

When Recorded Mail To:
Provo City Redevelopment Agency
351 Center Street
Provo, UT 84601
BT-14526

ENT 93689:2016 PG 1 of 4
Jeffery Smith
Utah County Recorder
2016 Sep 23 02:40 PM FEE 21.00 BY VM
RECORDED FOR Bartlett Title Insurance Agency
ELECTRONICALLY RECORDED
Space Above for Recorder's Use

TRUST DEED

This TRUST DEED, made the 22nd day of September, 2016, between NEWVISTAS PROPERTY HOLDINGS, LLC, a Utah limited liability company, as TRUSTORS; Bartlett Title Insurance Agency, Inc., whose address is 1993 North State, Provo, Utah 84604, as TRUSTEE; and Provo City Redevelopment Agency, as BENEFICIARY,

WITNESSETH: That Trustors CONVEY AND WARRANT TO TRUSTEE IN TRUST, WITH POWER OF SALE, the following described property, situated in Utah County, State of Utah:

See Exhibit "A" attached hereto and by this reference made a part hereof

Together with all buildings, fixtures and improvements thereon and all water rights, rights of way, easements, rents, issues, profits, income, tenements, hereditaments, privileges and appurtenances thereunder belonging, 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 promissory note dated **SEPTEMBER 22, 2016**, in the principal sum of **\$3,032,243.79 (THREE MILLION THIRTY TWO THOUSAND TWO HUNDRED FORTY THREE DOLLARS AND 79/100)**, made by TRUSTORS, 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.

TRUSTORS agree to pay all taxes and assessments on the above property, to pay all charges and assessments on water or 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 in 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 reconveyance hereof.

The undersigned Trustors request that a copy of any notice of default and any notice of sale hereunder be mailed to him at the address hereinbefore set forth.

TRUSTORS:


NEWVISTAS PROPERTY HOLDINGS, LLC



Matthew Van Dyke, Manager

State of Utah)
 :ss
County of Utah)

On the 22nd day of September, 2016, personally appeared before me Matthew Van Dyke, who being by me duly sworn did say for himself that the said Matthew Van Dyke is a Manager of NEWVISTAS PROPERTY HOLDINGS, LLC, and that the within and foregoing instrument was signed in behalf of said Limited Liability Company and said Matthew Van Dyke, duly acknowledged to me that said Limited Liability Company executed the same.



Notary Public
My commission expires 6-3-18

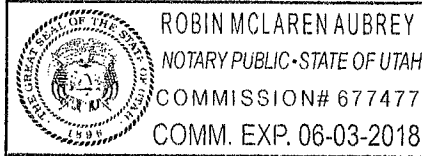


Exhibit "A"**Property Description**

The land referred to is located in **Utah** County, State of **Utah**, and is described as follows:

Parcels 1 and 2:

Lots 1 and 2, Plat "G", Mountain Vista Business Center Subdivision, Provo, Utah County, Utah, according to the official plat thereof on file in the office of the Utah County Recorder.

(46:936:0001)

(46:936:0002)

Parcel 3:

Part Lot 11, Plat "F", Billings Technology Park Subdivision described as follows; commencing South 1635.07 feet and East 1665.23 feet from the North quarter corner of Section 20, Township 7 South, Range 3 East, Salt Lake Base and Meridian; thence South 19°59'59" East 75.6 feet; thence South 65°35'50" West 533.11 feet; thence along a curve to the right (chord bears: North 14°30'19" West 92.76 feet, radius = 2180.88 feet); thence along a curve to the right (chord bears: North 33°52'1" East 60.91 feet, radius = 45 feet); thence North 76°27'33" East 6.47 feet; thence along a curve to the left (chord bears: North 71°20'56" East 467.16 feet, radius = 2622.44 feet) to the point of beginning. Less and excepting that portion of land within the bounds of Lot 1, Plat "G", Mountain Vista Business Center Subdivision.

(35:095:0021)

Parcel 4:

Lot 1, Plat "A", Mountain Vista Business Center Subdivision, Provo, Utah County, Utah, according to the official plat thereof on file in the office of the Utah County Recorder.

(46:762:0001)

Parcel 5:

Commencing South 1793.96 feet and East 1497.45 feet from the North quarter corner of Section 20, Township 7 South, Range 3 East, Salt Lake Base and Meridian; thence South 28°24'28" East 954.6 feet; thence South 60°31'53" West 399.19 feet; along a curve to the right (chord bears: North 26°9'51" West 323.41 feet, radius = 8395.49 feet); thence North 24°56'5" West 327.52 feet; thence along a curve to the right (chord bears: North 20°22'25" West 337.59 feet, radius = 2113.26 feet); thence North 65°35'50" East 320.22 feet to the point of beginning.

(23:001:0173)

Parcel 6:

Commencing South 2533.52 feet and East 2136.66 feet from North quarter corner of Section 20, Township 7 South, Range 3 East, Salt Lake Base and Meridian; thence North $61^{\circ}35'32''$ East 169.21 feet; thence South $28^{\circ}24'28''$ East 251.15 feet; thence along a curve to the right (chord bears: South $9^{\circ}11'8''$ East 202.15 feet, radius = 307.1 feet); thence along a curve to the left (chord bears: South $9^{\circ}36'30''$ East 277.69 feet, radius = 412.87 feet); thence North $29^{\circ}28'41''$ West 705.03 feet to the point of beginning.

(23:001:0174)