

When recorded, return to:
Roger W. Peters
c/o Terratron, Inc.
7879 South 1530 West
West Jordan, Utah 84088

61.
7249729
02/09/99 11:10 AM 61.00
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
TERRATRON
7879 SOUTH 1530 WEST
WEST JORDAN UTAH 84088
REC BY: N ZELAYA DEPUTY - WI

7249729

ASSIGNMENT OF MORTGAGE

FOR VALUE RECEIVED, U.S. Bank National Association, a national banking association, formerly known as First Bank National Association hereby assigns to Roger W. Peters, whose address is c/o Terratron, Inc., 7879 South 1530 West, West Jordan, Utah 84088 all of its right, title, and interest as mortgagee in, to, and under that certain Amended and Restated Indenture Mortgage (the "Mortgage") dated September 25, 1989 executed by Titus Foods, Inc. in favor of First Bank National Association and recorded September 26, 1989 in Book 6162, Page 268 as entry number 4827572 in Book 6162 at page 268 of Official Records, Salt Lake City, Utah; and as entry number 870339 in Book 1314 at page 608 of Official Records, Davis County, Utah; and as entry number 526642 in Book 458 at page 186 of Official Records, Cache County, Utah, and which encumbers the following property:

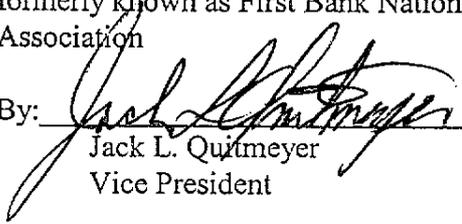
See Exhibit A attached hereto and made a part hereof.

together with the note or other instrument of indebtedness described in said Mortgage and secured thereby, any money due and to become due thereon with interest, and all rights and obligations accrued or to accrue under said Mortgage, including the right and obligation to release, in whole or part, the property described therein.

This assignment is made without representation, warranty, or recourse or any kind, including without limitation any representation or warranty of the collectability of the indebtedness secured by the Mortgage, the condition or state of title of the property encumbered by the Mortgage, or the enforceability or priority of the lien of the Mortgage.

Dated this 24th day of DECEMBER, 1998.

U.S. BANK NATIONAL ASSOCIATION,
formerly known as First Bank National
Association

By: 

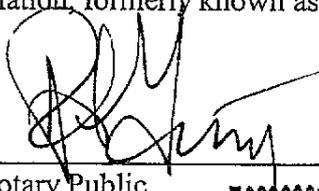
Jack L. Quitmeyer
Vice President

BK8247PG6371

ACKNOWLEDGMENT

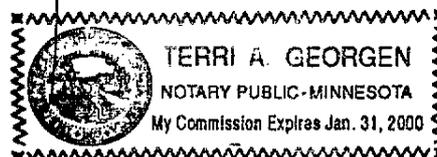
State of Minnesota)
) ss.
County of Hennepin)

The foregoing instrument was acknowledged before me this 24th day of December, 1998, by Jack L. Quitmeyer, as Vice President of U.S. Bank National Association, a national banking association, formerly known as First Bank National Association.



Notary Public

(SEAL)



My commission expires:

Residing at:

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EXHIBIT A

SALT LAKE COUNTY

BEGINNING at a point on the North line of Lot 5, Block 58, Plat "C", Salt Lake City Survey, said point being North 89°58'38" East along said North line 264.132 feet from the Northwest corner of said Lot 5, said point also being North 89°58'38" East along the North Temple monument line 331.338 feet and South 0°02'05" East 74.988 feet from a Salt Lake City monument in the intersection of said North Temple and 900 West Streets;

Thence North 89°58'38" East 66.034 feet to the Northwest corner of Lot 6, said Block 58'

Thence North 89°58'38" East along the North line of said Lot 6, 123.814 feet to the Northwest corner of the property deeded by Quit-Claim deed #2436079;

Thence along the West line of said property South 0°02'29" East 136.966 feet, South 58°24'52" West 13.315 feet, South 89°58'38" West 28.205 feet and South 2°52'10" West 21.191 feet;

Thence South 89°58'50" West 149.238 feet;

Thence North 0°02'05" West 165.091 feet to the point of BEGINNING.

