

7418213

Salt Lake Co UT

ASSIGNMENT OF DEED OF TRUST

7418213
07/21/1999 09:57 AM 22.00
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
QUICK DATA SERVICES INC
3200 E 3900 S
SLC UT 84124
BY: ZJM, DEPUTY - WI 6 P.

ASSIGNOR: PFFC FUNDING, LLC
c/o Peachtree Franchise Finance, LLC
2859 Paces Ferry Road
Atlanta, Georgia 30339

ASSIGNEE/
ASSIGNOR: PEACHTREE FRANCHISE FINANCE, LLC
2859 Paces Ferry Road
Atlanta, Georgia 30339

ASSIGNEE/
ASSIGNOR: PEACHTREE FRANCHISE LOAN LLC, 1999-A
c/o Peachtree Franchise Finance, LLC
2859 Paces Ferry Road
Atlanta, Georgia 30339

ASSIGNEE: U.S. BANK, NATIONAL ASSOCIATION,
as Indenture Trustee
First Trust Center
180 East Fifth Street
St. Paul, Minnesota 55101

This Document Prepared By or Under the Supervision of:

Peachtree Franchise Finance, LLC
2859 Paces Ferry Road, Suite 1760
Atlanta, Georgia 30339

After Recording, Return to:

Return to:
LEXIS Document Services
801 Adlai Stevenson Drive
Springfield, IL 62703
Phone: (217) 544-5900



1519689 - 6

UPS (UP TR N) - ("D")
Debtor: ASSIGN OF DEED OF TRUST FROM PFFC
Juris: County Recorder, Salt Lake Count, UT

BOOK 8295 PAGE 7401

Borrower: Slaymaker Group, Inc.
Business Unit No.: 1281
Loan No.: 0002001281

315418.1

ASSIGNMENT OF DEED OF TRUST

Dated as of June 25, 1999

FOR VALUE RECEIVED, PFFC FUNDING LLC, a Delaware limited liability company ("PFFC"), whose address is c/o Peachtree Franchise Finance, LLC, 2859 Paces Ferry Road, Suite 1760, Atlanta, Georgia 30339, does hereby grant, sell, assign, transfer and convey, unto PEACHTREE FRANCHISE FINANCE, LLC, a Georgia limited liability company ("PEACHTREE"), whose address is 2859 Paces Ferry Road, Suite 1760, Atlanta, Georgia 30339, all of its right, title and interest in and to a certain Deed of Trust dated September 23, 1998, made and executed by Slaymaker Group, Inc., as Trustor, to Founders Title Company, Trustee for the benefit of PEACHTREE FRANCHISE FINANCE, LLC upon the following described property situated in Salt Lake County, State of Utah, more particularly described in EXHIBIT A attached hereto and made part hereof, such Deed of Trust having been given to secure payment of ONE MILLION ONE HUNDREDSIX THOUSAND SIX HUNDREDFORTY and 00/100 Dollars (\$1,106,640.00), which Deed of Trust is of record in Instrument No. 7108535, Book 8115, Page 1761 of the Records of Salt Lake County, State of Utah, together with the note and obligations therein described and the money due and to become due thereon with interest, and all rights accrued or to accrue under such Deed of Trust (collectively, the "Assigned Instruments, Debt and Rights");

TO HAVE AND TO HOLD the same unto PEACHTREE, its successors and assigns, absolutely and not as collateral security, without recourse or warranty, express or implied subject only to the terms and conditions of the above-described Deed of Trust; and further,

FOR VALUE RECEIVED, PEACHTREE does hereby grant, sell, assign, transfer and convey, unto PEACHTREE FRANCHISE LOAN LLC, 1999-A, a Delaware limited liability company ("PEACHTREE 1999-A") whose address is c/o Peachtree Franchise Finance, LLC, 2859 Paces Ferry Road, Suite 1760, Atlanta, Georgia 30339, all of its right, title and interest in and to the Assigned Instruments, Debt and Rights;

