

**RETURNED**  
**MAR 05 2010**

Tax ID. # 11-119-0085

E 2515225 B 4975 P 1265-1267  
RICHARD T. MAUGHAN  
DAVIS COUNTY, UTAH RECORDER  
03/05/2010 02:39 PM  
FEE \$15.00 Pgs: 3  
DEP RT REC'D FOR JOSEPH M BEAN**TRUSTEE'S DEED**

This Trustee's Deed is made by Joseph M. Bean, as Successor Trustee and a member of the Utah State Bar, under the Trust Deed described below, in favor of Dorothy M. Manning, as Trustee of the Dorothy M. Manning Family Trust, as Grantee, who resides at 178 North Estate Way, Fruit Heights, UT 84037.

WHEREAS, on 27 November 2007, Cherry Ridge, LLC, as Trustor, executed and delivered to Patriot National Title Insurance Agency, Inc., as Trustee, for the benefit of Dorothy M. Manning as Trustee of the Dorothy M. Manning Family Trust, as Beneficiary, a certain Trust Deed to secure the performance by the Trustor of obligations under a Promissory Note of the same date executed and delivered for a valid consideration to the Beneficiary and the Trust Deed having been recorded in the office of the Davis County Recorder on 11 February 2008, as Entry No. 2340598, in Book 4467, at Page 1748, describing the property set forth below; and

WHEREAS, a breach and default occurred under the terms of the Note and Trust Deed in the particulars set forth in the Notice of Default in this matter; and

WHEREAS, Joseph M. Bean, was duly appointed by the Beneficiary as Successor Trustee by a Substitution of Trustee recorded in the Office of the County Recorder of Davis County, State of Utah, on 8 October 2009, as Entry No. 2486140, in Book 4876, at Page 409-410; and

WHEREAS, Joseph M. Bean, as Successor Trustee under the Trust Deed, executed and recorded in the Office of the County Recorder of Davis County, a Notice of Default containing an election to sell the trust property, which was recorded on 8 October 2009, as Entry No. 2486141, in Book 4876, at Page 411-412; and that no later than ten days after the Notice of Default was filed for record, the Trustee mailed, by certified mail, a copy of the Notice of Default to the Trustor, and to each person whose name and address were set forth in a request for notice filed for record prior to the filing of the Notice of Default; and

WHEREAS, Joseph M. Bean, as Successor Trustee, pursuant to the Notice of Default, and in accordance with the Trust Deed, did execute his Notice of Trustee's Sale stating that as Successor Trustee, he would sell at public auction to the highest bidder for cash, in lawful money of the United States of America, the property described, and fixing the time and place of sale as 26 February 2010, at 10:00 o'clock a.m. of said day at the main entrance of the courthouse located at 800 West State Street, Farmington, Utah, and did cause copies of the Notice of Sale to be posted for not less than twenty (20) days

before the date of the sale in a conspicuous place on the property to be sold and also at the office of the County Recorder of each county where the property or some part of it is located; and the Successor Trustee did cause a copy of the Notice of Sale to be published once a week for three consecutive weeks before the date of sale in the Davis County Clipper, a newspaper having a general circulation in the county in which the property to be sold is situated, the last publication being a least ten (10) days but not more than thirty (30) days before the date of sale; and that no later than twenty (20) days before the date of the sale, the Trustee also mailed, by certified mail, a copy of the Notice of Sale to the Trustor and to each person whose name and address were set forth in a Request for Notice filed for record prior to the filing of the Notice of Default; and

WHEREAS, all applicable statutory provisions of the State of Utah and all of the provisions of the Trust Deed have been complied with as to the acts to be performed and the Notices to be given; and

WHEREAS, the Successor Trustee did at the time and place of sale by public auction sell, to Grantee, being the highest bidder, the property described for the sum of \$500,000.00 paid in cash in lawful money of the United States of America.

