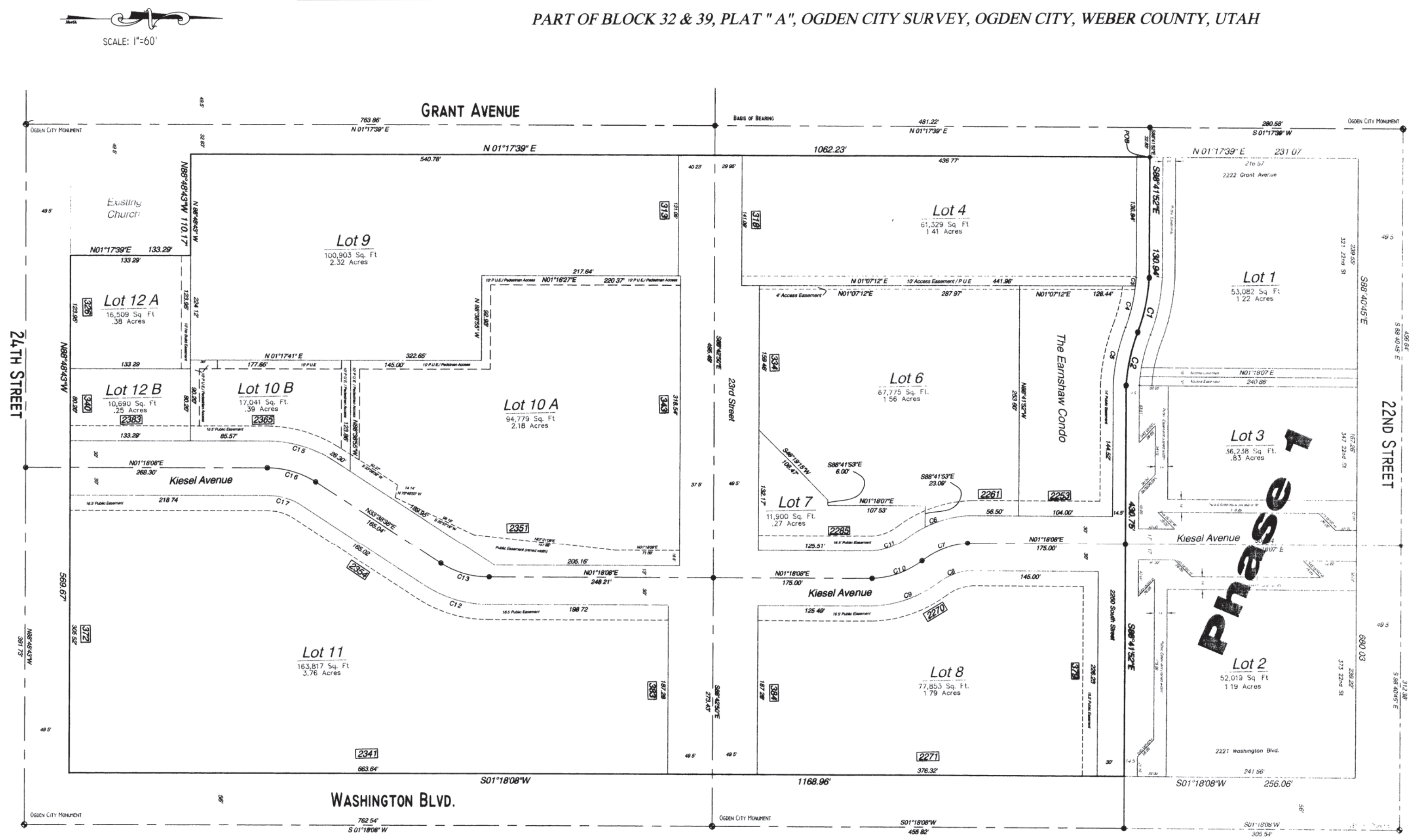
64-78

OGDEN CITY ENTERTAINMENT SUBDIVISION - PHASE 2 (AMENDED)

