

E 160654 B 390 P 961
Date: 15-Apr-2022 03:47PM
Fee: \$40.00 ACH
Filed By: SM
BRENDA NELSON, Recorder
MORGAN COUNTY
For: COTTONWOOD TITLE INSURANCE AGENCY,
Recorded Electronically by Simplifile

WHEN RECORDED, RETURN TO:

Snell & Wilmer L.L.P.
Attention: Wade Budge
15 West South Temple Street, Suite 1200
Salt Lake City, UT 84101

150487-CPP

Tax Parcel Nos. NS-294, NS-295, NS-296, NS-298-A, NS-299,
NS-317, NS-BDY-21, NS-BDY-20 in Summit County;
Tax Parcel Nos. 00-0005-0375; Serial No. 01-002-125-03, 00-0000-2731; Serial No. 01-002-134,
00-0005-0383; Serial No. 01-002-135, 00-0084-9030; Serial No. 01-002-135-01,
00-0000-2749; Serial No. 01-002-136, 00-0000-2764; Serial No. 01-002-137 and
00-0000-2780; Serial No. 01-002-138 in Morgan County.

NOTICE OF ASSIGNMENT AND ASSUMPTION OF LOANS

Notice is hereby given that WOHALI PARTNERS, LLC, a Utah limited liability company (“Assignor”), has assigned to WOHALI LAND ESTATES, LLC, a Utah limited liability company (“Assignee”), all of its right, title and interest in and to that certain Promissory Note dated as of October 5, 2017 and all related loan documents associated therewith (as they may have been further amended, restated, or otherwise modified from time to time, collectively, the “**Loan Documents**”). Pursuant to the Loan Documents, BOYDEN FARMS, LLC, a Utah limited liability company (“**Lender**”) agreed to make a loan to the Assignor in the maximum principal amount outstanding of \$5,950,000.00, which is secured by that certain Deed of Trust, Assignment of Rents, Security Agreement and Fixture Filing dated as of October 5, 2017 executed by Existing Borrower and recorded in the Official Records of Summit County, Utah on October 6, 2017 as Entry No. 01079138 (as may have been further amended, restated, or otherwise modified from time to time, the “**Deed of Trust**”). The Deed of Trust encumbers that certain real property located in Summit County and Morgan County, Utah, as more particularly described on Exhibit A, attached hereto and made a part hereof.

This Notice of Assignment and Assumption of Real Estate Lease (“**Notice**”) is made by reason of that certain Assignment and Assumption of Loans Agreement dated of equal date herewith, by and between Assignor and Assignee (the “**Assignment**”). The Assignment, among other things, provides the following: (i) Assignor assigns all of its right, title, and interest to the Loan Documents, and (ii) Assignee assumes and agrees to pay and perform all indebtedness and terms and conditions of the Loan Documents. All other terms of the Assignment are hereby incorporated in this Notice by this reference. In the event of any conflict between the terms of this Notice and the Assignment, the Assignment shall control.

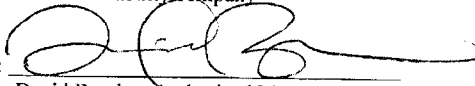
Lender has consented to the recording of this Notice in the Assignment.

[Signature Page Follows]

IN WITNESS WHEREOF, Assignor and Assignee have caused this Notice to be executed by their duly authorized officers as of April 15, 2022.

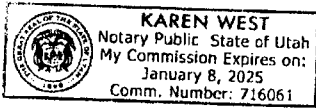
ASSIGNOR:

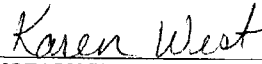
Wohali Partners, LLC,
a Utah limited liability company

By: 
David Boyden, Authorized Manager

STATE OF Utah)
COUNTY OF Summit : ss

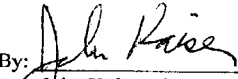
The foregoing Assignment was acknowledged before me this 15 day of April, 2022, by David Boyden, as Authorized Manager of Wohali Partners, LLC, on behalf of said limited liability company.