TO HAVE AND TO HOLD the same unto PEACHTREE 1999-A, its successors and assigns, absolutely and not as collateral security, without recourse or warranty, express or implied subject only to the terms and conditions of the above-described Deed of Trust; and further,

FOR VALUE RECEIVED, PEACHTREE 1999-A does hereby grant, sell, assign, transfer and convey, unto U.S. BANK NATIONAL ASSOCIATION, a national banking association, whose address is First Trust Center, 180 E. Fifth Street, St. Paul, Minnesota 55101, in its capacity as indenture trustee (the "INDENTURE TRUSTEE") under the Indenture, dated as of April 1, 1999, between Peachtree 1999-A and the Indenture Trustee, all of its right, title and interest in and to the Assigned Instruments, Debt and Rights;

TO HAVE AND TO HOLD the same unto the INDENTURE TRUSTEE, its successors and assigns, absolutely and not as collateral security, without recourse or warranty, express or implied subject only to the terms and conditions of the above-described Deed of Trust.

Borrower: Slaymaker Group, Inc.
Business Unit No.: 1281
Loan No.: 0002001281

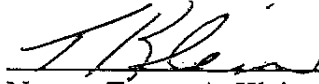
315418.1

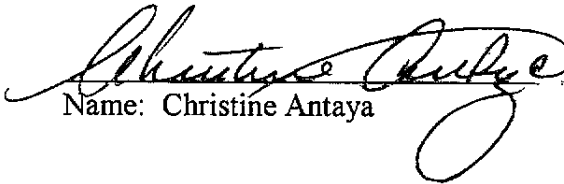
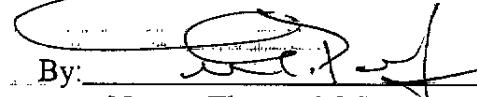
BOOK 8295 PAGE 7402

This Assignment of Deed of Trust may be executed in any number of counterparts, each of which shall be deemed to be an original and all of which together shall comprise but a single instrument.

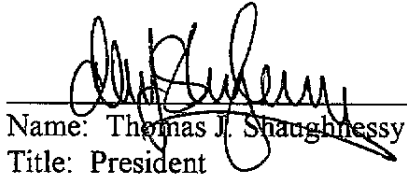
IN WITNESS WHEREOF, the parties have executed this Assignment of Deed of Trust effective as of the date first above written.

WITNESSETH: PFFC FUNDING, LLC,
a Delaware limited liability company


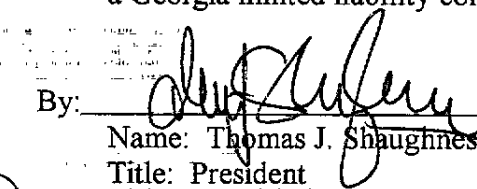

Name: Teresa A. Klein By: PEACHTREE FRANCHISE FINANCE, LLC,
its managing member

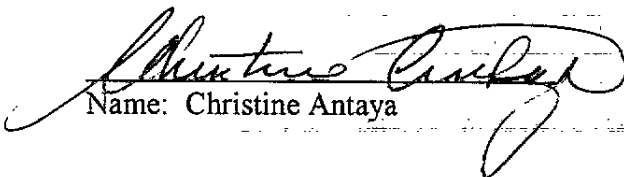

Name: Christine Antaya By: 
Name: Thomas M. Pearce, Jr.
Title: Chief Executive Officer

ATTESTATION:

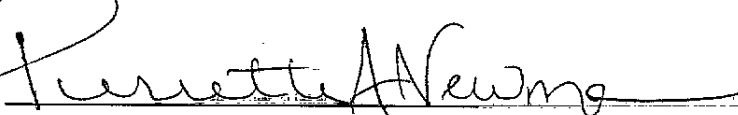

Name: Thomas J. Shaughnessy
Title: President

WITNESSETH: PEACHTREE FRANCHISE FINANCE, LLC,
a Georgia limited liability company


