



W3170610

E# 3170610 PG 1 OF 5
Leann H. Kilts, WEBER COUNTY RECORDER
26-Jul-21 0827 AM FEE \$40.00 DEP TN
REC FOR: MCCOY & ORTA, P.C.
ELECTRONICALLY RECORDED

ASSIGNMENT OF DEED OF TRUST AND SECURITY AGREEMENT

MORGAN STANLEY MORTGAGE CAPITAL HOLDINGS LLC,
a New York limited liability company
(Assignor)

to

WILMINGTON TRUST, NATIONAL ASSOCIATION, AS TRUSTEE FOR THE BENEFIT
OF THE REGISTERED HOLDERS OF BANK 2021-BNK33, COMMERCIAL MORTGAGE
PASS-THROUGH CERTIFICATES, SERIES 2021-BNK33
(Assignee)

Effective as of May 20, 2021

Property Address(es): 2433 Adams Avenue, Ogden, UT 84401
County of Weber
State of Utah

DOCUMENT PREPARED BY AND WHEN RECORDED, RETURN TO:
McCoy & Orta, P.C.
100 North Broadway, 26th Floor
Oklahoma City, Oklahoma 73102
Telephone: 888-236-0007

ASSIGNMENT OF DEED OF TRUST AND SECURITY AGREEMENT

Effective as of the 20th day of May, 2021, MORGAN STANLEY MORTGAGE CAPITAL HOLDINGS LLC, a New York limited liability company, having an address at 1585 Broadway, New York, NY 10036 (“Assignor”), as the holder of the instrument hereinafter described and for valuable consideration hereby assigns, sells, transfers and delivers to WILMINGTON TRUST, NATIONAL ASSOCIATION, AS TRUSTEE FOR THE BENEFIT OF THE REGISTERED HOLDERS OF BANK 2021-BNK33, COMMERCIAL MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2021-BNK33, having an address at 1100 North Market Street, Wilmington, DE 19890 (“Assignee”), its successors, participants and assigns, without recourse or warranty, all right, title and interest of Assignor in and to that certain:

DEED OF TRUST AND SECURITY AGREEMENT made by PARK AVENUE OGDEN PROPERTIES, LLC, a Delaware limited liability company and CALADONIAN OGDEN PROPERTIES, LLC, a Delaware limited liability company to MORGAN STANLEY BANK N.A., a national banking association, dated as of April 16, 2021 and recorded on April 16, 2021, as Entry Number 3145308 in the Recorder's Office of Weber County, Utah (as the same may have been amended, modified, restated, supplemented, renewed or extended, securing payment of note(s) of even date therewith, in the original principal amount of \$5,220,000.00, and creating a first lien on the property described in Exhibit A attached hereto and by this reference made a part hereof.

foregoing instrument(s) assigned by MORGAN STANLEY BANK N.A., a national banking association to MORGAN STANLEY MORTGAGE CAPITAL HOLDINGS LLC, a New York limited liability company by assignment instrument(s) recorded simultaneously herewith, in the Recorder's Office.

Together with any and all other liens, privileges, security interests, rights, entitlements, equities, claims and demands as to which Assignor hereunder possesses or to which Assignor is otherwise entitled as additional security for the payment of the notes and other obligations described herein.

This instrument shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

[SIGNATURE(S) ON THE FOLLOWING PAGE]

18 IN WITNESS WHEREOF, the Assignor has caused this instrument to be executed this day of May, 2021.

MORGAN STANLEY MORTGAGE CAPITAL HOLDINGS LLC,
a New York limited liability company

By: 
Name: Brandon Atkins
Title: Vice President

STATE OF NEW YORK §
 §
COUNTY OF NEW YORK §

On the 18 day of May, 2021, before me, the undersigned, a Notary Public in and for said state, personally appeared Brandon Atkins, as Vice President of MORGAN STANLEY MORTGAGE CAPITAL HOLDINGS LLC, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

WITNESS my hand and official seal.