NOTARY PUBLIC

ASSIGNEE:

Wohali Land Estates, LLC,
a Utah limited liability company

By: 
John Kaiser, CEO

STATE OF Utah)
COUNTY OF Summit : ss

The foregoing Assignment was acknowledged before me this 15 day of April, 2022, by John Kaiser, as CEO of Wohali Land Estates, LLC, a Utah limited liability company, on behalf of said limited liability company.



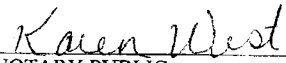

NOTARY PUBLIC

EXHIBIT A

Legal Description of the Property

That certain real property located in Summit County and Morgan County, Utah, more particularly described as follows:

SUMMIT COUNTY:

PARCEL NO. NS-294:

THAT PORTION OF THE FOLLOWING DESCRIBED PARCEL LYING IN SUMMIT COUNTY:

GOVERNMENT LOTS 9, 10, 11, 12, 13, 14, 15, AND 16 OF SECTION 16, TOWNSHIP 2 NORTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

PARCEL NO. NS-295:

THAT PORTION OF THE FOLLOWING DESCRIBED PARCEL LYING IN SUMMIT COUNTY:

ALL OF SECTION 21, TOWNSHIP 2 NORTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

LESS AND EXCEPTING THE FOLLOWING:

A TRACT OF LAND BEING PART OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 2 NORTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF STONE OF THE SAID SECTION 21; AND RUNNING THENCE SOUTH 0°02' WEST 2719.0 FEET TO A POINT MIDWAY TO THE SOUTHEAST CORNER STONE OF SAID SECTION 21; THENCE SOUTH 85°49' WEST 1048.0 FEET ALONG THE QUARTER SECTION LINE; THENCE ALONG A RIDGE THREE COURSES AS FOLLOWS: NORTH 25° EAST 1514.0 FEET; THENCE NORTH 33° EAST 532.6 FEET; THENCE NORTH 5°30' WEST 965.4 FEET TO SECTION LINE; THENCE NORTH 85°43' EAST 210.0 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING THE FOLLOWING:

A TRACT OF LAND BEING PART OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 2 NORTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER STONE OF SAID SECTION 21; AND RUNNING THENCE SOUTH 85°55' WEST 812.3 FEET ALONG THE SECTION LINE; THENCE ALONG A RIDGE FIVE COURSES AS FOLLOWS: NORTH 41° WEST 1180.0 FEET; THENCE NORTH 11° WEST 377.0 FEET; THENCE NORTH 2° EAST 1079.3 FEET; THENCE NORTH 59° EAST 659.0 FEET; THENCE NORTH 25° EAST 24.0 FEET TO THE QUARTER SECTION LINE; THENCE ALONG SAID LINE NORTH 85°49' EAST 1048.0 FEET TO A POINT MIDWAY ALONG THE EAST BOUNDARY OF SAID SECTION 21 BETWEEN THE NORTHEAST AND SOUTHEAST CORNER STONES; THENCE SOUTH 0°02' WEST 2719.0 FEET TO THE POINT OF BEGINNING.

PARCEL NO. NS-296:

BEGINNING AT THE NORTHEAST CORNER OF STONE OF THE SAID SECTION 21; AND RUNNING THENCE SOUTH 0°02' WEST 2719.0 FEET TO A POINT MIDWAY TO THE SOUTHEAST CORNER STONE OF SAID SECTION 21; THENCE SOUTH 85°49' WEST 1048.0 FEET ALONG THE QUARTER SECTION LINE; THENCE ALONG A RIDGE THREE COURSES AS FOLLOWS: NORTH 25° EAST 1514.0 FEET; THENCE NORTH 33° EAST 532.6 FEET; THENCE NORTH 5°30' WEST 965.4 FEET TO SECTION LINE; THENCE NORTH 85°43' EAST 210.0 FEET TO THE POINT OF BEGINNING.