Name: Teresa A. Klein By: 
Name: Thomas J. Shaughnessy
Title: President


Name: Christine Antaya

ATTESTATION:


Name: Pierrette A. Newman
Title: Secretary

Borrower: Slaymaker Group, Inc.
Business Unit No.: 1281
Loan No.: 0002001281

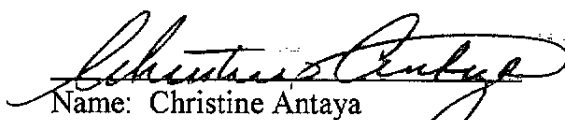
315418.1

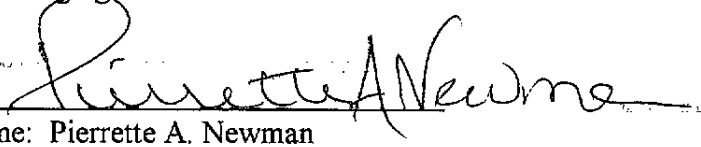
WITNESSETH:

PEACHTREE FRANCHISE LOAN LLC 1999-A,
a Delaware limited liability company

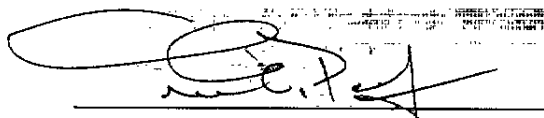

Name: Teresa A. Klein

By: PEACHTREE FINANCING CORP.,
its managing member


Name: Christine Antaya

By: 
Name: Pierrette A. Newman
Title: Vice President

ATTESTATION:


Name: Thomas M. Pearce, Jr.
Title: President

Borrower: Slaymaker Group, Inc.
Business Unit No.: 1281
Loan No.: 0002001281

315418.1

BOOK 8235 PAGE 7404

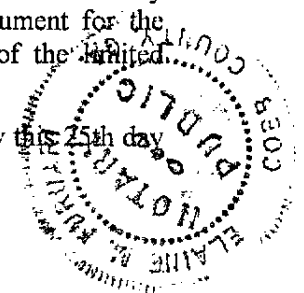
ACKNOWLEDGEMENT

STATE OF GEORGIA
COUNTY OF COBB

Before me, the undersigned authority, a Notary Public in and for the State and County aforesaid, personally appeared Thomas M. Pearce, Jr., with whom I am personally acquainted and who, upon oath, acknowledged himself to be the Chief Executive Officer of Peachtree Franchise Finance, LLC, the managing member of PFFC FUNDING, LLC, the within named bargainor, a limited liability company, and that as such he, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the managing member on behalf of the limited liability company by himself as Chief Executive Officer.

WITNESS my hand and Official Seal at the office in said State and County this 25th day of June, 1999.

Elaine M. Furnari
Notary Public



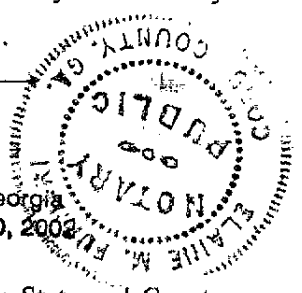
ELAINE FURNARI
Notary Public, Cobb County, Georgia
My Commission Expires Sept. 10, 2002

STATE OF GEORGIA
COUNTY OF COBB

Before me, the undersigned authority, a Notary Public in and for the State and County aforesaid, personally appeared Thomas J. Shaughnessy, with whom I am personally acquainted and who, upon oath, acknowledged himself to be the President of PEACHTREE FRANCHISE FINANCE, LLC, the within named bargainor, a limited liability company, and that as such he, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as President.

WITNESS my hand and Official Seal at the office in said State and County this 25th day of June, 1999.