My Commission Expires:

Rosalie J. Nester
Notary Public, State of New York
No. 01NE636636B
Qualified in New York County
Commission Expires 10/30/2021

Signature: 
Notary Public

EXHIBIT A
LEGAL DESCRIPTION

Parcel 1:

Part of Lots 1, 2, 8, 9, and 10 of Block 26, Plat "A", Ogden City survey: Beginning at the Northeast corner of Block said Block 26, and running thence South 00°58'00" West along the West line of Adams Avenue 469.00 feet; thence North 89°02'00" West 155.00 feet; thence South 0°58'00" West 0.58 feet; thence North 89°02'00" West 18.00 feet; thence North 00°58'00" East 141.08 feet; thence North 89°02'00" West 223.58 feet; thence North 00°58'00" East 180.50 feet; thence South 89°02'00" East 23.40 feet; thence South 00°58'00" West 18.00 feet; thence South 89°02'00" East 128.41 feet; thence North 00°58'00" East 36.00 feet; thence North 62°21'40" East 25.06 feet; thence North 00°58'00" East 117.94 feet (North 00°28'00" East 118.00 feet by record) to the Southerly line of 24th Street; and thence South 89°03'01" East 222.77 feet (South 89°02'00" East 222.78 feet by record) along the South line of said street to the point of beginning.

Parcel 1A:

Together with an easement for the right of ingress and egress from Parcel 1 (shown above) to 25th Street located in a part of Lot 2, Block 26, Plat "A", Ogden City Survey as disclosed by that certain Special Warranty Deed recorded May 6, 1970 as Entry No. 534699 in Book 940 at Page 505::

Beginning on the Easterly side thereof at a point the following courses and distances, Southerly and Westerly from the Northeast corner of Block 26, at intersection of the Southerly side of 24th Street with the Westerly side of Adams Avenue South 00°58'00" West 469.00 feet and North 89°02'00" West 149.50 feet; thence Southerly, Westerly and Northerly the following courses and distances: South 00°58'00" West 198.50 feet to the Northerly side of 25th Street; thence North 89°02'00" West 20.00 feet along the Northerly side of 25th Street; thence North 00°58'00" East 150.00 feet; thence North 89°02'00" West 5.50 feet; thence North 00°58'00" East 130.50 feet; thence North 89°02'00" West 4.50 feet; thence North 00°58'00" East 24.00 feet; thence North 56°49'10" West 33.77 feet; thence Easterly, Southerly and Easterly the following courses and distances along property line of "Ramada Inn"; thence South 89°02'00" East 53.07 feet; thence South 00°58'00" West 124.00 feet; thence South 89°02'00" East 5.50 feet to the point and place of beginning.

Parcel 1B:

Together with an easement for the right of ingress and egress from Parcel 1 (shown above) to the joint parking area located in a part of Lots 8 and 9, Block 26, Plat "A", Ogden City Survey as disclosed by that certain Special Warranty Deed recorded May 6, 1970 as Entry No. 534699 in Book 940 at Page 505:

Beginning at the Northeast corner thereof, the following courses and distances, Westerly and Southerly from the Northeast corner of Block 26 at intersection of the Southerly side of 24th

Street with the Westerly side of Adams Avenue; thence North 89°02'00" West 222.78 feet; thence South 00°58'00 West 118.00 feet; thence South 62°21'40" West 25.06 feet; thence Southerly, Westerly, Southerly, Westerly, Northerly and Easterly the following courses and distances: South 00°58'00" West 18.00 feet; thence North 89°02'00" West 44.66 feet; thence South 00°58'00" West 18.00 feet; thence North 89°02'00" West 20.00 feet; thence North 00°58'00" East 18.00 feet; thence North 89°02'00" West 43.75 feet; thence South 00°58'00" West 18.00 feet; thence North 89°02'00" West 20 feet; thence North 00°58'00" East 36.00 feet; thence South 89°02'00" East 128.41 feet to the point and place of beginning.