

RECORDING REQUESTED BY:)
John K. Rice, Esq)
PEARSON BUTLER)
1802 W. South Jordan Pkwy, Ste 200)
South Jordan, Utah 84095)

SEND TAX NOTICE TO:)
Matthew J Nikols)
PO Box 711458)
Salt Lake City, UT 84171)
Herriman, UT 84096)

AFFIDAVIT OF SUCCESSOR TRUSTEE

STATE OF UTAH)
) :ss
COUNTY OF SALT LAKE)

I, Matthew J. Nikols, being of legal age and being duly sworn, state as follows:

1. I am successor Trustee under The John N Nikols Family Trust, dated July 16, 2019, (“Trust”). The John N Nikols Family Trust is also named the John N Nikols Living Trust, dated July 16, 2019. I am presently eligible to act as Trustee of the Trust due to the death of Michael J. Nikols who was serving as sole Trustee under the Trust.
2. Michael J. Nikols is personally known to me. He is my brother. He was also known to me as Michael John Nikols. Michael J. Nikols is the same person named in the attached Utah Certificate of Death, State File Number 2023020109, incorporated herein and made a part hereof. (Attached as “Exhibit “A”).
4. This Affidavit is consistent with the Successor Trustees provisions contained in the Trust. A true and genuine copy of the sections of the Trust pertaining to Trustee Succession are attached hereto as Exhibit “B”. A true and genuine copy of the adult beneficiaries’ exercise of their power to appoint the Successor Trustees of the Trust is attached hereto as Exhibit “C”.
5. In my position as a Successor Trustee of the Trust, I have the powers set forth in Article Four of the Trust a true and genuine copy of which is attached hereto as Exhibit “B”, which also includes the powers provided under Utah Code Anno. § 75-7-801, *et seq.* Said powers have been delegated to me by all currently serving Co-Trustees of the Trust in that delegation of powers attached hereto as Exhibit “D”.
6. Michael J. Nikols, Trustee under The John N Nikols Family Trust dated July 16, 2019, is the Grantee in that particular Parcel Consolidation and Quitclaim Deed dated October 12th, 2022 and recorded on October 25th, 2022, Entry Number 14034622, in Book Number 11381, Page 6905, consisting of 6 pages, in the office of the Recorder for Salt Lake County, State of Utah, conveying the property described in Exhibit “E”, attached hereto.


7. I, Matthew J. Nikols, Successor Trustee of the John N Nikols Family Trust, hereby request that title to the property, upon recording of this document, be transferred to and be titled in the name of Nick J. Nikols, Matthew J. Nikols and Diana J Nicholas, Successor Trustees of The John N. Nikols Living Trust dated July 16, 2019.

Dated: December 15, 2023.



MATTHEW J. NIKOLS

Subscribed to and sworn before me this 15th day of December, 2023, by Matthew J. Nikols, Trustee of The John N. Nikols Living Trust dated July 16, 2019.



Notary Public

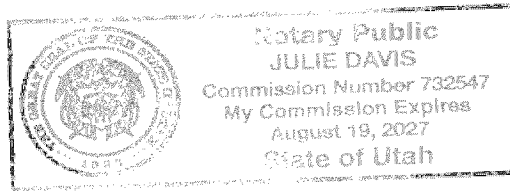


Exhibit A
Michael J. Nikols death certificate

STATE OF UTAH
CERTIFICATION OF VITAL RECORD

CERTIFICATE OF DEATH

State File Number: 2023020109

Michael John Nikols

DECEDENT INFORMATION

Date of Death:	December 2, 2023 (Found)	Time of Death:	09:07 (Found)
City of Death:	Holladay	County of Death:	Salt Lake
Age:	58	Date of Birth:	April 7, 1965
Place of Birth:	Salt Lake City, Utah	Sex:	Male
Armed Services:	No	Marital Status:	Married
Spouse's Name:	Angela Grant	Usual Occupation:	Business Owner
Industry/Business:	Restaurant	Education:	High School or GED
Residence:	Salt Lake City, Utah	Father's Name:	John N. Nikols
Mother's Name:	Mary Pappis	Facility Type:	Rental Home
Facility or Address:	4934 Holladay Blvd. Holladay, Utah 84124		

