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BK 8124 PG 765

E 3505703 B 8124 P 765-767
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
10/31/2022 2:46:00 PM
FEE \$40.00 Pgs: 3
DEP eCASH REC'D FOR NELSON CHRISTENSEN

WHEN RECORDED, MAIL TO:

Spencer B. Nelson, Esq.
NELSON CHRISTENSEN HOLLINGWORTH & WILLIAMS
5292 College Drive, Suite 203
Murray, UT 84123

Space above for County Recorder's use

Parcel I.D. #14-069-0049
14-069-0052
14-069-0062

NOTICE OF DEFAULT

SPENCER B. NELSON, Successor Trustee under that certain Deed of Trust, Security Agreement and Assignment of Rents dated February 9, 2022, executed by **MILLCREEK HOMES, INC.**, as Trustor, wherein **INTERIM CAPITAL, LLC** appeared as Beneficiary, and recorded February 14, 2022, as Entry No. 3456963 in Book 7946 at Page 1774 of the official records of the Davis County Recorder, State of Utah, covering the real property located in said County as described in the attached Exhibit "A".:

Trustee hereby gives notice that breach of the obligations for which such Deed of Trust is security has occurred in that Trustor has failed to pay amounts owing to Beneficiary under a Line of Credit Note dated February 9, 2022, in the original maximum amount of \$6,325,000.00, together with accrued interest, attorney's fees, costs, and late fees associated herewith; and the Beneficiary has executed and delivered to said Successor Trustee a written declaration of default, and has deposited with said Successor Trustee such Deed of Trust and all documents evidencing obligations secured thereby and has elected to cause the property to be sold to satisfy the obligation secured thereby.

This is an attempt to collect a debt. Any information obtained may be used for that purpose. This communication is from a debt collector. Unless, within thirty (30) days after receipt of this Notice of Default, you dispute the validity of the debt or any portion thereof, we will assume this debt to be valid and will proceed in accordance with that assumption.

If, within (30) days of your receipt of this Notice of Default, you notify us in writing that the debt or any portion thereof is disputed, we will obtain a verification of the debt or if the debt is founded upon a judgment, a copy of the judgment, and we will mail to you a copy of such verification.

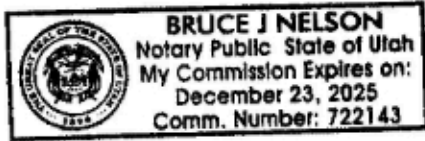
DATED this 31st day of October, 2022.

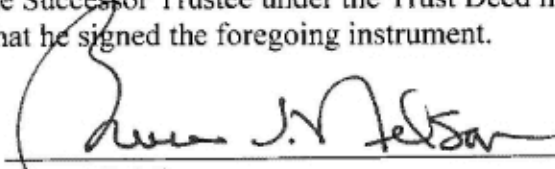


Spencer B. Nelson
Successor Trustee

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

On the 31st day of October, 2022, personally appeared before me Spencer B. Nelson who, being by me duly sworn, did say that he is the Successor Trustee under the Trust Deed mentioned hereinabove and duly acknowledged to me that he signed the foregoing instrument.





Notary Public

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL 1:

Beginning at a point on the South line of 1300 North Street (a 66 foot wide road) which is North 89°56'00" West 1791.20 feet along the section line and South 00°04'00" West 33.00 feet from the Northeast corner of Section 35, Township 5 North, Range 2 West, Salt Lake Base and Meridian, and running thence South 00°04'00" West 535.44 feet, thence along the Northerly boundary of Lots 7 thru 10, Block C, of Scotts-Dale Subdivision in the following four (4) courses: (1) North 40°29'37" West 62.73 feet; (2) North 60°41'07" West 91.54 feet; (3) North 76°38'18" West 91.26 feet; and (4) North 79°22'45" West 18.42 feet; thence North 00°11'15" West 349.24 feet along the West line of an existing building; thence North 89°48'45" East 14.46 feet; thence North 00°11'15" West 69.47 feet; thence South 89°56'00" East 214.99 feet along the South line of said 1300 North Street to the point of beginning.

PARCEL 2:

Beginning at a point on the South line of 1300 North Street (a 66 foot wide road) which is North 89°56'00" West 1791.20 feet along the section line and South 00°01'00" West 33.00 feet from the Northeast corner of Section 35, Township 5 North, Range 2 West, Salt Lake Base and Meridian, and running thence South 89°56'00" East 226.64 feet along said South line of 1300 North Street; thence South 00°43'30" East 303.03 feet; thence South 89°56'00" East 92.87 feet; thence South 00°04'00" West 76.00 feet; thence South 62°04'37" West 186.52 feet; thence South 73°01'40" West 51.00 feet; thence South 65°47'47" West 55.23 feet; thence South 60°35'47" West 67.08 feet; thence North 40°29'37" West 2.25 feet; thence North 00°04'00" East 535.44 feet to the point of beginning.

LESS AND EXCEPTING THEREFROM the following:

Beginning at a point which is North 89°56'00" West 1575.02 feet along the section line and South 00°43'30" East 336.04 feet from the Northeast corner of Section 35, Township 5 North, Range 2 West, Salt Lake Base and Meridian, and running thence South 89°56'00" East 102.87 feet; thence along the Northerly boundary of Scotts-Dale Subdivision in the following two (2) courses: (1) South 00°04'00" West 76.00 feet; and (2) South 62°04'37" West 186.52 feet; thence North 60°12'42" East 73.32 feet along the Northerly face of a cinder block wall; thence North 00°43'30" West 127.05 feet to the point of beginning.

PARCEL 3:

Beginning at a point which is North 89°56'00" West 1575.02 feet along the section line and South 00°43'30" East 336.04 feet from the Northeast corner of Section 35, Township 5 North, Range 2 West, Salt Lake Base and Meridian, and running thence South 89°56'00" East 102.87 feet; thence along the Northerly boundary of Scotts-Dale Subdivision in the following two (2) courses: (1) South 00°04'00" West 76.00 feet; and (2) South 62°04'37" West 186.52 feet; thence North 60°12'42" East 73.32 feet along the Northerly face of a cinder block wall; thence North 00°43'30" West 127.05 feet to the point of beginning.

LESS AND EXCEPTING the following:

Beginning at the Northeast corner of Lot 7, Block A, Scotts-Dale Subdivision (recorded as Entry No. 194349, Davis County Recorder), said corner is North 89°56'00" West 1467.50 feet along the section line and South 00°04'00" West 412.00 feet from the Northeast corner of Section 35, Township 5 North, Range 2 West, Salt Lake Base and Meridian, Davis County, Utah, and running thence South 62°04'37" West 186.52 feet along the Northerly line of said lot to the Northwest corner of said lot and the projected centerline of a block wall; thence North 60°28'28" East 189.41 feet along the centerline of said Block Wall, and projection thereof, to the West line of Enchanted Homes Addition - Unit 2 (recorded as Entry No. 178296, Davis County Recorder); thence South 00°04'00" West 6.00 feet along said West line to said Northeast corner of Lot 7 and to the point of beginning.

(NOTE: Rotate this description clockwise 00°20'55" for NAD83 State Plane Coordinate bearings in the Utah North Zone)