

**SCHEDULE A**

File Number D0715-3123

1. Effective Date: **June 8, 2015, 7:59 AM**

2. Policy or policies to be issued:	Amount	Premium
(A) ALTA Owner's Policy (6/17/06) Proposed Insured:  <b>DALE SMITH AND SCOTT TAWZER</b>	<b>\$430,000.00</b>	<b>\$2,176.00</b>
(B) ALTA Loan Policy (6/17/06) Proposed Insured:  <b>TBD, ITS SUCCESSORS AND/OR ASSIGNS</b>	<b>\$TBD</b>	<b>\$TBD</b>
Additional Charges (if any)		<b>\$TBD</b>
<b>TOTAL</b>		<b>\$2,176.00</b>

3. The estate or interest in the land described or referred to in this commitment and covered herein is fee simple and title thereto is at the effective date hereof vested in:

**OLD TOWN EDEN, LLC**

4. The land referred to in this commitment is located in **WEBER** County, State of Utah and is described as follows:

**A PART OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE MERIDIAN, U.S. SURVEY:**

**BEGINNING AT THE SOUTHWEST CORNER OF E.P. SUBDIVISION; RUNNING THENCE NORTH 88 DEGREES 30' WEST 185.86 FEET; THENCE NORTH 1 DEGREES 30' EAST 4.52 CHAINS; THENCE SOUTH 88 DEGREES 30' EAST 185.86 FEET TO THE NORTHWEST CORNER OF E.P. SUBDIVISION; THENCE SOUTH 1 DEGREES 30' 00" WEST 293.93 FEET TO BEGINNING.**

**(For Reference Purposes Only Tax ID No.: 22-051-0082)**

**Purported Address (for reference purposes only): 5510 EAST 2200 NORTH,  
EDEN, UT 84310**

**SCHEDULE B-Section 1**  
**Requirements**

The following are the requirements to be complied with:

Item (a) Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.

Item (b) Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record.

Item (c) Payment of all taxes, charges and assessments, levied and assessed against the subject premises which are due and payable.

Item (d) Pay us the premiums, fees and charges for the policy. In the event, the transaction, for which this commitment is furnished, cancels, the minimum cancellation fee will be \$200.00.

Item (e) 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.

Item (f) If the applicant desires copies of any matters shown as exceptions in Schedule B - Section 2, the Company will furnish such upon request at no charge or a minimal charge as the case may be.

**SCHEDULE B-Section 2**

**Exceptions**

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of 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, interest or claims which are not shown by the Public Records, but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, claims of easements or encumbrances which are not shown by 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 that are not shown in the Public Records.
5. 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.
6. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the Public Records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
7. (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 Records.
8. Taxes for the year 2016 are accruing as a lien and are not yet due and payable. **Taxes for the year 2013 are DELINQUENT IN THE AMOUNT OF \$28,939.20 plus penalties and interest. Taxes for the year 2014 are DELINQUENT IN THE AMOUNT OF \$3,994.86 plus penalties and interest. Taxes for the year 2015 are DELINQUENT IN THE AMOUNT OF \$17,170.90 plus penalties and interest. Call the treasurer for final payoff amounts. Tax ID No. 22-051-0082**
9. Said property is within the boundaries of EDEN, WEBER COUNTY, UTAH and is therein located within Tax District 317, and is subject to any charges and assessments levied thereunder.
10. Subject to terms, conditions and restrictions, if any, as disclosed on the recorded plat, a copy of which is attached hereto.
11. Easements for public utilities, drainage and incidental purposes, as shown on the recorded plat.
12. Excepting any rights in and to right of way's for any roads, ditches, canals, or transmission lines now existing over, under or across said property.
13. The effects of easements, restrictions, covenants, conditions, notes, building set-back lines, and rights of ways for roads, ditches, canals, streams, rivers, telephones and transmission lines, drainage, utilities or other incidental purposes, over, under or across said property, which are of record or which may be ascertained by an inspection or accurate survey, including, without limitation, any easements, notes, restrictions, building site requirements, setback lines, or rights of way provided for in the official plat map.

