



W3223825

ASSIGNMENT OF DEED OF TRUST

For valued received, the undersigned hereby sells, assigns and transfers to

The Afton Faye Layton and Gerald B Layton Living Trust dated Dec 8, 2016

all beneficial interest under that certain Deed of Trust dated

executed by **Five points 180 LLC**, Trustor to

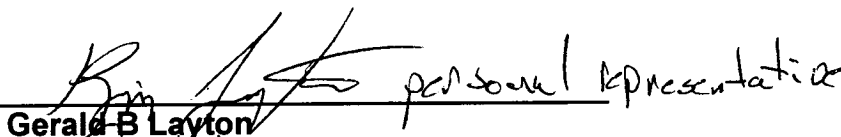
Bonneville Superior Title Company, Inc, Trustee

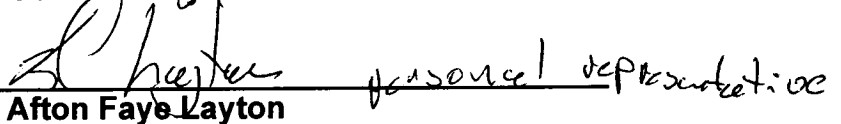
and recorded as Instrument No. **2586302**, on **July 18 2021**
, of Official Records in the Recorder's office of
Weber State of Utah describing land therein as:

See attached "Exhibit A"

(12-068-0004)

Together with the note or notes therein described or referred to, the money due and to become due thereon with interest, and all rights accrued or to accrue under said Deed of Trust.

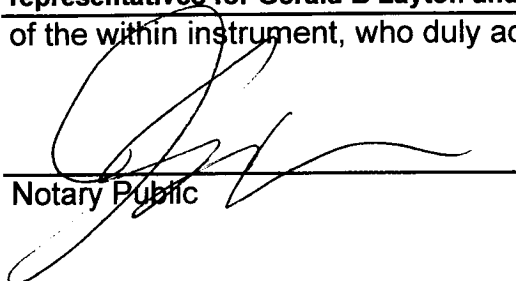

Gerald B Layton personal representative

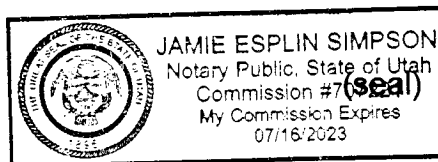

Afton Faye Layton personal representative

State of Utah
County of weber

on the 14 day of March, 2022

Personally appeared before me Kipp Layton and KC Layton as personal representatives for Gerald B Layton and Afton Faye Layton who are deceased the signer(s) of the within instrument, who duly acknowledge to me that they executed the same.


Notary Public



LEGAL DESCRIPTION
EXHIBIT A

The land referred to in this exhibit is situated in the county of Weber State of Utah, and is described as follows:

All of Lots 9, 10, 11, and the South 15 feet of Lot 12, Block 5, ORCHARD GROVE ADDITION, according to the Official Plat thereof as recorded in the Office of the Weber County Recorder, State of Utah.

Tax ID No: 12-068-0004



Stephen W. Farr (1042)
FARR CRAGUN & BERUBE, PC
205 26th Street, Suite 24
Ogden, Utah 84401
Telephone: (801) 394-5524
Facsimile: (801) 394-5523
Email: Steve@frflawfirm.com

STATE OF UTAH }
COUNTY OF WEBER } SS

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE ORIGINAL ON FILE IN MY OFFICE

DATED THIS 14 DAY OF FEBRUARY, 2022
CLERK OF THE COURT

BY [Signature] DEPUTY

PAGE 1 THROUGH 2



IN THE SECOND DISTRICT COURT OF WEBER COUNTY

STATE OF UTAH

<p>IN THE MATTER OF THE ESTATE OF AFTON FAYE LAYTON, Deceased</p>	<p>AMENDED STATEMENT OF INFORMAL PROBATE OF WILL AND INFORMAL APPOINTMENT OF EXECUTOR</p> <p>Case No. 213900621</p> <p>Judge Noel Hyde</p>
--	---

Upon consideration of the Application for Informal Probate of Will filed by KIPP LAYTON and KC LAYTON on the 10th day of November 2021, the registrar finds that:

1. The Application is complete.
2. The applicants have made oath or affirmation that the statements contained in the Application are true to the best of their knowledge and belief.
3. The applicants appear from the Application to be an interested person as defined by the Utah Uniform Probate Code.
4. On the basis of the statements in the Application, venue is proper.
5. An original, duly executed and apparently unrevoked Will is in the registrar's possession.
6. Any required notice has been given or waived.

7. On the basis of the statements in the Application, the Will to which the Application relates is not part of a known series of testamentary instruments (other than Wills or codicils), the latest of which does not expressly revoke the former.

8. On the basis of the statements in the Application, no Personal Representative has been appointed in this state.

9. On the basis of the statements in the Application, neither the Will to which the Application relates nor any other Will of the decedent has been the subject of a previous probate order in this state.

10. It appears from the Application that the time limit for informal probate has not expired.

11. The applicable time period within which no action can be taken on an Application for informal probate has elapsed.

12. Based on the statements in the application, the person whose appointment as Executor is sought is qualified to act as Executor and has prior right to appointment.

