



W2824697

E# 2824697 PG 1 OF 3
Leann H. Kilts, WEBER COUNTY RECORDER
03-Nov-16 0302 PM FEE \$14.00 DEP KL
REC FOR: SMITH KNOWLES PC
ELECTRONICALLY RECORDED

When recorded return to
Grantee
1051 Mount Orchard Drive
Pleasant View, Utah 84414
SK file No 16-0600

Mail tax notice to
Grantee
1051 Mount Orchard Drive
Pleasant View, Utah 84414

TRUSTEE'S DEED UPON SALE

THIS INDENTURE made November 3, 2016, between Lincoln Title Insurance Agency, as Successor Trustee (hereinafter referred to as "Trustee"), under the hereinafter described Deed Of Trust and JERRY D. WEAVER, LYNETTE W. JENSEN & KYLE MARK WEAVER AS TRUSTEES OF THE JERRY D. WEAVER TRUST DATED MAY 12, 2014 (hereinafter referred to as "Grantee");

DB

WHEREAS, HEATON, HALL AND ASSOCIATES, L.L.C., WHO ACQUIRED TITLE AS HEATON HALL AND ASSOCIATES, L.L.C. as "Trustor", by Deed of Trust (hereinafter "Trust Deed") dated September 25, 1997, to secure certain obligations in favor of BANK OF UTAH, as Beneficiary, and in which BANK OF UTAH is named as Trustee, which Trust Deed was recorded October 3, 1997, as Entry No. 1496599, in Book 1884, at Page 1408, in the Official Records of Weber County, State of Utah, did grant and convey the real property described therein to secure, among other obligations, payment of a Note and interest, according to the terms thereof, other sums and money advanced, and interest on the amounts; and

WHEREAS, there was a breach and default under the terms of the Trust Deed as set forth in the referenced Notice of Default; and

WHEREAS, a Substitution of Trustee appointing Lincoln Title Insurance Agency, as Successor Trustee, dated June 27, 2016, was recorded on June 29, 2016 as Entry No. 2800916, of the Official Records of Weber County, State of Utah; and a copy thereof was sent in the manner and to the persons to whom a copy of the Notice of Default would be required to be mailed by Utah Code Ann. § 57-1-26 (1953 as amended); and

WHEREAS, the beneficiary made a declaration of default and demand for sale upon the Trustee, and the Trustee filed for record on June 21, 2016, in the office of the County Recorder of Weber County, a Notice of Default to cause the Trustee to sell the real property to satisfy the obligations secured by the Trust Deed, which Notice of Default was duly recorded on June 21, 2016, as Entry No. 2799596, of the official records in Weber County; and

WHEREAS, Trustee in consequence of the declaration of default, election, and demand for sale, and in compliance with the terms of the Trust Deed, by virtue of the authority in him vested, gave notice of the sale at auction to the highest bidder, the real property particularly described therein and herein, the property located in Weber County, State of Utah, and fixing the time and place of the sale as November 1, 2016 at the hour of 12:00 noon, at the front steps of the Second District Courthouse, 2525 Grant Avenue, Ogden, UT 84401, and caused copies of the Notice to be posted for not less than twenty (20) days before the date of sale as provided for under Utah Code Ann. § 57-1-25 (1953 as amended), and the Trustee caused a copy of the Notice to be published for three consecutive weeks in a newspaper having general circulation in the county in which the real property is situated, the last publication being at least ten days, but not more than thirty days, prior to the sale; and

WHEREAS, copies of the recorded Notice of Default, Substitution of Trustee, and Notice of Sale were mailed in accordance with Utah Code Ann. § 57-1-26 (1953 as amended), to all those who were entitled to special notice to be given; and

WHEREAS, Trustee did at the time and place of sale according to the Notice, then and there sell at public auction to Grantee, JERRY D. WEAVER, LYNETTE W. JENSEN & KYLE MARK WEAVER AS TRUSTEES OF THE JERRY D. WEAVER TRUST DATED MAY 12, 2014 being the highest bidder, for the property

described, which was applied toward the costs and expenses of exercising the power of sale and then the amounts secured by the Trust Deed.

