

Recorded 25-Aug-2023 Filing No. 105916
At 03:30 PM in Book C13 Page 1664
Fee \$40.00 Kaia Bowden Rich County Recorder
For RAY QUINNEY & NEBEKER, P.C.



When Recorded Return To:

Michael R. Johnson (Utah Bar No. 7070)
RAY QUINNEY & NEBEKER P.C.
36 South State Street, Suite 1400
Salt Lake City, Utah 84111

SUBSTITUTION OF TRUSTEE

The undersigned, as the present holder of all indebtedness secured by the trust deed lien described below, hereby appoints Michael R. Johnson, a licensed attorney and member of the Utah State Bar Association practicing with Ray Quinney & Nebeker P.C. at 36 South State Street, Suite 1400, Salt Lake City, Utah 84111, as successor trustee (hereinafter, the "**Trustee**") under that certain *Commercial Construction Deed of Trust*, dated March 26, 2021, executed by The Waters Edge Properties, LLC, a Utah limited liability company, as Grantor, in which Capital Community Bank was named as original Trustee and Capital Community Bank was named as Lender and Beneficiary, and recorded on March 30, 2021, as Filing No. 99722, Bk. N12; Pg. 364 et seq. in the official records of Rich County, State of Utah ("**Trust Deed**"). The real property affected thereby is described as follows:

See Exhibit A attached hereto.

For information purposes only, the real property or its address is commonly known as
45 East 150 South Boulevard, Garden City, UT 84028.

The tax identification numbers are purported to be 41-21-400-0059 and 41-21-400-0068.

Beneficiary hereby expressly ratifies and confirms any and all actions taken by the Trustee on Beneficiary's behalf prior to the recording of this Substitution of Trustee.

DATED this 15th day of August, 2023.

CAPITAL COMMUNITY BANK

By: David A. Frances
Its: Chief Credit Officer/Executive Vice President

Notary on next page

STATE OF UTAH)
)ss:
COUNTY OF Utah)

The foregoing instrument was acknowledged before me this 15 day of August, 2023, by David A. Frances, in his capacity as the Chief Credit Officer and Executive Vice President of Capital Community Bank.



Leslie Somers
NOTARY PUBLIC

EXHIBIT A

PARCEL 1:

Part of Lot 9, Block 6, Plat "B" GARDEN CITY SURVEY, described as follows: Beginning at a point 225 feet East from the Southwest corner of Lot 9, Block 6, Plat "B" Garden City Survey, and running thence North 99 feet; thence East 110 feet; thence South 99 feet; thence West 110 feet to the place of beginning.

PARCEL 2:

Part of Lot 9, Block 6, Plat "B" GARDEN CITY SURVEY, described as follows: Beginning at a point 120 feet East of the Southwest corner of Lot 9, Block 6, Plat "B" GARDEN CITY SURVEY, thence North 99 feet; thence East 105 feet; thence South 99 feet; thence West 105 feet to the point of beginning.

LESS AND EXCEPTING from Parcels 1 and 2, that certain parcel conveyed to Garden City, a Municipal Corporation, on June 19, 2015 in Book O11, Page 1299, which is described as follows: PART OF BLOCK 6, PLAT 'B', GARDEN CITY SURVEY, BEING A PARCEL OF GROUND LOCATED IN THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 14 NORTH, RANGE 5 EAST OF THE SALT LAKE BASE AND MERIDIAN. DESCRIBED AS FOLLOWS: COMMENCING AT THE BRASS CAP MONUMENT FOUND AT THE WEST QUARTER CORNER OF SECTION 21, TOWNSHIP 14 NORTH, RANGE 5 EAST OF THE SALT LAKE BASE AND MERIDIAN, FROM WHICH THE COTTON GIN PIN FOUND AT THE NORTHWEST CORNER OF SAID SECTION BEARS NORTH 00°06'45" WEST 2723.16 FEET; RUNNING THENCE NORTH 00°06'45" WEST 571.71 FEET; THENCE NORTH 89°53'14" EAST 1923.86 FEET TO THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF BEAR LAKE BOULEVARD (HIGHWAY 30) AND THE SOUTH RIGHT-OF-WAY LINE OF 150 SOUTH STREET; THENCE NORTH 00°00'00" WEST 99.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF 150 SOUTH STREET; THENCE NORTH 89°55'02" EAST ALONG SAID NORTH RIGHT-OF-WAY LINE 303.60 FEET; THENCE SOUTH 00°00'00" EAST 49.50 FEET TO THE TRUE POINT OF BEGINNING; AND RUNNING THENCE NORTH 89°55'02" EAST 522.00 FEET TO THE HIGH-WATER LINE OF BEAR LAKE AT ELEVATION 5923.65 FEET OF THE U.P.&L. DATUM; THENCE NORTH 15°30'50" WEST 12.45 FEET; THENCE SOUTH 89°55'02" WEST 518.67 FEET; THENCE SOUTH 00°00'00" EAST 12.00 FEET TO THE POINT OF BEGINNING.

Parcel #s 41-21-400-0059*, 41-21-400-0068

*After the recording of the Trust Deed, the property identified as parcel # 41-21-400-0059 was further subdivided and may now be identified as tax parcel numbers 41-21-400-0336; 41-21-401-0102; 41-21-401-0202; 41-21-401-0302; 41-21-401-0402 and 41-21-401-0000.