

Gary W. Nielsen  
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Park City, Utah 84098

CACHE

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## ASSIGNMENT OF TRUST DEED

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FOR GOOD AND VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, WHALE INVESTMENTS, LTD., a Turks and Caicos company, hereby assigns, transfers and conveys unto TRIPLE NET INVESTMENTS, LTD., a Turks and Caicos company, all beneficial interest in and all rights accrued and to accrue under that certain Trust Deed With Assignment of Rents, dated as of December 5, 2002, made by LEGACY RANCHES, L.L.C., a Utah limited liability company, as Trustor, to Gary W. Nielsen, Attorney At Law, as Trustee, in favor of WHALE INVESTMENTS, LTD., a Turks and Caicos company, recorded on December 11, 2002, as Entry No. 806846, in Book 1171, at Page 831, of Official Records in the Office of the Cache County Recorder, State of Utah, together with (i) the Promissory Note, dated as of December 5, 2002, in the original principal amount of \$1,750,000.00, described in and secured by said Trust Deed; (ii) all other Indebtedness secured by said Trust Deed (as defined therein); and (iii) the other Loan Documents described and referred to in that certain Commercial Loan Agreement, dated as of December 5, 2002, between said Beneficiary, as Lender, and said Trustor, as Borrower, and the other parties named therein as Guarantors; which Trust Deed encumbers the real property situated in said County, as set forth in the Legal Description annexed hereto as Exhibit "A."

Dated as of the 1st day of July, 2004.

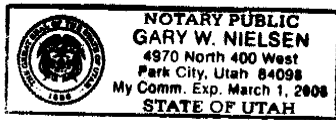
WHALE INVESTMENTS, LTD., a Turks  
and Caicos company

By   
Jules Fleischer, President

Ent 873311 Bk 1319 Pg 1465  
Date 28-Sep-2004 4:07PM Fee \$14.00  
Michael Gleed, Rec. - Filed By SA  
Cache County, UT  
For MOUNTAIN VIEW TITLE

STATE OF UTAH            )  
                                   ):  SS.  
 SUMMIT COUNTY         )

On the 1st day of July, 2004, personally appeared before me JULES FLEISCHER, whose identity is personally known to me (or proved to me on the basis of satisfactory evidence), and who by me duly sworn, did say that he is the President of WHALE INVESTMENTS, LTD., a Turks and Caicos company, and that the foregoing instrument was signed by him in his capacity as President of said corporation, and that said corporation signed said instrument by authority of its Articles of Incorporation and Bylaws and/or a Resolution of its Board of Directors, and said JULES FLEISCHER acknowledged to me that said corporation executed the foregoing instrument.



*[Handwritten Signature]*  
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 NOTARY PUBLIC

Ent 873311 Bk 1319 Pg 1466

EXHIBIT "A"

Legal Description

CACHE COUNTY, STATE OF UTAH:

PARCEL 7:

ALL OF SECTION 16, TOWNSHIP 9 NORTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, LESS THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16.

TAX SERIAL NOS.: ~~16-18-00-001~~; ~~16-24-00-004~~; ~~16-25-00-002~~;  
~~16-26-00-003~~; ~~16-27-00-005~~; ~~16-28-00-007~~;  
~~16-29-00-008~~; ~~16-33-00-005~~; AND 16-105-0003.

Ent 873311 Bk 1319 Pg 1467