



First American Title™

# ALTA Commitment for Title Insurance

ISSUED BY

**First American Title Insurance Company**

## Schedule A

**Transaction Identification Data for reference only:**

Issuing Agent: Mountain View Title and Escrow

Issuing Office's ALTA® Registry ID:

Commitment No.: 142611a

Property Address: Raw Ground, Ogden, UT 84401

Revision No.:

Issuing Office: 5732 South 1475 East #100, Ogden, UT 84403

Loan ID No.:

Issuing Office File No.: 142611a

### SCHEDULE A

1. Commitment Date: June 26, 2019 at 8:00 AM
2. Policy to be issued:
  - (a)  ALTA® Owner's Policy of Title Insurance  
 ALTA® Homeowner's Policy of Title Insurance  
 Proposed Insured:  
 Proposed Policy Amount: \$00.00
  - (b)  ALTA® Loan Policy of Title Insurance  
 ALTA® Expanded Coverage Residential Loan Policy  
 Proposed Insured: Cash Purchase  
 Proposed Policy Amount: \$
  - (c)  \_\_\_\_\_ ALTA® \_\_\_\_\_ Policy  
 Proposed Insured:  
 Proposed Policy Amount: \$
3. The estate or interest in the Land described or referred to in this Commitment is Fee Simple
4. The Title is, at the Commitment Date, vested in:  
 Liberty Creek Investments, LLC, a Utah Limited Liability Company
5. The Land is described as follows:  
 SEE EXHIBIT A ATTACHED HERETO

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**Exhibit A**

File No.: 142611a

The Land referred to herein below is situated in the County of Weber, State of Utah, and is described as follows:

BEGINNING AT A POINT 726 FEET SOUTH FROM THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE MERIDIAN, U.S. SURVEY; RUNNING THENCE NORTH 87°39' WEST 170.1 FEET; THENCE NORTH 67°17' WEST 292.7 FEET; THENCE NORTH 74°56' WEST 269.2 FEET; THENCE NORTH 76°30' WEST 257.0 FEET; THENCE NORTH 44°14' WEST 42.96 FEET; THENCE WEST 101.94 FEET; THENCE SOUTH 00°23'30" E 92.77 FEET, THENCE NORTH 85°07'51" WEST 185.56 FEET, TO THE EAST SIDE OF THE ROAD, THENCE SOUTHEASTERLY ALONG SAID EAST LINE OF ROAD TO A POINT THAT IS SOUTH 594 FEET WEST 63.9 FEET, NORTH 25°40' EAST 131.9 FEET, NORTH 89°30' WEST 759 FEET NORTH 72°35' WEST 247 FEET, NORTH 44°35' WEST 137 FEET, NORTH 54D WEST 20 FEET FROM THE POINT OF BEGINNING, RUNNING THENCE SOUTH 54° EAST 20 FEET, THENCE SOUTH 44°35' EAST 137.0 FEET, THENCE SOUTH 72°35' EAST 247.0 FEET, THENCE SOUTH 89°30' EAST 759.0 FEET, THENCE SOUTH 25°40' WEST 133.1 FEET, THENCE EAST 63.9 FEET, THENCE NORTH 594.0 FEET TO THE PLACE OF BEGINNING. LESS 1.08 ACRES DEEDED TO WEBER COUNTY FOR ROAD.

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<b>Schedule BI &amp; BII</b>	

Commitment No.: 142611a

**SCHEDULE B, PART I**

**Requirements**


All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. Provide releases, reconveyances, or other instruments, acceptable to the Company, including payment of any amounts due, removing the encumbrances shown in Schedule B, Part II that are objectionable to the Proposed Insured.
6. Provide us with copies of appropriate agreements, resolutions, certificates, or other evidence needed to identify the parties authorized to execute the documents creating the interest to be insured.
7. Provide us with any information regarding personal property taxes which may have been assessed or are due and payable which could become a lien on the real property.
8. Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
9. Pay us the premiums, fees and charges for the policy.
10. Documents satisfactory to us creating the interest in the land/or the mortgage to be insured must be signed, delivered and recorded.
11. You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.
12. Payment to or for the account of the grantors or mortgagors or the full consideration for the estate or interest to be insured.
13. Proper instrument(s) creating the estate or interest to be insured executed and duly filed for record, to-wit:

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**SCHEDULE B, PART II**

**Exceptions**

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown in the Public Records but that could be ascertained by an inspection of the Land or by making inquiry of persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown in the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title including discrepancies, conflicts in boundary lines, shortage in area, or any other facts that would be disclosed by an accurate and complete land survey of the Land and not shown in the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Record.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown in the Public Records.
7. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.
8. Taxes for the year 2018 have been paid in the amount of \$58.44. Taxes for the year 2019 are accruing as a lien but are not yet due or payable.

