

When recorded return to:
John H. Jacobs, PC
John H. Jacobs, Attorney
75 North Center Street
American Fork, Utah

GRANTEE:
Capital Community Bank, Inc.
3280 North University Ave.
Provo, Utah 84604

ENTRY NO. 01136411

07/13/2020 10:56:18 AM B: 2582 P: 0848

Trustees Deed PAGE 1/4

RHONDA FRANCIS, SUMMIT COUNTY RECORDER

FEE 40.00 BY JACOBS JOHN H



TRUSTEE'S DEED

This *Trustee's Deed*, made and executed by John H. Jacobs, a member of the Utah State Bar, and in such capacity as Successor Trustee (hereinafter called "Trustee") under the hereinafter mentioned *Construction Deed of Trust*, and Capital Community Bank, Inc., (herein called "Grantee");

WHEREAS, Terracom Circle T Ranches, LLC as Trustor, (hereinafter called "Trustor") executed and delivered to the Trustee named in the hereinafter mentioned *Construction Deed of Trust*, for the benefit of the Beneficiary named therein, a certain *Construction Deed of Trust*, covering property described below, to secure the performance by said Trustor of its obligations under a certain Promissory Note, executed and delivered to said Beneficiary for a valid and sufficient consideration. Said *Construction Deed of Trust* was recorded in the Office of the County Recorder of Summit County, State of Utah, where the subject property is located, on June 26, 2018, as 01093955 in Book 2468, beginning at Page 0366; and

WHEREAS, a breach and default occurred under the terms of said *Promissory Note* and *Construction Deed of Trust* in the particulars set forth in the *Notice of Default* hereinafter referred to; and

WHEREAS, Trustee under said *Construction Deed of Trust*, executed and thereafter filed for record in the office of the County Recorder where the property is located, a *Notice of Default*, in accordance with the requirements of law, containing an election to sell the trust property, which *Notice of Default* was recorded February 18th, 2020, as 01127338 in Book 2555 beginning at Page 0492, and not later than 10 days after recording the *Notice of Default*, said Trustee or Beneficiary, did mail, by certified or registered mail, with postage prepaid, a copy of said *Notice of Default* with recording date shown thereon, addressed to the Trustor and each person whose name and address are set forth in a request therefore, which had been recorded prior to the filing for record of the *Notice of Default*, directed to the address designated in said request, and did mail to all other parties with

any interest in the property; and

WHEREAS, a period of not less than three (3) months did elapse after the filing and giving of said *Notice of Default* as herein set forth, and said default not being cured and said *Construction Deed of Trust* not being reinstated; and

WHEREAS, Trustee in consequence thereof and in accordance with said *Construction Deed of Trust*, did execute his *Notice of Trustee's Sale*, stating that he, as Trustee, by virtue of the authority in him vested, would sell at public action to the highest bidder for cash, in lawful money of the United States, the property therein and hereinafter described and fixing the time and place of said sale as July 7th, 2020 at 2:00 pm local time, at the main entrance of the Third District Judicial Court, Summit County, 6300 Justice Center Road, Suite A, Park City, Utah and said Trustee did cause a copy of said *Notice of Trustee's Sale* to be published once a week for three (3) consecutive weeks before the date of sale therein fixed, in *The Park Record*, a newspaper having general circulation in each county in which the property to be sold, or some part thereof, is situated; the dates of publication being on May 30th, June 6th, June 13th, 2020; and the last publication thereof being at least 10 days but not more than 30 days prior to the day of sale; and said Trustee did cause copies of said *Notice of Trustee's Sale* to be posted as least 20 days (the *Notice of Trustee's Sale* was posted with the Summit County Recorder on May 26th, 2020; and on the property on May 26th, 2020) before the date of sale therein fixed, in a conspicuous place on the property to be sold and at the office of the county recorder of the county in which the property to be sold, or some part thereof, is situated; and said Trustee did cause copies of said *Notice of Trustee's Sale* to be mailed, at least 20 days before the date of sale, by certified or registered mail, return receipt requested, postage prepaid, addressed to the Trustor and to each person whose name and address are set forth in a request, which had been recorded prior to the filing of record of the *Notice of Default*, directed to the address designated in said request, and did mail to all other parties with any interest in the property; and

WHEREAS, all applicable statutory provisions of the State of Utah and all of the provisions of said *Construction Deed of Trust* have been complied with by the Trustee as to acts to be performed and notices to be given, and

