

WHEN RECORDED RETURN TO:

Larry G. Moore, Esq.  
Ray, Quinney & Nebeker  
P.O. Box 45385  
Salt Lake City, Utah 84145-0385

7732611  
10/04/2000 03:58 PM 20.00  
Book - 8392 Pg - 4468-4472  
NANCY WORKMAN  
RECORDER, SALT LAKE COUNTY, UTAH  
RAY QUINNEY & NEBEKER  
PO BOX 45385  
SLC UT 84145-0385  
BY: SLH; DEPUTY - WI 5 P.

7732611

TRUSTEE'S DEED

BY THIS TRUSTEE'S DEED, made this 4<sup>th</sup> day of October , 2000, LARRY G. MOORE, a member of the Utah State Bar (hereinafter "Grantor"), as successor trustee under the Trust Deed hereinafter described, grants and conveys to CONSECO LIFE INSURANCE COMPANY, a corporation (hereinafter referred to as "Grantee") of P.O. Box 1914, Carmel, Indiana 46082 WITHOUT any covenant or warranty, express or implied, all of the real property and appurtenances situated in Salt Lake County, State of Utah, and more particularly described on Exhibit "A" attached hereto and incorporated herein.

Grantor makes this transfer and conveyance pursuant to the powers conferred by that certain Deed of Trust and Security Agreement (the "Trust Deed"), dated December 16, 1997, executed by Stevsim, Inc., a Delaware corporation, as Trustor, in which Landmark Title Company is named Trustee and Conseco Mortgage Capital, Inc., a Delaware corporation was named as the original Beneficiary, recorded on December 19, 1997, as Entry No. 6819549 in Book 7835, Page 2541, et seq., of the official records of the Salt Lake County Recorder, Salt Lake County, Utah. The aforescribed real property was so conveyed pursuant to the said Trust Deed to secure, among other obligations, the payment of that certain Promissory Note (the "Note") and interest thereon, as described in said Note, and other sums of money advanced and interest thereon; and under which Trust Deed, Grantor was substituted as successor trustee by that Substitution of Trustee which was recorded on April 19, 2000, in the official records of the Salt Lake County Recorder, as Entry No.7620852, in Book 8356, at Page 1708, of said official records. This grant and conveyance is made after the fulfillment of the conditions specified in said Trust Deed and authorizing the same as follows:

1. Breach and default under the terms of the Trust Deed as set forth in particular in the Notice of Default hereinafter referred to, which default continued to the time of sale under said Trust Deed.
2. Notice of the declaration of said default was duly given by the Grantor and demand for sale pursuant to the terms of said Trust Deed made, and thereafter, there was filed for record on April 19, 2000, in the office of the Salt Lake County Recorder, Salt Lake County, Utah a Notice of Default, as prescribed by applicable statute, as Entry No. 7620853, in Book 8356, at Page 1711, et seq. in said official records, and required copies were sent to the Trustor and to other persons having requested the same in accordance with the provisions of applicable statute within ten (10) days of such filing for record.

BK 8392 PG 4468

3. Over three (3) months elapsed after the recording of said Notice of Default, at which time the Grantor executed a Notice of Trustee's Sale stating that, by virtue of authority granted pursuant to said Trust Deed, Grantor would sell at public auction to the highest bidder, for cash in lawful money of the United States, the aforescribed property. Said Notice of Trustee's Sale fixed the time and place of sale as 2:00 p.m. on October 3, 2000, at the Third Judicial District Courthouse for Salt Lake County, East Main Entrance, 450 South State Street, Salt Lake City, Utah, and Grantor caused copies of such notice to be posted for not less than twenty (20) days before the date of said sale in some conspicuous place on the said property and in three (3) public places in the city or county in which the property or some portion thereof is situated. Grantor also caused a copy of said Notice of Trustee's Sale to be published once a week for three consecutive weeks (the last such publication being at least 10 but not more than 30 days before the date of the sale) in a newspaper having a general circulation in each county in which the said property, or a portion thereof, is situated, the last date of such publication being September 22, 2000.

4. All applicable statutory provisions of the State of Utah and all of the provisions of said Trust Deed have been complied with as to acts to be performed and notices to be given.

5. The Grantor, at the time and place of sale fixed in accordance with the foregoing, then and there sold, at public auction, to Grantee, who was the highest bidder therefor, the property hereinbefore described, for a credit bid in the amount of \$1,400,000 in full accordance with the laws of the State of Utah and with the terms of the said Trust Deed.

DATED this 4<sup>th</sup> day of October, 2000.