NOW THEREFORE, the Successor Trustee, in consideration of the premises recited and of the sum above mentioned bid and paid by Grantee, the receipt of which is acknowledged, and by virtue of the authority vested in him by the Trust Deed, does by these presents grant and convey to the Grantee above-named, but without any covenant or warranty, express or implied, all of that certain real property situated in Davis County, State of Utah, described as follows:

Beginning 41.92 Chains North from the Southeast Corner of the Southwest  $\frac{1}{4}$  of Section 36, Township 4 North, Range 1 West, Salt Lake Base and Meridian; and running thence North 284.1 feet; thence South  $69^{\circ}20'$  West 898.75 feet more or less to the East line of Northside Acres Subdivision; thence South  $31^{\circ}13'49''$  East 249.4 feet more or less; thence North  $69^{\circ}30'$  East 725.0 feet to the point of beginning. Contains 5.374 acres.

Subject to a 1 Rod Right of Way described as follows: Beginning 497.87 feet South and 1060.76 feet West from the center of Section 36, Township 4 North, Range 1 West, Salt Lake Base and Meridian; and running thence North  $68^{\circ}37'$  East 520.3 feet, thence North  $11^{\circ}38'$  West 249.06 feet, thence North  $52^{\circ}55'$  East 59.87 feet, thence North  $20^{\circ}57'$  East 177.0 feet, thence South  $46^{\circ}15'$  East 166.65 feet to the property line.

Purportedly known as no official address, but located in Davis County (the undersigned disclaims liability for any error in the address).



**AFFIDAVIT OF SUCCESSOR TRUSTEES**

STATE OF UTAH                    )  
  :SS  
COUNTY OF DAVIS                )

Affiant, Marilyn Manning, having been first duly sworn, deposes and states as follows:

1. By trust agreement dated April 23, 1984 (the "Trust Agreement"), Dorothy M. Manning, as grantor, and Dorothy M. Manning and Alan B. Manning, as trustees, created and placed in effect The Dorothy M. Manning Family Trust (the "Trust").

2. Alan B. Manning died on February 13, 1995. Pursuant to Article 2.1 of the Trust Agreement, after the death of Alan B. Manning, Dorothy M. Manning served as sole trustee of the Trust.

3. Subsequent to Alan B. Manning's death, Dorothy M. Manning amended certain provisions of the Trust Agreement by First Amendment to The Dorothy M. Manning Family Trust dated December 19, 2003 (the "Trust Amendment").

4. By Trustee's Deed signed March 2, 2010 and recorded March 3, 2010 in the Davis County Recorder's Office as Entry No. 2515225, in Book No. 4975, at Page Nos. 1265-1267, Joseph M. Bean, as successor Trustee under a Substitution of Trustee recorded in the Davis County Recorder's Office on October 8, 2009, as Entry No. 2486140, in Book 4876, at Page Nos. 409-410, as grantor, conveyed to Dorothy M. Manning, as trustee of The Dorothy M. Manning Family Trust, as grantee, the following described parcel of real property located in Davis County, State of Utah (the "Property"):

Beginning 41.92 Chains North from the Southeast Corner of the Southwest ¼ of Section 36, Township 4 North, Range 1 West, Salt Lake Base and Meridian; and running thence North 284.1 feet; thence South 69°20' West 898.75 feet more or less to the East line of Northside Acres Subdivision; thence South 31°13'49" East 249.4 feet more or less; thence North 69°30' East 725.0 feet to the point of beginning. Contains 5.374 acres.

Subject to a 1 Rod Right of Way described as follows: Beginning 497.87 feet South and 1060.76 feet West from the center of Section 36, Township 4 North, Range 1 West, Salt Lake Base and Meridian; and running thence North 68°37' East 520.3 feet, thence North 11°38' West 249.06 feet, thence North 52°55' East 59.87 feet, thence North 20°57' East 177.0 feet, thence South 46°15' East 166.65 feet to the property line.

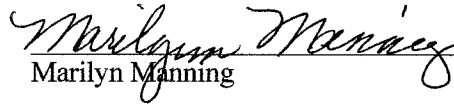
Tax Parcel Identification Number: 11-117-0091

5. Dorothy M. Manning died on May 8, 2017, as evidenced by her Certificate of Death attached hereto as Exhibit A and incorporated herein by this reference ("Death Certificate").

