

WHEN RECORDED, MAIL TO:

Bruce J. Nelson, Esq.
NELSON CHRISTENSEN HOLLINGWORTH & WILLIAMS
68 South Main Street, Suite 600
Salt Lake City, UT 84101

E 2623214 B 5386 P 90-92
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
10/25/2011 11:01:00 AM
FEE \$14.00 Pgs: 3
DEP eCASH REC'D FOR NELSON CHRISTENSEN H

MAIL TAX NOTICES TO:

Miller Funding Group, LLC
510 South 200 West, Suite 200
Salt Lake City, UT 84101

Space above for County Recorder's use

Parcel I.D. #11-117-0069

TRUSTEE'S DEED

THIS INDENTURE, made the day and year hereinafter given, by and between **BRUCE J. NELSON**, an attorney at law authorized to practice law in the State of Utah, as Successor Trustee and Grantor, and **MILLER FUNDING GROUP, LLC**, as Grantee.

WHEREAS, by Trust Deed dated October 31, 2007, and recorded November 8, 2007, as Entry No. 2319790 in Book 4406 at Page 742 in the official records of the Davis County Recorder, State of Utah, **CHERRY RIDGE, LLC**, as Trustor, did convey to **HERITAGE WEST TITLE INSURANCE AGENCY, INC.**, as Trustee, upon the Trust therein expressed, and for the benefit of **MILLER FUNDING GROUP, LLC**, as Beneficiary, the property hereinafter described to secure the payment of a certain Promissory Note and other obligations as more particularly set forth in said Trust Deed; and

WHEREAS, by Substitution of Trustee dated June 13, 2011, and recorded June 15, 2011, as Entry No. 2603217 in Book 5295 at Page 458 of the official records of the Davis County Recorder, **BRUCE J. NELSON, ESQ.**, was appointed as Successor Trustee of the Trust Deed; and

WHEREAS, default was made under the terms of the Trust Deed in the particulars set forth in the Notice of Default dated and recorded June 15, 2011, as Entry No. 2603218 in Book 5295 at Page 460, to which reference is hereinafter made and which default continued until the time of the sale hereinafter described; and

WHEREAS, **MILLER FUNDING GROUP, LLC**, being the then holder of the Promissory Note secured by the Trust Deed, did demand and cause the Successor Trustee to execute the written Notice of Default and election to cause said property to be sold to satisfy the obligation of the Promissory Note secured by such Trust Deed, and accordingly, the Successor Trustee did on June 15, 2011, file for record in the office of the Davis County Recorder such Notice of Default; and

WHEREAS, not later than ten (10) days after said Notice of Default was recorded, the Successor Trustee caused to be mailed by certified mail a copy of said Notice of Default to the Trustor and all parties entitled to notice thereof; and

WHEREAS, more than three (3) months elapsed since the filing for record of said Notice of Default, and during said three-month period, the default was not cured, and said default continued until the time of the sale hereinafter described; and

WHEREAS, pursuant to a Notice of Trustee's Sale dated September 19, 2011, the Successor Trustee gave written notice of the time and place of sale particularly describing the property to be sold and the Trust Deed under which default had occurred. That said Notice was published in the *Davis County Clipper*, a newspaper of general circulation in Davis County, State of Utah, once a week for three consecutive weeks, namely on September 22, 29, and October 6, 2011, the last publication being at least ten (10) days and not more than thirty (30) days prior to the date of sale. Such publication complies with the requirements of § 45-1-101 of *Utah Code Annotated*. That the Successor Trustee caused such Notice of Trustee's Sale to be posted in a conspicuous place on the hereinafter-described property to be sold and at the Davis County Recorder's office at least twenty (20) days prior to the date of sale. That written Notice of Trustee's Sale was mailed by the Successor Trustee to the Trustor and all parties entitled to notice herein more than twenty (20) days prior to the date of sale; and

WHEREAS, on Tuesday, October 25, 2011, at 9:00 a.m., at the Main Entrance of the Davis County Courthouse, 805 South Main Street, Bountiful, Utah, the Successor Trustee caused to be sold the following-described real property at public auction to the Grantee, the bid of the Grantee being the highest bid there for said property; and

WHEREAS, the sum bid by the Grantee has been received and applied in accordance with the provisions of the Trust Deed.