NOW THEREFORE, Trustee, in consideration of the premises recited and of the sum bid and paid by Grantee, the receipt of which is hereby acknowledged, and by virtue of the authority vested in it by the Trust Deed, does GRANT AND CONVEY to Grantee, but without any covenant or warranty, express or implied, all of the property situated in Weber County, State of Utah, described as follows:

PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT WHICH IS NORTH 89°46'20" WEST 524.92 FEET, SOUTH 0°58' WEST 338.63 FEET, NORTH 89°02'00" WEST 1604.94 FEET, SOUTH 7°26' WEST 41.03 FEET, SOUTH 3°08'30" WEST 244.40 FEET, AND SOUTH 89°02' EAST 613.90 FEET FROM THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER, SAID POINT ALSO BEING SOUTH 89°46'20" EAST 552.46 FEET, SOUTH 7°26' WEST 361.50 FEET, SOUTH 3°08'30" WEST 244.40 FEET, AND SOUTH 89°02' EAST 613.90 FEET FROM THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER SECTION, RUNNING THENCE SOUTH 0°58' WEST 78.03 FEET, THENCE NORTH 89°26'43" WEST 330.07 FEET, THENCE NORTH 0°58' EAST 80.68 FEET, THENCE SOUTH 89°02' EAST 330.06 FEET, THENCE SOUTH 0°58' WEST 0.3 FEET TO THE POINT OF BEGINNING.

SUBJECT TO AND TOGETHER WITH A NON-EXCLUSIVE RIGHT OF WAY FOR INGRESS AND EGRESS OVER PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT WHICH IS NORTH 89°46'20" WEST 524.92 FEET; SOUTH 0°58' WEST 338.63 FEET; NORTH 89°02' WEST 1604.94 FEET; SOUTH 7°26' WEST 41.03 FEET; SOUTH 3°08'30" WEST 244.40 FEET; SOUTH 89°02' EAST 283.84 FEET FROM THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER SECTION; SAID POINT IS ALSO SOUTH 9°46'20" EAST 552.46 FEET; SOUTH 7°26' WEST 361.50 FEET; SOUTH 3°08'30" WEST 244.40 FEET; SOUTH 89°02' EAST 283.84 FEET FROM THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER SECTION; RUNNING THENCE SOUTH 0°58' WEST 80.68 FEET; THENCE NORTH 89°26'43" WEST 15.00 FEET; THENCE NORTH 0°58' EAST 80.79 FEET; THENCE SOUTH 89°02' EAST 15.00 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH A NON-EXCLUSIVE RIGHT OF WAY FOR INGRESS AND EGRESS OVER PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT ON THE EAST LINE OF PACIFIC AVENUE, SAID POINT BEING NORTH 89°46'20" WEST 524.92 FEET; SOUTH 0°58' WEST 338.63 FEET; NORTH 89°02' WEST 1604.94 FEET; SOUTH 7°26' WEST 41.03 FEET; SOUTH 3°08'30" WEST 304.66 FEET; SOUTH 2°15' WEST 245.10 FEET FROM THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER SECTION, SAID POINT ALSO BEING SOUTH 89°46'20" EAST 552.46 FEET; SOUTH 7°26' WEST 361.50 FEET; SOUTH 3°08'30" WEST 304.66 FEET; SOUTH 2°15'00" WEST 245.10 FEET FROM THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER SECTION; RUNNING THENCE SOUTH 86°30'00" EAST 261.87 FEET; THENCE NORTH 0°58'00" EAST 196.82 FEET; THENCE SOUTH 89°02'00" EAST 15.00 FEET; THENCE SOUTH 0°58'00" WEST 210.00 FEET; THENCE NORTH 86°30'00" WEST 277.17 FEET TO THE EAST LINE OF SAID PACIFIC AVENUE; THENCE NORTH 2°15'00" EAST 12.50 FEET ALONG SAID LINE TO THE POINT OF BEGINNING.