(Continued)

**SCHEDULE B-Section 2**  
**Exceptions (Continued)**

14. EFFECTS OF THOSE TERMS AND CONDITIONS OF THAT SWD RECORDED 6 JAN 2012, AS ENTRY NO. 2557203
15. EFFECTS OF THAT ORDINANCE NO. 12-18 RECORDED 22 DEC 1981, AS ENTRY NO. 849262
16. EFFECTS OF THAT AFFIDAVIT RECORDED 9 MAR 2015, AS ENTRY NO. 2725109
17. EFFECTS OF THAT CERTIFICATE RECORDED 24 JAN 2015, AS ENTRY NO. 2718461
18. The terms, conditions, restrictions and assessments contained in that certain Resolution recorded 13 DEC 2012 as Entry No. 2610456, in the county of WEBER, according to the official records thereof.
19. EFFECTS OF THAT AGREEMENT RECORDED 14 OCT 2008, AS ENTRY NO. 2369855
20. EFFECTS OF THAT RIGHT OF WAY EASEMENT RECORDED 21 AUG 2007, AS ENTRY NO. 2286117
21. The terms, conditions, restrictions and assessments contained in that certain Resolution recorded 24 JAN 2006 as Entry No. 2156401, in the county of WEBER, according to the official records thereof.
22. EFFECTS OF THAT ASSIGNMENT OF WATER RIGHTS RECORDED 7 APR 1998, AS ENTRY NO. 1534105
23. The terms, conditions, restrictions and assessments contained in that certain Resolution recorded 18 JUNE 1996 as Entry No. 1413086, in the county of WEBER, according to the official records thereof.
24. The terms, conditions, restrictions and assessments contained in that certain Resolution recorded 12 APR 1996 as Entry No. 1399404, in the county of WEBER, according to the official records thereof.
25. EFFECTS OF THAT AGREEMENT OF COVENANT RECORDED 13 SEP 1991, AS ENTRY NO. 1152091
26. EFFECTS OF THAT AGREEMENT RECORDED 13 SEP 1991, AS ENTRY NO. 1152090

(Continued)

**SCHEDULE B-Section 2**  
**Exceptions (Continued)**

27. Deed of Trust, described as follows:

Entry No.: 2360435  
Recorded: 19 AUG 2008  
Amount: \$520,000.00  
Borrower: BEN P. TOONE AND BECKY W. TOONE, TRUSTEES ON BEHALF OF THE 1994 TOONE FAMILY TRUST UAD APRIL 4, 1994  
Lender: D & E DEVELOPMENT, LLC  
Trustee: METRO NATIONAL TITLE

28. Note: Upon compliance with underwriting requirements, exception(s) 1-6 will be omitted from the Loan policy to be issued hereunder.

29. NOTE ON JUDGMENTS: ALL RELEVANT PARTIES NAMES HAVE BEEN CHECKED FOR JUDGMENTS EXCEPT AS OTHERWISE STATES HEREIN NO UNSATISFIED JUDGMENTS APPEAR OF RECORD THAT WOULD AFFECT THE PRIORITY OF THE INSURED LIEN OR INTEREST. IF THIS IS A PURCHASE TRANSACTION, WE HAVE NOT CHECKED THE BUYERS NAMES FOR JUDGMENTS AS UNDER UTAH LAW A PURCHASE MONEY MORTGAGE HAS PRIORITY OVER ANY JUDGMENT LIEN AGAINST THE BUYER. THEREFORE IF THE TRANSACTION IS A PURCHASE THIS TITLE COMMITMENT SHOULD NOT BE RELIED ON FOR CREDIT UNDERWRITING OR INFORMATIONAL PURPOSES FOR JUDGMENTS AGAINST THE BUYER.

NOTE ON JUDGMENTS: All Owners' names have been checked for judgments. Except as otherwise stated herein, no unsatisfied judgments appear of record in the last eight years that would affect the priority of the insured lien or interest. Bankruptcies have not been checked.