SERIAL NUMBER: 22-009-0040

Lien arising as of 12 o'clock noon of January 1 for any unpaid personal property taxes which may be listed against the property described herein

9. Said property is included within the following boundaries and is subject to any charges and assessments levied by *This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions.*

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**Schedule BI & BII**

Commitment No.: 142611a

them as a result of services provided.

GENERAL FUND, G O BOND FUND, LIBRARY, WEBER SCHOOL DISTRICT, STATEWIDE SCHOOL BASIC LEVY, MOSQUITO ABATEMENT DISTRICT, WEBER BASIN WATER – GENERAL, LIBERTY CEMETERY MAINT DISTRICT, WEBER / MORGAN HEALTH, JUDGMENT LEVY - W.C., PARAMEDIC FUND, WEBER FIRE DISTRICT, WEBER SERV AREA #5 LIBERTY PARK, STATE ASSESS & COLLECT / MULTI CO, ASSESS & COLLECT / COUNTY, OGDEN VALLEY GAS IMP DISTRICT, UNINCORP WEBER COUNTY, WEBER SCHOOL DIST JUDGMENT LEVY, WEBER AREA DISPATCH 911 AND EM. SERV. DIST.- (S-S), WEBER FIRE G.O. BOND - 2006 SERIES

- 10. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, 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 B. 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
- 11. Subject to all existing roads, streets, alleys, ditches, reservoirs, utilities, canals, pipe lines, power, telephone, sewer, gas or water lines, and right of way and easements thereof. Water rights have not been searched and examined and will not be insured.
- 12. Overhead Power Line Easement running over and across said property, as disclosed by a visual inspection. (Affects Westerly property line along 2900 East street.)
- 13. Subject to Spring creek: and the meandering courses of said creek over, upon and across said property.

**14. EASEMENT**

Grantor: THOMAS H. SHUPE AND WIFE MILDRED B. SHUPE  
 Grantee: HOLMES-FERRIN DITCH COMPANY  
 Location: SEE DEED  
 Purpose: FOR AND IN CONNECTION WITH THE CONSTRUCTION, OPERATION, MAINTENANCE, AND INSPECTION OF A CONCRETE DITCH LINING AND APPURTENANT STRUCTURES, DESIGNATED AS THE HOMES-FERRIN DITCH IN THE PLACE FOR THE NORTH FORK OGDEN RIVER WATERSHED  
 Recorded: November 6, 1961  
 Entry Number: 367773  
 Book: / Page: 694 / 101

**15. UTAH POWER & LIGHT COMPANY  
POLE LINE EASEMENT**

Grantor: W.A. CHADWICK AND JANE CHADWICK  
 Grantee: UTAH POWER & LIGHT COMPANY, A CORPORATION  
 Location: SEE DEED

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**Schedule BI & BII**

Commitment No.: 142611a

Purpose: A PERPETUAL EASEMENT AND RIGHT OF WAY FOR THE ERECTION AND CONTINUED MAINTENANCE, REPAIR, ALTERATIONS, AND REPLACEMENT OF THE ELECTRIC TRANSMISSION, DISTRIBUTION AND TELEPHONE CIRCUITS

Dated: December 12, 1928

Recorded: January 14, 1930

Book: / Page: S / 326

**16. CERTIFICATE OF CREATION OF THE NORTHERN UTAH ENVIRONMENTAL RESOURCE AGENCY**

Dated: December 1, 2014

Recorded: January 20, 2015

Entry Number: 2718461

**17. RESOLUTION ESTABLISHING THE OGDEN VALLEY TRANSMITTER/RECREATION SPECIAL SERVICE DISTRICT**

Recorded: March 9, 2015

Entry Number: 2725109

**18. RESOLUTION NO. 12-2016**

Dated: May 10, 2016

Purpose: A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF WEBER COUNTY APPROVING DISSOLUTION OF THE OGDEN VALLEY NATURAL GAS DISTRICT

Recorded: May 25, 2016

Entry Number: 2795067

**19. UNDERGROUND RIGHT OF WAY AND EASEMENT**

Grantor: EDGE HOLDINGS, LLC

Grantee: ROCKY MOUNTAIN POWER

Location: SEE EASEMENT

Purpose: AN EASEMENT FOR A RIGHT OF WAY 10 FEET IN WIDTH AND 1600 FEET IN LENGTH, MORE OR LESS, FOR THE CONSTRUCTION, RECONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, ENLARGEMENT AND REMOVAL OF UNDERGROUND ELECTRIC POWER DISTRIBUTION LINES AND ALL NECESSARY OR DESIRABLE ACCESSORIES AND APPURTANCES THERETO, INCLUDING WITHOUT LIMITATION: WIRES, FIBERS, CABLES AND OTHER CONDUCTORS AND CONDUITS THEREFOR; AND PADS, TRANSFORMERS, SWITCHES, CABINETS, AND VAULTS ON, ACROSS, OR UNDER THE SURFACE OF THE REAL PROPERTY OF GRANTOR

