

LEGAL DESCRIPTION

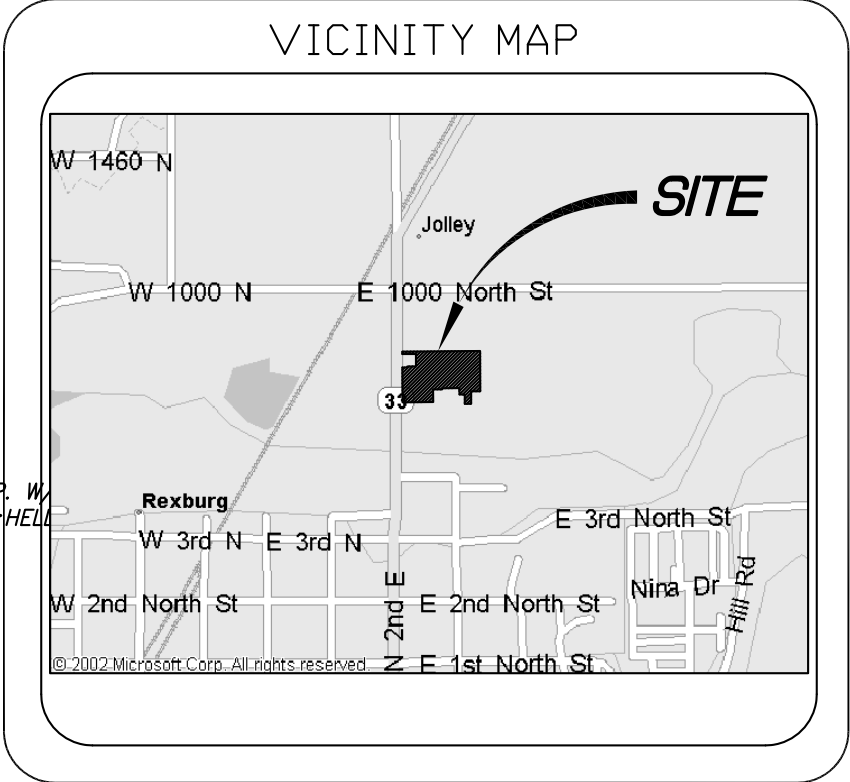
A PART OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 6 NORTH, RANGE 40 EAST, BOISE BASE AND MERIDIAN, MADISON COUNTY, IDAHO, BEGINNING AT A POINT ON THE EAST LINE OF A HIGHWAY WHICH IS SOUTH 0°14'15" EAST 794.00 FEET ALONG THE SECTION LINE AND NORTH 89°31'43" EAST 50.00 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 20 AND RUNNING THENCE NORTH 89°31'43" EAST 940.00 FEET; THENCE SOUTH 0°14'15" EAST 487.00 FEET; THENCE SOUTH 89°31'43" WEST 110.00 FEET; THENCE SOUTH 150.01 FEET; THENCE SOUTH 89°31'43" WEST 78.00 FEET; THENCE NORTH 113.00 FEET; THENCE SOUTH 89°31'43" WEST 64.53 FEET; THENCE NORTH 0°28'17" WEST 77.00 FEET; THENCE SOUTH 89°31'43" WEST 206.00 FEET; THENCE SOUTH 0°28'17" EAST 12.50 FEET; THENCE SOUTH 89°31'43" WEST 111.75 FEET; THENCE SOUTH 0°28'17" EAST 152.50 FEET; THENCE SOUTH 89°31'43" WEST 369.92 FEET TO SAID EAST LINE; THENCE NORTH 0°14'15" WEST 420.00 FEET ALONG SAID EAST LINE; THENCE NORTH 89°45'45" EAST 58.00 FEET; THENCE NORTH 0°14'15" WEST 12.60 FEET; THENCE NORTH 89°45'45" EAST 107.00 FEET; THENCE NORTH 0°14'15" WEST 150.00 FEET; THENCE SOUTH 89°31'43" WEST 165.00 FEET TO SAID EAST LINE; THENCE NORTH 0°14'15" WEST 30.00 FEET TO THE POINT OF BEGINNING.