Elaine M. Furnari
Notary Public



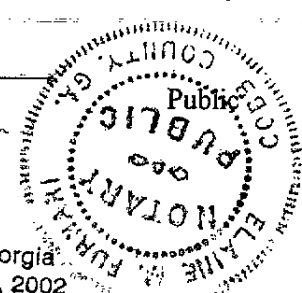
ELAINE FURNARI
Notary Public, Cobb County, Georgia
My Commission Expires Sept. 10, 2002

STATE OF GEORGIA
COUNTY OF COBB

Before me, the undersigned authority, a Notary Public in and for the State and County aforesaid, personally appeared Pierrette A. Newman, with whom I am personally acquainted and who, upon oath, acknowledged herself to be the Vice President of Peachtree Financing Corp., the managing member of PEACHTREE FRANCHISE LOAN LLC, 1999-A, the within named bargainor, a limited liability company, and that as such she, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the managing member on behalf of the limited liability company by herself as Vice President.

WITNESS my hand and Official Seal at the office in said State and County this 25th day of June, 1999.

Elaine M. Furnari
Notary



ELAINE FURNARI
Notary Public, Cobb County, Georgia
My Commission Expires Sept. 10, 2002

Borrower: Slaymaker Group, Inc.
Business Unit No.: 1281
Loan No.: 0002001281

315418.1

BOOK 8295 PAGE 7405

BOUNDARY DESCRIPTION

EXHIBIT "A"

EASE HOLD PROPERTY DESCRIPTION

BEGINNING AT A POINT WHICH IS SOUTH 0°04'01" WEST ALONG THE QUARTER SECTION LINE AND WEST 176.00 FEET FROM THE NORTH QUARTER CORNER OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, SAID NORTH QUARTER CORNER BEARING NORTH 88°56'20" EAST 953.13 FEET FROM A COUNTY SURVEY MONUMENT IN 900 EAST STREET WHERE THE MONUMENT LINE BEARS SOUTH 0° 04'01" WEST 145.00 FEET; THENCE SOUTH 77°30'00" WEST 267.24 FEET; THENCE EAST 61.07 FEET TO THE POINT OF BEGINNING.

EXHIBIT "B"

RECORD OWNER PROPERTY DESCRIPTION, BOOK 7799 PAGE 0486

BEGINNING AT A POINT SOUTH 0°04'01" WEST ALONG THE QUARTER SECTION LINE 135.30 FEET FROM THE NORTH QUARTER CORNER OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 89° 2'20" WEST 879.98 FEET TO THE EAST LINE OF STATE HIGHWAY PROPERTY; THENCE SOUTH 0°04'40" WEST ALONG SAID EAST LINE OF HIGHWAY PROPERTY 346.51 FEET; THENCE SOUTH 73°09' EAST ALONG THE PROLONGATION OF AN OLD FENCE LINE 60.17 FEET TO THE NORTH LINE OF STATE HIGHWAY PROPERTY AT A POINT ON A CURVE TO THE LEFT, THE CENTER OF WHICH BEARS NORTH 15°43'20" WEST 1076.92 FEET FROM SAID POINT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE 430.84 FEET TO THE POINT OF TANGENCY; THENCE NORTH 51°21'20" EAST 198.29 FEET TO THE QUARTER SECTION LINE; THENCE NORTH 0°04'01" EAST 133.53 FEET TO THE POINT OF BEGINNING, CONTAINING 7.089 ACRES.

EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT A POINT ON THE EAST LINE OF STATE HIGHWAY PROPERTY, SAID POINT BEING SOUTH 375.49 FEET AND WEST 80.46 FEET FROM THE NORTH QUARTER CORNER OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 0°04'40" WEST ALONG SAID EAST LINE OF HIGHWAY PROPERTY 108.28 FEET; THENCE SOUTH 73°09' EAST ALONG THE PROLONGATION OF AN OLD FENCE LINE 115.04 FEET; THENCE NORTH 35°45' EAST 89.75 FEET; THENCE NORTH 55°25' WEST 86.23 FEET; THENCE NORTH 77°45' WEST 93.53 FEET TO THE POINT OF BEGINNING.

FILED AS RECEIVED
CO. RECORDER

BOOK 8295 PAGE 7406

Store No. 1281