E# 3287817 PG 1 OF 5

LEANN H KILTS, WEBER CTY. RECORDER 21-JUN-23 1140 AM FEE \$40.00 DC REC FOR: AMBIENCE CONSTRUCTION

When recorded return to:

5732 South 1475 East Suite 100 Ogden, Utah 84403



W3287817

AFFIDAVIT OF TITLE INSURANCE OFFICER

Comes now, Michael L. Hendry, a licensed Title Insurance Officer in the State of Utah. My license number is 34200. I state, stipulate, and warrant the following:

- 1. I am over the age of 18 years and am competent to testify in a court of law as to the matters stated herein, if called upon to do so.
- 2. I am employed by Old Republic National Title Insurance Company. A portion of my employment contract pertains to the search, the examination, the settlement, and the closing of real property transactions in the State of Utah.
- 3. Old Republic National Title Insurance Company, has issued a Commitment of Title Insurance, under its file number 2375439MLH, pertinent, to the sale and the purchase of real property, located in Weber County, State of Utah, which is more particularly described as:

See description of Subject Property on attached Exhibit "A" Weber County, State of Utah, Tax Parcel Number 11-044-0031

- 4. The settlement and closing of the above-described real property have been assigned to me, to conduct under authorities granted to me.
- 5. Concerns have been raised as to the nature of the improvements made to the Subject Property, ie, are the improvements made to the Subject Property considered Real Property.
- 6. My search and examination of the records of the Weber County Recorder of the State of Utah, confirm that the improvements made to the real property are being assessed and taxed as real property by the Weber County Assessor and Weber County Treasurer of the State of Utah.
- 7. I have inspected the Subject Property and I see no evidence that the improvements were a Manufactured Home. The improvements are affixed to a foundation which does not have an axle attached and I could see no evidence that a hitch had ever been attached to the improvements which allow the transport of the improvements. In my opinion the improvements made to the Subject Property are consistent with the construction of a Modular Home.
- 8. Attached hereto as Exhibit "B" is the affidavit of <u>Cameron Empey</u>, a <u>Registered Professional Engineer</u>, in the <u>State of Utah</u>, which is in support of the analysis made herein.

I state, stipulate, and warrant that to the best of my knowledge and understanding, the statements made herein are correct.

Michael Latendry-Licensed Escrow Officer and

Vice-President of Old Republic National Title

Insurance Company

Doto

State of Utah
County of Weber

On the ______ day of June 2023, Michael L. Hendry, in the capacity of a Licensed Escrow
Officer and as Vice President of Old Republic National Title Insurance Company, acknowledged to
me, a Notary Public, in the State of Utah, that he executed this document, in the capacities stated and
in accordance with the powers and authorities granted to him as a licensed escrow officer and as
granted to him in the capacity stated.

MEAGAN DAY
Notary Public STATE OF UTAH
COMMISSION NO. 726964
COMM. EXP. 10/10/2026

File No. 2375439MLH

EXHIBIT "A"

PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT IN THE CENTER OF COUNTY ROAD AT A POINT WHICH IS WEST 1320 FEET AND NORTH 326 FEET FROM THE SOUTHEAST CORNER OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 9, AND RUNNING THENCE NORTH 90 FEET ALONG THE CENTER OF SAID ROAD, THENCE EAST 131 FEET, THENCE SOUTH 90 FEET, THENCE WEST 131 FEET TO THE POINT OF BEGINNING. SUBJECT TO A RIGHT OF WAY FOR A ROAD ALONG THE WEST 33 FEET, MORE OR LESS, OF SAID PROPERTY.

EXHIBIT "B" AFFIDAVIT OF ENGINEER



June 9, 2023

Michael Hendry Old republic National Title 5732 S 1475 E Ste 100 Ogden, UT 84403

Re: 862 N Jackson Ave property observation

Mr. Hendry,

On Wednesday June 7, 2023, I visited the property at 862 N Jackson Ave in an effort to determine the method of construction of the structure.

Based on my observations, to the best of my knowledge, the method of construction appears to be consistent with the construction of a modular home.

Sincerely,

Cameron Empey PE

Associate

AVERON

6/9/2023