Dated: July 11, 2016

Recorded: January 10, 2017

Entry Number: 2836150

**NOTICE OF MORTGAGE**


Dated: April 4, 2017

Recorded: April 7, 2017

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Commitment No.: 142611a

Entry Number: 2851298

NOTICE OF MORTGAGE IS HEREBY GIVEN BY PACIFICORP, AN OREGON CORPORATION, DBA ROCKY MOUNTAIN POWER, TO PROVIDE NOTICE THAT CERTAIN EASEMENT INTERESTS EFFECTING PARCELS OF REAL PROPERTY, ARE HEREBY ENCUMBERED TO THEIR FULLEST VALUE TO SECURE THE INDEBTEDNESS OF THAT CERTAIN MORTGAGE AND DEED OF TRUST DATED AS OF JANUARY 9, 1989, FROM PACIFICORP TO THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A. (AS SUCCESSOR TO THE BANK OF NEW YORK MELLON), AS TRUSTEE, AS SUPPLEMENTED BY [TWENTY-SEVENTH] SUPPLEMENTAL INDENTURES, INCLUDING THE [TWENTY-EIGHTH] SUPPLEMENTAL INDENTURE, DATED AS OF [JUNE 19, 2015], WHICH WAS RECORDED ON AUGUST 4, 2015 IN BOOK N/A PAGE N/A AS FILE NO. 2749100 IN WEBER COUNTY, STATE OF UTAH, AND AS MAY BE SUPPLEMENTED BY FUTURE INDENTURES

20. APPLICATION FOR ASSESSMENT AND TAXATION OF AGRICULTURAL LAND 1969 FARMLAND ASSESSMENT ACT

Owner's Name: LIBERTY CREEK INVESTMENTS LLC, 2594 WEST 2275 NORTH, FARR WEST, UT  
 Serial No.: 220090040  
 Recorded: November 16, 2018  
 Entry Number: 2952641

21. BOUNDARY LINE AGREEMENT

Dated: July 16, 2019  
 By and Between: LIBERTY CREEK INVESTMENTS, LLC, A UTAH LIMITED LIABILITY COMPANY AND THE DARRELL F. POULSEN REVOCABLE TRUST UNDER DECLARATION OF TRUST DATED MARCH 12, 2012  
 Recorded: July 16, 2019  
 Entry Number: 2991248  
 ESTABLISHED EXISTING FENCE, ESTABLISHES A NEW BOUNDARY LINE FOR THE BOUNDARY ALONG THE SOUTH LINE OF THE PROPERTY OWNED BY THE "DARRELL F. POULSEN AND SUE S. POULSEN " AND THE NORTH SIDE OF THE PROPERTY OWNED BY "LIBERTY CREEK" ACCORDING TO THE CURRENT LOCATION OF SAID FENCE.