PARCEL NO. 1:

BEGINNING at the Southwest corner of Lot 4, Block 54, Plat "A", Salt Lake City Survey and running thence East 57 feet; thence North 56 feet 9 inches; thence West 20 inches; thence North 50 feet 7 inches; thence West 55 feet 4 inches; thence South 107 feet 4 inches to the place of BEGINNING.

PARCEL NO. 2:

BEGINNING at the Southeast corner of Lot 4, Block 54, Plat "A", Salt Lake City Survey, and running thence West 108 feet; thence North 56.75 feet; thence West 1.67 feet; thence North 50.7 feet; thence East 109.67 feet; thence South 107.45 feet to the point of BEGINNING.

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CO. RECORDS

PARCEL NO. 3:

BEGINNING 107 feet 4 inches North from the Southwest corner of Lot 4, Block 54, Plat "A", Salt Lake City Survey, and running thence North 10 feet; thence East 165 feet; thence South 10 feet; thence West 165 feet to the place of BEGINNING.

SUBJECT TO a right of way over the whole thereof.

PARCEL NO. 4:

BEGINNING at the Southwest corner of Lot 3, Block 54, Plat "A", Salt Lake City Survey, and running thence East 3 rods; thence North 10 rods; thence West 3 rods; thence South 10 rods to the place of BEGINNING.

A Tract of Land situated in the Northeast Quarter of the Northeast Quarter of Section 10, Township 2 South, Range 1 West, Salt Lake Base and Meridian. being more particularly described as follows:

COMMENCING at a point North $89^{\circ}59'04''$ West 1181.85 feet and South $0^{\circ}05'30''$ West 138.43 feet from the Northeast corner of said Section 10, and running thence South $89^{\circ}54'30''$ East 165 feet; thence South $0^{\circ}05'30''$ West 165 feet; thence North $89^{\circ}54'30''$ West 165 feet; thence North $0^{\circ}05'30''$ East 165 feet to the point of BEGINNING.

BEGINNING at a point which is South 143.68 feet and West 73.96 feet from the Northeast corner of Section 7, Township 3 South, Range 1 East, Salt Lake Base and Meridian, said point also being South $0^{\circ}21'30''$ East along the 700 East Street monument line, 182.979 feet and North $89^{\circ}27'05''$ West 53.00 feet from a Salt Lake County monument in the intersection of said 700 East and 9400 South Street; thence South $0^{\circ}21'30''$ East 150.025 feet; thence North $89^{\circ}27'05''$ West 180.00 feet to the East line of Union Square, a subdivision in the Northeast quarter of said Section 7; thence North $0^{\circ}21'30''$ West along said East line 280.00 feet; thence South $89^{\circ}27'05''$ East 50.00 feet; thence South $0^{\circ}21'30''$ East 129.974 feet to the South line of service station property; thence South $89^{\circ}27'05''$ East along said South line 130.00 feet to the point of BEGINNING.

BEGINNING at the Southeast corner of Lot 1, Block 70, Plat "A", Salt Lake City Survey, thence West 140 feet; thence North 90.75 feet; thence West 25 feet; thence North 41.25 feet; thence East 165 feet; thence South 132 feet to the point of BEGINNING.

SUBJECT TO and together with a right of way described as follows:

BEGINNING 132 feet North of the Southeast corner of Lot 1, said Block 70, thence North 6 feet; thence West 140 feet; thence South 12 feet; thence East 140 feet; thence North 6 feet to the point of BEGINNING.

BEGINNING at a point North $0^{\circ}12'$ West 60 feet and North $89^{\circ}53'$ East 53 feet from the South quarter corner of Section 34, Township 1 South, Range 1 West, Salt Lake Base and Meridian; thence South $89^{\circ}56'15''$ East 3.88 feet; to a point of tangency with an 1808.34 foot radius curve to the left; thence Easterly 119.80 feet along the arc of said curve, to the left and bordering on 4100 South Street; thence North $75^{\circ}01'14''$ East, bordering 4100 South Street 51.62 feet; thence North 150 feet; thence West 175 feet, more or less, to the East line of Redwood Road; thence South along Redwood Road 150 feet, more or less, to the point of BEGINNING.