WHEREAS, Trustee did at the time and place of sale fixed as aforesaid, then and there sell, at public auction to the above named Grantee, being the highest bidder, the property hereinafter described for the sum certain being more than ten dollars (\$10.00);

NOW THEREFORE, Trustee, in consideration of the premises recited and of the sum above mentioned, bid and paid by Grantee, the receipt whereof is hereby acknowledged, and by virtue of the authority vested in him as Trustee, does, by these presents, grant and convey unto Grantee but without any covenant or warranty, express or implied, including but not limited to any covenant or warranty as to title, possession, encumbrances, or as to the redemption right of the Internal Revenue Service, if any, or as to the avoidance powers of the Bankruptcy Reform Act or as to the effects of any bankruptcy petition filed before or after the Trustee's Sale, all of that certain real property


situated in Summit County, State of Utah, located at 1775 South SR-32, Francis, Utah 84036, (the undersigned disclaims liability for any error in the address) and more particularly described as follows:

Beginning at a point which is North $0^{\circ}17'23''$ East 2222.13 feet along the section line and South $89^{\circ}26'18''$ East 53.17 feet from the monument marking the Southwest corner of Section 28, Township 2 South, Range 6 East, Summit County, Utah and running thence along the East line of Highway 32 North $0^{\circ}17'23''$ East 417.18 feet; thence South $89^{\circ}36'13''$ East 1392.89 feet; thence South $89^{\circ}44'37''$ East 151.96 feet; South $0^{\circ}15'23''$ West 167.03 feet to a point on a 200 foot radius non-tangent curve to the left; thence 81.64 feet along the arc of said curve, through a central angle of $23^{\circ}23'13''$, chord bearing North $89^{\circ}30'07''$ West 81.07 feet; thence South $0^{\circ}53'47''$ East 185.52 feet; thence South $85^{\circ}44'10''$ West 59.00 feet; thence South $40^{\circ}39'46''$ West 344.58 feet; thence South $67^{\circ}16'18''$ West 218.22 feet; thence South $22^{\circ}36'37''$ East 27.28 feet to a point of curvature to a 220.00 foot radius curve to the left; thence 121.87 feet along the arc of said curve, through a central angle of $31^{\circ}44'17''$, chord bearing South $38^{\circ}28'46''$ East 120.31 feet to a point of non-tangency; thence South $43^{\circ}29'21''$ West 330.55 feet to a point of curvature to a 280.00 foot radius curve to the right; thence 228.71 feet along said curve, through a central angle of $46^{\circ}48'02''$ West, chord bearing South $66^{\circ}53'22''$ West 222.41 feet to a point of tangency; thence North $89^{\circ}42'37''$ West 27.61 feet to the East line of Uinta Shadows Subdivision as recorded with the office of the Summit County Recorder; thence along the boundary of said subdivision the following two courses and distances: North $0^{\circ}30'07''$ East 526.38 feet, North $89^{\circ}26'18''$ West 426.22 feet; thence North $0^{\circ}17'23''$ East 209.00 feet; thence North $89^{\circ}26'18''$ West 188.54 feet to the point of beginning.

Less and excepting any portion lying within South Summit Irrigation Company and Washington Irrigation Company ditch, which is described as: Beginning at a point on the East line of State Road 32, said point being located North $0^{\circ}17'23''$ East 2222.13 feet along the Section Line and South $89^{\circ}56'18''$ East 53.17 feet and North $0^{\circ}17'23''$ East 417.18 feet from the monument marking the Southwest corner of Section 28, Township 2 South, Range 6 East, SUMMIT COUNTY, UTAH and running thence North $0^{\circ}17'23''$ East 16.50 feet along said West line; thence South $89^{\circ}36'13''$ East 1392.92 feet; THENCE South $89^{\circ}44'37''$ East 565.71 feet; thence South $0^{\circ}51'44''$ West 16.50 feet; thence North $89^{\circ}44'37''$ West 565.56 feet; thence North $89^{\circ}36'13''$ West 1392.90 feet to the point of beginning.

FT-26 and FT-26-A


IN WITNESS WHEREOF, John H. Jacobs, a member of the Utah State Bar, and in such capacity as Successor Trustee, has caused his signature to be hereto affixed this July 7th, 2020.


JOHN H. JACOBS, Attorney at Law
Successor Trustee

STATE OF UTAH)
 :SS
County of Utah)

The foregoing instrument was acknowledged before me this July 7th, 2020, by John H. Jacobs, who, being duly sworn, did say that he is the Successor Trustee and he acknowledged he signed said instrument.




NOTARY PUBLIC
Utah County, Utah