INFORMANT INFORMATION

Name:	Angela Nikols	Relationship:	Wife
Mailing Address:	4617 South Jupiter Drive, Salt Lake City, Utah 84124		

DISPOSITION INFORMATION

Method of Disposition:	Burial
Place of Disposition:	Mount Olivet Cemetery, Salt Lake City, Utah
Date of Disposition:	December 9, 2023

FUNERAL HOME INFORMATION

Funeral Home:	Wasatch Lawn Mortuary
Address:	3401 South Highland Drive, Millcreek, Utah 84106
Funeral Director:	Reg V Ecker

MEDICAL CERTIFICATION

Certifying Physician: Andrew R Guajardo MD, Office of the Medical Examiner, 4451 South 2700 West, Taylorsville, Utah 84129

CAUSE OF DEATH

Hemopericardium
Tobacco Use: Unknown if User
Medical Examiner Contacted: Yes Autopsy Performed: Yes Autopsy Available: Yes Manner of Death: Natural

Date Registered: December 7, 2023

Date Issued: December 11, 2023

This is an exact reproduction of the facts registered in the Utah State Office of Vital Records and Statistics. Security features of this official document include: Intaglio Border, V & R Images in top cycloids, and Intaglio microtext. This document displays the date, seal and signature of the Utah State Registrar of Vital Record and Statistics.



U. S. Winger
Ulinda S. Winger, MSW, LCSW
State Registrar
New 01/21



A. C. Dunn
Angela C. Dunn, MD, MPH
Director/Health Officer
County/District Health Department



Exhibit B

John Nikols Trust pages 1, 4-9, 16 and 22

JOHN N. NIKOLS LIVING TRUST

ARTICLE 1 DECLARATION OF TRUST

This Trust Agreement hereby establishes a revocable Trust formed to be the recipient of and hold title to real and personal property for the benefit of the creator of this Trust and to facilitate, free of probate, the orderly transfer of such assets upon the Settlor's demise.

TRUST ESTABLISHMENT

John N. Nikols, a resident of Salt Lake City, Utah (hereinafter sometimes also called "Settlor" or "Trustor"), hereby declares that he, the said John N. Nikols has transferred to the Trustee without consideration the sum of Fifty Dollars (\$50.00) cash and certain other property that will initially constitute the Trust Estate.

TRUST PROPERTY

The Trust is intended by the Settlor to be the recipient of all of Settlor's assets, as well as the named beneficiary of all interests of which the Settlor is, or may become, a beneficiary; including, but not limited to life insurance policies (if any) for and in behalf of the Trust payable to the Trustee.

The property transferred is the Settlor's separate property, and shall be known as the "Separate Trust Estate." The Trust Estate shall be held, administered and distributed by the Trustee as herein set forth.

NAME OF TRUST

The name of the Trust shall be as follows:

"The John N. Nikols Living Trust, dated July 16, 2019,
Michael J. Nikols, Trustee."

FILING OF TAX RETURNS

By its terms this Trust is revocable. Therefore, while the Settlor is alive, for income tax purposes, the Trust shall be treated as a revocable "Grantor Trust" (pursuant to IRC Sec. 676) and all income related to the assets of the Trust or its operation shall be reported on Settlor's conventional 1040 tax return using Settlor's own Social Security Number. (_____).

Upon the death of Settlor, the Trust becomes irrevocable by its terms, and assets held in Trust should be identified by using the IRS Employer Identification Number (_____) (Enter IRS Trust Identification Number when received).

TRUST PAYMENT IN EVENT OF SETTLOR'S INCAPACITY

If a court declares the Settlor incompetent or if the Trustee has received written certification from the designated physicians determining that the Settlor is unable to manage the Settlor's own affairs by reason of physical or mental disability, then the Trustee may pay to or for the benefit of Settlor as much of the net income and principal of the separate Trust estate as is necessary for the Settlor's health, education or support to maintain the Settlor's accustomed manner of living. The Trustee shall add to principal any income not so distributed. In making distributions, the Trustee, in Trustee's reasonable discretion, may consider any other income or resources of the beneficiary known to the Trustee and reasonably available.