PARCEL NO. NS-298-A:

THE WEST HALF OF THE NORTHWEST QUARTER AND THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

PARCEL NO. NS-299:

THE EAST HALF OF THE WEST HALF OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

PARCEL NO. NS-317:

THAT PORTION OF THE FOLLOWING DESCRIBED PARCEL LYING IN SUMMIT COUNTY:

ALL OF SECTION 27, TOWNSHIP 2 NORTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

LESS AND EXCEPTING THE FOLLOWING:

BEGINNING AT A POINT NORTH 85°53' EAST 82.4 FEET FROM THE SOUTH QUARTER SECTION STONE OF SAID SECTION 27; RUNNING THENCE 16 COURSES ALONG A RIDGE AS FOLLOWS: NORTH 13°30' WEST 170.0 FEET; NORTH 3°30' EAST 137.0 FEET; NORTH 5° WEST 112.0 FEET; NORTH 4° EAST 146.0 FEET; NORTH 12°30' WEST 148.0 FEET; NORTH 44° EAST 90.0 FEET; NORTH 26°30' EAST 91.0 FEET; NORTH 34°10' EAST 815.5 FEET; NORTH 40° EAST 143.0 FEET; NORTH 33° EAST 566.5 FEET; NORTH 4° EAST 412.5 FEET; NORTH 2°10' WEST 740.0 FEET; NORTH 7°25' WEST 1274.0 FEET; NORTH 28°30' EAST 393.0 FEET; NORTH 36° WEST 192.0 FEET; NORTH 3° WEST 422.5 FEET TO THE NORTH BOUNDARY OF SAID SECTION 27 AT A POINT WHICH BEARS NORTH 85°32' EAST 862.6 FEET FROM THE NORTH QUARTER SECTION CORNER STONE OF SAID SECTION 27; THENCE NORTH 85°32' EAST 1779.4 FEET TO THE NORTHEAST CORNER OF SAID SECTION 27; THENCE SOUTH 0°03' WEST 5400.0 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 27; THENCE SOUTH 85°53' WEST 2562.8 FEET TO THE POINT OF BEGINNING.

PARCEL NO. NS-BDY-21:

A TRACT OF LAND BEING PART OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 2 NORTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER STONE OF SAID SECTION 21; AND RUNNING THENCE SOUTH 85°55' WEST 812.3 FEET ALONG THE SECTION LINE; THENCE ALONG A RIDGE FIVE COURSES AS FOLLOWS: NORTH 41° WEST 1180.0 FEET; THENCE NORTH 11° WEST 377.0 FEET; THENCE NORTH 2° EAST 1079.3 FEET; THENCE NORTH 59° EAST 659.0 FEET; THENCE NORTH 25° EAST 24.0 FEET TO THE QUARTER SECTION LINE;

THENCE ALONG SAID LINE NORTH 85°49' EAST 1048.0 FEET TO A POINT MIDWAY ALONG THE EAST BOUNDARY OF SAID SECTION 21 BETWEEN THE NORTHEAST AND SOUTHEAST CORNER STONES; THENCE SOUTH 0°02' WEST 2719.0 FEET TO THE POINT OF BEGINNING.

PARCEL NO. NS-BDY-20:

BEGINNING AT THE NORTHEAST CORNER STONE OF SECTION 28, TOWNSHIP 2 NORTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; RUNNING THENCE SOUTH 0°02' WEST 1666.0 FEET ALONG THE SECTION LINE; THENCE ALONG A RIDGE THREE COURSES AS FOLLOWS: NORTH 26°51' WEST 796.6 FEET; THENCE NORTH 24° WEST 854.00 FEET; THENCE NORTH 41° WEST 155.5 FEET TO THE SECTION LINE; THENCE ALONG SAID LINE NORTH 85°55' EAST 812.3 FEET TO THE POINT OF BEGINNING.

