

Recording requested by and  
When recorded mail to:

Latham & Watkins LLP  
355 South Grand Avenue, Suite #100  
Los Angeles, CA 90071  
Attention: Kim N. A. Boras, Esq.

**01108045 B: 2501 P: 0838**

Page 1 of 5

Rhonda Francis Summit County Recorder

03/25/2019 03:33:00 PM Fee \$18.00

By Cottonwood Title Insurance Agency, Inc.  
Electronically Recorded

---

## SUBSTITUTION OF TRUSTEE AND PARTIAL RECONVEYANCE

---

WHEREAS, NUTRACEUTICAL CORPORATION, a Delaware corporation ("**Trustor**") is the Trustor, FOUNDERS TITLE COMPANY, INC., a Utah corporation ("**Founders**") is the original Trustee, and ANTARES CAPITAL LP, a Delaware limited partnership, in its capacity as Administrative Agent and Collateral Agent ("**Beneficiary**") is the beneficiary under that certain Deed of Trust, Security Agreement, Assignment of Rents and Leases and Fixture Filing, dated as of December 21, 2017 and recorded December 27, 2017, as Instrument No. 01083915, at Book 2443, Page 1830 and as modified by that certain First Modification to Deed of Trust, Security Agreement, Assignment of Rents and Leases and Fixture Filing, dated as of March 30, 2018 and recorded April 2, 2018, as Instrument No. 01088918, at Book 2456, Page 0203, both in the Office of the Recorder for Summit County, Utah (as so modified, the "**Deed of Trust**") encumbering the land described in Exhibit A attached hereto; and

WHEREAS, the undersigned Beneficiary desires to substitute a new Trustee under the Deed of Trust in place and stead of Founders.

NOW, THEREFORE, the undersigned hereby substitutes Cottonwood Title Insurance Agency, Inc. as Trustee under the Deed of Trust, and Cottonwood Title Insurance Agency, Inc. does hereby quitclaim and reconvey, without warranty, to the person or persons legally entitled thereto, a portion of the premises described in the Deed of Trust, which portion is more particularly described on Exhibit B attached hereto and made a part hereof ("**Released Property**")

For value received, Beneficiary hereby releases only the Released Property described in said Exhibit B from all liens held by Beneficiary securing the indebtedness, which indebtedness is more completely described in the Deed of Trust.

IN WITNESS WHEREOF, Antares Capital LP, in its capacity as Administrative Agent and Collateral Agent for the benefit of the Secured Parties has caused the execution of this Substitution of Trustee and Deed of Partial Reconveyance as of this 13 day of March, 2019.

ANTARES CAPITAL LP, as Administrative Agent and Collateral Agent, Beneficiary

By: Richard Davidson

Name: Richard Davidson

Title: Duly Authorized Signatory

STATE OF ILLINOIS

COUNTY OF COOK

This instrument was acknowledged before me on March 13, 2019 by Richard Davidson as Duly Authorized Signatory of Antares Capital LP, a Delaware limited partnership.

(seal)



Therese A. Marus  
Signature of Notary Public

IN WITNESS WHEREOF, Cottonwood Title Agency, Inc., in its capacity as Successor Trustee, has caused the execution of this Substitution of Trustee and Deed of Partial Reconveyance as of this 10 day of MARCH, 2019.

COTTONWOOD TITLE AGENCY, INC., a Utah corporation

By: [Signature]

Name: Franklin S. Ivory

Title: President

STATE OF UTAH

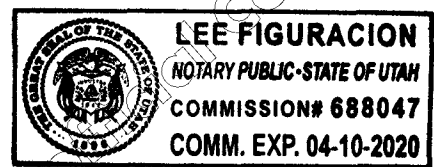
COUNTY OF SALT LAKE

This instrument was acknowledged before me on MARCH 10, 2019 by FRANKLIN S. IVORY as PRESIDENT of Cottonwood Title Insurance Agency, Inc., a Utah corporation.

(seal)

[Signature]

Signature of Notary Public



**EXHIBIT A – DEED OF TRUST LEGAL DESCRIPTION**

The Land referred to herein below is situated in the County of Summit, State of Utah, and is described as follows:

Parcel 1:

A portion of Lot 1, SUN PEAK DRIVE DEDICATION AND PARCEL SUBDIVISION PLAT, recorded November 22, 1994 as Entry No. 419725 of the official records in the office of the Summit County Recorder more particularly described as follows:

Commence at the Northwest corner of Section 31, Township 1 South, Range 4 East, Salt Lake Base and Meridian; said corner being a brass cap set by the County Surveyor in 1958; thence along the West line of said Section 31 (Basis of bearing being South 00°00'06" East 2641.45 feet between the Northwest corner and the West quarter corner of said Section 31) South 00°00'06" East a distance of 2283.01 feet; thence East 896.16 feet to the point of beginning; thence East 483.77 feet to a point, said point being on the right-of-way of State Highway U-224; thence along said right-of-way North 00°13'32" West 346.44 feet; thence departing said right-of-way West 149.41 feet to the beginning of a 410 foot radius curve to the right (Center bears North); thence along said curve, through a central angle of 08°27'52" 60.57 feet; thence South 12°39'39" West 145.57 feet to the beginning of a 260 foot radius curve to the right (Center bears North 77°20'21" West); thence along said curve through a central angle of 75°55'25" 344.53 feet; thence departing said curve South 35.22 feet to the point of beginning.

The following is shown for information purposes only:

Tax Parcel No. SPD-1-A

Account ID No. 0316970

Parcel 2:

Benefits, easements, conditions and limitations contained in AGREEMENT FOR EASEMENTS AND MAINTENANCE dated May 14, 1999, executed by and between the Jack Johnson Office Lodge, LC, a Utah limited liability company and Red Barn Development, LC, a Utah limited liability company, recorded November 5, 1999 as Entry No 00552275 in Book 01294 at Page 00533, Official Records.

**EXHIBIT B – RELEASED PROPERTY**

Parcel of land conveyed to the Utah Department of Transportation by Warranty Deed recorded April 30, 2018 as Entry No. 01090556 in Book 2459 at Page 1605, Official Records described as follows:

A parcel of land in fee, for the improvements of the existing highway SR-224 (known as Project No. F-0224(45)6), being part of an entire tract of property, situate in Lot 1, Sun Peak Drive Dedication and Parcel Subdivision Plat, recorded as Entry No. 419725 in the office of the Summit County Recorder, and in the SE 1/4 NW 1/4 of Section 31, T.1S., R.4E., S.L.B. & M. The boundaries of said parcel of land are described as follows:

Beginning at the Northeast corner of said Lot 1 at the intersection of the existing westerly highway right of way line of said SR-224 and the existing southerly right of way line of Sun Peak Drive, which intersection is 2,283.01 feet S.00°00'06"E. along the section line and 1,380.04 feet East and 346.44 feet N.00°14'00"W. (N.00°13'32"W. by record) from the Northwest Corner of said Section 31, said intersection is also 53.00 feet perpendicularly distant westerly from the control line of said project opposite approximate engineer station 141+77.89 (said control line is also the control line for UDOT Project No. F-060(2)), and running thence S.00°14'00"E. (S.00°13'32"W. by record) 35.11 feet along said existing westerly highway right of way line parallel with said control line to a point opposite engineer station 142+13.00; thence N.45°01'39"W. 49.68 feet to said existing southerly right of way line at a point 88.00 feet perpendicularly distant westerly from said control line opposite engineer station 141+77.75; thence East 35.00 feet along said existing southerly right of way line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

(Note: Rotate all bearings in the above description 00°02'06" clockwise to obtain highway bearings.)