PAYMENTS TO OTHERS - SETTLOR

The Settlor may at any time direct the Trustee in writing to pay single sums or periodic payments from the Trust estate to any person or organization. Additionally, the Settlor's conservator on appropriate court order may exercise this power for payments qualifying for the federal gift tax annual donee exclusion.

No amendment shall substantially increase the Trustee's duties or liabilities or change the Trustee's compensation if any, without the Trustee's consent. The Trustee need not abide by the terms of the amendment until it is accepted. If the Settlor removes the Trustee, the Settlor shall pay to the Trustee any sums due and shall indemnify the Trustee against liabilities lawfully incurred by the Trustee in the administration of the Trust.

ARTICLE 3 NOMINATION OF TRUSTEE

NOMINATION OF TRUSTEE FOR ALL TRUSTS

Settlor declares that his son, Michael J. Nikols, has been managing all of Settlor's real and personal property for many years. Accordingly, Settlor knows that Michael is the person most familiar with Settlor's affairs. Settlor therefore appoints Michael as Trustee of all Trusts under this instrument, with the request that the Trustee keep the real estate in the Trust Estate together as much as is reasonable in light of the circumstances as they evolve, and that distributions to the Primary Beneficiaries not be completed until Trustee has developed the Settlor's real property located at 13th South and State Street in Salt Lake City, Utah.

ARTICLE 4 TRUSTEE MANAGEMENT POWERS

For all trusts under this instrument, the Trustee shall have the management powers set forth below in addition to those powers now or hereafter conferred by law

INVESTMENTS - GENERAL POWER

The Trustee shall have the power to invest and reinvest the Trust Estate in every kind of property, real, personal, or mixed, and every kind of investment, specifically including, but not by way of limitation, corporate obligations of every kind, stocks, preferred or common, shares in investment trusts, investment companies, mutual funds, mortgage participations, life insurance policies on the life of Settlor or of any beneficiary that men of prudence, discretion and intelligence acquire for their own account, and any common trust fund administered by the Trustee.

RETAIN OR ABANDON PROPERTY

The Trustee shall have the power to continue to hold any property, including shares of the Trustee's own stock, or to abandon any property that the Trustee receives or acquires.

UNPRODUCTIVE PROPERTY

Except when specifically restricted, the Trustee shall have the power to retain, purchase or otherwise acquire unproductive property

SELL EXCHANGE REPAIR

The Trustee shall have the power to manage, control, grant options on, sell (for cash or on deferred payments with or without security), convey, exchange, partition, divide, improve and repair Trust Property.

LEASE

The Trustee shall have the power to lease Trust Property for terms within or beyond the terms of the Trust and for any purpose, including exploration for and removal of gas, oil and other minerals and to enter into community oil leases, pooling and unitization agreements.

SECURITIES AUTHORIZATION

The Trustee shall have all the rights, powers, and privileges of an owner of the securities held in trust, including, but not by way of limitation, the power to vote, give proxies and pay assessments; to participate in voting trusts and pooling agreements (whether or not extending beyond the term of the trust); to enter into shareholders' agreements; to consent to foreclosure, reorganizations, consolidations, mergers, liquidations, sales and leases, and, incident to any such action, to deposit securities with and transfer title to any protective or other committee on such terms as the Trustee may deem advisable; and to exercise or sell stock subscription or conversion rights.

INVESTMENT FUNDS AUTHORIZATION

The Trustee shall have the power to invest in mortgage participations, in shares of investment trusts and regulated investment companies, including any under the control of any investment counsel employed by the Trustee, in mutual funds, money market funds and index funds that investors of prudence, discretion and intelligence acquire for their own account.

NOMINEE'S NAME

The Trustee shall have the power to hold securities or other property in the Trustee's name as Trustee under this Trust, or in the Trustee's own name, or in the name of a nominee, or the Trustee may hold securities unregistered in such condition that ownership will pass by delivery.

INSURANCE

The Trustee shall have the power to carry, at the expense of the Trust, insurance of such kinds and in such amounts as the Trustee deems advisable to protect the Trust Estate against any damage or loss and to protect the Trustee against liability with respect to third parties.