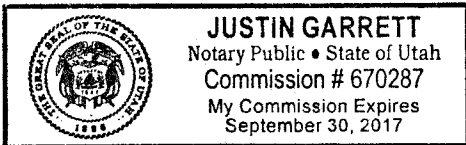
6. Article 2.2 of the Trust Agreement, as amended by the Trust Amendment, sets forth the successorship provisions for the trustees of the Trust, and provides that upon a vacancy in the trusteeship of the Trust, the following persons shall serve as the successor trustees of the Trust, to serve together: Marilyn Manning, Robert Alan Manning, Christine M. Eichert and Janice M. Bryant. Copies of the relevant pages of the Trust Agreement, as amended by the Trust Amendment, are attached hereto as Exhibit B and incorporated herein by this reference (the "Relevant Pages of the Trust Amendment").

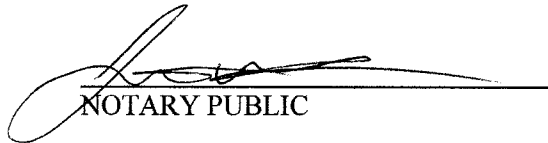
7. Accordingly, as of the date of this Affidavit of Successor Trustees, Marilyn Manning, Robert Alan Manning, Christine M. Eichert and Janice M. Bryant are the successor trustees of the Trust, with full power and authority to transfer interests in real property constituting the corpus of the Trust, including the Property.

DATED this 15 day of Aug., 2017.

  
Marilyn Manning

On the 15 day of August, 2017, before me, the undersigned, a notary public, personally appeared Marilyn Manning, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.



  
NOTARY PUBLIC

**EXHIBIT A**  
**DEATH CERTIFICATE**

*[See document attached hereto]*

**STATE OF UTAH**  
**CERTIFICATION OF VITAL RECORD**

3039796  
BK 6832 PG 22

**CERTIFICATE OF DEATH**

State File Number: 2017006744

**Dorothy McEntire Manning**

**DECEDENT INFORMATION**

Date of Death:	May 8, 2017	Time of Death:	00:30
City of Death:	Clearfield	County of Death:	Davis
Age:	90	Date of Birth:	September 13, 1926
Place of Birth:	Carmel by the Sea, California	Sex:	Female
Armed Services:	No	Marital Status:	Widowed
Spouse's Name:		Usual Occupation:	Registered Nurse
Industry/Business:	Healthcare	Education:	Bachelor's Degree
Residence:	Fruit Heights, Utah	Parent or Father:	William Maynard McEntire
Parent or Mother:	Esther Rock	Facility Type:	Nursing Home/Assisted Living
Facility or Address:	Chancellor Gardens Assisted Living		

**INFORMANT INFORMATION**

Name:	Marilynn Manning	Relationship:	Daughter
Mailing Address:	P. O. Box 21, Kaysville, Utah 84037		

**DISPOSITION INFORMATION**

Method of Disposition: Burial  
Place of Disposition: Kaysville City Cemetery, Kaysville, Utah  
Date of Disposition: May 13, 2017

**FUNERAL HOME INFORMATION**

Funeral Home: Lindquist Mortuary - Kaysville  
Address: 400 North Main Street, Kaysville, Utah 84037  
Funeral Director: Norris R Nalder

**MEDICAL CERTIFICATION**

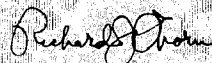
Medical Professional: Jacqueline Blakeley APRN, ComfortWorx Hospice, 495 North Main St, Kaysville (Davis), Utah 84037

**CAUSE OF DEATH**

Hypoxia [Onset: 3 Days]  
Due to (or as a consequence of): Aspiration Pneumonia [Onset: 4 Days]  
Due to (or as a consequence of): Vomiting [Onset: 4 Days]  
Other significant conditions: Vascular Dementia, Type 2 Diabetes  
Tobacco Use: Non-user  
Medical Examiner Contacted: No Autopsy Performed: No Manner of Death: Natural

Date Registered: May 15, 2017  
Date Issued: May 15, 2017

This is an exact reproduction of the facts registered in the Utah State Office of Vital Records and Statistics. Security features of this official document include: High Resolution Border, V & R images in top cycloids, and microtext. This document displays the date, seal, and signature of the Utah State Registrar of Vital Records and Statistics.