COMMENCING at a point on the South line of 5600 South Street, said point being South 1340.07 feet and East 1559.02 feet from the Northwest corner of Section 17, Township 2 South, Range 1 East, Salt Lake Base and Meridian, Salt Lake County, Utah, and running thence South $0^{\circ}14'30''$ West 155 feet; thence South $89^{\circ}49'35''$ East 155 feet to the West line of 900 East Street; thence North $0^{\circ}14'30''$ East along the West line of 900 East Street 155 feet to the intersection of the West line of 900 East Street and the South line of 5600 South Street; thence North $89^{\circ}49'35''$ West 155 feet along the South line of 5600 South Street to the point of COMMENCEMENT.

SUBJECT TO a right of way over the following described parcels:

BEGINNING at a point on South line of 5600 South Street 1340.07 feet South and 1589.02 feet East from the Northwest corner of Section 17, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence South $0^{\circ}14'30''$ West 155.0 feet; thence North $89^{\circ}49'35''$ West 30.0 feet; thence North $0^{\circ}14'30''$ East 155.0 feet; thence East $89^{\circ}49'35''$ East 30.0 feet to the point of BEGINNING.

ALSO, BEGINNING at a point South 1340.07 feet and East 1589.02 feet and South 0°14'30" West 125 feet from the Northwest corner of Section 17, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence South 89°49'35" East 125.0 feet; thence South 0°14'30" West 30.0 feet; thence North 89°49'35" West 125.0 feet; thence North 0°14'30" East 30.0 feet to the point of BEGINNING.

TOGETHER WITH a right of parking in common with others in the shopping center over the following:

An area of parking a minimum of 30 feet wide adjoining and all along the West and South boundary of the above described leased premises more particularly described as follows:

COMMENCING at a point on the South line of 5600 South Street, said point being South 1340.07 feet and East 1559.02 feet from the Northwest corner of Section 17, Township 2 South, Range 1 East, Salt Lake Base and Meridian, Salt Lake County, Utah, and running thence West along the South line of 5600 South Street 30 feet, thence South 0°14'30" West 185 feet; thence South 89°49'35" East 185 feet to the West line of 900 East Street; thence North 0°14'30" East along the West line of 900 East Street 30 feet to the South boundary of the above described leased premises, thence West along the South boundary of the above described leased premises 155 feet to the West boundary of the above described leased premises, thence North along the West boundary of the above described premises 155 feet to the point of COMMENCEMENT.

Lot 2 and the East 10 feet of Lot 1 of ARK SUBDIVISION, according to the official plat thereof on file in the office of the County Recorder of said County.

SUBJECT TO AND TOGETHER WITH a non-exclusive 25.0 foot wide right of way limited to use in connection with adjoining property to which is it appurtenant, and the center line of which is described as follows:

BEGINNING on the North line of 9000 South Street, said point being South 89°53' West along the Center line of 9000 South Street 1366.81 feet and North 0°07' West 73.00 feet from an existing monument in the intersection of 9000 South and State Street, said point being also North 162.00 feet and East 869.86 feet from the center of Section 1, Township 3 South, Range 1 West, Salt Lake Base and Meridian, and running thence North 0°07' West 214.50 feet; thence South 89°53' West 444 feet, more or less, to the Easterly line of 240 West Street. the location of the right of way may be changed upon mutual agreement among the owners of adjoining property to which it is appurtenant.

PARCEL NO. 1:

BEGINNING 33 feet West and 33 feet North from the Southeast Corner of the Southwest Quarter of Section 27, Township 3 South, Range 1 West, Salt Lake Meridian; thence North 75 feet; thence West 100 feet; thence South 75 feet; thence East 100 feet to BEGINNING.

TOGETHER WITH a right of way over the following described tract of land:

BEGINNING 33 feet North and 133 feet West from the Southeast Corner of the Southwest Quarter of said Section 27, and running thence North 219 feet; thence West 11 feet; thence South 219 feet; thence East 11 feet to the point of BEGINNING.

PARCEL NO. 2:

BEGINNING 33 feet West and 108 feet North from the Southeast Corner of the Southwest Quarter of Section 27, Township 3 South, Range 1 West, Salt Lake Meridian; thence North 35 feet; thence West 100 feet; thence South 36 feet; thence East 100 feet to BEGINNING.

TOGETHER WITH a right of way over the following described tract of land:

BEGINNING 33 feet North and 133 feet West from the Southeast Corner of the Southwest Quarter of said Section 27, said running thence North 219 feet; thence West 11 feet; thence South 219 feet; thence East 11 feet to the point of BEGINNING.

