



\*W2410252\*

E# 2410252 PG 1 OF 6  
ERNEST D ROWLEY, WEBER COUNTY RECORDER  
08-MAY-09 454 PM FEE \$26.00 DEP KA  
REC FOR: METRO NATIONAL TITLE  
ELECTRONICALLY RECORDED

PREPARED BY AND WHEN  
RECORDED RETURN TO:

Roger D. Henriksen, Esq.  
Parr Brown Gee & Loveless  
185 South State Street, Suite 1300  
Salt Lake City, Utah 84111-1537  
Telephone: (801) 532-7840

13414MNT

DEED OF TRUST

THIS INSTRUMENT is executed as of the <sup>6<sup>th</sup></sup> day of <sup>May</sup> ~~April~~, 2009, by WOLF CREEK PROPERTIES, LC, a Utah limited liability company ("Trustor"), whose address is 3923 North Wolf Creek Drive, P.O. Box 658, Eden, Utah 84310, in favor of METRO NATIONAL TITLE ("Trustee"), whose address is 345 East Broadway, Salt Lake City, Utah 84111, and each of the following (collectively, "Beneficiary"): STEVEN C. ROBERTS, individually and as a Trustee of The Roberts Living Trust, dated as of April 11, 1995 (the "Trust"); J. SUZANNE ROBERTS individually and as a trustee of the Trust; and SCR INVESTMENTS, INC., a California corporation, whose address for purposed hereof is 3923 North Wolf Creek Drive, P.O. Box 658, Eden, Utah 84310.

TRUSTOR CONVEYS AND WARRANTS TO TRUSTEE IN TRUST, WITH POWER OF SALE, certain real property (the "Property") situated in Weber County, Utah, more particularly described on Exhibit "A", attached hereto and incorporated herein by this reference;

TOGETHER WITH all buildings, fixtures and improvements on the Property and all water rights, rights-of-way, easements, rents, issues, profits, income, tenements, hereditaments, privileges and appurtenances on or after the date of this instrument used or enjoyed with all or any part of the Property;

FOR THE PURPOSE OF SECURING for the benefit of Beneficiary the timely payment and performance of the obligations of Trustor under this instrument and that certain Indemnification Agreement, with an effective date of June 7, 2006, as amended from time to time, entered into between Beneficiary, Trustor, Wolf Creek Associates, Ltd., a Utah limited partnership, and Eden Investments, LLC, a Utah limited liability company, as may be amended, modified or supplemented hereafter.

TRUSTOR AGREES to pay all taxes and assessments on the Property, to pay all charges and assessments on water or water stock used on or with the Property, not to commit waste, to maintain adequate fire insurance on any improvements on the Property, to pay all costs and expenses of collection (including reasonable trustee's and attorneys' fees in the event of default in payment of the indebtedness secured by this instrument) and to pay reasonable trustee's fees for any of the services performed by Trustee under this instrument, including a reconveyance of the Property.

TRUSTOR has executed this instrument as of the date first set forth above.

**TRUSTOR:**

**WOLF CREEK PROPERTIES, LC, a Utah limited liability company, by its Manager**

**EDEN INVESTMENTS, LLC, a Utah limited liability company, by its Manager**

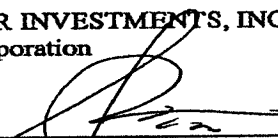
**EDEN PROPERTIES, LLC, a Utah limited liability company, by its Managers**



\_\_\_\_\_  
**STEVE MALACHOWSKI**

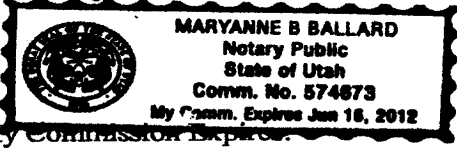
**SCR INVESTMENTS, INC., a California corporation**

By: \_\_\_\_\_

  
**Steven C. Roberts, President**

State of Utah )  
 ) ss.  
County of Weber )

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of May, 2009, by Steven C. Roberts, the President of SCR Investments, Inc., a Manager of Eden Properties, LLC, the Manager of Eden Investments, LLC, the Manager of Wolf Creek Properties, LC



Maryanne B Ballard  
Notary Public

Residing at:  
Eden Utah

My Commission Expires:  
6/11/12

State of Texas )  
 ) ss.  
County of Tarrant )

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of April, 2009, by Steve Malachowski, a Manager of Eden Properties, LLC, the Manager of Eden Investments, LLC, the Manager of Wolf Creek Properties, LC.



Rene C. Gense  
Notary Public

Residing at:  
Austin, Texas

My Commission Expires:  
May 02, 2010

**EXHIBIT A**  
**TO**  
**DEED OF TRUST**

**Legal Description of Property**

The following described real property is located in Weber County, Utah:

Parcel II

PART OF SECTIONS 29 AND 32, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING 376.60 FEET WEST FROM THE NORTHEAST CORNER OF SILVER BELL ESTATES NO. 2; AND RUNNING THENCE SOUTH 61D45'23" WEST 401.29 FEET; THENCE NORTH 5D00' WEST 785.77 FEET; THENCE EAST 281.86 FEET; THENCE SOUTH 592.86 FEET; THENCE EAST 140.39 FEET TO THE POINT OF BEGINNING. CONTAINING 4.29 ACRES, MORE OR LESS.

