

14098848 B: 11415 P: 4909 Total Pages: 4
04/27/2023 02:41 PM By: asteffensen Fees: \$40.00
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: KIRTON & MCCONKIE
36 SOUTH STATE STREET, SUITE 1SALT LAKE CITY, UT 84111

When recorded return to:

Gregory S. Moesinger
KIRTON McCONKIE
36 South State Street, Suite 1900
Salt Lake City, Utah 84111
Tel. 801-328-3600
gmoesinger@kmclaw.com

Tax ID Nos. 16-28-303-012 and 16-29-429-013

Aclaime Loan #C1459

NOTICE OF DEFAULT AND ELECTION TO SELL

NOTICE IS HEREBY GIVEN that on or about July 18, 2022, C,C & L ENTERPRISES, LLC, a Utah limited liability company, as Trustor, executed and delivered to HIGHLAND TITLE, as Trustee, for the benefit of ACLAIME CREDIT STRATEGIES FUND, LP, a Utah limited partnership, as Beneficiary, a Deed of Trust, Assignment of Rents and Leases, Security Agreement, and Fixture Filing (the "Deed of Trust") to secure the performance by Trustor of its obligations under a Secured Promissory Note (the "Note") in the original principal sum of \$700,000.00, plus interest thereon and costs and expenses of collection and other amounts provided therein, including attorney's fees. The Deed of Trust was recorded on July 21, 2022, as Entry No. 13988812, Book 11358, Pages 4311, et seq., in the office of the County Recorder of Salt Lake County, State of Utah. The real property encumbered by the Deed of Trust is more particularly described in "EXHIBIT A," attached hereto and incorporated herein by this reference (the "Trust Property").

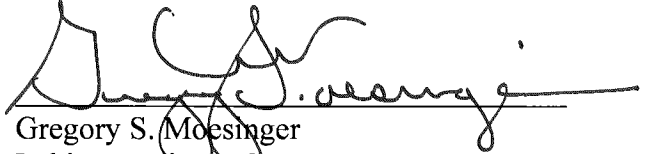
ACLAIME CREDIT STRATEGIES FUND, LP is the present holder and owner of the beneficial interests under the Note and the Deed of Trust, and Gregory S. Moesinger, an attorney licensed to practice law in the State of Utah, is the Successor Trustee under the Deed of Trust.

A default and breach of an obligation for which the Trust Property was conveyed as security has occurred, including that Trustor has failed to make the payments required by the Note and has failed to pay and perform other obligations under the Deed of Trust and related loan documents.

By reason of such default and breach, Gregory S. Moesinger, as Successor Trustee, at the request of the Beneficiary under the Deed of Trust, does hereby declare all sums secured thereby immediately due and payable and has elected and does hereby elect to sell or cause to be sold the above-described Trust Property to satisfy the obligations secured thereby.

The undersigned Successor Trustee disclaims any responsibility for any error in the description of the physical address or legal description of the property. The undersigned may be reached at Kirton McConkie, 36 South State Street, Suite 1900, Salt Lake City, Utah, 84111, or by telephone 801-328-3600, between the hours of 8:30 a.m. and 5:30 p.m., Monday through Friday, excluding legal holidays, or by email at gmoesinger@kmclaw.com.

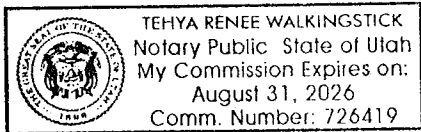
DATED this 26th day of April, 2023.

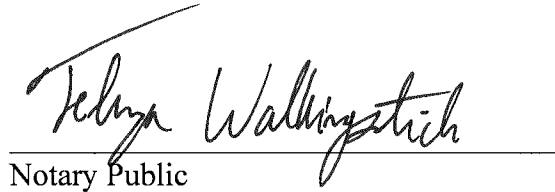


Gregory S. Moesinger
In his capacity as Successor Trustee

STATE OF UTAH)
 ss
COUNTY OF SALT LAKE)

On the 26th day of April, 2023, personally appeared before me Gregory S. Moesinger, the signer of the foregoing Notice of Default and Election to Sell, who duly acknowledged to me that he executed the same.





