

The Order of the Court is stated below:

Dated: June 02, 2020
03:59:07 PM

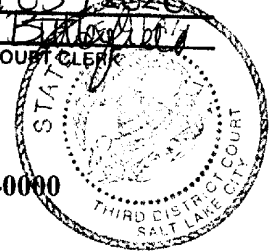
/s/ RANDALL SKANCHY
District Court Judge



Bradley L. Tilt, #7649
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Attorneys for Plaintiff

I CERTIFY THAT THIS IS A TRUE COPY OF AN ORIGINAL DOCUMENT ON FILE IN THE THIRD DISTRICT COURT, SALT LAKE COUNTY, STATE OF UTAH.

DATE: 06/03/2020
Carrie B. [Signature]
DEPUTY COURT CLERK



Tax ID No. 15-11-381-026-0000

**IN THE THIRD DISTRICT COURT
SALT LAKE COUNTY, STATE OF UTAH**

**U.S. Bank National Association, as
Trustee for MASTR Asset Backed
Securities Trust 2006-NC3 Mortgage
Pass-Through Certificates, Series 2006-
NC3,**

Plaintiff,

vs.

**TIMOTHY HANIS, aka Timothy S. Hanis,
an individual; TOM BAKER, an individual;
EXPRESS RECOVERY SERVICES,
INC., a Utah corporation; and UTAH
STATE TAX COMMISSION,**

Defendants.

**STIPULATED ORDER OF
REFORMATION AND
DECLARATORY JUDGMENT AS
BETWEEN PLAINTIFF, AND
DEFENDANT UTAH STATE TAX
COMMISSION**

Case No. 200902605

Judge Randall Skanchy

13292166
6/8/2020 2:28:00 PM \$40.00
Book - 10957 Pg - 1290-1294
RASHELLE HOBBS
Recorder, Salt Lake County, UT
ACTION LAW LLC
BY: eCASH, DEPUTY - EF 5 P.

The above-captioned case came on before the Court on the *Stipulation and Joint Motion Between Plaintiff, and Defendant Utah State Tax Commission* (the "**Stipulated Motion**"). The Court having reviewed the Stipulated Motion, and all other pleadings and papers on file herein, being duly informed in the premises, and for good cause shown,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED as follows:

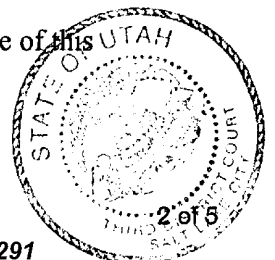
Ent 13292166 BK 10957 PG 1290

1. The Stipulated Motion is granted.
2. The real property that is the subject of this case and of this order is that certain real property located at and commonly known as 1014 W. 1300 S., Salt Lake City, Utah 84104, is in Salt Lake County, Utah, and is more particularly and correctly, described as follows (the “**Property**”):

COMMENCING 859.8 FEET NORTH AND 2612.09 FEET EAST FROM SOUTHWEST CORNER SECTION 11, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, THENCE SOUTH 158.41 FEET; THENCE NORTH 80°23” EAST 76.8 FEET; THENCE NORTH 145.5 FEET; THENCE WEST 75.7 FEET TO THE POINT OF BEGINNING BEING PART OF LOT G, GLENDALE PARK PLAT “A”.

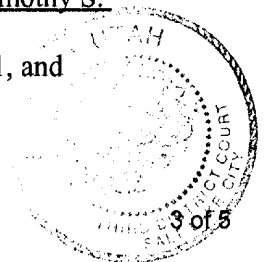
Parcel/Tax ID No: 15-11-381-026-0000

3. Plaintiff is the successor beneficiary of a *Deed of Trust* which was recorded on the Property on May 4, 2006, as Entry No. 9714518, in Book 9290, at Page 1385 in office and records of the Salt Lake County Recorder (the “**Trust Deed**”), and which was assigned to Plaintiff by way of a *Corporate Assignment of Deed of Trust* which was recorded on November 30, 2015, as Entry No. 12178570, in Book 10382, at Page 9767 in the office and records of the Salt Lake County Recorder (the “**Assignment**”).
4. As between Plaintiff and the Utah State Tax Commission (“**Tax Commission**”), pursuant to those parties’ Stipulated Motion, Utah Code Ann. §§ 78B-6-401 *et seq.*, Rule 57 of the Utah Rules of Civil Procedure, and otherwise, judgment is hereby entered:
 - a. Reforming the legal descriptions in the Trust Deed and in the Assignment each so that each of them, including by virtue of this