BEING THE SAME TRACT OF LAND DESCRIBED IN A TITLE REPORT PREPARED BY STEWART TITLE GUARANTY COMPANY ORDER NO. 19034AM, EFFECTIVE DATE OF AUGUST 26, 2014 AT 7:30 A.M.

- ### SCHEDULE B - TITLE EXCEPTION NOTES
- THIS SURVEY IS BASED ON A TITLE REPORT PREPARED BY STEWART TITLE GUARANTY COMPANY, ORDER NO. 19034AM, DATED AUGUST 26, 2014 AT 7:30 A.M.
- ITEMS NOT LISTED BELOW ARE STANDARD TITLE EXCEPTIONS AND/OR ARE NOT MATTERS OR ISSUES THAT PERTAIN TO THIS SURVEY.
- AN EASEMENT FOR ELECTRIC PURPOSES RECORDED AUGUST 25, 1937 IN BOOK 139, PAGE 31. SAID ITEM AFFECTS THE SUBJECT PROPERTY AND IS SHOWN HEREON.
 - THE EFFECTS OF AND CONDITIONS IN THAT DEED RECORDED OCT. 4, 1978 AS INST. NO. 175136 AND 175137. SAID ITEM AFFECTS THE SUBJECT PROPERTY RESTRICTING CERTAIN IMPROVEMENTS WITHIN 20' OF THE STATE HIGHWAY AND IS SHOWN HEREON.
 - THE TERMS AND PROVISIONS OF A DOCUMENT ENTITLED EASEMENTS WITH COVENANTS AND RESTRICTIONS RECORDED OCTOBER 2, 1991 AS INSTRUMENT NO. 239456; AMENDED AS RECORDED MARCH 27, 1992 AS INSTRUMENT NO. 241589. SAID ITEM IS BLANKET IN NATURE AFFECTING/BENEFITTING THE SUBJECT PROPERTY, AMONG OTHER THINGS, SAID ITEM NOTES BLANKET EASEMENTS FOR COMMON AREA USE, UTILITIES, WATER FLOW, AND A 2' BUILDING WALL/FOOTING ENCROACHMENT EASEMENT.
 - FIRST AMENDMENT RECORDED AUG. 4, 2006 AS INST. NO. 330104; RE-RECORDED AUG. 14, 2006 AS INST. NO. 330351. SAID ITEM IS BLANKET IN NATURE AFFECTING THE SUBJECT PROPERTY AND IS THEREFORE NOT SHOWN HEREON.
 - THE TERMS AND PROVISIONS ENTITLED DEVELOPMENT AGREEMENT RECORDED MARCH 27, 1992 AS INST. NO. 241590. SAID ITEM IS BLANKET IN NATURE AFFECTING THE SUBJECT PROPERTY AND IS THEREFORE NOT SHOWN HEREON.
 - DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS RECORDED MARCH 27, 1992 AS INSTRUMENT NO. 241592. SAID ITEM BENEFITS THE SUBJECT PROPERTY AND DESCRIBES AN EASEMENT LOCATION NEAR THE SOUTH END OF THE SHOPPING CENTER. SAID ITEM LIES OUTSIDE OF THE SURVEY AREA AND IS THEREFORE NOT SHOWN HEREON.
 - EASEMENT RECORDED NOVEMBER 18, 1992 AS INSTRUMENT NO. 244498. SAID ITEM AFFECTS THE SUBJECT PROPERTY AND IS SHOWN HEREON.
 - EASEMENT RECORDED SEPTEMBER 21, 1993 AS INSTRUMENT NO. 248561. SAID ITEM AFFECTS THE SUBJECT PROPERTY AND NOTES AN EASEMENT FOR A POWER POLE AT A LOCATION ON THE SUBJECT PROPERTY. THE NEAREST POWER POLES TO THIS LOCATION ARE 200'± AWAY. SHOWN HEREON IS THE LOCATION OF SAID EASEMENT.
 - LIENS AND ASSESSMENTS PER ORDINANCE NO. 844, LID NO. 31, RECORDED FEBRUARY 13, 2001 AS INST. NO. 287578. SAID ITEM IS BLANKET IN NATURE AFFECTING THE SUBJECT PROPERTY AND IS THEREFORE NOT SHOWN HEREON.