13. No bond is required.

14. The applicable time period within which no action can be taken on an application for informal probate and appointment has elapsed.

THEREFORE:

1. The Will of the decedent dated December 8, 2016 is hereby informally probated.
2. KIPP LAYTON and KC LAYTON are hereby appointed as Executor of the decedent, to act with bond.
3. Letters of administration shall be issued to the said personal representatives upon

qualification and acceptance.

BY THE COURT: The Court Signature and date signed will appear at the top of the first page of this document.

CERTIFICATION OF TRUST

TO: ALL FINANCIAL INSTITUTIONS, MUTUAL FUND ADMINISTRATORS, TITLE INSURERS, TRANSFER AGENTS, AND OTHER PERSONS AND INSTITUTIONS

The undersigned desires to confirm the establishment of a revocable living trust named THE AFTON FAYE and GERALD B. LAYTON LIVING TRUST (hereinafter referred to as the "Trust"). The following provisions are found in said Trust and may be relied upon as a full statement of the matters covered by such provisions by anyone dealing with the original Trustee or her successors.

CREATION OF TRUST

The Trust was created concurrently herewith by a Trust Agreement executed by the undersigned as Settlor and Trustee, for the benefit of the undersigned during her lifetime and thereafter for the benefit of other successor beneficiaries in interest.

NAME OF TRUST

The name of the Trust is THE AFTON FAYE and GERALD B. LAYTON LIVING TRUST. Any assets held in the name of the Trust should be titled in substantially the following manner: AFTON FAYE LAYTON and GERALD B. LAYTON, as Trustees of THE AFTON FAYE AND GERALD B. LAYTON LIVING TRUST, U/A dated Dec. 8, 2016.

TRUSTEE

The currently acting Trustee of the Trust is AFTON FAYE LAYTON and GERALD B. LAYTON. If they should cease to act as the Trustee for any reason, they shall be succeeded by KIPP G. LAYTON as the successor Trustee.

REVOCABILITY OF TRUST

The Trust is revocable. The person holding the power to revoke or amend the Trust is AFTON FAYE LAYTON AND GERALD B. LAYTON.

TAXPAYER IDENTIFICATION NUMBER

The Trust uses the Social Security number of the Settlor as its Taxpayer Identification Number. No separate tax identification number is required while this Trust is revocable and the Settlor is acting as a Trustee.

ADDRESS OF THE TRUST

The Trust uses the address of the Settlor/Trustee as its location. This address is currently 1114 16th Street, Ogden, Utah 84404.

THE AFTON FAYE LAYTON AND GERALD B. LAYTON LIVING TRUST

THIS TRUST AGREEMENT is entered into by **AFTON FAYE LAYTON and GERALD B. LAYTON**, as Settlor, and **AFTON FAYE LAYTON and GERALD B. LAYTON**, as Trustee. For all purposes hereunder, the words "I", "me", "my", "mine", and similar pronouns, shall refer to Settlor **AFTON FAYE LAYTON and GERALD B. LAYTON** and shall be construed as the possessive when the context would so indicate.

ARTICLE I

RECITALS AND CONVEYANCE

WHEREAS, I, **AFTON FAYE LAYTON and GERALD B. LAYTON**, desire to establish a trust of which, during my lifetime, I am the sole life beneficiary and the exclusive recipient of the economic benefits;

WHEREAS, this trust shall be initially funded with the sum of TEN DOLLARS (\$10.00) in cash; such sum and any assets later added to the trust shall be known as the "trust fund" and shall be held, administered and distributed as provided in this document and any subsequent amendments to this document;

NOW, THEREFORE, the Trustee acknowledges receipt of the trust fund and shall hold the same in trust under the following terms, conditions and provisions:

ARTICLE II

DECLARATIONS

2.A. **Name.** This trust shall be known as **AFTON FAYE LAYTON and GERALD B. LAYTON LIVING TRUST**.

2.B. **Family.** A couple. I have four children now living; their names and dates of birth are:

KIRK B. LAYTON
KIPP G. LAYTON
KENNETH T. LAYTON
K.C. LAYNE LAYTON

2.C. **Successor Trustee.** If I should cease to act as the Trustee for any reason, I shall be succeeded by my son **KIPP G. LAYTON**, Roy, Utah, as the successor Trustee.

instructions left by me and the remainder of said Trust property, shall be equally distributed to all four children.

(2) If any of the children pre-decease the surviving settlor, the children of that child shall receive that child's share.

Executed on Dec 8, 2016, in Weber County, Utah.

I hereby acknowledge receipt of the trust fund, accept the terms of THE AFTON FAYE AND GERALD B. LAYTON LIVING TRUST, and covenant that I will execute the trust with all due fidelity.

Afton Faye Layton
AFTON FAYE LAYTON,
Trustee

STATE OF UTAH)
) ss.
COUNTY OF WEBER)

On this 8th day of December, 2016, personally appeared before me AFTON FAYE LAYTON, the signer of the foregoing instrument who duly acknowledged to me that she executed the same.

Nikki L. Hufstetler
NOTARY PUBLIC

My commission expires: 09-06-2018



Gerald B. Layton

GERALD B. LAYTON,
Trustee