PART OF BLOCK 32 & 39, PLAT "A", OGDEN CITY SURVEY, OGDEN CITY, WEBER COUNTY, UTAH



SURVEYOR'S CERTIFICATE

I, STEVE A. PORTER, A REGISTERED LAND SURVEYOR IN THE STATE OF UTAH, HOLDING A LICENSE IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT; DO HEREBY CERTIFY THAT THIS PLAT OF OGDEN CITY ENTERTAINMENT SUBDIVISION – PHASE 2 (AMENDED), WHICH IS IN WEBER COUNTY, UTAH, HAS BEEN SURVEYED AND DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-23-17. ALL MEASUREMENTS HAVE BEEN VERIFIED AND CORRECTLY DRAWN TO SCALE, AND MONUMENTS HAVE BEEN PLACED AS REPRESENTED ON THE PLAT FROM A SURVEY MADE ON THE GROUND, AND IS A TRUE AND CORRECT REPRESENTATION OF THE FOLLOWING DESCRIPTION OF LANDS INCLUDED IN SAID SUBDIVISION, BASED ON DATA COMPLIED FROM RECORDS IN THE WEBER COUNTY RECORDERS OFFICE AND OGDEN CITY ENGINEERS OFFICE.

SIGNED THIS 29 DAY OF September 2006

P.L.S. # 376071 Steve Porter
SIGNATURE

PROFESSIONAL LAND SURVEYOR
STEVEN ALLEN PORTER
No. 376071
LICENSED
STATE OF UTAH

OWNER'S DEDICATION

WE, THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THE PLAT AND NAME SAID TRACT "OGDEN CITY ENTERTAINMENT SUBDIVISION – PHASE 2 (AMENDED)" AND DO HEREBY DEDICATE, GRANT AND CONVEY TO OGDEN CITY, UTAH, ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER; AND ALSO DEDICATE, GRANT AND CONVEY TO OGDEN CITY THOSE CERTAIN STRIPS DESIGNATED HEREON AS PUBLIC EASEMENT, THE SAME TO BE USED AS PERMANENT EXCLUSIVE EASEMENT AS MORE PARTICULARLY DESCRIBED HEREON; AND ALSO DEDICATE, GRANT AND CONVEY TO OGDEN CITY THOSE CERTAIN STRIPS DESIGNATED AS PUBLIC UTILITY EASEMENT (P.U.E.), THE SAME TO BE USED FOR THE SUBSURFACE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES AND FACILITIES AS MAY BE AUTHORIZED BY OGDEN CITY, WITH LIMITED RIGHTS TO AUTHORIZE THE INSTALLATION, MAINTENANCE AND OPERATION OF ABOVE GROUND UTILITY FACILITIES THAT ARE INCIDENTAL AND NECESSARY TO THE OPERATION OF SUBSURFACE UTILITY LINES AND WILL NOT INTERFERE WITH ACCESS OVER OR ABOVE SUCH EASEMENT AREA; AND ALSO DEDICATE, GRANT AND CONVEY TO OGDEN CITY THOSE CERTAIN STRIPS DESIGNATED AS PEDESTRIAN ACCESS EASEMENT THE SAME TO BE USED AS A PERMANENT, NON-EXCLUSIVE EASEMENT FOR PEDESTRIAN INGRESS TO AND EGRESS FROM THE PARKING FACILITIES CONSTRUCTED ON LOT 9.

OGDEN CITY REDEVELOPMENT AGENCY, a body politic and political subdivision of the State of Utah, formerly known as the Ogden Neighborhood Development Agency

By: [signature]
Matthew R. Godfrey, Executive Director

ATTEST: Cindi Mansell
City Recorder

APPROVED AS TO FORM.
[signature]
Attorney

DE Ogden Development, LLC, a Utah limited liability company

By: David G. Earnshaw
Name/Title David G. Earnshaw Manager

ACKNOWLEDGMENT

STATE OF UTAH)
. ss
COUNTY OF WEBER)

On this 16th day of October, 2006, personally appeared before me, Matthew R. Godfrey and Cindy Mansell, whose identity is personally known to me (or proved to me on the basis of satisfactory evidence) and who by me duly sworn (or affirmed), did say that they are, respectively, the Executive Director and the Ogden City Recorder as secretary of Ogden City Redevelopment Agency, formerly known as, the Ogden City Neighborhood Development Agency, a public body, corporate and politic, of the State of Utah, and that the foregoing document was signed by them on behalf of said Ogden City Redevelopment Agency and they acknowledged to me that said Ogden City Redevelopment Agency executed the same.