BORROW - GENERAL

The Trustee shall have the power to borrow money and to encumber or hypothecate Trust Property by mortgage, deed of trust, pledge, or by otherwise securing the indebtedness of the Trust or the joint indebtedness of the Trust and a co-owner of Trust Property.

LOAN

The Trustee shall have the power to loan money to any person, including a trust beneficiary hereunder or otherwise or the estate of such a Trust beneficiary, at prevailing interest rates and with or without security as the Trustee deems advisable.

BONDS

The Trustee shall have the power to purchase bonds either at a premium or at a discount.

S CORPORATION AUTHORIZATION

The Trustee is authorized to hold S Corporation shares in accordance with the Internal Revenue Code section 1361 (C)(2)(A).

PRECIOUS METALS

The Trustee is empowered to purchase and sell, directly or indirectly precious metals, investment grade gems, objects of art and rare coins and stamps.

INVEST IN LIFE INSURANCE

The Trustee shall have the power to acquire and maintain life insurance policies on the life of any person, including a trust beneficiary, hereunder or otherwise, and to exercise all rights of ownership granted to such policies. The following provisions apply to insurance held by the Trust or of which the Trust is a beneficiary:

TRUST AS BENEFICIARY - POLICY OPTIONS

(a) Upon the death of the insured under any policy held by or known to, and payable to, the Trustee, or upon the occurrence of some event prior to the death of the insured that matures any such policy, the Trustee, in its discretion, either may collect the net proceeds and hold them as part of the principal of the Trust Estate, or may exercise any optional method of settlement available to it, and the Trustee shall deliver any policies on the Settlor's life held by it and payable to any other beneficiaries as those beneficiaries may direct.

(b) Payment to and receipt of proceeds by the Trustee from an insurance company shall be a full discharge of the liability of the insurance company, which need not take notice of this trust agreement or see the application of any payment.

FLOWER BONDS - SPECIAL TAX REDEMPTIONS

The Trustee shall have the power to purchase at less than par obligations of the United States of America that are redeemable at par in payment of any federal estate tax liability of the Settlor in such amounts as the Trustee deems advisable. The Trustee shall exercise this discretion if the Trustee believes that the Settlor is in substantial danger of death, and the Trustee may borrow funds and give security for such purchase. The Trustee shall resolve any doubt concerning the desirability of making the purchase and its amount in favor of making the purchase and in purchasing a larger, even though somewhat excessive, amount. The Trustee shall not be liable to the Settlor, any heir, or any beneficiary of this Trust for losses resulting from purchases made in good faith. The Trustee shall redeem such obligations to the fullest extent possible in payment of the Settlor's federal estate tax liability.

ARTICLE 5
TRUSTEE MANAGEMENT POWERS

TRUSTEE MAY APPOINT CO-TRUSTEE

Any Trustee, sole, Co-Trustee or special Trustee, may appoint a Co-Trustee, either individual or corporate. If the appointing Trustee ceases to act, the appointed Co-Trustee may also exercise this power. Such appointments shall supersede any successor Trustee designated in this instrument.

CO-TRUSTEE MAY ALLOCATE DUTIES

Any Co-Trustee may allocate duties between those serving by a written agreement and concurrence by a majority of the adult income and principal beneficiaries. After such delegation, any one Trustee may unilaterally revoke such delegation at will and without cause by written notice to the other Trustees and adult income and principal beneficiaries. The Trustee may, for example, exercise this power to delegate several actions for bank and securities brokerage transactions.

RESIGNATION OF TRUSTEE

Any Trustee may resign at any time from any Trust under this instrument. The resigning Trustee shall give written notice of the resignation by personal delivery or registered mail to all current income beneficiaries. The resignation shall be effective on the qualification of a designated successor Trustee. The designated Successor Trustee shall act as Trustee on acceptance of the appointment.

If no Successor Trustee is named by the Trust, the adult income beneficiaries and the parent or guardian of any minor income beneficiaries shall have the right to appoint a Trustee in its place. In the event of a dispute among such income beneficiaries or their parents or guardians, the majority shall prevail.

COURT-APPOINTED TRUSTEE

If all designated Trustees fail to qualify or cease to act, and the income beneficiaries fail to appoint a Successor Trustee pursuant to the provision "Resignation of Trustee," a court of competent jurisdiction shall appoint a Trustee or Co-Trustees, individual or corporate, after consideration of the preference of the current income beneficiaries of the Trust.