Notary Public

EXHIBIT A

PARCEL 1:

COMMENCING AT A POINT 34.1 RODS NORTH AND 46.1 RODS EAST AND SOUTH 15°18' EAST 95.28 FEET FROM THE SOUTHEAST CORNER OF BLOCK 27, TEN ACRE PLAT "A", BIG FIELD SURVEY; AND RUNNING THENCE WEST 110.53 FEET; THENCE SOUTH 50 FEET; THENCE EAST 124.21 FEET TO THE CENTER OF THE COUNTY ROAD; THENCE NORTH 15°18' WEST 51.84 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION OF SAID LAND LYING WITHIN THE BOUNDARIES OF HIGHLAND DRIVE.

PARCEL NO. 16-28-303-012

PARCEL 2:

BEGINNING AT A POINT SOUTH 765.01 FEET AND WEST 350.03 FEET AND NORTH 86°24' WEST 7.24 FEET FROM THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTHWESTERLY AROUND A 1186.28 FOOT RADIUS CURVE TO THE LEFT, 46.36 FEET; THENCE NORTH 25°10'30" WEST 139.42 FEET; THENCE EAST 161.17 FEET; THENCE SOUTH 173.71 FEET; THENCE NORTH 86°24' WEST 83.14 FEET TO THE POINT OF BEGINNING.

ALSO: BEGINNING AT A POINT SOUTH 464.98 FEET AND NORTH 87°15' WEST 209.52 FEET SOUTH 317.15 FEET AND WEST 62.45 FEET FROM THE EAST QUARTER CORNER OF SECTION 29, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE WEST 2.55 FEET; THENCE NORTH 162.91 FEET; THENCE EAST 2.55 FEET; THENCE SOUTH 162.91 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM THE FOLLOWING: BEGINNING AT A POINT SOUTH 464.98 FEET AND NORTH 87°15' WEST 209.52 FEET AND SOUTH 317.15 FEET AND WEST 65.00 FEET AND NORTH 162.91 FEET FROM THE EAST QUARTER CORNER OF SECTION 29, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE WEST 1.10 FEET; THENCE NORTH 9.42; THENCE WEST 122.31 FEET; THENCE NORTH 3.28 FEET; THENCE EAST 123.41 FEET; THENCE SOUTH 12.70 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING: BEGINNING AT A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WOODLAND AVENUE, ALSO BEING A POINT OF NON-TANGENT CURVATURE, SAID POINT BEING SOUTH 766.06 FEET, AND WEST 333.33 FEET FROM THE EAST QUARTER CORNER OF SECTION 29, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTHEASTERLY 10.70 FEET ALONG SAID CURVE TO THE RIGHT WITH A RADIUS OF 123.00 FEET THROUGH A CENTRAL ANGLE OF 4°58'56" AND A LONG CHORD OF NORTH 79°43'17" EAST 10.69 FEET; THENCE EASTERLY 50.99 FEET ALONG A 550.87 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 5°18'13" AND A

[description continues to next page]

LONG CHORD OF NORTH 84°35'04" EAST 50.97 FEET; THENCE SOUTH 89°56'12" EAST 0.34 FEET TO THE WEST PROPERTY LINE OF THAT CERTAIN SURVEY BY BUSH AND GUDGELL, INC. RECORDED IN SALT LAKE COUNTY SURVEYOR'S OFFICE AS S2004-12-1139; THENCE SOUTH ALONG SAID PROPERTY LINE SOUTH 12.73 FEET TO THE NORTH RIGHT-OF-WAY LINE OF WOODLAND AVENUE; THENCE NORTH 89°59'43" WEST 2.55 FEET; THENCE NORTH 2.30 FEET; THENCE NORTH 86°24'00" WEST 59.17 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 16-29-429-013

25142-0013/4864-3451-2479
Aclaime Loan #C1459 (Highland)