Richard J. Oborn, MPA  
State Registrar  
Rev. 1/16



065140483



Brian Hatch  
Interim Health Director

# STATE OF UTAH - DEPARTMENT OF HEALTH - OFFICE OF VITAL RECORDS AND STATISTICS

## AFFIDAVIT TO AMEND A RECORD

Corrections to a vital record must be made by affidavit but an item on a birth record may be corrected by affidavit only once. A court order is required for subsequent changes. A court order is necessary to make any corrections to a Delayed Birth Certificate. This affidavit cannot be used to correct medical information. Please return any copies of the certificate with this affidavit completed. If corrected certificates are reissued within 90 days of issuance, the new certificate fee will be waived but affidavit fees may still apply. This affidavit may be mailed or hand delivered.

**Mailing Address**  
Office of Vital Records and Statistics  
PO Box 141012  
Salt Lake City, UT 84114-1012

**3039796**  
**BK 6832 PG 23**

**Physical Address**  
Office of Vital Records and Statistics  
288 North 1460 West  
Salt Lake City, UT 84116

### Affidavit Instructions

- Please print or type in black ink.  
**Items 1-6:** Enter the facts as reported on the current vital record.  
**Item 7:** Enter Item number from items 1-6 that will be changed, if applicable.  
**Item 8a:** Enter the information as stated on the original record.  
**Item 8b:** Enter the correct information as it should be stated on the record.  
**Item 9:** Enter the reason the change is necessary.  
**Item 10:** Enter the proofs used to support the change, if applicable. The proofs must match the asserted fact(s) exactly.  
**Items 11-22:** Enter witness information.

### Witness Instructions

- Witnesses for Birth Certificate:** If the person listed on the record is under 18 years of age, both parents of record **MUST** sign the affidavit. If only one parent is listed, the second witness **MUST** be an immediate family member of the listed parent. If the person listed on the record is 18 years of age or older, he/she **MUST** sign as one of the witnesses. The second witness **MUST** be their immediate family member.  
**Witnesses for Death Certificate:** The informant must sign as a witness along with an immediate member of the decedent's family, or a person who is knowledgeable of the facts.

BIRTH                     
  DEATH                     
  STILLBIRTH                     
 STATE FILE NUMBER \_\_\_\_\_

<b>NAME AS REPORTED ON REVERSE</b>	1a. FIRST NAME		1b. MIDDLE NAME		1c. LAST NAME	
	2. SEX	3. DATE OF EVENT		4. PLACE OF OCCURRENCE (City and County)		
	5. NAME OF PARENT 1 (Maiden name if Applicable)			6. NAME OF PARENT 2 (Maiden name if Applicable)		
<b>STATEMENT OF AMENDMENTS</b>	7. ITEM NO.	8a. FACTS EXACTLY AS STATED ON THE ORIGINAL RECORD			8b. CORRECT INFORMATION	
<b>WHY IS CHANGE NECESSARY?</b>	9a.					
	9b.					
<b>DOCUMENTS USED TO AMEND RECORD</b>	10a.					
	10b.					
<b>OATH OF FIRST WITNESS (MUST BE 18 OR OLDER)</b>	<b>I hereby certify, under penalty of perjury, that I have personal knowledge of the above facts and that the information given is true and correct.</b>					Subscribed & Sworn to before me this ____ day of _____ 20 ____
	11a. SIGNATURE OF WITNESS (Must be signed in front of a Notary)			11b. PRINTED NAME OF WITNESS		Notary Signature _____
	12. DATE SIGNED		13. AGE OF WITNESS	14. DAYTIME TELEPHONE OF WITNESS (      )	15. RELATIONSHIP OF WITNESS	State _____
	16. ADDRESS OF WITNESS (Street, City, State, Zip)					County _____
						S E A L
<b>OATH OF SECOND WITNESS (MUST BE 18 OR OLDER)</b>	<b>I hereby certify, under penalty of perjury, that I have personal knowledge of the above facts and that the information given is true and correct.</b>					Subscribed & Sworn to before me this ____ day of _____ 20 ____
	17a. SIGNATURE OF WITNESS (Must be signed in front of a Notary)			17b. PRINTED NAME OF WITNESS		Notary Signature _____
	18. DATE SIGNED		19. AGE OF WITNESS	20. DAYTIME TELEPHONE OF WITNESS (      )	21. RELATIONSHIP OF WITNESS	State _____
	22. ADDRESS OF WITNESS (Street, City, State, Zip)					County _____
						S E A L



**EXHIBIT B**  
RELEVANT PAGES OF THE TRUST AMENDMENT

*[See document attached hereto]*

REVOCABLE TRUST AGREEMENT

OF

DOROTHY M. MANNING

I, Dorothy M. Manning, hereby make and enter into this Revocable Trust Agreement with Dorothy M. Manning and Alan B. Manning, hereafter called "Trustees."