INDIVIDUAL TRUSTEE'S DISABILITY - SUCCESSOR TRUSTEE ACTS

If any individual Trustee is unable to participate in Trust activities because of illness, disability, or any other reason, the designated Successor Trustee may act as Co-Trustee during any such incapacity. In determining the disability of the individual Trustee, the Successor Trustee may rely on written statements from two licensed physicians who have examined the Trustee. In the absence of such a statement, the Successor Trustee shall petition the court having jurisdiction over this Trust for authority to proceed as Successor Trustee. The Successor Trustee shall incur no liability to any beneficiary of the Trust or to the replaced Trustee as a result of any action taken under this provision.

SUCCESSOR TRUSTEES

When there is more than one Successor Trustee acting simultaneously with other designated Trustees, the Co-Trustees so serving must act in concert.

However, this provision does not apply to the Settlor or where one of the Co-Trustees is a Corporate Co-Trustee, in which case the decision of the individual Trustee shall at all times prevail over that of the Corporate Trustee.

RESOLUTION OF CONFLICT - ARBITRATION

If any conflict arises between the Trustee or Trustees and any other Trustee or Trustees, or between any beneficiaries themselves or between any beneficiary or Trustee(s), involving the application or meaning of any of the provisions or terms of this Trust, shall on the written request of any disagreeing party served on the other(s), it shall be submitted to arbitration. Each party shall appoint one person to hear and settle the dispute. If the appointees are unable to agree, then the appointees shall appoint a third arbitrator whose decision shall be binding on all parties. The entire cost of the arbitration shall be borne by the losing party. Said arbitration shall comply with the commercial Arbitration Rules of the American Arbitration Association, 140 West 51st Street, New York, New York, 10200.

INDIVIDUAL TRUSTEE'S ABSENCE FROM STATE - DELEGATION OF POWERS TO CO-TRUSTEE OR SUCCESSOR TRUSTEE

If desired, an individual Trustee shall have the power to delegate temporarily to the Co-Trustee or Successor Trustee all or any of his or her powers during temporary vacation periods or other absences from the State of Utah. The individual Trustee shall exercise this power of delegation by written notice to the Co-Trustee specifying the powers delegated. This delegation shall terminate on delivery of written notice by the individual Trustee to the Co-Trustee of termination of delegation. The individual Trustee shall incur no liability to any beneficiary of the Trust Estate as a result of any actions taken or not taken within the scope of delegation during the period of delegation.

no issue, such share shall be allocated proportionately among the remaining named beneficiaries. Each share shall be distributed or retained in trust as hereinafter provided.

SPECIAL BEQUESTS

Upon the death of the Settlor, Upon death of the Settlor, the Successor Trustee shall pay the debts and obligations of the Trust Estate, and satisfy the provisions of this Declaration of Trust, including any special retentions and or distributions. In particular, he Trustee shall deliver special bequests of personal property as the Settlor may have directed in a writing delivered to the Successor Trustee.

PRIMARY BENEFICIARIES

Upon the death of the Settlor, the Primary Beneficiaries of this Trust are the Settlor's four (4) children: Nick J. Nikols, Michael J. Nikols, Matthew J. Nikols and Diana J. Nikols, who shall share equally in the Trust Estate.

REAL PROPERTY TRUST ASSETS TO BE RETAINED IN TRUST AND DEVELOPED

The Settlor hereby directs the Trustee to retain in the Trust Estate the real property owned by the Trust Estate, and to allocate and distribute the rental income not reasonably needed to maintain and develop said real property to its highest and best use in the reasonable judgment of the Successor Trustee to (or to retain in Trust for the benefit of, as applicable) the aforementioned Primary Beneficiaries (or, if deceased, their respective surviving issue) as herein provided.

The Successor Trustee shall have full and absolute discretion to establish one or more limited liability companies or limited partnerships to own, hold, manage, develop, rent, exchange the real property owned by the Trust Estate, and to transfer such real property from the Trust Estate to such company or companies; provided, however, that the Primary Beneficiaries (or, if deceased, their issue) shall own the interests in such companies and/or partnerships in four (4) equal shares. The Successor Trustee may be the sole manager or managing general partner of any entity that owns real property as provided in this paragraph, in which event the Successor Trustee shall be entitled to a reasonable fee for the management and development of said real property.