LEGEND

(C)	CALCULATED	P.O.B.	POINT OF BEGINNING	[Symbol]	BLOCK/CONCRETE WALL
C.L.	CENTER LINE	P.P.	POWER POLE	[Symbol]	CONCRETE
C.L.F.	CHAIN LINK FENCE	P.S.	PARKING SPACE	[Symbol]	ASPHALTIC CONCRETE
C.R.	CAST RETURN	S.M.H.	SEWER MANHOLE	[Symbol]	BUILDING LINE
(D)	DEED COURSE	SN	SIGN	[Symbol]	HANDICAP PARKING
D.I.	DRAIN INLET	T.E.	TRASH ENCLOSURE	[Symbol]	CHAIN LINK FENCE
D.S.	DOWN SPOUT	T.PED.	TELEPHONE PEDESTAL	[Symbol]	LIGHT POLE
E.B.	ELECTRIC BOX	T.S.P.	TRAFFIC SIGNAL POLE	[Symbol]	FLYPK NAIL UNLESS OTHERWISE NOTED
E.M.	ELECTRIC METER	(TYP)	TYPICAL		
F.H.	FIRE HYDRANT	W.M.	WATER METER		
G.M.	GAS METER	W.M.H.	WATER MANHOLE		
G.P.	GUARD POST	W.V.	WATER VALVE		
H.B.	HOSE BIB				
I.V.	IRRIGATION VALVE				
MON.SN.	MONUMENT SIGN				
P.A.	PLANTER AREA				
P.L.	PROPERTY LINE				



FLOOD ZONE NOTE

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES ENTIRELY WITHIN ZONE "AE" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 16065C0020D WHICH BEARS AN EFFECTIVE DATE OF JUNE 3, 1991 AND IS IN A SPECIAL FLOOD HAZARD AREA. BY TELEPHONE CALL TO THE NATIONAL FLOOD INSURANCE PROGRAM (800-638-6620) WE HAVE LEARNED THIS COMMUNITY DOES CURRENTLY PARTICIPATE IN THE PROGRAM. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE AND AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

ZONING NOTES

ZONED: "CBC" - COMMUNITY BUSINESS CENTER
 PERMITTED USE CLASSIFICATION: RETAIL TRADE - GENERAL MERCHANDISE
 OBSERVED USE(S): RETAIL
 EXISTING SITE CONDITIONS APPEAR (FROM OUTSIDE OBSERVATIONS) TO FALL WITHIN PERMITTED USES AS LISTED ABOVE IN THE CITY OF REXBURG ZONING REGULATIONS SECTION 3.18.020

ZONING REGULATIONS ARE SUBJECT TO CHANGE AND INTERPRETATION; FOR FURTHER INFORMATION CONTACT: rexburg.org
 CONTACT'S NAME: THE CITY OF REXBURG

POTENTIAL ENCROACHMENT NOTES

[A] PUBLIC IMPROVEMENTS (SIDEWALK, UTILITIES, WALLS, ETC.) ENCR OACH UP TO 22' FEET IN TO THE SUBJECT PROPERTY.
 [B] FENCE ENCR OACHES UP TO 1.7' IN TO THE NEIGHBORING PROPERTY.

Survey Prepared By: **TERRAMARK**
 PARK WASHINGTON BUILDING
 519 SW PARK AVE., STE. 208, PORTLAND, OR 97205
 PH: 503/960-2255

Surveyor's Drawing No: 20142450
 Surveyor's Site Ref: _____
 Checked by: M.H. Drawn by: K.M.

