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WHEN RECORDED MAIL TO: Home Mortgage Services 2091 East Murray-Holladay Road Holladay, UT 84117

WORKMAN 13.00 NANCY WORKMAN
RECORDER, SALI LAKE COUNTY, UTAH
PETTEY, BRANTLEY & ROBINSON
4516 S 700 E STE 370 SLC:84107
REC BY:V ASHBY , DEPUTY - 1

TRUST DEED

THIS TRUST DEED is made this 27th day of February 1996, between,

D. Gilbert Athay, whose address is 567 East Eleventh Avenue, Salt Lake City, UT., as Trustor, and Attorney's Title, as Trustee Home Mortgage Services, as Beneficiary.

Trustor hereby CONVENANTS AND WARRANTS TO TRUSTEE IN TRUST, WITH POWER OF SALE, the following described property situated in Salt Lake County, Utah:

> 567 East Eleventh Avenue and Exhibit "A"

TOGETHER with all buildings, fixtures and improvements thereon and all water rights, rights of way, easements, rents, issues, profits, tenements, hereditament, 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 Trust Deed Note, of even date herewith, in the amount of:

Fifty-SevenThousand Three Hundred Thirty-Nine Dollars (\$57,339.00)

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 water an 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 attorney's fees on 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 re conveyance hereof. If any property taxes or insurance fees are not paid, the Beneficiary at its option, may pay the taxes, and charge twenty percent, (20%), of the tax payment as a penalty, and charge Thirty Six, (36%), interest on the tax payment, penalty, and accrued interest compound daily.

The Beneficiary requests that a copy of any notice of default and or any notice of sale hereunder be mailed to him at the address herein before set forth.

STATE OF UTAH) :ss

COUNTY OF Salt Lake

day of February 1996, personally appeared before me, D. Gilbert Athay the signer of the foregoing instrument, who duly acknowledged to me that they executed the same.

NOTARY PUBLIC KIM DEACON 3135 South 1300 East all Lake City, Uran 8410 My Commission Expires March 3, 1908 STATE OF UTAH

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in Deacon Notary Public

My Commission Expires: .3 .3 .98 Residing at: Such Rake. City, UT

In Albert Other

Exhibit "A"

Commencing at the Southeast corner of Lot 2, Block 163, Flat "D", Salt Lake City Survey, and running thence West 2.5 rods; thence North 113.75 feet; thence East 2.5 rods; thence South 113.75 feet to the place of beginning.

Together with a permanent easement for reasonable ingress and egress of persons and vehicles over the following described land:

Beginning on the West line of Lot 2, Block 163, Plat "D", Salt Lake City Survey, at a point 41.25 feet South of the Northwest corner of said Lot 2, and running thence East 123.75 feet; thence North 41.25 feet; thence West 41.25 feet; thence Southwesterly to the place of beginning.