MORGAN COUNTY:

PARCEL NO. 00-0005-0375; SERIAL NO. 01-002-125-03:

GOVERNMENT LOTS 9, 10, 11, 12, 13, 14, 15 AND 16 OF SECTION 16, TOWNSHIP 2 NORTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

LESS ANY PORTION LYING WITHIN SUMMIT COUNTY.

PARCEL NO. 00-0000-2731; SERIAL NO. 01-002-134:

GOVERNMENT LOTS 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 AND 16 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

PARCEL NO. 00-0005-0383; SERIAL NO. 01-002-135 AND PARCEL NO. 00-0084-9030; SERIAL NO. 01-002-135-01:

ALL OF SECTION 27, TOWNSHIP 2 NORTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

LESS AND EXCEPTING THAT PORTION LYING WITHIN SUMMIT COUNTY.

ALSO LESS AND EXCEPTING THE FOLLOWING DESCRIBED PROPERTY:

PART OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 2 NORTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN AND HAVING A BASIS OF BEARING TAKEN AS SOUTH 85°43'59" WEST BETWEEN THE SOUTH 1/4 CORNER AND THE SOUTHWEST CORNER OF SAID SECTION 27 DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS SOUTH 85°43'59" WEST 1506.90 FEET ALONG THE SECTION LINE AND NORTH 72.48 FEET FROM THE SOUTH 1/4 CORNER OF SAID SECTION 27 AND RUNNING THENCE NORTH 54°37'38" WEST 45.00 FEET; THENCE NORTH 35°22'22" EAST 26.31 FEET; THENCE NORTH 08°38'29" WEST 73.81 FEET; THENCE NORTH 81°21'31" EAST 20.00 FEET; THENCE SOUTH 08°38'29" EAST 53.11 FEET; THENCE NORTH 35°22'22" EAST 20.86 FEET; THENCE NORTH 50°55'52" EAST 38.88 FEET; THENCE NORTH 08°32'24" EAST 42.33 FEET; THENCE NORTH 10°15'47" EAST 56.91 FEET; THENCE NORTH 15°12'11" EAST 21.59 FEET; THENCE NORTH 09°36'58" EAST 47.90 FEET; THENCE NORTH 04°50'59" EAST 56.72 FEET; THENCE NORTH 03°13'30" WEST 48.39 FEET; THENCE NORTH 15°17'17" WEST 78.41 FEET; THENCE NORTH 12°58'55" WEST 75.46 FEET; THENCE NORTH 09°53'13" WEST 47.03 FEET; THENCE NORTH 10°15'27" WEST 66.93 FEET; THENCE NORTH 10°36'25" WEST 66.48 FEET; THENCE NORTH 22°07'54" WEST

63.17 FEET; THENCE NORTH 14°22'48" WEST 40.32 FEET; THENCE NORTH 03°54'11" WEST 51.81 FEET; THENCE NORTH 00°14'18" EAST 57.90 FEET; THENCE NORTH 09°00'37" WEST 120.64 FEET; THENCE NORTH 15°45'11" WEST 9.99 FEET; THENCE SOUTH 60°46'28" WEST 27.80 FEET; THENCE NORTH 29°13'32" WEST 91.23 FEET; THENCE NORTH 60°46'28" EAST 94.65 FEET; THENCE SOUTH 29°13'32" EAST 91.23 FEET; THENCE SOUTH 60°46'28" WEST 56.57 FEET; THENCE SOUTH 15°45'11" EAST 13.02 FEET; THENCE SOUTH 09°00'37" EAST 121.97 FEET; THENCE NORTH 80°44'01" EAST 181.39 FEET; THENCE SOUTH 09°15'59" EAST 342.85 FEET; THENCE SOUTH 80°44'01" WEST 175.42 FEET; THENCE SOUTH 09°53'13" EAST 46.79 FEET; THENCE SOUTH 12°58'55" EAST 74.99 FEET; THENCE SOUTH 15°17'17" EAST 79.26 FEET; THENCE SOUTH 03°13'30" EAST 50.16 FEET; THENCE SOUTH 04°50'59" WEST 57.85 FEET; THENCE SOUTH 09°36'58" WEST 48.80 FEET; THENCE SOUTH 15°12'11" WEST 21.65 FEET; THENCE SOUTH 10°15'47" WEST 56.32 FEET; THENCE SOUTH 08°32'24" WEST 42.18 FEET; THENCE SOUTH 03°46'08" WEST 49.05 FEET; THENCE SOUTH 35°22'22" WEST 75.96 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 00-0000-2749; SERIAL NO. 01-002-136:

ALL OF SECTION 21, TOWNSHIP 2 NORTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TWO TRACTS OF LAND:

A TRACT OF LAND BEING PART OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 2 NORTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF STONE OF THE SAID SECTION 21, AND RUNNING THENCE SOUTH 0°02' WEST 2719.0 FEET TO A POINT MIDWAY TO THE SOUTHEAST CORNER STONE OF SAID SECTION 21; THENCE SOUTH 85°49' WEST 1048.0 FEET ALONG THE QUARTER SECTION LINE; THENCE ALONG A RIDGE THREE COURSES AS FOLLOWS: (1) NORTH 25° EAST 1514.0 FEET; (2) THENCE NORTH 33° EAST 532.6 FEET; (3) THENCE NORTH 5°30' WEST 965.4 FEET TO SECTION LINE; THENCE NORTH 85°43' EAST 210.0 FEET TO THE POINT OF BEGINNING.

A TRACT OF LAND BEING PART OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 2 NORTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER STONE OF SAID SECTION 21, AND RUNNING THENCE SOUTH 85°55' WEST 812.3 FEET ALONG THE SECTION LINE; THENCE ALONG A RIDGE FIVE COURSES AS FOLLOWS: (1) NORTH 41° WEST 1180.0 FEET; (2) THENCE NORTH 11° WEST 377.0 FEET; (3) THENCE NORTH 2° EAST 1079.3 FEET; (4) THENCE NORTH 59° EAST 659.0 FEET; (5) THENCE NORTH 25° EAST 24.0 FEET TO THE QUARTER SECTION LINE; THENCE ALONG SAID LINE NORTH 85°49' EAST 1048.0 FEET TO A POINT MIDWAY ALONG THE EAST BOUNDARY OF SAID SECTION 21 BETWEEN THE NORTHEAST AND SOUTHEAST CORNER STONES; THENCE SOUTH 0°02' WEST 2719.0 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 00-0000-2764; SERIAL NO. 01-002-137:

ALL OF SECTION 28, TOWNSHIP 2 NORTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT OF LAND:

PART OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 2 NORTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN:

BEGINNING AT THE NORTHEAST CORNER STONE OF THE SAID SECTION 28; AND RUNNING THENCE SOUTH 0°02' WEST 1666.0 FEET ALONG THE SECTION LINE; THENCE ALONG A RIDGE THREE COURSES AS FOLLOWS: (1) NORTH 26°51' WEST 796.6 FEET; (2) THENCE NORTH 24° WEST 854.0 FEET; (3) THENCE NORTH 41° WEST 155.5 FEET TO SECTION LINE; THENCE ALONG SAID LINE NORTH 85°55' EAST 812.3 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 00-0000-2780; SERIAL NO. 01-002-138:

ALL OF SECTION 29, TOWNSHIP 2 NORTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

TAX ID NOS.: NS-294, NS-295, NS-296, NS-298-A, NS-299, NS-317, NS-BDY-21, NS-BDY-20, 00-0005-0375; Serial No. 01-002-125-03, 00-0000-2731; Serial No. 01-002-134, 00-0005-0383; Serial No. 01-002-135, 00-0084-9030; Serial No. 01-002-135-01, 00-0000-2749; Serial No. 01-002-136, 00-0000-2764; Serial No. 01-002-137 and 00-0000-2780; Serial No. 01-002-138 (for reference purposes only)