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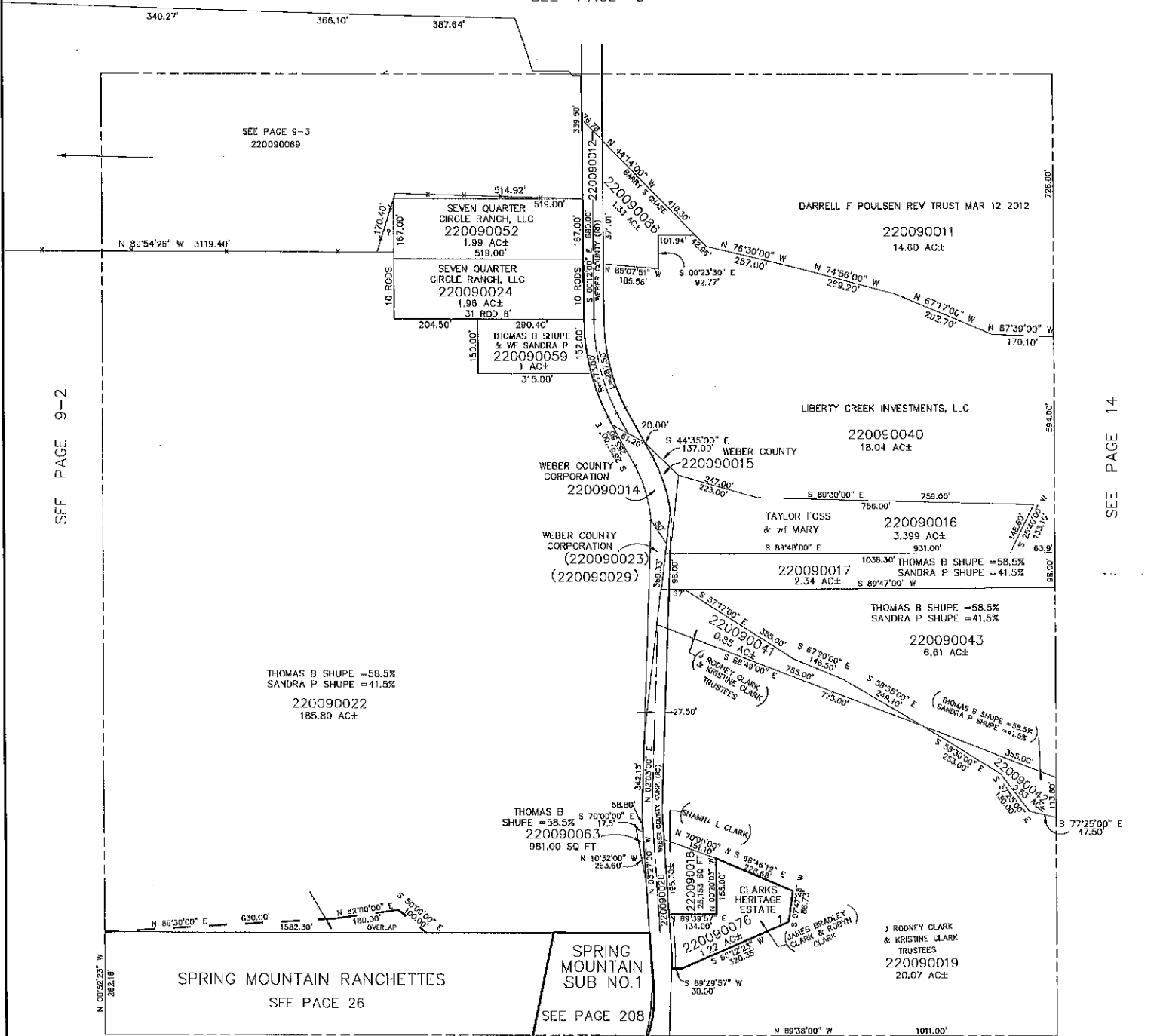


S.E. 1/4  
SECTION 19, T.7N., R.1E., S.L.B. & M.

LIBERTY DISTRICT  
SCALE 1" = 200'

TAXING UNIT: 36

SEE PAGE 9



SEE PAGE 9-2

SEE PAGE 14

SEE PAGE 9-3  
220090069

N 89°54'26" W 3119.40'

SEVEN QUARTER  
CIRCLE RANCH, LLC  
220090052  
1.99 AC±  
519.00'

SEVEN QUARTER  
CIRCLE RANCH, LLC  
220090024  
1.96 AC±  
31 ROD B'

THOMAS B SHUPE  
& WF SANDRA P  
220090059  
1 AC±  
315.00'

DARRELL F POULSEN REV TRUST MAR 12 2012

220090011  
14.80 AC±

LIBERTY CREEK INVESTMENTS, LLC

220090040  
18.04 AC±

WEBER COUNTY  
CORPORATION  
220090014

WEBER COUNTY  
220090015

TAYLOR FOSS  
& WF MARY  
220090016  
3.399 AC±

WEBER COUNTY  
CORPORATION  
(220090023)  
(220090029)

220090017  
2.34 AC±

THOMAS B SHUPE =58.5%  
SANDRA P SHUPE =41.5%

THOMAS B SHUPE =58.5%  
SANDRA P SHUPE =41.5%

220090022  
185.80 AC±

220090043  
6.61 AC±

220090041  
0.85 AC±

J. RODNEY CLARK  
& KRISTINE CLARK  
TRUSTEES

THOMAS B SHUPE =58.5%  
SANDRA P SHUPE =41.5%

THOMAS B  
SHUPE =58.5%  
220090063  
981.00 SQ FT

SHANNA L CLARK

220090016  
1.51 AC±

220090018  
1.22 AC±

CLARKS  
HERITAGE  
ESTATE

J RODNEY CLARK  
& KRISTINE CLARK  
TRUSTEES  
220090019  
20.07 AC±

SPRING MOUNTAIN RANCHETTES

SEE PAGE 26

SPRING MOUNTAIN  
SUB NO.1

SEE PAGE 208

N 00°52'23" W  
282.78'

N 80°30'00" E 630.00'

N 82°30'00" E 180.00'  
OVERLAP

N 89°38'00" W 1011.00'