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Recorded at the Request of  
Spirit of Texas Bank  
Carina Duran  
16610 Interstate 45  
The Woodlands, Texas 77384

When Recorded Return To  
Spirit of Texas Bank  
Carina Duran  
16610 Interstate 45  
The Woodlands, Texas 77384

12699827  
01/18/2018 01:38 PM \$12.00  
Book - 10639 Pg - 5615-5616  
ADAM GARDINER  
RECORDER, SALT LAKE COUNTY, UTAH  
AMERICAN TITLE INC  
RECORDING DEPT  
2475 PALM BAY RD NE STE 230  
PALM BAY FL 32905-9800  
BY: LTP, DEPUTY - MA 2 P.

### TRUST DEED

THIS TRUST DEED is made this 19<sup>TH</sup> day of December, 2017, between Richard A. Leitheiser and Gloria J. Leitheiser, husband and wife, as TRUSTOR whose address is 2022 East Tall Pines Way, Sandy, Utah 84092, and Dean O. Bass, as TRUSTEE, whose address is 625 University Drive East, College Station, Texas 77840, and Spirit of Texas Bank as BENEFICIARY.

Trustor hereby CONVEYS AND WARRANTS TO TRUSTEE IN TRUST, WITH POWER OF SALE, the following described property Located in Salt Lake County, Utah more particularly described as:

Lot 211, WYNGATE ESTATES PHASE 2, according to the official plat thereof on file and of record in the office of the Salt Lake County Recorder

Together with all buildings, fixtures and improvements thereon and all water rights, rights of way, easements, rents, issues, profits, income, tenements, hereditaments, privileges and appurtenances thereto now or hereafter used or enjoyed with said property, or any part thereof.

FOR THE PURPOSE OF SECURING THE GUARANTY AGREEMENT OF EVEN DATE HERewith EXECUTED BY RICHARD A. LEITHEISER AND GLORIA J. LEITHEISER, HUSBAND AND WIFE ("GUARANTORS") IN FAVOR OF BENEFICIARY WHEREBY GUARANTORS GUARANTEED THE NOTE OF EVEN DATE IN THE AMOUNT OF THREE HUNDRED SEVENTY EIGHT THOUSAND FOUR HUNDRED NINETEEN (\$378,400.00) DOLLARS EXECUTED BY MIRACULASH ENTERPRISES LLC, A UTAH LIMITED LIABILITY COMPANY AND LENDER THEREIN.

Trustor agrees to pay all taxes and assessments on the above property, to pay all charges and assessments on water or water stock used on or with said property, not to commit waste, to maintain adequate property insurance to be approved by the Beneficiary for improvements on said property, to pay all costs and expenses of collection (including Trustee's and attorney's fees in event of default in payment of the indebtedness secured hereby and to pay reasonable Trustee's fees for any of the services performed by Trustee hereunder, including a reconveyance hereof.

The Loan secured by this lien was made under a United States Small Business Administration (SBA) nationwide program which uses tax dollars to assist small business owners. If the United States is seeking to enforce this document, then under SBA regulations:


a) When SBA is the holder of the Note, this document and all documents evidencing or securing this Loan will be construed in accordance with federal law.

b) Lender or SBA may use local or state procedures for purposes such as filing papers, recording documents, giving notice, foreclosing liens, and other purposes. By using these procedures, SBA does not waive any federal immunity from local or state control, penalty, tax or liability. No Borrower or Guarantor may claim or assert against SBA any local or state law to deny any obligation of Borrower, or defeat any claim of SBA with respect to this loan.

Any clause in this document requiring arbitration is not enforceable when SBA is holder of the Note secured by this instrument.

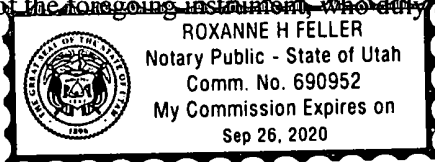
The undersigned Trustor requests that a copy of any notice of default and of any notice of sale hereunder be mailed to him at the address set forth above.

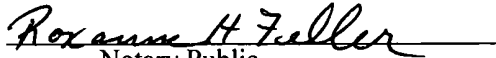
  
Richard A. Leitheiser

  
Gloria J. Leitheiser

STATE OF UTAH )  
COUNTY OF Salt Lake ) ss. )

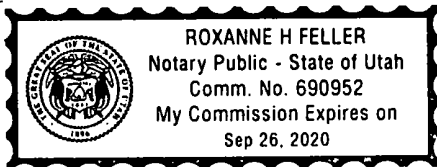
On the 19<sup>TH</sup> day of December, 2017, personally appeared before me, Richard A. Leitheiser the signers of the foregoing instrument, who duly acknowledged to me that they executed the same.



  
Notary Public

STATE OF UTAH )  
COUNTY OF Salt Lake ) ss. )

On the 19<sup>TH</sup> day of December, 2017, personally appeared before me Gloria J. Leitheiser the signers of the foregoing instrument, who duly acknowledged to me that they executed the same.



  
Notary Public