Michelle Scrip
NOTARY PUBLIC

MICHELLE SCRIP
NOTARY PUBLIC - STATE OF UTAH
2549 WASHINGTON BLVD SUITE 310
OGDEN, UT 84401
COMM. EXP. 09-09-2010

STATE OF Utah)
COUNTY OF Weber)

On this 4th day of October, 2006, personally appeared before me, David G. Earnshaw, who being by me duly sworn did say that he/she is the Manager of DE Ogden Development, LLC, a Utah limited liability company and that the foregoing instrument was signed in behalf of said entity, and he/she acknowledged to me that said entity executed the same.

Lee Ann Peterson
NOTARY PUBLIC

LEE ANN PETERSON
NOTARY PUBLIC - STATE OF UTAH
2549 WASHINGTON BLVD, STE 210
OGDEN, UT 84401
COMM. EXP. 07-05-2009

BOUNDARY DESCRIPTION

Part of Blocks 32 and 39, Plat "A", Ogden City Survey, Ogden City, Weber County, Utah and that portion of Grant Avenue that was vacated by ordinance #52-78. More particularly described:

Beginning at a point on the east right of way line of vacated Grant Avenue, said point is South 01°17'39" West 280.58 feet and South 88°41'52" East 32.83 feet from the monumented intersection of 22nd Street and Grant Avenue;

THENCE South 88°41'52" East 130.94 feet to a point of curve to the right which has a radius of 200 feet and an arc length of 60.72 feet (chord bearing is South 76°40'08" East 60.48 feet)
thence to a point of reverse curve to the left, which has a radius of 200 feet and an arc length of 60.72 feet (chord bearing of South 76°40'08" East 60.48 feet), thence South 88°41'52" East 430.75 feet to the west right of way line of Washington Blvd., thence South 01°18'08" West 1168.96 feet along the west right of way line of Washington Blvd. to the north right of way line of 24th Street, thence North 88°48'43" West 569.67 feet along the north right of way line of 24th Street, thence North 01°17'39" East 133.29 feet, thence North 88°48'43" West 110.17 feet to the east right of way line of vacated Grant Avenue, thence North 01°17'39" East 1062.23 feet along said east right of way line to the point of beginning.

Contains: 785,331 sq.ft. / 18.03 Acres

NARRATIVE

This survey and amended plat was done at the request of Business & Economic Development so that these two blocks of downtown could be redeveloped as a multiple uses area

Basis of Bearing is between the Ogden City Monument at 22nd & Grant and 24th & Grant, which is (NAD 83 State Plane bearing) S1°17'39"W 1525.67 feet.

⊕ = Exisitng Ogden City Monuments

◉ = New monuments to be set

NOTES:

1. The public easements designated hereon are dedicated for the following purposes:

a. Public utility easements to be used for the installation, maintenance and operation of public utility service lines and facilities, as may be authorized by Ogden City.
b. Pedestrian access for the benefit of the general public, subject to reasonable time, place and manner regulation by Ogden City.
c. Installation and maintenance of street trees, streetlights, street signs, and traffic control signs and devices as authorized or required by Ogden City.
d. The free and uninterrupted enjoyment and public use of light, view and air, over, across and through the public easement, except as otherwise authorized by ordinance of Ogden City.

2. Sidewalks, street trees and streetlights within the public easement are to be constructed by either the Ogden City Redevelopment Agency or the property owner in conjunction with the development of the adjacent lots

3. The access easement depicted on Lots 4, 5 and 6 is established by separate declaration of owner recorded concurrently herewith.

4. Dashed lines are used to depict all easements, including public easements, public utility easements (P.U.E.), pedestrian access easements and access easements. Public easements are typically 16.5 in width unless otherwise noted. Other easements are 10 feet in width unless otherwise noted.

5. The 10' no-build easement depicted on Lot 12A is required in order to meet building code requirements relative to the existing parking structure located on Lot 9.

