

00768419 B: 1549 P: 825

B: 1549 P: 825 Fee \$40.00

Carri R. Jeffries, Iron County Recorder - Page 1 of 3

05/05/2021 03:27:28 PM By: FIRST AMERICAN TITLE INSURANCE COMPANY -  
NCS SALT LAKE

**When recorded return to:**

Utah Certified Development Company  
5333 South Adams Ave, Ste B  
Ogden UT 84405

File Name: Retro Fitness  
Loan #: 8024228608

*NCS-1059139-JT*

TAX ID: B-1135-0003-0000; B-1135-0079-0001

**ASSIGNMENT OF NOTE, TRUST DEED, GUARANTEE(S),  
AND ASSIGNED LESSOR'S AND LESSEE'S LEASEHOLD INTEREST AS COLLATERAL**

STATE OF UTAH

COUNTY OF IRON

FOR VALUE RECEIVED, the undersigned hereby transfers, sets over and assigns unto U.S. Small Business Administration, an Agency of the United States, all of its right, title and interest in and to the following:

1. That certain Promissory Note dated May 3, 2021, in the face principal amount of \$1,185,000.00 executed by Forte Corporation, as Borrower, in favor of Utah Certified Development Company as Lender.
2. That certain Trust Deed dated May 3, 2021, between Forte Corporation, a Utah Corporation, as Trustor, Utah Certified Development Company, as Beneficiary, and U.S. Small Business Administration, as Trustee, and recorded 05-05-2021, in the office of the Iron County Recorder, State of Utah, as Entry 207108403, with the real property subject to such Trust Deed more particularly described on attached Exhibit "A".
3. That certain Assignment of Lease and Rents of Lessor's Interest as Collateral Agreement dated May 3, 2021, executed by Forte Corporation as Lessor in favor of Utah Certified Development Company, as Assignee and that certain Assignment of Lease and Rents of Lessee's Interest as Collateral Agreement dated May 3, 2021, executed by Forte Fitness, LLC as Lessee and Assignor in favor of Utah Certified Development Company as Assignee.
4. That certain Guarantee(s) dated May 3, 2021, executed by Entities: Forte Fitness, LLC; Individuals: Bevan Wayne Cox and David Jeffrey Loescher, as Guarantor(s) in favor of Utah Certified Development Company, as Lender.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed and its seal affixed by its duly authorized officer this 3rd day of May, 2021.

**UTAH CERTIFIED DEVELOPMENT COMPANY**

By:

*Caryl A. Eriksson*  
Caryl A. Eriksson, Vice President

By:

*Jaylene Derring*  
Jaylene Derring, Assistant Secretary

**EXHIBIT "A"**

**REAL PROPERTY DESCRIPTION**

**PARCEL 1:**

ALL OF LOT TWELVE (12) W.H. LEIGH SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE RECORDER OF IRON COUNTY, STATE OF UTAH.

**PARCEL 2:**

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4) OF SECTION 22, TOWNSHIP 36 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 0°13'45" EAST 100.00 FEET ALONG THE SECTION LINE; THENCE SOUTH 89°42'00" WEST 258.70 FEET TO A POINT ON THE EASTERLY LINE OF FIR STREET; THENCE NORTH 0°16'00" WEST 40.61 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF CURVE TO THE RIGHT, HAVING A RADIUS 168.00 FEET; A DISTANCE OF 60.74 FEET; THENCE NORTH 89°42' EAST 247.5 FEET TO THE POINT OF BEGINNING.

PARCELS 1 AND 2 IS ALSO DESCRIBED AS SHOWN ON THAT CERTAIN ALTA/ACSM LAND TITLE SURVEY PREPARED BY WATSON ENGINEERING COMPANY, INC., FILED AUGUST 31, 2015 AND DESIGNATED AS WEC PROJECT NO. 15-1656, LAST REVISED DECEMBER 7, 2015, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:


BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER(SE1/4NE1/4) OF SECTION 22, TOWNSHIP 36 SOUTH, RANGE 11 WEST, SALT LAKE MERIDIAN; THENCE SOUTH 0°13'45" EAST (SOUTH 00°13'45") 100.00 FEET ALONG THE SECTION LINE; THENCE SOUTH 89°41'54" WEST (SOUTH 89°42'00" WEST RECORD) 258.70 FEET TO A POINT ON THE EASTERLY LINE OF FIR STREET; THENCE ALONG THE EASTERLY LINE OF FIR STREET AS FOLLOWS: THENCE NORTH 00°16'06" WEST(NORTH 00°16'00" WEST RECORD) 40.61 FEET TO A CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 168.00 FEET, A DISTANCE OF 134.54 FEET, DELTA ANGLE OF 45°43'04"; THENCE NORTH 45°36'54" EAST 247.00 FEET (NORTH 45°37'00" EAST 247.50 FEET RECORD); THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 100.00 FEET, A DISTANCE OF 80.07 FEET (80.08 FEET RECORD), DELTA ANGLE OF 45°52'43", THENCE DEPARTING SAID FIR STREET, SOUTH 00°16'06" EAST (SOUTH 00°16'00" EAST RECORD) 304.80 FEET TO THE POINT OF BEGINNING.

B-1135-0003-0000; B-1135-0079-0001

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STATE OF UTAH )  
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COUNTY OF Iron )

On this 3rd day of May, 2021, personally appeared before me, Caryl A. Eriksson and Jaylene Derring, who being by me duly sworn, did say that they are the Vice President and Assistant Secretary, respectively, of Utah Certified Development Company, a Utah Corporation, and that the foregoing instrument was signed in behalf of said corporation by authority of its Board of Directors.

  
NOTARY PUBLIC  
Residing at: Ogden, Utah