NOW, THEREFORE, in consideration of the receipt of the sum so bid by the Grantee at the time of auction and sale, the receipt of which is hereby acknowledged, **BRUCE J. NELSON**, as Successor Trustee and Grantor hereunder, does hereby convey without right of redemption to **MILLER FUNDING GROUP, LLC**, Grantee hereunder, all of the title of Successor Trustee and Grantor under said Trust Deed above-described and all of the right, title, and interest and claim of **CHERRY RIDGE, LLC**, Trustor under said Trust Deed, and its successors in interest, if any, and all of the persons claiming by, through, or under said Trustor, including any such right, title, interest, and claim acquired by said Trustor, or its successors in interest, if any, subsequent to the execution of the Trust Deed above described in and to the following-described real property situated in Davis County, State of Utah, to wit:

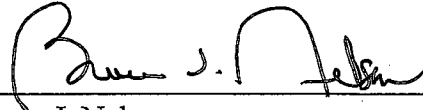
Beginning at a point South 89°39' East 617.02 feet along the Section line and South 356.20 feet and North 69°33' East 1307.95 feet from the West quarter corner of Section 36, Township 4 North, Range 1 West, Salt Lake Base and Meridian; running thence North 47°11'47" West 195.33 feet; thence North 54°57'27" West 151.47 feet; thence North 22°56'32" East 15.0 feet; thence North 67°03'28" West 4.0 feet; thence North 22°56'32" East 60 feet; thence North 2°25'09" East 183.66 feet; thence North 69°58'21" East 707.0 feet; thence South 24°20' East 65.74 feet; thence North 70° East 353.1 feet to the quarter Section line; thence South 0°07'10" East 482.16 feet along

the quarter Section line; thence South 69°33' West 843.26 feet to the point of beginning.

Property address: Approximately 1475 East Terrace Drive, Fruit Heights, UT 84037

The sale and this conveyance are made without any covenants or warranty, express or implied, regarding title, possession, or encumbrances or otherwise with respect to the above-described property.

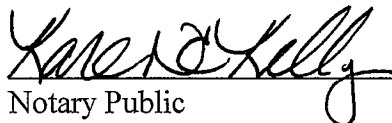
IN WITNESS WHEREOF, the Successor Trustee and Grantor hereunder has caused this Trustee's Deed to be executed this 25th day of October, 2011.



Bruce J. Nelson
Successor Trustee

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

On the 25th day of October, 2011, personally appeared before me Bruce J. Nelson who, being first duly sworn, acknowledged that he executed the foregoing Trustee's Deed in the capacity indicated above.



Notary Public

WHEN RECORDED, MAIL TO:

Bruce J. Nelson, Esq.
NELSON CHRISTENSEN HOLLINGWORTH & WILLIAMS
68 South Main Street, Suite 600
Salt Lake City, UT 84101

E 2623215 B 5386 P 93-95
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
10/25/2011 11:01:00 AM
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DEP eCASH REC'D FOR NELSON CHRISTENSEN

MAIL TAX NOTICES TO:

Miller Funding Group, LLC
510 South 200 West, Suite 200
Salt Lake City, UT 84101

Space above for County Recorder's use

Parcel I.D. #11-120-0028

TRUSTEE'S DEED

#11-120-0029
#11-120-0030

THIS INDENTURE, made the day and year hereinafter given, by and between **BRUCE J. NELSON**, an attorney at law authorized to practice law in the State of Utah, as Successor Trustee and Grantor, and **MILLER FUNDING GROUP, LLC**, as Grantee.

WHEREAS, by Trust Deed dated September 17, 2007, and recorded September 18, 2007, as Entry No. 2307038 in Book 4369 at Page 906 in the official records of the Davis County Recorder, State of Utah, **CHERRY RIDGE, LLC**, as Trustor, did convey to **DEREK E. ANDERSON**, as Trustee, upon the Trust therein expressed, and for the benefit of **MILLER FUNDING GROUP, LLC**, as Beneficiary, the property hereinafter described to secure the payment of a certain Trust Deed Note and other obligations as more particularly set forth in said Trust Deed; and

WHEREAS, by Substitution of Trustee dated June 13, 2011, and recorded June 15, 2011, as Entry No. 2603215 in Book 5295 at Page 454 of the official records of the Davis County Recorder, **BRUCE J. NELSON, ESQ.**, was appointed as Successor Trustee of the Trust Deed; and

WHEREAS, default was made under the terms of the Trust Deed in the particulars set forth in the Notice of Default dated and recorded June 15, 2011, as Entry No. 2603216 in Book 5295 at Page 456, to which reference is hereinafter made and which default continued until the time of the sale hereinafter described; and

