

## COURTESY RECORDING

No assurances are given by the company either  
Express or implied for accuracy or content.

### WHEN RECORDED RETURN TO:

N. Todd Leishman  
Durham Jones & Pinegar, P.C.  
111 South Main Street, Suite 2400  
Salt Lake City, Utah 84111

ENT 11833:2019 PG 1 of 5  
Jeffery Smith  
Utah County Recorder  
2019 Feb 12 02:53 PM FEE 21.00 BY SW  
RECORDED FOR Old Republic Title (Orem)  
ELECTRONICALLY RECORDED

1828241,MT

### NOTICE OF ASSIGNMENT OF BENEFICIAL INTEREST

(With Assignment of Beneficial Interest)

**THIS INSTRUMENT** is executed as of the 8th day of February, 2019, by the undersigned, (i) **JANICE A. PECK**, an individual ("*Janice Peck*"), whose address is 76 South 600 East, Lehi, Utah 84043, and (ii) **JANICE A. PECK**, as Trustee of **THE ANTHONY T. PECK 2014 LIVING TRUST U/T/D DEC. 22, 2014** (the "*Peck Trustee*"), whose address is 76 South 600 East, Lehi, Utah 84043. (Janice Peck and the Peck Trustee are referred to in this instrument collectively as the "*undersigned*".)

#### Notice of Assignment of Beneficial Interest

**THE UNDERSIGNED**, in accordance with Section 57-1-22.5 of the Utah Code Annotated, hereby give notice that the undersigned have assigned and transferred all of their rights, title, and interest under the Deed of Trust (as described below), together with all of the indebtedness secured thereby, to the Peck Trustee. The Deed of Trust (the "*Deed of Trust*") was executed by Roger Tom Peck, an individual ("*Tom Peck*"), as trustor, in which Janice Peck was the named beneficiary, Old Republic National Title Insurance Company was the named trustee (incorrectly referred to in the Deed of Trust as "Old Republic National Title Insurance Company Title Company"), and was filed for record November 14, 2018 as Entry No. 109032:2018 in the official records of the Utah County Recorder, Utah. This instrument affects the property (the "*Property*") located in Utah County, State of Utah, and described on the attached Exhibit A, incorporated by this reference.

**THE DEED OF TRUST** was given to secure, among other obligations, the following promissory notes (the "*Notes*"):

- (i) Promissory Note (Accrued Interest), dated November 14, 2018, in the original principal amount of \$121,847.15, executed by Tom Peck, as maker, in favor of the Peck Trustee, as payee;
- (ii) Promissory Note, dated November 14, 2018, in the original principal amount of \$650,000.00, executed by Tom Peck, as maker, in favor of the Peck Trustee, as payee; and
- (iii) Promissory Note (20-Year Term), dated November 14, 2018, in the original principal amount of \$3,673,746.35, executed by Tom Peck, as maker, in favor of the Peck Trustee, as payee.

#### Assignment of Beneficial Interest

**FOR VALUE RECEIVED**, the undersigned hereby grant, assign, transfer and convey to the Peck Trustee all beneficial interest in, to and under the Deed of Trust, together with all of the indebtedness secured thereby, including, without limitation, the indebtedness evidenced by the Notes, the money due and to become due thereon with interest, and all rights accrued or to accrue under the Deed of Trust.

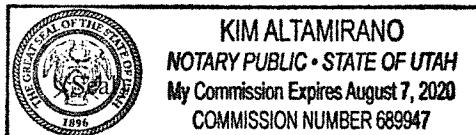
THE UNDERSIGNED have executed this instrument on the respective dates set forth below, to be effective as of the date first set forth above.

*JANICE PECK:*

*Janice A. Peck*  
 JANICE A. PECK, individually  
 Date Feb. 8, 2019

State of Utah )  
 ) ss.  
 County of Utah )

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of February, 2019, by Janice A. Peck.



*Kim Altamirano*  
 Notary Public

My Commission Expires:

8/7/20

Residing at:

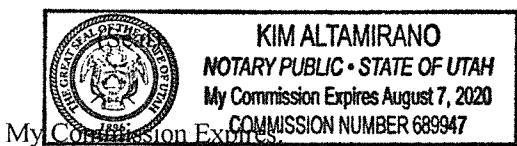
3301 N. Thanksgiving Way,  
Ste 400  
Lehi, UT  
84043

## THE PECK TRUSTEE:

*Janice A. Peck*  
 JANICE A. PECK, as Trustee of THE ANTHONY T.  
 PECK 2014 LIVING TRUST  
 Date Feb. 8, 2019

State of Utah )  
 County of Utah ) ss.

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of February, 2019, by Janice A. Peck, as Trustee of The Anthony T. Peck 2015 Living Trust.