NOTE ON CHAIN OF TITLE: The following is a list of all deeds recorded at the applicable county recorder's office within the last 35 months purporting to convey or transfer ownership of the above-described property:

Entry No.	Instrument Type	Grantor	Grantee	Recorded
2591689	SWD	OLD TOWN EDEN, LLC	OLD TOWN EDEN, LLC	21 AUG 2012

(Continued)

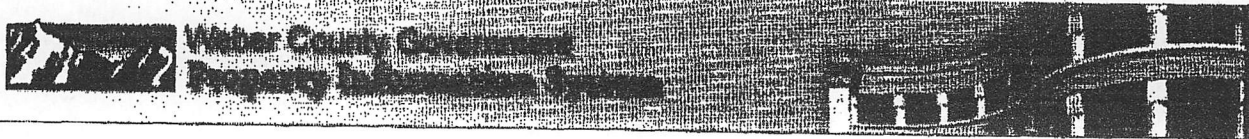
**SCHEDULE B-Section 2**  
**Exceptions (Continued)**

30. NOTE: Notwithstanding anything to the contrary in this Commitment, if the policy to be issued is other than an ALTA Owner's Policy (6/17/06) or ALTA Loan Policy (6/17/06), the policy may not contain an arbitration clause, or the terms of the arbitration clause may be different from those set forth in this Commitment. If the policy does contain an arbitration clause, and the Amount of Insurance is less than the amount, if any, set forth in the 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.

NOTE: UPON COMPLIANCE WITH UNDERWRITING REQUIREMENTS, EXCEPTION(S) 1-6 WILL BE OMITTED FROM THE LOAN POLICY TO BE ISSUED HEREUNDER.

The Owner's Policy of title insurance committed for in this Commitment, if any, shall contain, in addition to the Items set forth in Schedule B-Section 2, the following items: (1) The Deed of Trust, if any, required under Schedule B-Section 1, Item (b). (2) Unpatented mining claims, reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water; minerals, oil and gas; (3) Any and all unpaid taxes, assessments and unredeemed tax sales.

American Land Title Association Commitment-Utah  
Form No. CU-B2



## Property Tax Summary

### Parcel Summary

**Parcel No: 22-051-0082**

Year: 2015

Property Owner & Mailing Address  
 OLD TOWN EDEN

% BEN TOONE LLC  
 5510 E 2200 N  
 EDEN UT 843109721

Loan Company: None  
 Non Assess: -  
 Desc Chg: 21-AUG-2012

*Delinquent Tax Due*

Tax Unit: 317

Tax Sale: 13

Tax Rate

X .012514

Total Market  
\$1,335,066

Total Taxable  
\$1,335,066

Net Assessment Charge \$16,707.02

Total Direct \$44.00

Penalty Charge \$419.88

Sub Total \$17,170.90

Total Payments -

Balance \$17,170.90

**Property Value Detail**

Clas	Property Type	Taxable	Market	Status	Number	Adj Nbr
130	COMMERCIAL IMPROVEMENT	1,142,966	1,142,966	1-ORIG		
030	COMMERCIAL LAND	192,100	192,100	1-ORIG		
010	RESIDENTIAL LAND PRIMARY	0	0	4-JV		517
<b>Totals:</b>		1,335,066	1,335,066			

**Direct Charges**

Type	Description	Amount	Status	Year	Adj Id
30	Ogden Valley Translator	\$24.00	4-ORIG		517
30	Ogden Valley Translator	\$0.00	4-ORIG		517
22	Eden Park District	\$20.00	4-ORIG		517
22	Eden Park District	\$0.00	4-ORIG		517

**Payments**

Pay Date	EIN	Run	Rec#	Loan#	Received From	Amount	Status	Check#

**Legal Description**

PART OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE MERIDIAN, US SURVEY: BEGINNING AT THE SOUTHWEST CORNER OF E P SUBDIVISION, RUNNING THENCE NORTH 88D30' WEST 185.86 FEET, THENCE NORTH 1D30' EAST 4.52 CHAINS, THENCE SOUTH 88D30' EAST 185.86 FEET TO THE NORTHWEST CORNER OF E P SUBVISION, THENCE SOUTH 01D30'00" WEST 293.93 FEET TO BEGINNING.

[NOTE: BECAUSE THE DESCRIPTION OF RECORD DID NOT CONTAIN AN AREA FOR THIS PARCEL THE AREA FOR THIS PARCEL WAS CALCULATED BY THIS OFFICE FOR TAX PURPOSES.]

## Summary by Year

Parcel Number: 22-051-0082

Year	Taxable Value	Charged	End Year Balance	Delinquent*
2016	0	0.00	0.00	
2015	1,335,066	17,170.90	17,170.90	17,170.90
2014	1,280,639	16,853.43	13,543.43	3,994.86
2013	1,006,547	48,164.10	41,774.02	28,939.20

\* Delinquent Amounts DO NOT Include Interest



S.W. 1/4  
SECTION 35, T.7N., R.1E., S.L.B & M.