WHEREAS, **MILLER FUNDING GROUP, LLC**, being the then holder of the Trust Deed Note secured by the Trust Deed, did demand and cause the Successor Trustee to execute the written Notice of Default and election to cause said property to be sold to satisfy the obligation of the Trust Deed Note secured by such Trust Deed, and accordingly, the Successor Trustee did on June 15, 2011, file for record in the office of the Davis County Recorder such Notice of Default; and

WHEREAS, not later than ten (10) days after said Notice of Default was recorded, the Successor Trustee caused to be mailed by certified mail a copy of said Notice of Default to the Trustor and all parties entitled to notice thereof; and

WHEREAS, more than three (3) months elapsed since the filing for record of said Notice of Default, and during said three-month period, the default was not cured, and said default continued until the time of the sale hereinafter described; and

WHEREAS, pursuant to a Notice of Trustee's Sale dated September 19, 2011, the Successor Trustee gave written notice of the time and place of sale particularly describing the property to be sold and the Trust Deed under which default had occurred. That said Notice was published in the *Davis County Clipper*, a newspaper of general circulation in Davis County, State of Utah, once a week for three consecutive weeks, namely on September 22, 29, and October 6, 2011, the last publication being at least ten (10) days and not more than thirty (30) days prior to the date of sale. Such publication complies with the requirements of § 45-1-101 of *Utah Code Annotated*. That the Successor Trustee caused such Notice of Trustee's Sale to be posted in a conspicuous place on the hereinafter-described property to be sold and at the Davis County Recorder's office at least twenty (20) days prior to the date of sale. That written Notice of Trustee's Sale was mailed by the Successor Trustee to the Trustor and all parties entitled to notice herein more than twenty (20) days prior to the date of sale; and

WHEREAS, on Tuesday, October 25, 2011, at 9:00 a.m., at the Main Entrance of the Davis County Courthouse, 805 South Main Street, Bountiful, Utah, the Successor Trustee caused to be sold the following-described real property at public auction to the Grantee, the bid of the Grantee being the highest bid there for said property; and

WHEREAS, the sum bid by the Grantee has been received and applied in accordance with the provisions of the Trust Deed.

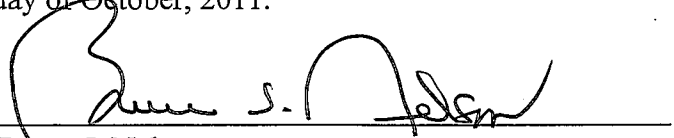
NOW, THEREFORE, in consideration of the receipt of the sum so bid by the Grantee at the time of auction and sale, the receipt of which is hereby acknowledged, **BRUCE J. NELSON**, as Successor Trustee and Grantor hereunder, does hereby convey without right of redemption to **MILLER FUNDING GROUP, LLC**, Grantee hereunder, all of the title of Successor Trustee and Grantor under said Trust Deed above-described and all of the right, title, and interest and claim of **CHERRY RIDGE, LLC**, Trustor under said Trust Deed, and its successors in interest, if any, and all of the persons claiming by, through, or under said Trustor, including any such right, title, interest, and claim acquired by said Trustor, or its successors in interest, if any, subsequent to the execution of the Trust Deed above described in and to the following-described real property situated in Davis County, State of Utah, to wit:

Beginning at a point on the East line of a highway (Mountain Road) 8.58 feet East and 875.18 feet North 25°55' West and 33.22 feet North 70°43' East from the South quarter corner of Section 36, Township 4 North, Range 1 West, Salt Lake Base and Meridian; running thence North 70°43' East 134.23 feet; thence North 25°55' West 90 feet; thence North 70°43' East 367.77 feet; thence North 25°40' West 502.5 feet; thence North 70°38' East 145.2 feet; thence South 25°40' East 592.5 feet; thence South 70°43' West 343.2 feet; thence South 26°07' East 177 feet; thence South 70°43' West 304 feet; thence North 26°07' West 177 feet to the point of beginning.

Property address: Fruit Heights, UT 84037

The sale and this conveyance are made without any covenants or warranty, express or implied, regarding title, possession, or encumbrances or otherwise with respect to the above-described property.

IN WITNESS WHEREOF, the Successor Trustee and Grantor hereunder has caused this Trustee's Deed to be executed this 25th day of October, 2011.



Bruce J. Nelson
Successor Trustee

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

On the 25th day of October, 2011, personally appeared before me Bruce J. Nelson who, being first duly sworn, acknowledged that he executed the foregoing Trustee's Deed in the capacity indicated above.


Notary Public