ARTICLE ONE

Trust Name and Beneficiaries

1.1 Trust Name. The Trust created by this Revocable Trust Agreement shall be known as the DOROTHY M. MANNING FAMILY TRUST.

1.2 Beneficiaries. The primary beneficiaries of this Trust are myself, my Husband, Alan B. Manning, my now living children named below:

<u>Name</u>	<u>Date of Birth</u>
Marilynn Manning	July 30, 1949
Robert Alan Manning	October 9, 1950
Christine M. Eichert	February 7, 1952
Janice M. Bryant	December 15, 1954

The Trustees may rely on the dates of birth given herein for any purpose.

ARTICLE TWO

Trustees

2.1 Trustees. I hereby nominate and appoint Dorothy M. Manning and Alan B. Manning, and the survivor thereof and successors thereto, as Trustees of the Trusts created herein.



**First Amendment to**  
**THE DOROTHY M. MANNING**  
**FAMILY TRUST**

**dated April 23, 1984**

On April 23, 1984, I, DOROTHY M. MANNING, signed THE DOROTHY M. MANNING FAMILY TRUST, more formally known as:

DOROTHY M. MANNING, sole Trustee, or her successors in trust, under THE DOROTHY M. MANNING FAMILY TRUST, dated April 23, 1984, and any amendments thereto.

Pursuant to Article Four, paragraph 4.2(b) of my trust, which permits me to amend my trust in writing at any time, I now wish to amend my trust as follows:

Article Two, paragraph 2.2, is amended to read as follows:

2.2 **Successor Trustees.** In the event of the resignation, removal, inability or refusal to act and, in any event, upon the death or disqualification of the Trustee appointed hereunder, I hereby nominate and appoint MARILYN MANNING, ROBERT ALAN MANNING, CHRISTINE M. EICHERT and JANICE M. BRYANT as successor Trustees of this Trust, to serve together, or the survivor(s).

My trust is hereby amended by adding a new paragraph to Article Three to be designated as paragraph 3.4, which shall incorporate fully herein the attached instrument titled "CONCERNING THE HOUSE AT 183 NORTH 1400 EAST F.H." dated February 8, 1990.

My trust is hereby amended by adding a new paragraph to Article Three to be designated as paragraph 3.5, which shall read as follows:

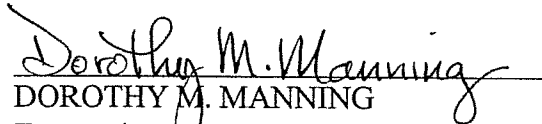
At the time of my death, my Trustees shall distribute to JANICE M. BRYANT, or her heirs if she has predeceased me, any interest which the trust then has in the real property situated at 133 South 300 East, Kaysville, Utah 84037, Davis County, being more particularly described as follows:

BEGINNING 55 FEET North of the Southwest corner of Lot 5, Block 9, Plat "C," Kaysville Townsite Survey, in the City of Kaysville, and running thence North 60 feet; thence East 164 feet; thence South 60 feet; thence West 164 feet to the point of BEGINNING.

Tax Serial No. 11-109-0050

With the exception of these amendments, all other provisions of THE DOROTHY M. MANNING FAMILY TRUST, dated April 23, 1984, remain in full force and effect.

DATED this 19 day of December, 2003.

  
DOROTHY M. MANNING  
Trustmaker and Trustee

STATE OF UTAH                    )  
  ) ss.  
COUNTY OF DAVIS            )

On the 19 day of December, 2003, personally appeared before me DOROTHY M. MANNING, Trustmaker and Trustee of THE DOROTHY M. MANNING FAMILY TRUST, signer of the within instrument, who being duly sworn, acknowledged to me that she executed the same.

  
Notary Public