*Kim Altamirano*  
 Notary Public

Residing at:

8/7/20 3301 N. Thanksgiving Way  
Lehi, UT 84043

**EXHIBIT A****to****NOTICE OF ASSIGNMENT OF BENEFICIAL INTEREST**  
(With Assignment of Beneficial Interest)**PROPERTY**

The property referred to in the foregoing instrument is located in Utah County, Utah, and is described as follows:

Tax Parcel No. 13-016-0087

Parcel 1:

COMMENCING 704.01 FEET NORTH AND 16.50 FEET EAST OF THE SOUTH QUARTER CORNER OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 297.41 FEET; THENCE EAST 130.00 FEET; THENCE NORTH 115.00 FEET; THENCE WEST 130.00 FEET; THENCE NORTH 625.00 FEET; THENCE EAST 289.74 FEET; THENCE NORTH 230.00 FEET; THENCE EAST 338.58 FEET; THENCE SOUTH 273.24 FEET; THENCE WEST 34.06 FEET; THENCE SOUTH 07°13'00" WEST 1128.60 FEET; THENCE NORTH 74°30'00" WEST 469.56 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING ANY PORTION DEEDED TO RONALD A. WALL AND MARY K. WALL, TRUSTEES OF THE R & M WALL TRUST DATED 10/17/96, BY WAY OF A BOUNDARY LINE AGREEMENT, DATED SEPTEMBER 25, 1997, RECORDED OCTOBER 03, 1997, AS ENTRY NO. 77810, IN BOOK 4396, AT PAGE 499 IN THE UTAH COUNTY OFFICIAL RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER QUARTER CORNER OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 00°07'28" EAST ALONG THE NORTH-SOUTH MID SECTION LINE A DISTANCE OF 683.82 FEET; THENCE SOUTH 90°00'00" EAST, A DISTANCE OF 22.20 FEET TO A POINT THAT IS 2.6 FEET NORTH OF A BLOCK WALL AND THE BEGINNING OF THE AGREED BOUNDARY LINE; THENCE SOUTH 89°42'07" EAST PARALLEL WITH SAID BLOCK WALL, A DISTANCE OF 631.63 FEET TO A POINT ON A NORTH-SOUTH FENCE LINE AND THE TERMINUS OF SAID AGREED BOUNDARY LINE.

ALSO LESS AND EXCEPTING ANY PORTION LYING WITHIN THE BOUNDARIES OF PEAK MEADOWS PLAT "A".

ALSO LESS AND EXCEPTING ANY PORTION CONVEYED BY THAT CERTAIN BOUNDARY LINE AGREEMENT RECORDED MAY 02, 2008 AS ENTRY NO. 52379:2008 OF OFFICIAL RECORDS LYING EAST OF THE FOLLOWING BOUNDARY LINE: BEGINNING AT A POINT 1252.78 FEET NORTH AND 557.17 FEET EAST FROM THE SOUTH QUARTER CORNER OF SAID SECTION 16 (THE BASIS OF BEARINGS IS SOUTH 89°50'50" EAST BETWEEN THE SOUTH QUARTER CORNER AND SOUTHEAST CORNER OF SAID SECTION 16) AND

Exhibit A-1

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RUNNING THENCE ALONG SAID "BOUNDARY LINE" THE FOLLOWING THREE (3) COURSES, 1) NORTH 07°13'00" EAST 437.86 FEET; 2) EAST 24.10 FEET; 3) NORTH 245.13 FEET; TO THE END OF SAID "BOUNDARY LINE".

Parcel 2:

ANY PORTION OF THE GROUND CONVEYED BY THAT CERTAIN BOUNDARY LINE AGREEMENT RECORDED MAY 02, 2008 AS ENTRY NO. 52379:2008 OF OFFICIAL RECORDS LYING WEST OF THE FOLLOWING BOUNDARY LINE: BEGINNING AT A POINT 1252.78 FEET NORTH AND 557.17 FEET EAST FROM THE SOUTH QUARTER CORNER OF SAID SECTION 16 (THE BASIS OF BEARINGS IS SOUTH 89°50'50" EAST BETWEEN THE SOUTH QUARTER CORNER AND SOUTHEAST CORNER OF SAID SECTION 16) AND RUNNING THENCE ALONG SAID "BOUNDARY LINE" THE FOLLOWING THREE (3) COURSES, 1) NORTH 07° 13'00" EAST 437.86 FEET; 2) EAST 24.10 FEET; 3) NORTH 245.13 FEET; TO THE END OF SAID "BOUNDARY LINE", LYING WITHIN THE FOLLOWING DESCRIBED LAND: BEGINNING AT A POINT OF INTERSECTION WITH SAID SURVEY AND SAID BOUNDARY LINE AGREEMENT WHICH IS 1252.78 FEET NORTH AND 557.17 FEET EAST FROM THE SOUTH QUARTER CORNER OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN (THE BASIS OF BEARINGS IS SOUTH 89° 50'50" EAST BETWEEN THE SOUTH QUARTER CORNER AND SOUTHEAST CORNER OF SAID SECTION 16) AND RUNNING THENCE ALONG SAID SURVEY THE FOLLOWING FIVE (5) COURSES, 1) NORTH 07° 13'00" EAST 437.86 FEET; 2) EAST 24.10 FEET; 3) NORTH 245.13 FEET; 4) SOUTH 89° 25'20" EAST 641.43 FEET; 5) SOUTH 00° 54'41" WEST 682.32 FEET TO A POINT OF INTERSECTION WITH SAID BOUNDARY LINE AGREEMENT; THENCE NORTH 89° 15'31" WEST 709.71 FEET ALONG SAID LINE TO THE POINT OF BEGINNING.