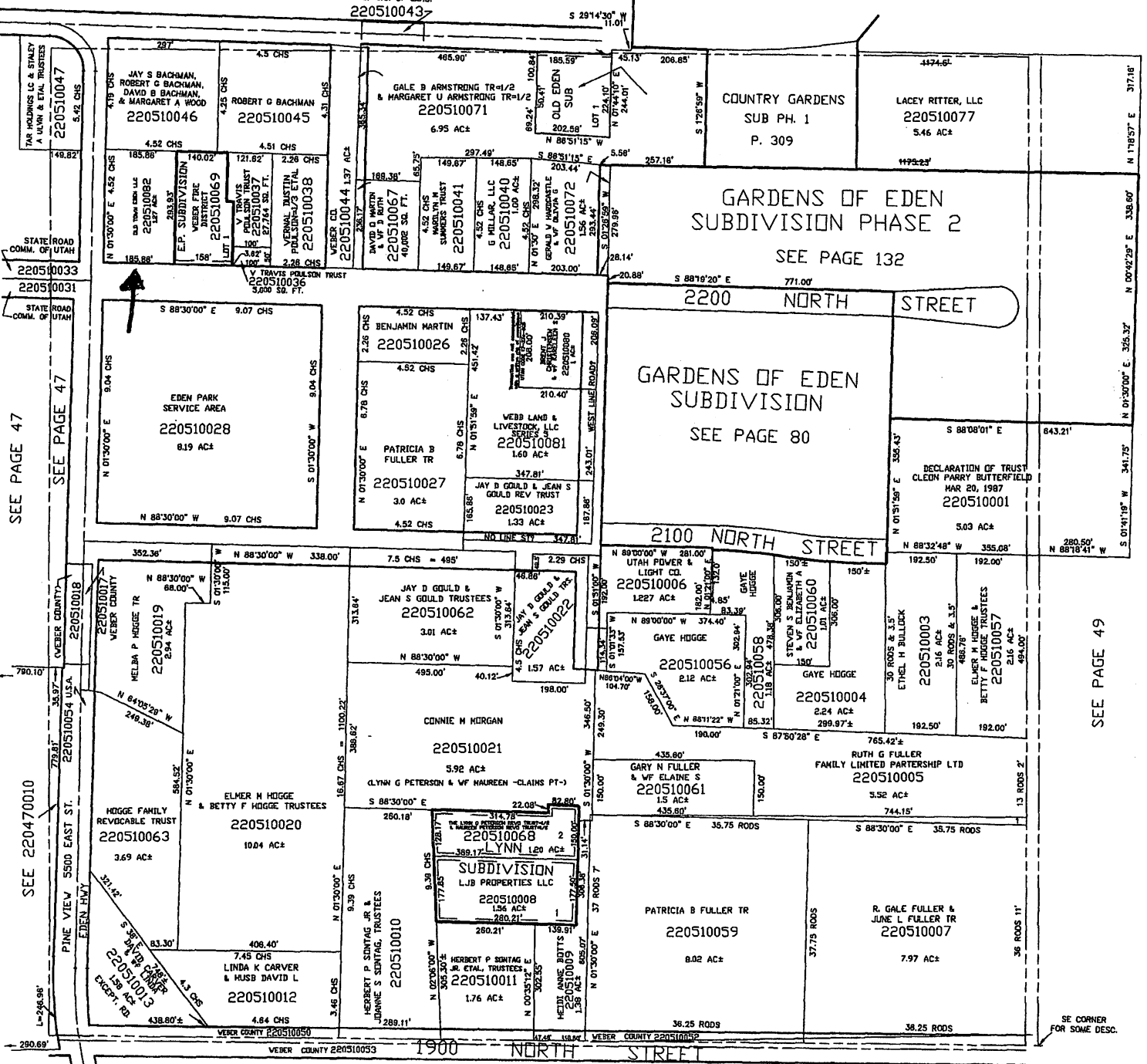
EDEN DISTRICT

TAXING UNIT: 317

SCALE 1" = 200'

SEE PAGE 50

EDEN CORP OF THE  
CH. OF J.C. OF L.D.S.  
220510043



SEE PAGE 47

SEE 220470010

SEE PAGE 49