“Successor Trustee”



Larry G. Moore  
Successor Trustee

STATE OF UTAH )  
 : ss.  
COUNTY OF SALT LAKE )

The foregoing instrument was acknowledged before me this 4<sup>th</sup> day of October, 2000, by Larry G. Moore, Esq., a member of the Utah State Bar, in his capacity as Successor Trustee.

  
Notary Public  
CAROLYN K. MEYER  
79 S Main St.  
Salt Lake City, Utah 84111  
My Commission Expires  
October 22, 2002  
My Commission Expires (Utah)  
10-22-02

Carolyn K. Meyer  
Notary Public

420975 v4/lgm

EXHIBIT "A"

LEGAL DESCRIPTION

Situated in Salt Lake County, State of Utah, to-wit:

Parcel 1: 08-34-353-029-0000

BEGINNING on the South right-of-way line of North Temple Street at a point North 89°12'01" East 504.03 feet, more or less, and North 700.45 feet, more or less, from the Southwest corner of Section 34, Township 1 North, Range 1 West, Salt Lake Base and Meridian, said Section corner being an unmarked County Survey Monument located at the South right-of-way line of the Salt Lake Garfield and Western Railroad, said beginning point is also South 0°04'57" West 34.69 feet and North 89°12'01" East 504.03 feet, more or less, and North 700.45 feet, more or less, from an unmarked County Survey Monument which is South 89°57'27" West 2639.8 feet from the North Quarter corner of Section 3, Township 1 South, Range 1 West, Salt Lake Base and Meridian as shown on the Area Reference Plat on file in the Salt Lake County Surveyor's Office, and said point of beginning being also North 89°58'38" East 501.33 feet and South 66.60 feet from a Salt Lake City Survey Monument, said Monument being South 89°58'38" West 2577.29 feet from a Salt Lake City Monument at the intersection of North Temple Street and Redwood Road to the North, said point of beginning having also been described as being East 504 feet and North 704 feet, more or less, from the Southwest corner of Section 34, Township 1 North, Range 1 West, Salt Lake Base and Meridian, and running thence South 210.00 feet; thence 89°58'38" West 0.20 feet to a fence line; thence South 0°14'09" West along said fence line 121.51 feet; thence South 89°58'38" West 161.82 feet; thence North 331.51 feet to the South right-of-way line of said North Temple Street; thence North 89°58'38" East along said South line, 162.52 feet to the point of BEGINNING.

PARCEL 2: 08-34-353-028-0000

A perpetual, non-exclusive easement for ingress and egress, appurtenant to PARCEL 1, created by that certain Easement And Maintenance Agreement recorded December 19, 1997 as Entry No. 6819547 of the Official Records of the Salt Lake County Recorder, over the following described tract of land, to-wit:

BEGINNING on the South line of North Temple Street at a point 323.33 feet North 89°58'38" East and South 66.60 feet from a Salt Lake City Survey Monument, said monument being South 89°58'38" West 2577.29 feet from a Salt Lake City Monument at the intersection of North Temple Street and Redwood Road to the North, said point of beginning being also East 326 feet and North 704 feet, more or less, from the Southwest corner of Section 34, Township 1 North, Range 1 West, Salt Lake Base and Meridian, and running thence South 360 feet, more or less; thence South 19°28'15" East 6.06 feet to the Southeast corner of the land conveyed to ROBERT H. BREINHOLT and JANE T. BREINHOLT in that certain Special Warranty Deed recorded April 16, 1993 as Entry No. 5479167 in Book 6640 at Page 2658 of the Official Records of the Salt Lake County Recorder; thence East 28 feet; thence North 19°28'15" West 6.06 feet; thence North 360 feet, more or less, to the South line of North Temple Street; thence West 28 feet to the point of BEGINNING.

PARCEL 3: 08-34-353-031-0000

A perpetual, non-exclusive easement for ingress and egress, appurtenant to PARCEL 1, created by that certain Easement And Maintenance Agreement recorded December 19, 1997 as Entry No. 6819547 of the Official Records of the Salt Lake County Recorder, over the following described tract of land, to-wit:

BEGINNING at a point North 89°58'38" East 351.33 feet and South 383.91 feet from a Salt Lake City Survey Monument, said monument being South 89°58'38" West 2577.29 feet from a Salt Lake City Monument at the intersection of North Temple Street and Redwood Road to the North, said point of beginning being also East 354 feet and North 704 feet, more or less, and South 317.51 feet from the Southwest corner of Section 34, Township 1 North, Range 1 West, Salt Lake Base and Meridian, and running thence North 89°58'38" East 149.36 feet to a fence line; thence South 0°14'09" West along said fence line 28.00 feet; thence South 89°58'38" West 149.25 feet; thence North 28.00 feet to the point of BEGINNING.