PARCEL NO. 3:

BEGINNING 33 feet West and 144 feet North from the Southeast corner of the Southwest Quarter of Section 27, Township 3 South, Range 1 West, Salt Lake Meridian; thence North 36 feet; thence West 100 feet; thence South 36 feet; thence East 100 feet to BEGINNING.

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CO. RECORDER

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TOGETHER WITH a right of way over the following described tract of land:

BEGINNING 33 feet North and 133 feet West from the Southeast corner of the Southwest Quarter of said Section 27, and running thence North 219 feet; thence West 11 feet; thence South 219 feet; thence East 11 feet to the point of BEGINNING.

PARCEL NO. 4:

BEGINNING 33 feet West and 180 feet North of the Southeast corner of the Southwest Quarter of Section 27, Township 3 South, Range 1 West, Salt Lake Meridian; thence North 36 feet; thence West 100 feet; thence South 36 feet; thence East 100 feet to BEGINNING.

TOGETHER WITH a right of way over the following described tract of land:

BEGINNING 33 feet North and 133 feet West from the Southeast Corner of the Southwest Quarter of said Section 27, and running thence North 219 feet; thence West 11 feet; thence South 219 feet; thence East 11 feet to the point of BEGINNING.

PARCEL NO. 5:

BEGINNING 33 feet West and 216 feet North of the Southeast Corner of the Southwest Quarter of Section 27, Township 3 South, Range 1 West, Salt Lake Meridian, thence North 36 feet; thence West 100 feet; thence South 36 feet; thence East 100 feet to the point of BEGINNING.

TOGETHER WITH a right of way over the following described tract of land:

BEGINNING 33 feet North and 133 feet West from the Southeast Corner of the Southwest Quarter of said Section 27, and running thence North 219 feet; thence West 11 feet; thence South 219 feet; thence East 11 feet to the point of BEGINNING.

PARCEL NO. 6:

BEGINNING 33 feet West and 252 feet North of the Southeast Corner of the Southwest Quarter of Section 27, Township 3 South, Range 1 West, Salt Lake Meridian, thence North 50 feet; thence West 254 feet; thence South 50 feet; thence East 254 feet to the point of BEGINNING.

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BK 8247 PG 6378

Part of the Northeast Quarter of the Northwest Quarter of Section 22, Township 1 South, Range 1 West, Salt Lake Base and Meridian; Beginning at the intersection of the Southerly right of way line of Utah State Highway F. A. Project No. 218 and the Westerly line of Utah State Highway F. A. Project No. 229, which point is South $0^{\circ}02'16''$ West 50.00 feet and South $89^{\circ}41'$ West 69.00 feet from a Salt Lake City Monument, said monument being North $33^{\circ}25'29''$ East 3.60 feet from the Northeast corner of the Northwest quarter of said Section 22 and running thence from said point of beginning South $2^{\circ}13'$ East along said Westerly right of way line of Utah State Highway F. A. Project No. 229 a distance of 160.00 feet; thence South $89^{\circ}41'$ West 160.00 feet; thence North $2^{\circ}13'$ West 160.00 feet to said Southerly right of way line of Utah State F. A. Project No. 218; thence North $89^{\circ}41'$ East 160.00 feet to the point of BEGINNING.

BEGINNING at a point 875.74 feet East and 1128.60 feet North from the Southwest corner of the Southwest Quarter of Section 20, Township 1 South, Range 1 East, Salt Lake Meridian, thence West along the South side of 33rd South Street 200 feet to the East side of County road known as Highland Drive; thence South 16° East along the East side of Highland Drive 200 feet; thence East 144.87 feet; thence North 192.25 feet to the place of BEGINNING.

BEGINNING at a point 2 rods North and 2 rods West from the Southeast Corner of Section 26, Township 1 South, Range 2 West, Salt Lake Base and Meridian, and running thence North 190 feet along the West line of 5600 West Street; thence West 190 feet; thence South 190 feet to the North line of 3500 South Street; thence East along said North line 190 feet to the point of BEGINNING.

LESS; BEGINNING at a point North $0^{\circ}09'50''$ West along the Section line 33.00 feet and South $89^{\circ}59'10''$ West 33.00 feet from the Southeast corner of Section 26, Township 1 South, Range 2 West, Salt Lake Base and Meridian, and running thence South $89^{\circ}59'10''$ West 190.00 feet; thence North $0^{\circ}09'50''$ West 7.00 feet; thence North $89^{\circ}59'10''$ East 170.00 feet; thence North $0^{\circ}09'50''$ West 183.00 feet; thence North $89^{\circ}59'10''$ East 20.00 feet; thence South $0^{\circ}09'50''$ East 190.00 feet to the point of BEGINNING.

