



W2892065

E# 2892065 PG 1 OF 4
Leann H. Kilts, WEBER COUNTY RECORDER
28-Nov-17 0128 PM FEE \$17.00 DEP TN
REC FOR: FIRST AMERICAN TITLE INSURANCE CO
ELECTRONICALLY RECORDED

When recorded return to:
Utah Certified Development Company
5333 South Adams Ave., Suite B
Ogden, Utah 84405

FATCD NCS - 805706

Property Tax ID: 14-037-0031, 14-037-0017

**ASSIGNMENT OF NOTE, TRUST DEED, GUARANTEE(S),
AND ASSIGNED LESSOR'S AND LESSEE'S LEASEHOLD INTEREST AS
COLLATERAL**

STATE OF UTAH

COUNTY OF WEBER

FOR VALUE RECEIVED, the undersigned hereby transfers, sets over and assigns unto U.S. Small Business Administration, an Agency of the United States, all of its right, title and interest in and to the following:

(1) That certain Promissory Note dated November 27, 2017, in the face principal amount of \$404,000.00 executed by **C & R Erdmann Properties, L.L.C.**, as Borrower, in favor of Utah Certified Development Company as Lender.

(2) That certain Trust Deed dated November 27, 2017, between **C & R Erdmann Properties, LLC**, as Trustor, **Utah Certified Development Company**, as Beneficiary, and U.S. Small Business Administration, as Trustee, and recorded November 28, 2017, in the office of the WEBER County Recorder, State of Utah, as Entry No. 2892035, with the real property subject to such Trust Deed more particularly described on attached Exhibit "A".

(3) That certain Trust Deed dated November 27, 2017, between **Corey A. Erdmann and Rebecca N. Erdmann, husband and wife as joint tenants**, as Trustor, **Utah Certified Development Company**, as Beneficiary, and U.S. Small Business Administration, as Trustee, and recorded November 28, 2017, in the office of the WEBER County Recorder, State of Utah, as Entry No. 2892036, with the real property subject to such Trust Deed more particularly described on attached Exhibit "B".

(4) That certain Assignment of Lease and Rents of Lessor's Interest as Collateral Agreement dated November 27, 2017, executed by **C & R Erdmann Properties, L.L.C.** as Lessor in favor of Utah Certified Development Company, as Assignee and that certain Assignment of Lease and Rents of Lessee's Interest as Collateral Agreement dated November 27, 2017, executed by Sand & Swirl, Inc. as Lessee and Assignor in favor of Utah Certified Development Company as Assignee.

(5) That certain Guarantee(s) dated November 27, 2017, executed by **Sand & Swirl, Inc., Corey A. Erdmann and Rebecca N. Erdmann**, as Guarantor(s) in favor of Utah Certified Development Company, as Lender.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed and its seal affixed by its duly authorized officer this 27th day of November, 2017.

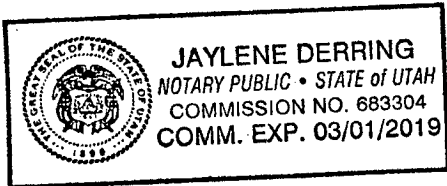
UTAH CERTIFIED DEVELOPMENT COMPANY

By: Caryl A. Eriksson
Caryl A. Eriksson, Vice President

ATTEST: Tandra Humpherys
Tandra Humpherys, Assistant Secretary

NOTARY ACKNOWLEDGEMENT

On this 27th day of November, 2017, personally appeared before me, Caryl A. Eriksson and Tandra Humpherys, who being by me duly sworn, did say that they are the Vice President and Assistant Secretary, respectively, of Utah Certified Development Company, a Corporation, and that the foregoing instrument was signed in behalf of said corporation by authority of a Resolution of its Board of Directors.



Jaylene Derring
NOTARY PUBLIC
Residing at: Ogden, Utah

EXHIBIT "A"

Debtor and Trustor: C & R Erdmann Properties, L.L.C.
to assist, Sand & Swirl, Inc.

Secured Party and Beneficiary: Utah Certified Development Company and
The U. S. Small Business Administration

Real Property Description

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PARCEL 1:

PART OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY:

BEGINNING AT A POINT SOUTH 89°02' EAST 936.29 FEET, NORTH 0°58' EAST 648.15 FEET, NORTHERLY ALONG THE ARC OF A 346.28 FOOT RADIUS CURVE TO THE LEFT 212.08 FEET AND NORTH 34°07'30" WEST 474.51 FEET FROM THE INTERSECTION OF PENNSYLVANIA AVENUE AND KERSHAW STREET, RUNNING THENCE NORTH 34°07'30" WEST 53.49 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 219.20 FOOT CURVE TO THE LEFT 99.95 FEET; THENCE NORTHERLY ALONG THE ARC OF A 50.00 FOOT RADIUS CURVE TO THE RIGHT 52.71 FEET; THENCE NORTH 0°09'15" EAST 73.18 FEET TO AN EXISTING FENCE; THENCE SOUTH 89°50'45" EAST 209.96 FEET ALONG SAID FENCE TO THE WEST LINE OF INTERSTATE 15; THENCE SOUTH 32°56'15" EAST 330.10 FEET ALONG SAID WEST LINE; THENCE NORTH 79°20'30" WEST 266.35 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

PART OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN, U.S. SURVEY:

BEGINNING AT A POINT SOUTH 89°31'50" EAST 477.10 FEET AND SOUTH 0°02' WEST 850.01 FEET FROM THE NORTHWEST CORNER OF SAID QUARTER SECTION AND RUNNING THENCE SOUTHERLY ALONG THE ARC OF A 50 FOOT RADIUS CURVE TO THE LEFT 52.71 FEET; THENCE ALONG THE ARC OF A 219.20 FOOT RADIUS CURVE TO THE RIGHT 99.95 FEET; THENCE SOUTH 34°07'30" EAST 109.00 FEET; THENCE NORTH 89°31'51" WEST 72 FEET; THENCE NORTH 34°07'30" WEST 67.12 FEET; THENCE ALONG THE ARC OF A 159.20 FOOT RADIUS CURVE TO THE LEFT 73.18 FEET; THENCE NORTH 0°02' EAST 102.82 FEET TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM ANY PORTION OF DESCRIBED PROPERTY FALLING WITHIN WADMAN DRIVE, DEDICATION PLAT RECORDED DECEMBER 16, 2004, AS ENTRY NO. 2074419, IN BOOK 60 AT PAGE 84 OF OFFICIAL RECORDS.

14-037-0031, 14-037-0017

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The address of such property is: 2620 Wadman Drive, Ogden, UT 84401

**The owner of such real property is:
C & R Erdmann Properties, LLC**

EXHIBIT "B"

Debtor and Trustor: C & R Erdmann Properties, L.L.C.
to assist, Sand & Swirl, Inc.

**Secured Party and
Beneficiary:** Utah Certified Development Company and
The U. S. Small Business Administration

Real Property Description

PART OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 5
NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN, U.S. SURVEY:

BEGINNING AT A POINT 1764.7 FEET WEST OF THE NORTHEAST
CORNER OF SAID QUARTER SECTION, RUNNING THENCE SOUTH
16 RODS; THENCE WEST 5 RODS; THENCE NORTH 16 RODS;
THENCE EAST 5 RODS TO POINT OF BEGINNING.

08-002-0007

The address of such property is: 1339 West 3300 South, Ogden, UT 84401

**The owner of such real property is:
Corey A. Erdmann and Rebecca N. Erdmann, husband and wife as joint tenants**