order, correctly, accurately, expressly and of record apply to, cover, encumber, and otherwise affect, each effective as of the date of their respective recording, the Property as it is more particularly and correctly described in paragraph 2. hereinabove.

- b. Reforming the Trust Deed to, including by virtue of this order, include expressly and of record, also effective as of the date of the recording of the Trust Deed, its second and fifth pages (numbered as “Page 2 of 15” and “Page 5 of 15” respectively) as they appear in the copy of the Trust Deed attached to the sworn-to under oath *Affidavit of Correction* which was recorded on December 11, 2019, as Entry No. 13144609, in Book 10871, at Page 2498 in the office and records of the Salt Lake County Recorder.
- c. Confirming and declaring that the Trust Deed, including without limitation as reformed as set forth hereinabove and as assigned in and by the above-reformed Assignment, was, is, and remains in priority position ahead of and superior to any and all interests in the Property held and/or claimed by the Tax Commission, including pursuant to various state tax liens relating to or arising from Utah State Tax Commission v. Timothy S. Hanis, Utah’s Third District Court, Case No. 106943027, Utah State Tax Commission v. Timothy S. Hanis, Utah’s Third District Court, Case No. 116948197, Utah State Tax Commission v. Timothy S. Hanis, Utah’s Third District Court, Case No. 126944991, and



otherwise.

5. All other claims for relief, causes of action, and defenses which were and/or could have been raised in and/or relating to the above-captioned case as between Plaintiff and the Tax Commission all are dismissed.
6. Plaintiff, Tax Commission, and each of them, shall bare their own respective attorney fees and costs.
7. Copies of this order, and/or of any abstract thereof, may be recorded in the office of any county recorder in the State of Utah.

****END OF ORDER – entered when indicated by Court’s seal on first page****

APPROVED AS TO FORM AND CONTENT:

UTAH ATTORNEY GENERAL’S OFFICE

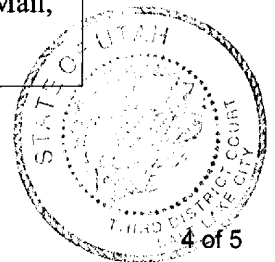
/s/ Laron J. Lind*

Laron J. Lind
 Attorneys for Utah State Tax Commission
**electronically signed by filing attorney Bradley L. Tilt
 with permission by email from signing attorney
 Laron J. Lind*

SERVICE CERTIFICATE

I hereby certify that on June 1, 2020, I caused a true and correct copy of the foregoing **STIPULATED ORDER OF REFORMATION AND DECLARATORY JUDGMENT AS BETWEEN PLAINTIFF, AND DEFENDANT UTAH STATE TAX COMMISSION** to be served in the manner indicated to the following parties at the addresses listed below:

Laron J. Lind Utah Attorney General’s Office, Tax & Revenue 160 E. 300 S., 5 th Flr. P.O. Box 140874	<input type="checkbox"/> Hand Delivery <input type="checkbox"/> First Class, United States Mail, <input type="checkbox"/> Postage Prepaid <input checked="" type="checkbox"/> E-filing via GreenFiling
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Salt Lake City, UT 84114 <u>LLIND@agutah.gov</u> <i>Attorneys for Utah State Tax Commission</i>	<input type="checkbox"/> E-filing via CM/ECF <input checked="" type="checkbox"/> Email <input type="checkbox"/> Other: _____
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**/s/ Bradley L. Tilt*
Bradley L. Tilt