DAVIS COUNTY

BEGINNING at the Southeast corner of Lot 4, Block 3, North Mill Creek Plat Bountiful Townsite Survey, in the City of Bountiful, and running thence South $89^{\circ}45'30''$ West 225.36 feet along the North line of a street; thence North $0^{\circ}07'$ East 132.0 feet parallel to the West line of 200 West Street; thence North $89^{\circ}45'30''$ East 73.0 feet; thence South $0^{\circ}07'$ West 14.0 feet; thence North $89^{\circ}45'30''$ East 152.46 feet to the West line of said 200 West Street; thence South $0^{\circ}07'$ West 118.0 feet along said street to the point of BEGINNING.

BEGINNING on the North line of a Highway 53.0 feet Northerly from the center line thereof, at it's intersection with the Westerly right of way line of the former Bamberger Railroad, at a point 1947.29 feet North, more or less, and 1164.7 feet East, more or less, from the South Quarter corner of Section 36, Township 2 North, Range 1 West, Salt Lake Meridian, in the City of Woods Cross, which point is North 89°52' West 246.02 feet along the center line of said Highway and North 0°05' East 53.0 feet from a monument at the center line intersection of said Highway and of Highway 91; and running thence South 89°52' East 219.95 feet along the North line of said Highway to the West line of Highway 91; thence North 31°12'33" East 261.13 feet along the West line of Highway 91 to the point of tangency with a 30.0 foot radius curve to the left; thence Northeasterly and Westerly 63.61 feet along the arc of said curve; thence South 89°52'16" West 192.75 feet to the Westerly Right of Way line of said former Railroad at a point 377.77 feet perpendicularly Northerly from the center line of a Highway opposite Engineer's Station 28+88.45, which point is also 285.33 feet North 26°53'33" East of the point of beginning; thence North 26°53'33" East 61.2 feet; thence South 89°29'50" West 124.96 feet; to a point due North of the Southeast corner of Lot 9, said Section 36; thence South 251 feet, more or less, to the Westerly Right of Way line of said former Railroad; thence South 26°53'33" West 68.74 feet to the point of BEGINNING.

BEGINNING on the North line of Gentile Street, North 89°10'55" West 74.56 feet along said street from an angle corner of the property conveyed to the Board of Education of Davis County School District, by Warranty Deed, recorded April 9, 1965, in Book 314 at page 478 which point is North 0°49' East 33.0 feet and North 89°10'55" West 302.43 feet along said street from the South Quarter corner of Section 21, Township 4 North, Range 1 West, Salt Lake Meridian, in the City of Layton, and running thence South 89°10'55" East 165 feet along said street; thence North 0°49' East 175.45 feet; thence North 89°25'24" West 165 feet; thence South 0°49' West 175.45 feet to the point of BEGINNING.

BEGINNING at a point 1024.98 feet South 0°08' West along the Quarter Section line and North 89°58' West 662.35 feet and South 0°02' West 126.2 feet from the Northeast corner of the Southwest Quarter of Section 1, Township 4 North, Range 2 West, Salt Lake Meridian, in the City of Clearfield, and running thence North 89°58' West 248.07 feet, more or less, to the Easterly line of a Highway; thence South 41°24' East 166.79 feet, more or less, along the Easterly line of said Highway to the North line of a street; thence South 89°58' East 138.11 feet, more or less, along said street to a point due South of the point of beginning; thence North 125.08 feet, more or less, to the point of BEGINNING.

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CACHE COUNTY

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CO. RECORDER

BEGINNING at a point North 46.36 feet along the monument line of Main Street and South 89°52'12" East 61 feet from monument in intersection of Main Street and 200 North Street, Logan, Utah, and running thence South 89°52'12" East 165.307 feet to a point 0.3 feet West of an existing 4 foot high chain link fence; thence North 176.183 feet, more or less parallel to said fence and along a 5 foot high cinder block wall to the North of said fence to a point 0.4 feet South of a 5 foot high cinder block wall; thence North 89°52'12" West 165.31 feet, more or less, parallel to said wall and along South wall of existing motel structure; thence South 176.18 feet to the point of BEGINNING.

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