

PROPERTY SURVEY

FOR

GRASS VALLEY HOLDINGS, L.P. A LIMITED PARTNERSHIP

LOCATED IN THE SOUTHEAST QUARTER
OF THE NORTHWEST QUARTER OF
SECTION 31, TOWNSHIP 2 SOUTH,
RANGE 1 WEST,
UINTAH SPECIAL MERIDIAN

LEGAL DESCRIPTIONS:

Parcel #2 (West parcel)
Beginning at a point 265 feet South of the NE corner of the SE 1/4 NW 1/4 of Section 31, T2S, R1W, USM, and 664.4 feet Southwest along hiway (highway) 40, thence SW along hiway (highway) 40 (forty), 263 feet to Dry Gulch, thence Southeast along Dry Gulch to a point 279.6 feet South of hiway (highway) 40, thence North 279.6 feet to point of beginning. Containing one acre or less. (As recited in that original Warranty Deed recorded in Book A-24, Page 285, first on November 10, 1972, then re-recorded with corrections in Book A-25, Page 510 on January 10, 1973).

Parcel #5 (East Parcel)
Beginning at a point in Section 31, T2S, R1W, U.S.B.&M. North parallel to the North - South 1/4 Section line said Section 804.90' and West parallel to the East - West 1/4 Section line said Section 385.04' from the Center of said Section, said Beginning point also lies on the Southerly Right-of-Way line U.S. Highway 40; thence S 77°43'10" W along said Highway Right-of-way 208.00'; thence South parallel to the said North - South 1/4 Section line 287.30' to the North Bank of Dry Gulch Creek; thence Easterly along the said North Bank Dry Gulch to a point which lies South parallel to the said North - South 1/4 Section line 398.39' more or less from the said point of beginning; thence North parallel to the said North - South 1/4 Section line 398.39' to point of beginning. Basis for Bearings is the assumption that the said North - South 1/4 Section line bears North. Contain 1.38 acres more or less. (As recited in that original Warranty Deed recorded in Book A-36, Page 450, on August 6, 1974).

SURVEYOR'S NARRATIVE

I was contacted by Mike Carson of Grass Valley Holdings, L.P. a Limited Partnership, to perform a survey to mark the boundaries and to map the topography of the property shown heron.

The records show that the land description for the Westerly parcel in the current deed to Grass Valley Holdings has one variation in it from the original description. The current deed shows a tie distance along highway 40 of 644.4 feet, whereas the original shows a tie distance of 664.4 feet. There are no correction deeds on record to support this change. According to the chain of title the change occurred somewhere between the years 1984 and 1986, and appears to be a typo perpetuated in the record from that point to the present. Pulling the tie distance back 20 feet towards the Northeast along highway 40 would cause an overlap onto the parcel directly to the East (parcel #5).