SCALE 1" = 50'

- ### GENERAL NOTES
- THE BEARINGS SHOWN HEREON ARE BASED ON THE WESTERLY LINE OF THE NW QUARTER OF SECTION 20, T.6N., R.40E., B.B.&M. PER PROPERTY SURVEY FILED UNDER INSTRUMENT NO. 239361 IN THE OFFICE OF THE MADISON COUNTY RECORDER, STATE OF IDAHO, BEING NORTH 00°14'15" WEST.
 - THIS PROPERTY HAS AN AREA OF 481,353 SQUARE FEET OR 11.05 ACRES OF LAND.
 - THIS PROPERTY IS DESIGNATED BY MADISON COUNTY AS TAX MAP PARCEL RPRXBCA0203469.
 - THERE WAS NO OBSERVABLE EVIDENCE OF CEMETERIES FOUND AT THE TIME OF THIS SURVEY.
 - THE PROPERTY HAS ACCESS VIA NORTH 2ND EAST STREET (HIGHWAY 33), WHICH IS A PUBLIC RIGHT OF WAY.
 - INTERIOR ROADWAYS APPEAR TO BE PRIVATE, VARIABLE IN WIDTH AND UNNAMED, UNLESS OTHERWISE SHOWN.
 - THE LOCATION OF UTILITIES SERVING THE SUBJECT PROPERTY CAN ONLY BE DETERMINED BY OBSERVED EVIDENCE TOGETHER WITH PLANS AND MARKINGS PROVIDED BY CLIENT, UTILITY COMPANIES, AND OTHER APPROPRIATE SOURCES. THE LOCATION OF UTILITIES EXISTING ON OR SERVING THE SURVEYED PROPERTY FOR THIS SURVEY WAS DETERMINED BY OBSERVATION OF ABOVE GROUND EVIDENCE.
 - THE BUILDING FOOTINGS WERE NOT EASILY ACCESSIBLE AND THEREFORE THE BUILDING LIMITS SHOWN HEREON, AND THE BUILDING SQUARE FOOT CALCULATIONS, WERE MEASURED ALONG THE BUILDING FASIA.
 - ITEM NUMBERS SHOWN HEREON ARE STATED AS MATTERS ON REFERENCED COMMITMENT. NO RESPONSIBILITY FOR THE COMPLETENESS, ACCURACY, OR CONTENT OF SAID REPORT IS ASSUMED BY THIS MAP.
 - THE SUBJECT PARCEL IS LANDSCAPED WITH TREES/SHRUBS. THIS SURVEY REFLECTS MEASUREMENTS OF HARDSCAPE ONLY AND THEREFORE LANDSCAPING, LANDSCAPE LIGHTING AND IRRIGATION SYSTEMS ARE NOT SHOWN HEREON.

ALTA/ACSM LAND TITLE SURVEY

WAL-MART STORE #1878
 530 NORTH 2ND EAST
 REXBURG, IDAHO

Surveyor's Certification

TO: WAL-MART REAL ESTATE BUSINESS TRUST, STEWART TITLE GUARANTY COMPANY, AND MKASSOCIATES, INC.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(B), 7(A), 7(B)(1), 7(C), 8, 9, 11(A), 13, AND 21 OF TABLE A THEREOF.

THE FIELD WORK WAS COMPLETED ON OCTOBER 23, 2014.
 DATE OF MAP: OCTOBER 31, 2014.

REGISTERED SURVEYOR: MICHAEL HOFFMANN
 REGISTRATION NUMBER: 11871
 IN THE STATE OF IDAHO

PROJECT NAME: WAL-MART STORE #1878 MKA PROJECT No.: 1045-14-3535
 ADDRESS: 530 N. 2ND. E. CITY: REXBURG STATE: IDAHO

PROFESSIONAL LAND SURVEYOR REGISTERED STATE OF IDAHO 11871 MICHAEL A. HOFFMANN

For Inquiries Concerning This Survey Contact MKA
 National Coordinators of Land Survey Services
 6593 Commerce Court - Warrenton, Virginia 20187
 Phone: (540)428-3550 Fax: (540)428-3560
 Email: comments@mkassociates.com
 www.mkassociates.com

MKA
 A National Land Services Group

SHEET 1 OF 1