

When Recorded Mail To:  
Joann L. Smith Limited Company  
5880 N. Highland Dr.  
Mountain Green, Utah 84050  
Order No. 547951

E 161748 B 394 P 878  
Date 19-Aug-2022 01:30PM  
Fee: \$40.00 ACH  
Filed By: JP  
BRENDA NELSON, Recorder  
MORGAN COUNTY  
For: STEWART TITLE OF UTAH  
Recorded Electronically by Simplifile

Space above this line for Recorder's use

## *Trust Deed*

**THIS TRUST DEED** is made this 20 day of July, 2022, between **Derrick Helsten**, whose address is **5672 Woodland Dr. Morgan, Utah 84050**, as **TRUSTOR** and **Stewart Title of Utah, Inc.** whose address is **1518 North Woodland Park Drive, Layton, Utah 84041**, as **TRUSTEE**, and **Joann L. Smith Limited Company**, a **Utah Limited Liability Company**, as to an undivided **60% interest** and **Barlow Woodseat, LLC**, as to an undivided **40% interest** whose address is **5880 N. Highland Dr. Mountain Green, Utah 84050** as **BENEFICIARY**.

Trustor hereby **CONVEYS AND WARRANTS TO TRUSTEE IN TRUST, WITH POWER OF SALE**, the following described property situated in **Morgan County, Utah**:

**SEE ATTACHED EXHIBIT "A"**  
**LEGAL DESCRIPTON**  
**MADE A PART HEREOF**

Tax ID No. 03-005-018-012/00-0087-4278, 03-005-018-013/00-0087-4351 and part of the following: 03-005-018-14/00-0087-4430 and 03-005-019/00-0002-5957

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 thereunto now or hereafter used or enjoyed with said property, or any part thereof.

**FOR THE PURPOSE OF SECURING** payment of the indebtedness evidenced by a promissory note of even date herewith, in the principal sum of **\$1,000,000.00** payable to the order of Beneficiary at the times, in the manner and with interest as therein set forth, and payment of any sums expended or advanced by Beneficiary to protect the security hereof.

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 fire insurance on 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.

### **COURTESY RECORDING**

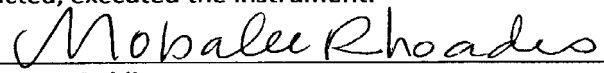
This document is being recorded solely as a courtesy and an accommodation to the parties named herein. Stewart Title hereby expressly disclaims any responsibility or liability for the accuracy or the content thereof.

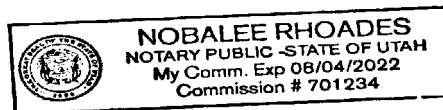
The undersigned Trustor requests that a copy of any notice of default and of any notice of sale hereunder be mailed to him at the address hereinbefore set forth.

  
Derrick Helsten

State of Utah  
County of Davis

On this 20 day of July, 2022, personally appeared before me, the undersigned Notary Public, personally appeared Derrick Helsten, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged before me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

  
Notary Public  
My commission expires: 8-4-22



## EXHIBIT "A" LEGAL DESCRIPTION

File No.: 547951

The land referred to herein is situated in the County of Morgan, State of Utah, and is described as follows:

Proposed Frontier Estates, beign more particularly described as folows:

A tract of land located in the Northeast Quarter of Section 23, Township 5 North, Range 1 East, Salt Lake Base and Meridian, having a basis of bearing between a found Stone monument for the Northeast Corner and a rebar and cap monument for the East Quarter corner of said Section 23 of South 00°29'17" West, said tract being described as follows;

BEGINNING at the Southeast corner of Lot 49, Trapper's Pointe P.R.U.D. Plat "B" as recorded in the Morgan County Recorder's office as County Recorder No. 74271 as M 133-123 on December 15, 1997, (said point being located the following 3 (three) courses: 1) 2526.37 feet North 89°16'00" West (N 89°16'10" W by plat record), and 2) 1427.56 feet South 00°00'10" West (South by plat record), and 3) 1021.68 feet North 88°41'50" East said line being coincident with the south lot line of said Lot 49 (said south lot line has a bearing of record of N 88°41'40" E), FROM said Northeast corner of Section 23; RUNNING thence the following Four (4) courses along a portion of the south boundary of said Trapper's Pointe P.R.U.D. Plat "B"; 1) South 77°33'23" East (S 77°33'34" E by plat record) 61.77 feet, to the southwest corner of Lot 50 said Trapper's Pointe P.R.U.D. Plat "B"; 2) North 88°41'51" East (N 88°41'40" E by plat record) 132.92 feet, to the southeasterly corner of said Lot 50; 3) North 00°30'45" East (N 00°30'35" E by plat record) 20.01 feet, to an angle point of said Lot 50; 4) North 88°41'50" East (N 88°41'40" E by plat record) 43.11 feet; Thence South 01°18'05" East 141.00 feet; Thence South 01°09'23" West 121.01 feet; Thence South 06°05'13" West 241.61 feet; Thence South 01°30'49" West 120.86 feet; Thence South 88°41'51" West 38.35 feet, to a point on the easterly boundary of a parcel described in document recorded as Entry number 102322, said line being evidenced by an old existing fence line; Thence South 02°11'46" West 471.50 feet, along said boundary and old existing fence line; Thence North 87°23'54" West 517.84 feet; Thence North 02°33'36" East 847.75 feet to the south boundary of the "Common Area" open space parcel 22.17 acres as defined by said Trapper's Pointe P.R.U.D. Plat "B"; Thence the following 2 (two) courses along said "Common Area" boundary, 1) North 88°41'50" East (N 88°41'40" E by plat record) 341.20 feet, 2) North 01°18'05" West (N 01°18'20" W by plat record) 206.44 feet to the point of beginning.

Tax ID No. 03-005-018 / 00-0003-3454, 03-005-018-012 / 00-0087-4278, 03-005-018-013 / 00-0087-4351 and 03-005-019 / 00-0002-5757