

**RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:**

**KFSE Lending LLC  
2541 E. Gala Street, #310  
Meridian, ID 83642**

**Parcel Nos.: FT-2015, FT-16-2017**

**01130967 B: 2566 P: 1444**

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Rhonda Francis Summit County Recorder

04/20/2020 12:20:19 PM Fee \$40.00

By PARSONS BEHLE & LATIMER

Electronically Recorded

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## **ASSIGNMENT OF NOTE AND DEED OF TRUSTS**

KNOW ALL MEN BY THESE PRESENTS that for value received, KFSE Lending LLC, an Idaho limited liability company ("Assignor"), AS BENEFICIARY, pursuant to that certain Assignment of Note and Deed of Trust recorded on April 9<sup>th</sup>, 2020 as Entry No. 01130367 in Book 2564 beginning at Page 1454 in the official records of Summit County, Utah ("Official Records") does hereby without recourse, sell, assign, endorse and transfer unto A and D Investments Francis LLC, a Utah limited liability company ("Assignee"), and to Assignee's heirs, successors, legal representatives, and assigns, all of Assignor's right, title and beneficial interest in and to the following:

1. That certain Secured Promissory Note ("Note") in the original principal amount of \$100,000 and all monies and interest due or to become due thereon, made by John W. Kirkham and Lois Kirkham ("Maker"), in favor of Assignor, the assignee of Elton Properties, LLC ("Elton Properties"); and
2. That certain Deed of Trust, Security Agreement, Assignment of Rents and Leases and Fixture Filing dated as of April 29, 2019 (the "First Deed of Trust") recorded on May 16, 2020 as Entry No. 1111028 in Book 2508 at Page 1886 in the Official Records executed by Maker in favor of Assignor, the assignee of Elton Properties; and
3. That certain Deed of Trust, Security Agreement, Assignment of Rents and Leases and Fixture Filing dated as of April 29, 2019 (the "Second Deed of Trust") recorded on May 16, 2020 as Entry No. 1111029 in Book 2508 at Page 1903 of the Official Records executed by Maker in favor of Assignor, the assignee of Elton Properties. The First Deed of Trust and the Second Deed of Trust (collectively, the "Deeds of Trust") secure, among other things, payment and performance obligations under the Note and other loan documents described below; and
4. All other agreements, documents, and instruments governing, evidencing, securing, guaranteeing or otherwise relating to the loan, as modified from time to time, including but not limited to that certain Loan and Security Agreement date April 29<sup>th</sup>, 2019; and

5. All money due or to become due under the Note, the Deeds of Trust or any other loan document, with interest and any other amounts that may be or become due thereunder, and all rights accrued or to accrue under the Note, the Deeds of Trust, or any other loan document; and

6. All of that certain real property described in the Deeds of Trust identified above and which is more particularly described on Exhibit "A" attached hereto and made a part hereof.

[SIGNATURE PAGE FOLLOWS]

This Assignment shall be binding upon the successors and assigns of the Assignor.

Dated this 14<sup>th</sup> day of April 2020.

KFSE Lending LLC, an Idaho limited liability company

By: [Signature]  
Print Name: David Collins  
Title: Manager

STATE OF Idaho )  
County of Ada ) ss.



On this 17<sup>th</sup> day of April, 2020, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared David Collins, known or proved to me to be the Manager of the limited liability company that executed this instrument and acknowledged to me that he/she executed the same with authority and on behalf of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 17<sup>th</sup> day of April, 2020.

[Signature]  
Notary Public for Idaho  
Residing at Meridian  
Commission expires: 7/3/2023

**EXHIBIT "A"**

**Property Description**

That certain real property situated Summit County, State of Utah, more particularly described as follows:

**Parcel No. FT-2015**

Beginning at a point which is North 00°30'07" East 2.92 feet along the East line of the Uintah Shadows Subdivision, from the Southeast corner of Uintah Shadows Subdivision, said point being located in the Southwest quarter of Section 28, Township 2 South, Range 6 East, Salt Lake Base and Meridian; thence bearing North 00°30'07" East a distance of 121.50 feet; thence bearing North 90°00'00" East a distance of 31.88 feet; thence along a curve to the left 227.30 feet, having a radius of 280.00 feet, a delta angle of 46°30'39", and whose long chord bears North 66°44'40" East a distance of 221.11 feet; thence bearing North 43°29'21" East a distance of 252.76 feet; thence along a curve to the right 21.26 feet, having a radius of 15.00 feet, a delta angle of 81°13'33", and whose long chord bears North 84°06'07" East a distance of 19.53 feet; thence along a curve to the left 127.45 feet, having a radius of 280.00 feet, a delta angle of 26°04'45", and whose long chord bears South 68°19'30" East a distance of 126.35 feet; thence bearing South 81°21'52" East a distance of 95.30 feet; thence along a curve to the right 92.05 feet, having a radius of 220.00 feet, a delta angle of 23°58'21", and whose long chord bears South 69°22'42" East a distance of 91.38 feet; thence bearing South 57°23'31" East a distance of 370.62 feet; thence along a curve to the right 80.87 feet, having a radius of 221.00 feet, a delta angle of 20°58'01", and whose long chord bears South 46°54'31" East a distance of 80.42 feet; thence bearing South 73°16'10" West a distance of 161.31 feet; thence bearing North 89°59'44" West a distance of 943.08 feet to the point of beginning.

**Parcel No. FT-16-2017**

Beginning at a point on the East right-of-way line of Highway 32, said point being North 00°17'23" East 1355.53 feet and South 90°00'00" East 53.17 feet from the monument marking the Southwest corner of Section 28, Township 2 South, Range 6 East, Salt Lake Base and Meridian and running thence along the South line of Uintah Shadows Subdivision Plat A, North 89°09'47" East 142.48 feet; thence North 89°52'39" East 469.91 feet; thence North 00°30'07" East 2.91 feet; thence South 89°59'44" East 943.08 feet; thence South 00°00'00" West 1052.90 feet; thence South 89°58'00" West 1345.14 feet; thence North 00°43'11" West 258.99 feet; thence North 88°42'00" West 211.10 feet to the East right-of-way of Highway 32; thence North 00°17'23" East 784.01 feet along said highway to the point of beginning.

LESS AND EXCEPTING the following: Beginning at a point on the East right-of-way of Highway 32, said point being North 00°17'23" East 1355.53 feet and South 90°00'00" East from the monument marking the Southwest corner of Section 28, Township 2 South, Range 6 East, Salt Lake Base and Meridian, Summit County, Utah and running thence North 89°09'47" East 142.48 feet along the boundary of Uintah Shadows Subdivision; thence North 89°52'39" East 205.39 feet; thence South 00°10'29" East 111.33 feet; thence South 89°54'25" West 348.75 feet to the East right-of-way line of said highway, thence North 00°17'23" East 109.38 feet along said highway to

the point of beginning.

**ALSO LESS AND EXCEPTING** from the property first described above that portion of land conveyed to Wild Willow Limited Company by that certain Quit Claim Deed recorded November 16, 1993 as Entry No. 391456 in Book 766 at Page 26, Summit County Recorder, and more particularly described as follows: Beginning at a point 2100.78 feet South and 874.5 feet East of the Northwest corner of the Southwest quarter of Section 28, Township 2 South, Range 6 East, Salt Lake Base and Meridian and running thence East 165 feet; thence South 132 feet; thence West 165 feet; thence North 132 feet to the place of beginning.