6. A portion of Kiesel Avenue described hereon as "Vacated Portion of Kiesel" is hereby vacated and made a part of Lot 10A by the recording of this plat and Ogden City hereby relinquishes and quitclaims all of its right, title and interest in said vacated portion to the owner of Lot 10A. This plat also depicts and incorporates the vacation of a portion of 23rd Street west of Kiesel Avenue, as previously approved by Resolution 2006-15 of the Ogden City Council

Legal Description for Kiesel Vacation

A portion of Kiesel Avenue, as recorded on the subdivision plat; Ogden City Entertainment Subdivision, phase 2, Ogden City, Weber County, Utah. The basis of bearing is between the centerline intersection of 23rd Street and Kiesel Avenue and the centerline intersection of 23rd Street and Grant Avenue, which is North 88°42'50" West 495.49 feet, more particularly described:

Beginning at a point, which is North 88°42'50" West 30.00 feet and South 01°18'08" West 37.50 feet from the centerline intersection of 23rd Street and Kiesel Avenue,

THENCE South 88°42'50" East 17.00 feet,
thence South 01°18'08" West 205.16 feet,
thence South 33°38'38" West 51.07 feet to the point of curve,
thence along a 70.00 foot curve to the left, having an arc length of 39.51 feet (chord bearing of North 16°39'05" East 38.99 feet),
thence North 01°18'08" East 210.70 feet to the point of beginning.

Contains: 3,754 sq.ft.

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD	CHORD DIR
C1	60.72	200.00	60.48	S76°40'08"E
C2	60.72	200.00	60.48	S76°40'08"E
C3	12.89	185.50	12.89	S83°05'17"E
C4	42.58	185.50	42.49	S74°31'14"E
C5	65.96	214.50	65.70	S76°48'04"E
C6	73.80	130.00	72.81	S19°03'51"E
C7	54.75	100.00	54.07	S19°48'31"E
C8	35.73	70.00	35.34	S21°20'33"E

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD	CHORD DIR
C9	78.71	130.00	77.52	N17°46'37"W
C10	59.64	100.00	58.76	N18°03'09"W
C11	40.57	70.00	40.01	N18°34'58"W
C12	73.24	130.00	72.27	N16°59'55"E
C13	56.45	100.00	55 70	N16°53'52"E
C15	73.24	130.00	72.27	S17°00'38"W
C16	56.45	100.00	55.70	S16°53'52"W
C17	39.68	70.00	39.15	S16°43'17"W

OGDEN CITY COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

I HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH THE MINIMUM REQUIREMENTS OF THE SUBDIVISION ORDINANCE OF OGDEN CITY, AND CONFORMS WITH THE APPROVED PRELIMINARY PLAT, AS REVIEWED AND APPROVED BY THE OGDEN CITY PLANNING COMMISSION AND THE MAYOR OF OGDEN CITY, PREREQUISITE TO FINAL PLAT APPROVAL BY THE MAYOR OF OGDEN CITY.

SIGNED THIS 4 DAY OF October 2006

[signature]
MANAGER, PLANNING DIVISION

OGDEN CITY ENGINEER

I HEREBY CERTIFY THAT I CAREFULLY INVESTIGATED THE LINES OF SURVEY OF THE FOREGOING PLAT AND LEGAL DESCRIPTION OF THE LANDS EMBRACED THEREIN, AND FIND THEM TO BE CORRECT AND TO AGREE WITH THE TIES AND MONUMENTS ON RECORD IN THIS OFFICE.

SIGNED THIS 9th DAY OF October 2006

Lorin Gardner
OGDEN CITY ENGINEER

CITY ATTORNEY'S OFFICE

APPROVED BY THE CITY ATTORNEY'S OFFICE THIS 9th DAY OF October 2006.

[signature]
CITY ATTORNEY

OGDEN CITY APPROVAL

THIS PLAT, THE PARTIAL STREET VACATIONS AND THE DEDICATIONS OFFERED HEREIN, ARE APPROVED AND ACCEPTED BY THE MAYOR OF OGDEN CITY THIS 16th DAY OF October, 2006.

[signature]
MATTHEW R. GODFREY, MAYOR

ATTEST: Cindi Mansell
CITY RECORDER

CORPORATE SEAL

OGDEN UTAH
it's all within reach SM

OGDEN CITY ENGINEERING
2549 WASHINGTON BLVD, SUITE 610
OGDEN, UT 84401

COUNTY RECORDER

ENTRY NO 2215219 FEE PAID
Ø FILED FOR RECORD
AND RECORDED 16-OCT-2006
AT 12:31 PM IN BOOK 64
OF OFFICIAL RECORDS, PAGE 78
FOR OGDEN CITY

Doug Crofts
COUNTY RECORDER

BY. Jeanne Smith
DEPUTY

64-78

This plat is made solely for the purpose of assisting in locating the property and Cottonwood Title Insurance Agency, Inc. assumes no liability for variation, if any, with actual survey.