PER STIRPES (RIGHT OF REPRESENTATION)

Any share allocated to the issue of a deceased Primary Beneficiary of the Settlor shall be distributed as hereinafter provided. Except as set forth above, after division into shares pursuant to the paragraph "Allocation of Trust Assets" above, upon the death of a Primary Beneficiary of the Settlor prior to complete distribution of his or her share, the income from the Trust Estate and any undistributed balance of such Primary Beneficiary's share shall be distributed *per stirpes*,

ARTICLE 10
EXECUTION AND ACKNOWLEDGMENT

SIGNATURE CLAUSE - SETTLOR

The Settlor certifies that he has read the foregoing Declaration of Trust and that it correctly states the terms and conditions under which the Trustee is to hold, manage, and distribute the Trust Estate. The Settlor approves the Declaration of Trust in all particulars and requests that the Trustee sign it.


Dated this 16 day of July, 2019, at Salt Lake City, Utah.

SETTLOR.



John N. Nikols

TRUSTEE:



John N. Nikols

STATE OF UTAH)
 :SS.
COUNTY OF SALT LAKE)

On the 16 day of July, 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared John N. Nikols, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.





NOTARY PUBLIC

Exhibit C

Adult Beneficiaries exercise of Power to Appoint successor Trustees

Adult Beneficiaries of the John N Nikols Living Trust Exercise of Power to Appoint Successor Trustees

The adult beneficiaries of the John N. Nikols Living Trust, dated July 16th, 2019, (“Trust”), Nick J. Nikols, Matthew J. Nikols, and Diana J. Nicholas, (nee Nikols), being vested with the power to appoint Successor Trustees of the Trust pursuant to Article 5 of the Trust, hereby exercise that power as follows:

1. John N. Nikols appointed Michael J. Nikols Trustee of the Trust. Michael J. Nikols is deceased, having died on December 2nd, 2023. The Trust does not designate a Successor Trustee in the event of the Michael J. Nikols death.

2. Pursuant to Article 5 of the Trust, if no Successor Trustee is named in the Trust, the adult beneficiaries have the right to appoint a Trustee in place of Michael J. Nikols.

3. The adult beneficiaries of the Trust are Nick J. Nikols, Matthew J. Nikols, and Diana J. Nicholas, (nee Nikols).

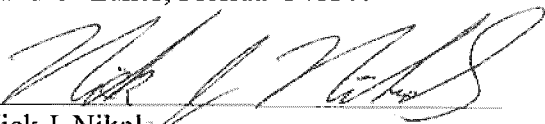
4. Pursuant to the authority vested in the adult beneficiaries to appoint a Trustee in place of Michael J. Nikols, we hereby appoint following to serve as Co-Successor Trustees of the Trust:

Nick J. Nikols 11348 Knollwood Cr.
Sandy, Utah 84092;


Matthew J. Nikols, 6822 S. Courtland Ave.
Cottonwood Heights, Utah 84121;

Diana J. Nicholas, (nee Nikols) 8319 Swiss Chard Cr.
Land O’ Lakes, Florida 34637.


Dated this 6th day of December 2023.



Nick J. Nikols



Matthew J. Nikols



Diana J. Nicholas

Exhibit D

Nick Nikols and Diana Nikols delegation of Trust Authority

DELEGATION OF AUTHORITY AND CERTIFICATE OF TRUSTEE

The undersigned, Diana J. Nicholas and Nick J. Nikols, are appointed to serve and are currently serving as Co-Trustees with Matthew J. Nikols under the John N. Nikols Living Trust dated July 16th, 2019, (the "Trust"). Pursuant to Utah Code Anno. § 75-7-703 and § 75-7-814(2), and Article 5 of the Trust the undersigned hereby delegate their duties and powers which they hold as Co-Trustees of the Trust to the remaining Co-Trustee, Matthew J. Nikols as follows:

1. Delegation – in the interest of promoting the efficient and continuous administration of the Trust for the Beneficiaries, Diana J. Nicholas and Nick J. Nikols delegate their powers specified in paragraph 2 below.