TOGETHER WITH A NON-EXCLUSIVE RIGHT OF WAY FOR INGRESS AND EGRESS OVER, PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT WHICH IS NORTH 89°46'20" WEST 524.92 FEET; SOUTH 0°58' WEST 338.63 FEET; NORTH 89°02' WEST 1604.94 FEET; SOUTH 7°26' WEST 41.03 FEET; SOUTH 3°08'30" WEST 244.40 FEET; SOUTH 89°02' EAST 283.84 FEET AND SOUTH 0°58' WEST 80.68 FEET FROM THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER SECTION, SAID POINT IS ALSO SOUTH 89°46'20" EAST 552.46 FEET; SOUTH 7°26' WEST 361.50

FEET; SOUTH 3°08'30" WEST 244.40 FEET; SOUTH 89°02' EAST 283.84 FEET AND SOUTH 0°58' WEST 80.68 FEET FROM THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER SECTION; RUNNING THENCE SOUTH 0°58' WEST 79.82 FEET; THENCE NORTH 89°02' WEST 15.00 FEET; THENCE NORTH 0°58' EAST 79.1 FEET; THENCE SOUTH 89°26'43" EAST 15.00 FEET TO THE POINT OF BEGINNING. TOGETHER WITH A NON-EXCLUSIVE RIGHT OF WAY FOR INGRESS AND EGRESS OVER PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT NORTH 89°46'20" WEST 524.92 FEET; SOUTH 0°58' WEST 338.63 FEET; NORTH 89°02' WEST 1604.94 FEET; SOUTH 7°26' WEST 41.03 FEET; SOUTH 3°08'30" WEST 244.40 FEET AND SOUTH 89°02'00" EAST 253.84 FEET FROM THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER SECTION, SAID POINT IS ALSO SOUTH 89°46'20" EAST 552.46 FEET; SOUTH 7°26' WEST 361.50 FEET; SOUTH 3°08'30" WEST 244.40 FEET; SOUTH 89°02'00" EAST 253.84 FEET FROM THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER SECTION; RUNNING THENCE SOUTH 89°02' EAST 15.00 FEET; THENCE SOUTH 0°58' WEST 120.00 FEET; THENCE NORTH 89°02' WEST 15.00 FEET; THENCE NORTH 0°58'00" EAST 120.00 FEET TO THE POINT OF BEGINNING. TOGETHER WITH A NON-EXCLUSIVE RIGHT OF WAY FOR INGRESS AND EGRESS OVER PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT WHICH IS NORTH 89°46'20" WEST 524.92 FEET; SOUTH 0°58' WEST 338.63 FEET; NORTH 89°02' WEST 1604.94 FEET; SOUTH 7°26' WEST 41.03 FEET; SOUTH 3°08'30" WEST 244.40 FEET; SOUTH 89°02' EAST 283.84 FEET AND SOUTH 0°58' WEST 160.50 FEET FROM THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER SECTION, SAID POINT IS ALSO SOUTH 89°46'20" EAST 552.46 FEET; SOUTH 7°26' WEST 361.50 FEET; SOUTH 3°08'30" WEST 244.40 FEET; SOUTH 89°02' EAST 283.84 FEET AND SOUTH 0°58' WEST 160.50 FEET FROM THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER SECTION; RUNNING THENCE SOUTH 0°58'00" WEST 157.00 FEET; THENCE SOUTH 89°02'00" EAST 330.06 FEET; THENCE SOUTH 0°58'00" WEST 16.78 FEET; THENCE NORTH 89°02'00" WEST 345.06 FEET; THENCE NORTH 0°58' EAST 173.78 FEET; THENCE SOUTH 89°02'00" EAST 15.00 FEET TO THE POINT OF BEGINNING.

05-139-0095 / *cm*

and commonly known as 3705 South 250 West, Ogden, Utah 84405.

LINCOLN TITLE INSURANCE AGENCY

By:

Paula Maughan
 Paula Maughan
 Its: Vice President

STATE OF UTAH

COUNTY OF WEBER

On November 3, 2016, personally appeared before me, Paula Maughan, who did say that she is a Vice President of Lincoln Title Insurance Agency, that the within and foregoing instrument was signed in behalf of said corporation by authority of a Resolution of its Board of Directors and that she duly acknowledged to me that the corporation executed the same.



Shelby Kayla Irvin
 NOTARY PUBLIC