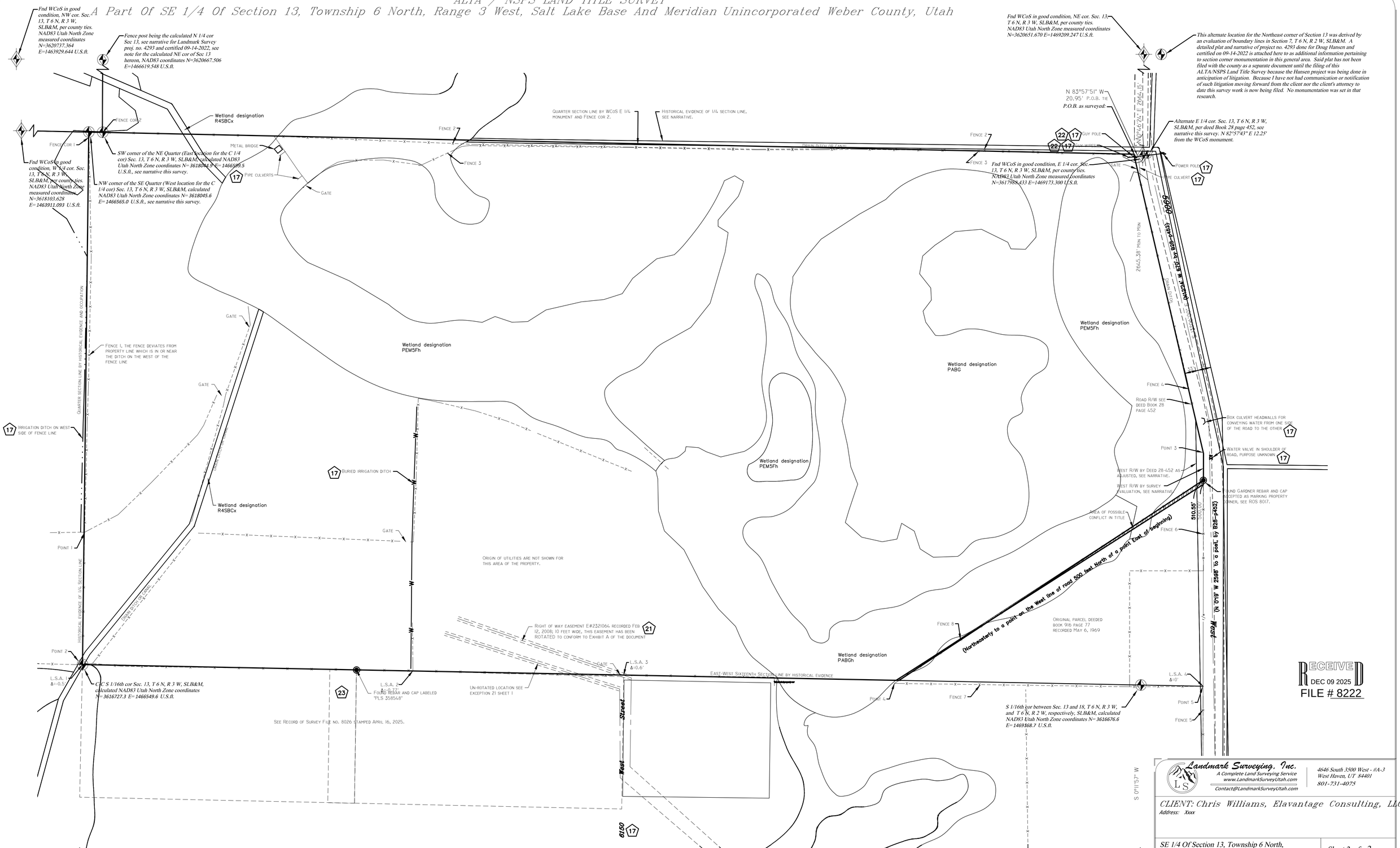
CLIENT: Chris Williams, Elevantage Consulting, LLC
Address: Xxxx

SE 1/4 Of Section 13, Township 6 North, Range 3 West, Salt Lake Base And Meridian	Sheet 1 of 2
Revisions:	Drawn/Checked By: EDR
	Date of Field Survey: 6-28-2025
	DATE: August 18, 2025
	FILE: 4545

This plat and associated documents are "PRELIMINARY; NOT FOR CONSTRUCTION, RECORDING PURPOSES, OR IMPLEMENTATION and are NOT FINAL" and subject to change without a valid signature and date across the Licensed Professional's seal (meaning the surveyor and/or engineer responsible for the production of this document) in accordance with R156-22-601 of the Utah Administrative Code of the Utah Department of Commerce, Division of Occupational and Professional Licensing and any other required signatures/endorsements/seals which may be required by reviewing jurisdictions. Therefore, if this document is unsigned it is a Preliminary document(s) and is not intended for and shall not be used in Construction, not to be Recorded or Filed, and is still in preliminary form, in such case(s) these drawings may appear as a final attempted and dated product, however, without the express written approval of the Local Entity either by signing in the appropriate location or fixing a Local Entity Stamp hereon these drawings remain Preliminary–Not Final and/or rem

ALTA / NSPS LAND TITLE SURVEY

A Part Of SE 1/4 Of Section 13, Township 6 North, Range 3 West, Salt Lake Base And Meridian Unincorporated Weber County, Utah



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4646 South 3500 West - #A-3
West Haven, UT 84401
801-731-4075

CLIENT: Chris Williams, Elavantage Consulting, LLC
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SE 1/4 Of Section 13, Township 6 North, Range 3 West, Salt Lake Base And Meridian	Sheet 2 of 2
Revisions:	Drawn/Checked By: EDR
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Project Name: 4545 Williams-Howard Farm ALTA.dwg Save Date: August 18, 2025 11:54 AM Sheet: 4545 Sht 2_ALTA Print Date: 12/9/2025