

Ent 382291 Bk 1063 Pg 1010 - 1014
ELIZABETH M PALMIER, Recorder
WASATCH COUNTY CORPORATION
2012 Sep 13 11:18AM Fee: \$25.00 JP
For: Callister Nebeker & McCullough
ELECTRONICALLY RECORDED

WHEN RECORDED RETURN TO:

Callister Nebeker & McCullough
10 East South Temple, Suite 900
Salt Lake City, UT 84133
Attn: W. Jeffery Fillmore

TRUSTEE'S DEED UPON SALE

THIS TRUSTEE'S DEED UPON SALE is made as of September 13, 2012 between W. JEFFERY FILLMORE, Foreclosure Trustee (hereinafter referred to as "*Trustee*"), and JORDANELLE SPECIAL SERVICE DISTRICT, whose address is 6135 East Lake Creek Road, Heber City, Utah 84032, (hereinafter referred to as "*Grantee*").

W I T N E S S E T H:

WHEREAS, the owners, itemized on Exhibit "A" attached hereto (the "*Owners*"), of the real property situated in Wasatch County, Utah and more particularly described on Exhibit "B" attached hereto (the "*Property*"), are in default in payment of the assessments due to JORDANELLE SPECIAL SERVICE DISTRICT (the "*District*") for the *Property*. The *Property* is included within the boundaries of the *District* as disclosed in documents recorded in the Official Records of the County Recorder of Wasatch County, Utah (the "*Official Records*") including, but not limited to: (i) Resolution No. 2006-4, as disclosed by that certain Instrument recorded in Book 830 at Page 532 and (ii) the Notice of Assessment Interest of the *District* and recorded September 24, 2009 as Entry No. 352632 in Book 1000 at Pages 1569-1583 of the *Official Records* of the County Recorder of Wasatch County, Utah; and

WHEREAS, the nature of breach and default of the *Owners* to make the payment of the Assessments due to the *District* are set forth in the Notice of Default and Election to Sell hereinafter described and to which reference is hereby made; and

WHEREAS, W. Jeffery Fillmore, an active member of the Utah State Bar whose office is in Utah, was appointed Trustee by the County Council of Wasatch County, Utah pursuant to that certain Designation of Trustee recorded in the Official Records of the County Recorder of Wasatch County, Utah on April 30, 2012 as Entry No. 378384 in Book 1054 at Pages 945-946 to foreclose the lien in favor of the *District* for delinquent Assessment payments; and

WHEREAS, the District did make a declaration of default and demand for sale with regard to the delinquent Assessments and thereafter there was filed for record on April 30, 2012 as Entry No. 378408 in Book 1054 at Pages 1122-1123 in the Official Records of the County Recorder of Wasatch County, Utah, Notice of Default and Election to Sell to cause Trustee to sell the Property to satisfy the obligations of the Assessment; and

WHEREAS, the Trustee in consequence of said declaration of default, election, and demand for sale, did execute a Notice of Trustee's Sale stating that he, as Trustee, by virtue of the authority in him vested, would sell the Property at auction to the highest bidder, fixing the time and place of sale as September 10, 2012 at the hour of 12:00 p.m. at the front entrance of the Fourth Judicial District Courthouse for Wasatch County, 1361 South Highway 40, Heber City, Utah 84032 and at such time and place the Trustee did make a public declaration that the foreclosure sale date and time was postponed to September 12, 2012 at 3:00 p.m.; and

WHEREAS, the Trustee did cause copies of such Notice of Trustee's Sale to be posted on the Property and in the Wasatch County Recorder's office for not less than 20 days before the date of sale therein fixed, as provided for under Section 57-1-25, Utah Code Annotated, 1953 as amended; and did cause copies of such Notice of Trustee's Sale to be published for three consecutive weeks in a newspaper having a general circulation in the County in which said real property is situated, the last publication date being more than 10 days, but not more than 30 days prior to such date of sale and such newspaper caused the Notice of Trustee's Sale to be posted on Utah Legal Notices; and

WHEREAS, copies of the recorded Notice of Default and Election to Sell and of the Notice of Trustee's Sale were mailed, in accordance with Section 57-1-26, Utah Code Annotated, 1953 as amended, to all those parties entitled to special notice as provided for in Section 57-1-26; and

WHEREAS, all applicable statutory provisions of the State of Utah and all of the provisions of the statutes and ordinances for the Assessments have been complied with as to acts to be performed and notices to be given; and

WHEREAS, the Trustee, at the time and place of sale fixed on September 12, 2012 did appear and sell the Property at public auction to JORDANELLE SPECIAL SERVICE DISTRICT, being the highest bidder therefor, for good and valuable consideration.

NOW, THEREFORE, the Trustee, in consideration of the premises recited and of the sum bid and paid by Grantee, the receipt of which is hereby acknowledged, and by virtue of the authority vested in the Trustee does, by these presents, GRANT AND CONVEY unto Grantee, but without any covenant or warranty, express or implied, all of that certain real property situated in Wasatch County, Utah and more particularly described on Exhibit "B".

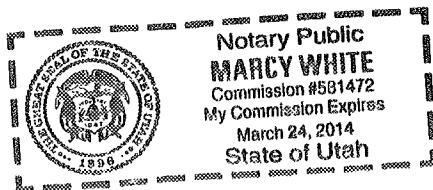
Executed as of the date first above written.

FORECLOSURE TRUSTEE

W. Jeffery Fillmore
W. Jeffery Fillmore

STATE OF UTAH)
: ss
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 13th day of September, 2012 by W. Jeffery Fillmore.



Marcy White
NOTARY PUBLIC

EXHIBIT A

Names of Vested Owners of the Property

Lot 59: Valine A. Quinn, Trustee of the Valine A. Quinn Separate Property Trust with the Paul R. and Valine A. Quinn Family Living Trust.

,Lot 39: Joseph O. Muscat IV and Elgene Muscat.

Lots 26, 27, 36, and 38: The American Foundation of Utah, Inc.

Lots 41 and 60: Arrowhead Enterprises, LLC.

EXHIBIT B

Legal Description of Property

The real property situated in Wasatch County, Utah and more particularly described as follows:

All of Lots 26, 27, 36, 38, 39, 41, 59, and 60 TALISMAN PHASE 1, according to the official plat thereof, recorded in the office of the County Recorder of Wasatch County, State of Utah.

(For informational purposes only: Tax Serial Nos. 0TF-1026, 0TF-1027, 0TF-1036, 0TF-1038, 0TF-1039, 0TF-1041, 0TF-1059 and 0TF-1060)