22-023-0019 *X/S.*

Parcel III

PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT 1355.28 FEET EAST AND 1258 FEET SOUTH OF THE NORTHWEST CORNER OF SAID QUARTER QUARTERSECTION; THENCE EAST 765.00 FEET ALONG THE NORTH LINE OF SAID QUARTER SECTION TO THE NORTHWEST CORNER OF PARCEL 22-023-0086 AND THE NORDIC VALLEY SEWER IMPROVEMENT DISTRICT LINE; THENCE SOUTH 567.14 FEET, MORE OR LESS, ALONG SAID PARCEL TO THE NORTHEASTERLY CORNER OF PARCEL 22-023-0019; THENCE ALONG SAID PARCEL THE FOLLOWING 2 CALLS: WEST 281.86 FEET AND SOUTH 5D00' EAST 746.92 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID QUARTER SECTION; THENCE WEST 570.00 FEET, MORE OR LESS, ALONG SAID LINE TO THE SOUTHEAST CORNER OF PARCEL 22-023-0045 AND THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 29; THENCE ALONG SAID PARCEL THE FOLLOWING 2 CALLS: NORTH 1290 FEET AND NORTHEASTERLY 30 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

22-012-0020 *X/S.*

Parcel IV

THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE MERIDIAN, U.S.

SURVEY: ALSO, PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 29; AND RUNNING THENCE EAST 30 FEET; THENCE SOUTHWESTERLY TO A POINT 30 FEET SOUTH FROM THE PLACE OF BEGINNING; THENCE NORTH 30 FEET TO THE PLACE OF BEGINNING.

22-023-0045

Parcel V

PART OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT SOUTH 55D WEST 111.01 FEET FROM THE MOST NORTHERLY CORNER OF LOT 99, SILVER BELL ESTATES NO 2; RUNNING THENCE NORTH 35D WEST 80 FEET; THENCE NORTH 61D45'23" EAST TO NORTH LINE OF SECTION 32; THENCE WEST ALONG SECTION LINE TO NORTHWEST CORNER OF SAID SECTION 32; THENCE SOUTH ALONG SECTION LINE TO A POINT SOUTH 55D WEST FROM POINT OF BEGINNING; THENCE NORTH 55D EAST 2300 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

22-029-0008

Parcel VI

PART OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN: BEGINNING AT A POINT SOUTH 55D WEST 111.01 FEET FROM THE MOST NORTHERLY CORNER OF LOT 99, SILVER BELL ESTATES NO. 2; THENCE SOUTH 2D EAST 987.74 FEET; THENCE SOUTH 35D EAST 1736.47 FEET; THENCE SOUTH 56D10' EAST 1014.59 FEET; THENCE SOUTH 71D47' EAST 531.56 FEET; THENCE SOUTH 79D EAST 50 FEET; THENCE SOUTH 11D WEST 121.51 FEET; THENCE ALONG THE ARC OF A 607.21 FOOT RADIUS CURVE TO THE RIGHT FOR A LENGTH OF 49.95 FEET; THENCE SOUTH 74D 17'13" EAST 239.89 FEET TO THE WEST LINE OF LOT 49, SILVER BELL ESTATES NO. 1; THENCE SOUTH 20D WEST TO A POINT 140.39 FEET NORTH 1D EAST OF THE SOUTHWEST CORNER OF SAID LOT 49; THENCE SOUTH 1D WEST 140.39 FEET; THENCE SOUTH 16D WEST 134.78 FEET; THENCE SOUTH 29D EAST 132.5 FEET; THENCE SOUTH 19D WEST 96.54 FEET; THENCE SOUTH 9D WEST 253.28 FEET; THENCE SOUTH 45D WEST 140.34 FEET; THENCE SOUTH 8D44' WEST 190.45 FEET; THENCE SOUTH 18D WEST 114.38 FEET; THENCE NORTH 73D44'30" WEST 205.30 FEET; THENCE SOUTH 29D15' WEST 140 FEET; THENCE SOUTH 37D58'50" WEST 254.04 FEET; THENCE SOUTH 8D42' WEST 60 FEET; THENCE NORTH 83D56' EAST 45.91 FEET; THENCE SOUTH 6D04' EAST 50 FEET; THENCE SOUTH 83D56' WEST 220.00 FEET; THENCE SOUTH 29D05'51" WEST 234.61 FEET; TO THE SOUTH LINE OF SAID SECTION 32; THENCE WEST ALONG SAID SOUTH LINE 3530.89 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF

SAID SECTION 32; THENCE NORTH ALONG THE WEST LINE OF SAID SECTION TO A POINT SOUTH 55D WEST FROM THE POINT OF BEGINNING; THENCE NORTH 55D EAST 2300 FEET, MORE OR LESS, TO POINT OF BEGINNING.

*22-029-0010 X*

Parcel VII

PART OF THE SOUTH 1/2 OF SECTION 29 AND A PART OF THE NORTH 1/2 OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT 50 FEET EAST OF THE NORTHEAST CORNER OF LOT 102, SILVERBELL ESTATES NO. 2 IN WEBER COUNTY, UTAH, AND RUNNING THENCE EAST 8 FEET; THENCE NORTH 0D57'41" EAST ALONG THE EAST RIGHT OF WAY LINE OF 3500 EAST STREET 468.81 FEET; THENCE SOUTH 52D27' EAST 464.33 FEET; THENCE SOUTH 13D35' WEST 288 FEET; THENCE SOUTH 73D05' WEST 256.02 FEET TO THE EASTERLY LINE OF 3500 EAST STREET; THENCE NORTHERLY ALONG THE ARC OF A 106.24 FOOT RADIUS CURVE TO THE LEFT FOR A DISTANCE OF 4.51 FEET; THENCE NORTHERLY ALONG THE ARC OF A 125 FOOT RADIUS CURVE TO THE RIGHT FOR A DISTANCE OF 128.68 FEET; THENCE NORTH 59.09 FEET TO THE POINT OF BEGINNING. CONTAINING 3.60 ACRES.

22-023-0060

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