

WHEN RECORDED MAIL TO:

USDA Rural Development  
ATTN: Tressie Burton-Roy  
957 Campbellsville Road  
Columbia, KY 42728

File No.: 117228-LKF

ENT91857:2021 PG 1 of 4  
**Andrea Allen**  
**Utah County Recorder**  
2021 May 17 11:43 AM FEE 40.00 BY DA  
RECORDED FOR Cottonwood Title Insurance Agency, Inc.  
ELECTRONICALLY RECORDED

## ASSIGNMENT OF RENTS

In Reference to Tax ID Number(s):

30-029-0037 and 30-029-0044

## ASSIGNMENT OF RENTS

KNOW ALL BY THESE PRESENTS:

WHEREAS Mountain View Associates of Payson, LLC, located at 987 East 200 North, Payson, Utah 84651 executed, and delivered to the United States of America, acting through the Rural Housing Service, United States Department of Agriculture, herein called the "Government", a certain Promissory Note(s)/Assumption Agreement dated April 28, 2021 in the principal amount of \$1,163,427.17, which is secured by a Real Estate Deed of Trust for Utah being recorded on the date of the recordation of this instrument in the records of the Clerk & Recorder of Utah County, Utah, upon the following described real estate situated in the County of Utah, State of Utah:

**See Attached Exhibit A—Legal Description**

AND

WHEREAS, the Government has required as additional security an assignment of rents, profits, income and any USDA-Rural Development, and Housing and Urban Development (hereinafter, "HUD"), rental and housing assistance payments and contracts derived from the above described real estate to secure the payment of any sums due under the Note/Assumption Agreement and Real Estate Deed of Trust for Utah including payment of taxes and insurance, and as further security for the performance of all the terms and conditions expressed in the Assumption Agreement, Promissory Note(s) and Real Estate Deed of Trust for Utah above described and that certain Loan Agreement dated April 28, 2021, executed by the undersigned (hereinafter, collectively with the Assumption Agreement, Promissory Note(s) and Real Estate Deed of Trust for Utah referred to as the "Loan Documents");

NOW, THEREFORE, in consideration of the loan(s) made and/or being made and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned does hereby assign, transfer and set over unto the Government above described, or the holder of said Notes, all rents, profits, income and Government and HUD rental and housing assistance payments and contracts derived from the premises above described and from the buildings and improvements thereon, together with all rights of possession, with full and complete authority and right in the

Government or any subsequent holder, in case of default of the payment of said indebtedness or any part thereof or failure to comply with any of the terms of the Loan Documents, to demand, collect, receive and receipt for such rents, profits, income, and rental and housing assistance payments and contract, to take possession of the premises without requiring the appointment of a receiver therefore, to rent and manage the same from time to time and to apply the proceeds derived there from, after payment of collection and all fees and other costs, upon the said indebtedness as therein provided until all delinquencies, advances and the indebtedness secured by the Real Estate Deed of Trust for Utah and this Assignment are paid in full or until title is obtained through foreclosure or otherwise.

A release of the Real Estate Deed of Trust for Utah shall release this Assignment of Rents.

Executed as a sealed instrument this 23<sup>rd</sup> day of April.

Borrower: MOUNTAIN VIEW ASSOCIATES OF  
PAYSON, LLC, a Utah limited liability  
company

By: CMN Mountain View, Inc., a Utah corporation.  
Its: Managing Member

By: Shawne Mastronardi  
Shawne Mastronardi  
Vice President

~~STATE OF UTAH~~  
STATE OF COLORADO  
COUNTY OF PITKIN

SS:

I HEREBY CERTIFY that on this 23 day of April, 2021, before me, a Notary Public in and for the jurisdiction aforesaid, personally appeared in said jurisdiction Shawne Mastronardi personally well known to me (or satisfactorily proven) to be the person who executed the foregoing instrument as the vice president and did acknowledge the foregoing instrument.

[Signature]  
Notary Public - State of ~~Utah~~  
Colorado

CHRISTOPHER SABELLA  
NOTARY PUBLIC - STATE OF COLORADO  
NOTARY ID 20194017706  
MY COMMISSION EXPIRES MAY 9, 2023

**EXHIBIT A  
PROPERTY DESCRIPTION**

**PARCEL 1:**

Beginning at a point which is West 1545.09 feet and North 1564.23 feet from the Southeast corner of Section 9, Township 9 South, Range 2 East, Salt Lake Base and Meridian; thence North 89°38'10" West 217.80 feet to the East right of way of 900 East Street; thence North 00°24'46" East along said right of way 295.00 feet; thence South 89°38'10" East 217.80 feet; thence South 00°24'46" West 295.00 feet to the point of beginning.

**PARCEL 2:**

Beginning at a point located South 89°47'08" West along the section line 1545.10 feet and North 1570.01 feet from the Southeast corner of Section 9, Township 9 South, Range 2 East, Salt Lake Base and Meridian; thence North 00°24'46" East 295.0 feet; thence North 89°38'10" West 217.80 feet; thence North 00°24'46" East 83.54 feet; thence along the arc of a 16 foot radius curve to the right 25.09 feet (chord North 45°19'49" East 22.60 feet); thence South 89°45'09" East 405.08 feet; thence South 395.359 feet; thence North 89°38'10" West 206.083 feet to the point of beginning.

LESS AND EXCEPTING the following:

Commencing North 1958.276 feet and West 1339.011 feet from the Southeast corner of Section 9, Township 9 South, Range 2 East, Salt Lake Base and Meridian; thence South 395.359 feet; thence North 89°38'10" West 68.77 feet; thence along the arc of a 16.00 foot radius curve to the left 25.12 feet (chord bears North 45°17'25" East 22.618 feet); thence North 00°13'00" East 363.22 feet; thence along the arc of a 16.00 foot radius curve to the left a distance of 25.120 feet (chord bears North 44°46'04" West 22.618 feet); thence South 89°45'09" East 67.22 feet to the point of beginning.

Parcels 1 and 2 above also being described by survey as one contiguous parcel as follows:

A portion of the Southeast quarter of Section 9, Township 9 South, Range 2 East, Salt Lake Base and Meridian, located in Payson, Utah, more particularly described as follows:

Beginning at the Southwest corner of that real property described in Deed Book 2241 at Page 386 of the official records of Utah County located South 89°47'08" West along the section line 1,762.90 feet and North 1,572.21 feet from the Southeast corner of Section 9, Township 9 South, Range 2 East, Salt Lake Base and Meridian; thence North 00°24'46" East along the Easterly right-of-way of 900 East Street 378.54 feet; thence along the arc of a 16.00 foot radius curve to the right 25.09 feet through a central angle of 89°50'05" (chord: North 45°19'49" East 22.60 feet); thence South 89°45'09" East along the Southerly right-of-way of 300 North Street 337.86 feet; thence along the arc of a 16.00 foot radius curve to the right 25.12 feet through a central angle of 89°58'09" (chord: South 44°46'05" East 22.62 feet); thence South 00°13'00" West along the Westerly right-of-way line of 1000 East Street 363.21 feet; thence along the arc of a 16.00 foot radius curve to the right 25.17 feet through a central angle of 90°08'50" (chord: South 45°17'25" West 22.66 feet); thence North 89°38'10" West along the Northerly right-of-way line of 200 North Street 355.11 feet to the point of beginning.

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