

WHEN RECORDED RETURN TO:



\*W3272760\*

Carpe Diem Boating, LLC  
74 East 500 South  
American Fork, UT 84003

E# 3272760 PG 1 OF 3  
Leann H. Kilts, WEBER COUNTY RECORDER  
09-Feb-23 0100 PM FEE \$40.00 DEP DAC  
REC FOR: COTTONWOOD TITLE INSURANCE AGENCY  
ELECTRONICALLY RECORDED

APN: 08-112-0024

### TRUST DEED

THIS TRUST DEED is made this 26<sup>th</sup> day of January 2023, among AA Alpine Storage – Roy, LLC, a Utah limited liability company, as Trustor, whose address is 74 East 500 South, American Fork, Utah, 84003, Bradley R. Helsten, Esq. of 2061 E. Murray Holladay Rd., Salt Lake City, Utah, 84117, as Trustee, and Carpe Diem Boating, LLC, as Beneficiary.

Trustor hereby CONVEYS AND WARRANTS TO TRUSTEE IN TRUST, WITH POWER OF SALE, the following described property situated at 1701 W. 5300 S. in Weber County, Utah, with the legal description as set forth on Attachment A.

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 revolving promissory note of even date herewith, in the maximum principal sum of Seventeen Million Dollars (\$17,000,000), 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 Beneficiary's attorney's fees in the 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 ONLY

Cottonwood Title disclaims any liability as to the condition of title and as to the content, validity, or effects of this document.

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

AA Alpine Storage – Roy, LLC

[Signature]  
By: Aaron Frazier, its Manager

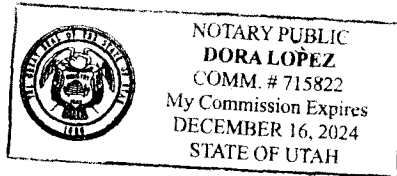
STATE OF UTAH            )  
  ss.  
COUNTY OF UTAH        )

On the 31 day of January, 2023 personally appeared before me Aaron Frazier, as the duly appointed manager of AA Alpine Storage – Roy, LLC, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

[Signature]  
Notary Public

My Commission Expires:  
12-16-2024

Residing at:  
Sandy, UT



## ATTACHMENT A

Legal Description

COMMENCING AT A POINT LOCATED SOUTH 00D16'32" WEST ALONG THE SECTION LINE 68.02 FEET AND EAST 979.57 FEET FROM THE WEST QUARTER CORNER OF SECTION 13, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 12D59'31" EAST ALONG A FENCE LINE AND EAST LINE OF OGDEN AND SALT LAKE RAILROAD (ALSO KNOWN AS UNION PACIFIC RAILROAD) RIGHT OF WAY FENCE 161.65 FEET; THENCE NORTH 52D08'00" EAST 20.02 FEET; THENCE ALONG AN ARC OF A 142.00 FOOT RADIUS CURVE TO THE LEFT 61.54 FEET (CHORD BEARS SOUTH 24D53'57" EAST 61.06 FEET); THENCE SOUTH 12D45'00" WEST 513.34 FEET; THENCE SOUTH 75D30'00" EAST 357.09 FEET; THENCE RUNNING ONE (1) FOOT PARALLEL TO THE EXISTING RIGHT OF WAY FENCE OF INTERSTATE HIGHWAY 15 THE FOLLOWING CALLS SOUTH 12D24'16" WEST 207.34 FEET; SOUTH 12D23'34" WEST 69.18 FEET; SOUTH 17D09'58" WEST 120.76 FEET; SOUTH 17D30'03" WEST 109.66 FEET; SOUTH 17D32'39" WEST 79.57 FEET; SOUTH 14D56'19" WEST 188.81 FEET; SOUTH 15D05'00" WEST 39.86 FEET, SOUTH 18D27'37" WEST 49.90 FEET; SOUTH 19D36'46" WEST 300.57 FEET; SOUTH 20D21'23" WEST 50.70 FEET; SOUTH 22D50'41" WEST 37.90 FEET; THENCE SOUTH 25D36'56" WEST 48.58 FEET; THENCE NORTH 89D42'25" WEST 363.20 FEET TO AN EXISTING REBAR WITH CAP; THENCE FROM THE EXISTING REBAR WITH CAP NORTH 13D03'35" EAST ALONG THE EAST LINE OF OGDEN AND SALT LAKE RAILROAD (ALSO KNOWN AS UNION PACIFIC RAILROAD) RIGHT OF WAY 481.35 FEET TO A EXISTING REBAR WITH CAP; THENCE FROM THE EXISTING REBAR WITH CAP NORTH 89D23'28" EAST 36.47 FEET; THENCE NORTH 12D57'46" EAST ALONG AND FENCE LINE EXTENDED AND ALONG THE EAST LINE OF OGDEN AND SALT LAKE RAILROAD (ALSO KNOWN AS UNION PACIFIC RAILROAD) RIGHT OF WAY FENCE EXTENDED 849.81 FEET TO THE END OF FENCE LINE; THENCE NORTH 13D09'13" EAST ALONG A FENCE LINE AND EAST LINE OF OGDEN AND SALT LAKE RAILROAD (ALSO KNOWN AS UNION PACIFIC ROAD) RIGHT OF WAY FENCE 431.23 FEET TO THE POINT OF BEGINNING. TOGETHER WITH A NON EXCLUSIVE RIGHT OF WAY FOR INGRESS AND EGRESS OVER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY, A PART OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U S SURVEY: BEGINNING AT A POINT WHICH IS SOUTH 89D51' EAST 994.05 FEET ALONG THE QUARTER SECTION LINE, NORTH 12D45' EAST 94.60 FEET AND NORTH 52D08' EAST 20.02 FEET; FROM THE WEST QUARTER CORNER OF SAID SECTION 13, SAID POINT IS ALSO THE INTERSECTION OF THE SOUTH LINE OF RIVERDALE ROAD AND THE WEST LINE OF THE DAVIS & WEBER CANAL COMPANY RIGHT OF WAY; RUNNING THENCE NORTH 52D08' EAST 106.06 FEET; THENCE SOUTH 12D45' WEST 149.59 FEET TO THE WEST LINE OF SAID CANAL RIGHT OF WAY THENCE NORTHERLY ALONG THE ARC OF A 142 FOOT RADIUS CURVE TO THE RIGHT 97.29 FEET (L C BEARS NORTH 32D06'58" WEST 95.39 FEET) TO THE POINT OF BEGINNING. TOGETHER WITH A 10 FOOT EASEMENT THROUGH A PART OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U S SURVEY: SAID EASEMENT BEING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE BEGINNING AT A POINT NORTH 00D02' WEST 1344.94 FEET FROM THE SOUTHWEST CORNER OF SECTION 13, THENCE NORTH 89D22' EAST 50 FEET; RUNNING THENCE SOUTH 85D49' EAST 253.04 FEET; THENCE NORTH 89D47'30" EAST 400 FEET TO THE EAST LINE OF THE OGDEN AND SALT LAKE RAILROAD RIGHT OF WAY.