

Notice of Default Page 1 of 2
Gary Christensen Washington County Recorder
09/28/2023 04:46:42 PM Fee \$40.00 By FREEMAN
LOVELL PLLC

WHEN RECORDED, RETURN TO:

Russell A. Nevers, Esq.
FREEMAN LOVELL, PLLC
4568 S Highland Drive, Suite 290
Salt Lake City, Utah 84117


NOTICE OF DEFAULT AND ELECTION TO SELL

NOTICE IS HEREBY GIVEN that on or about June 7, 2022, TC Smith, LLC, as Grantor, executed a Deed of Trust, Security Agreement, Assignment of Leases and Rents and Financing Statement (the "Deed of Trust") to secure the performance of a certain Promissory Note dated June 21, 2022, in the original amount of \$3,500,000.00, and any and all written amendments thereto (the "Promissory Note"). The Deed of Trust was filed for record on June 9, 2022, with recorder's Entry No. 20220030393, Washington County, Utah, and covers the following property:

Legal Description: See Exhibit A attached hereto
Property: Vacant Land, Washington, Utah 84780
Tax Parcel No.: W-5-3-2-2422

The payment obligation set forth in the Promissory Note is in default because Grantor has failed to pay all amounts due thereunder. All delinquent payments, together with all unpaid taxes, insurance, and other obligations under the Promissory Note and the Deed of Trust are due. Under the provisions of the Promissory Note and the Deed of Trust, the unpaid principal balance is now due, together with accruing interest, late charges, costs, and Trustee's and attorneys' fees. The Beneficiary (and holder of the Promissory Note) has demanded and does hereby demand payment of all amounts due under the Promissory Note, as amended. No such payment has been tendered. Accordingly, the Trustee has elected to sell the property described in the Deed of Trust.

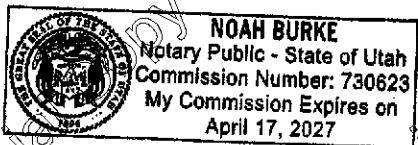
Dated this 28th day of September 2023.



Russell A. Nevers, Esq.
Trustee

STATE OF UTAH)
COUNTY OF SALT LAKE)

The foregoing Notice of Default and Election to Sell was executed and acknowledged before me this 28th day of September 2023, by Russell A. Nevers, Esq., as Trustee.





Notary Public

EXHIBIT A

Description of Property:

Parcel ID: [W-8-3-2-2422]

Beginning at a point that lies South 01°03'08" West along the section line 1616.81 feet and West 1106.31 feet from the East Quarter Corner of Section 2, Township 43 South, Range 15 West, Salt Lake Base and Meridian and running thence South 36°02'25" West 109.36 feet; thence South 30°12'35" West 141.58 feet; thence South 27°46'11" West 105.95 feet; thence South 33°47'59" West 161.96 feet; thence South 30°38'20" West 217.47 feet; thence South 40°36'34" West 210.52 feet; thence South 43°32'30" West 204.74 feet; thence North 88°55'08" West 467.75 feet; thence North 00°44'27" East 876.51 feet; thence South 89°15'33" East 631.15 feet; thence South 63°30'45" East 45.00 feet; thence northerly along a 400.00 foot radius non-tangent curve to the left, (long chord bears North 13°36'51" East a distance of 178.24 feet), center point lies North 63°30'45" West through a central angle of 25°44'47", a distance of 179.74 feet; thence North 00°44'27" East 10.35 feet; thence South 89°15'33" East 245.42 feet; thence South 57°27'54" East 191.46 feet; to the point of beginning.

Also Known As

**Finley Farms Phase 1A 4 & 6
Washington, UT 84780**