

When Recorded Mail to:

Millhaven Construction, LLC  
272 West 200 North, Suite 100  
Lindon, UT 84042

File No.: 040159  
A.P.N.: 00-0021-5196

### SUBORDINATION AGREEMENT

**WHEREAS**, under the date of April 14, 2021, Brookside Heber, LLC, a Utah limited liability company (herein the BORROWERS) made, executed and delivered to Central Bank Custodian FBO Stanley F. Jenkins, IRA #21142, (herein the LENDER) a Promissory Note in the amount of \$97,400.00, secured by a Trust Deed of even date, which Trust Deed was executed by BORROWERS, as Trustor, US Title Insurance Agency of Utah, as Trustee, and LENDER, as Beneficiary, and was recorded April 19, 2021, as Entry No. 498361, In Book 1350, at Pages 968-980, of the official records of the Wasatch County Recorder. Said Trust Deed is herein referred to as the LENDER TRUST DEED; and

**WHEREAS**, said LENDER TRUST DEED encumbers the following described Property (herein the Property) located in Wasatch County, State of Utah, to-wit:

See Exhibit A attached hereto and made a part hereof.

**WHEREAS**, under the date of August 19, 2020, Brookside Heber, LLC, a Utah limited liability company, BORROWERS made, executed and delivered to Millhaven Construction, LLC, a Promissory Note in the amount of \$594,000.00, secured by a Trust Deed of even date in the same amount, which Trust Deed was executed by BORROWERS, as Trustor, US Title Insurance Agency, LLC, as Trustee, and Millhaven Construction, LLC, a Utah limited liability company, as Beneficiary, and was recorded August 21, 2020, as Entry No. 483122, in Book 1307, at Pages 1892-1899, of the official records of the Wasatch County Recorder. Said Trust Deed is herein referred to as the SUBORDINATED TRUST DEED; and

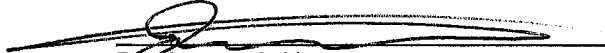
**WHEREAS**, said SUBORDINATED TRUST DEED also encumbers the Property as described above; and

**WHEREAS**, it is necessary that the financing of LENDER be secured by a first Trust Deed on the property with priority ahead of the lien of the SUBORDINATED TRUST DEED;

**NOW, THEREFORE**, in consideration of these premises and of the sum of Ten Dollars (\$10.00), the receipt of which is hereby acknowledged, and other mutual benefits and considerations derived therefrom, Millhaven Construction, LLC, a Utah limited liability company does hereby certify and declare that the lien of the SUBORDINATED TRUST DEED is hereby made second and subordinate to the lien of the LENDER TRUST DEED as described above, which covers all or a part of the Property described herein. Further, LENDER, or its agents, and/or US TITLE INSURANCE AGENCY, LLC, or its agents, are authorized to insert the recording information of the LENDER TRUST DEED in this instrument.

EXECUTED the 15<sup>th</sup> day of April, 2021.

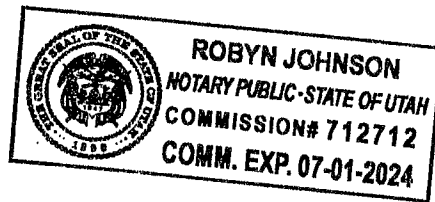
Millhaven Construction, LLC,  
a Utah limited liability company

  
By: Jeremy Ackley  
Its: Managing Member

STATE OF UTAH )  
 )  
COUNTY OF Utah ) : ss  
 )

The foregoing instrument was acknowledged before me the 15<sup>th</sup> day of April, 2021, by  
Jeremy Ackley, the Managing Member of Millhaven Construction, LLC, a Utah limited liability company.

  
Notary Public



## EXHIBIT "A"

Lot 108, Brookside Phase 4B Subdivision, according to the Official Plat thereof, on file and of record in the Office of the Wasatch County Recorder.

Together with a right and easement of use and enjoyment in and to the common areas described, and as provided for in the Declaration of Covenants, Conditions and Restrictions (as said Declaration may have heretofore been amended or supplemented).

Situated in Wasatch County, State of Utah