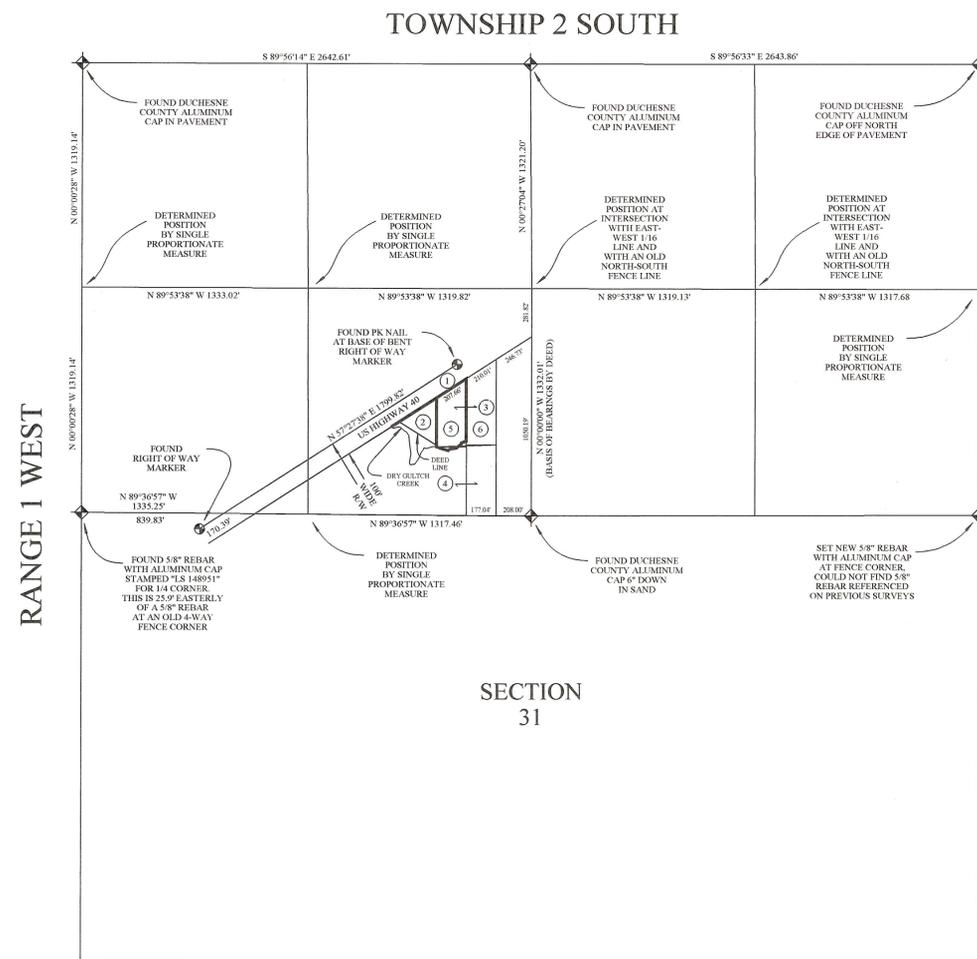
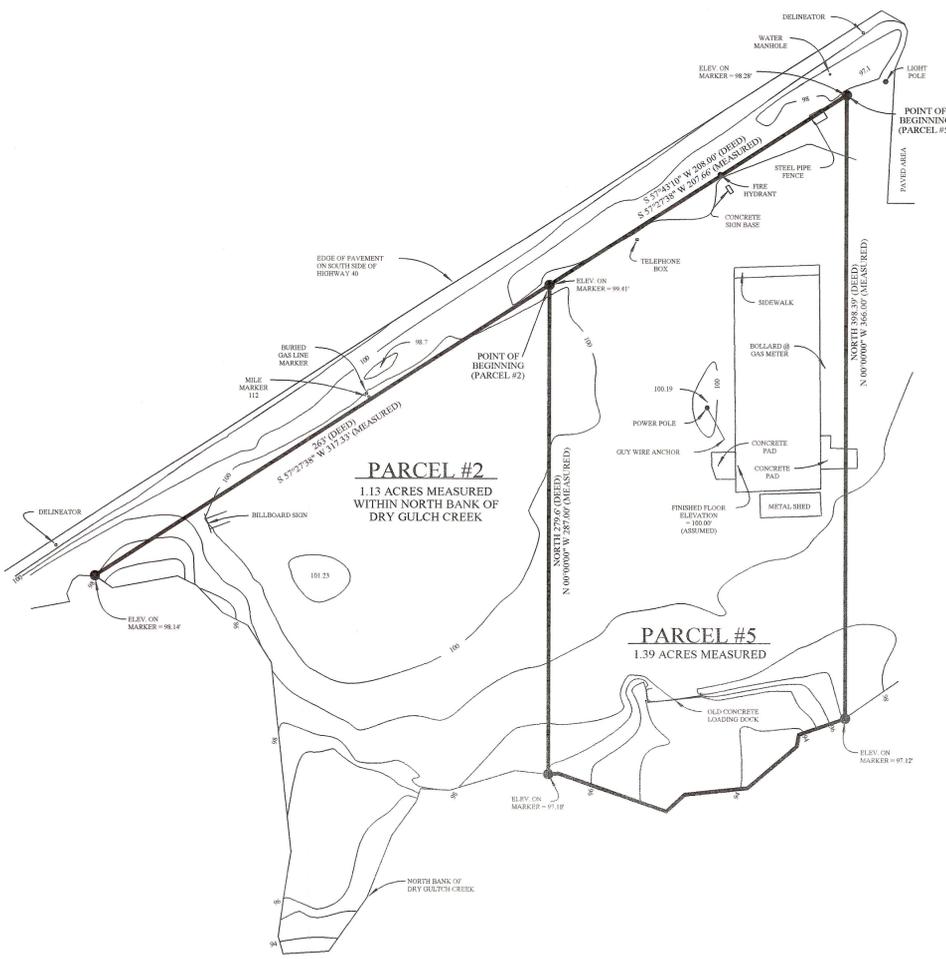
Research also revealed that the subject and adjoining properties are all the product of sequential conveyancing using metes and bounds type descriptions. With this in mind, after measuring and determining the Section and its subdivision lines, each deed was plotted in its order of conveyance, or creation from there respective tie points to the Section subdivision. The rules of construction were applied giving weight to the respective title elements called for in each deed, according to the common rules for the order of importance of conflicting title elements. For parcels 3, 5, & 6, I held the East - West tie distances given in those deeds to the North - South 1/4 Section. Since highway 40 was found to be in a slightly different location, according to this survey, than the deeded North - South distances, I therefore ran the North - South lines terminating them on the South Right-of-Way line, since in each case that line was called for. Also where applicable, the lines were run and marked on the North bank of Dry Gulch Creek, which also yielded distances in variance against those of deed, where the North bank was called for.