2. Powers Delegated – The powers delegated to Matthew J. Nicholas by Nick J. Nikols and Diana J. Nicholas are our powers to sign and record documents transferring title to any real property owned by the Trust to Nick J. Nikols, Matthew J. Nikols and Diana J. Nicholas, Co-Trustees of The John N. Nikols Living Trust dated July 16, 2019 .

3. Nothing herein shall affect the continuing power of the Co-Trustees to act in concert in all capacities as Co-Trustees of the Trust. This delegation is merely to aid in Trust administration involving the signing and recording of instrument conveying title to real property owned by the trust.

4. This Delegation of Authority is revocable at any time but shall expire without further action of the Trustees one (1) year from the date of execution of this Delegation.

5. Consent of Co-Trustees – Co-Trustee, Matthew J. Nikols, hereby expressly consents to this Delegation of Authority by Nick J. Nikols and Diana J. Nicholas to act for the Trust in matters relating to the signing and recording of instruments conveying title to the Trust's real estate.

Dated: December 14th, 2023.

DocuSigned by:

Diana J. Nicholas

DIANA J. NICHOLAS, Co-Trustee

Nick J. Nikols

NICK J. NIKOLS, Co-Trustee

Matthew J. Nikols

MATTHEW J. NIKOLS, Co-Trustee

Exhibit E

Legal description for 1313 State St., Salt Lake City, Utah

CONSOLIDATED PARCEL LEGAL DESCRIPTION

"Consolidated Parcel" (Tax No. _____)

Consolidating all of Lot A, of Amendment to Lots 1 through 17 and Lots 26 through 46 and a portion of Lots 18 and 25 of Block 2, Nye's Addition Subdivision, recorded as Entry No. 8905014 in Book 2003P at Page 369 of the Official Records of Salt Lake County, and all of Lots 19 through 24 and a portion of Lot 18, of Block 2, Nye's Addition Subdivision recorded November 13, 1891 as Entry No. 45712 in Book C at Page 134 of the Official Records, being a part of Lots 10 and 11, Block 12, Five Acre Plat A, Big Field Survey, and a Part of the Southwest Quarter of Section 7, and the Northwest Quarter of Section 18, Township 1 South, Range 1 East, Salt Lake Base and Meridian, U.S. Survey, in Salt Lake City, Salt Lake County, Utah, more particularly described metes-and-bounds as follows:

Beginning at the point of intersection of the Easterly line of State Street as it exists at varied width and the Southerly line of that certain Final Order of Condemnation recorded as Entry No. 4261590 in Book 5778 at Page 2111 of the Official Records of Salt Lake County, located 63.51 feet South 0°01'43" East along the monument line of said State Street; and 60.86 feet North 89°58'17" East from a Brass Cap Monument found marking the intersection of said State Street and 1300 South Street; said point of intersection is also located 22.98 feet South 0°02'11" East along said Easterly line of State Street from the Northwest Corner of said Block 2; and running thence along said Southerly line the following three courses: North 38°50'46" East 22.29 feet; North 89°54'13" East 135.98 feet to the record Westerly line of a 15 foot wide Alley vacated by Bill 138 on December 8, 1972; and North 0°01'00" West 5.61 feet along said Westerly line to the Southerly line of said 1300 South Street as it exists at varied width; thence North 89°54'48" East 14.50 feet along said Southerly line to the Westerly line and Westerly line extended of Lot B of said Amendment; thence to and along said Westerly line the following 7 courses: South 0°02'28" East 155.09 feet; South 89°54'53" West 41.62 feet; South 0°04'04" East 98.93 feet; North 89°54'44" East 10.00 feet; thence South 0°04'24" East 80.81 feet; South 89°54'47" West 10.00 feet; and South 0°04'04" East 239.70 feet to the Northerly line of Lot 9 of said Block 12; thence South 89°55'08" West 123.10 feet along said Northerly line to said Easterly line of State Street; thence North 0°02'11" West 551.55 feet along said Easterly line to the point of beginning.

The above described parcel of land contains 76,937 square feet in area or 1.766 acres, more or less.