All deeds called for the North bank of Dry Gulch Creek, except for parcel #2 which says "... along hi-way (highway) 40 (forty) 263 feet to Dry Gulch, thence Southeast along Dry Gulch to ...". A rule of construction says that if a monument is called for that it is to the center of the monument, unless specified otherwise. Since parcel #2 (on the North side of the creek) is senior to parcel #4 (on the South side of the creek), the boundary would be held to the centerline, or thread of the creek. In this survey, I however, placed markers on the North bank of the creek for practical reasons of longevity for the marker. Also the North bank only is outlined on this plat because of the difficulty in mapping the actual center of the creek, which was in excess of 15' deep and brushy.

The Basis of Bearings for this survey is along the North - South quarter Section line as shown on this plat, to harmonize with the Basis of Bearings of each deed.

SURVEYOR'S CERTIFICATE

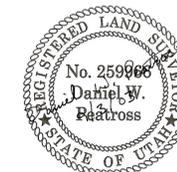
I, Daniel W. Peatross, do hereby certify that I am a Registered Land Surveyor, and that I hold certificate No. 259966, as prescribed by the laws of the State of Utah. I further certify that I have made a survey of the tract of land as shown on this plat, and that the same is correct and true to the best of my knowledge and belief.



THE CIRCLED NUMBERS ABOVE REPRESENT THE SUBJECT AND ADJOINING PARCELS IN THEIR SEQUENCE OF CONVEYANCE, OR SEQUENCE OF CREATION, OUT OF A COMMON SOURCE PARCEL.

- ① US HIGHWAY 40 OBTAINED BY JUDGEMENT AND DECREE ON JUNE 22, 1926, RECORDED IN BOOK 11 OF DEEDS, PAGES 41-42 ON FEBRUARY 13, 1929, CENTERLINE TYPE DESCRIPTION.
- ② PROPERTY OF GRASS VALLEY HOLDINGS, L.P. A LIMITED PARTNERSHIP, SECOND SENIOR POSITION, ORIGINALLY SOLD BY WARRANTY DEED, RECORDED ON NOVEMBER 10, 1972 IN BOOK A-24, PAGE 285, METES AND BOUNDS TYPE DESCRIPTION.
- ③ PROPERTY OF GRASS VALLEY HOLDINGS, L.P. A LIMITED PARTNERSHIP (WEST PART), AND LEON SPOUSE (EAST PART), THIRD SENIOR POSITION, ORIGINALLY SOLD BY WARRANTY DEED, RECORDED ON NOVEMBER 10, 1972 IN BOOK A-24, PAGE 286, METES AND BOUNDS TYPE DESCRIPTION.
- ④ PROPERTY OF WADE AND ELLEN GAIL BOWTHORPE, FORTH SENIOR POSITION, ORIGINALLY SOLD BY WARRANTY DEED, RECORDED ON DECEMBER 6, 1973 IN BOOK A-31, PAGE 798, METES AND BOUNDS TYPE DESCRIPTION.
- ⑤ PROPERTY OF GRASS VALLEY HOLDINGS, L.P. A LIMITED PARTNERSHIP (WEST PART OF THIRD PARCEL), FIFTH SENIOR POSITION, ORIGINALLY SOLD BY WARRANTY DEED, RECORDED ON AUGUST 6, 1974 IN BOOK A-36, PAGE 450, METES AND BOUNDS TYPE DESCRIPTION.
- ⑥ PROPERTY OF LEON SPOUSE (EAST PART OF THIRD PARCEL), SIXTH SENIOR POSITION, CREATED WHEN THE FIFTH PARCEL WAS SOLD LEAVING THIS AS A REMAINDER, METES AND BOUNDS TYPE DESCRIPTION.

- ⊕ = RIGHT-OF-WAY MARKERS LOCATED
- ⊕ = SECTION CORNERS LOCATED
- = SET 5/8" REBAR WITH ALUMINUM CAP



County Surveyor's File # 1319

REGISTERED SURVEYORS CORP.		
61 EAST 300 NORTH, P.O. BOX 564, DUCHESNE, UTAH 84021 (435) 738-2718		
DATE RESEARCHED: APRIL, 2003	RESEARCHED BY: D. PEATROSS	PROJECT No.: 03010
DATE SURVEYED: APRIL 16, 17, 21, 2003	SURVEYED BY: D. PEATROSS	
BRUCE PEATROSS TECHNICAL DRAFTING SERVICES P.O. BOX 633, DUCHESNE, UTAH 84021 (435) 738-2089		
DATE DRAFTED: APRIL - JULY, 2003	DRAFTED BY: D. PEATROSS, B. PEATROSS	DATE PLOTTED: Tuesday 9/2/3
SHEET: 1 OF 1	FILE NAME: HARWARD	