

Ent 541839 Bk 1466 Pg 599 – 603
MARCY M. MURRAY, Recorder
WASATCH COUNTY CORPORATION
2024 Feb 14 08:18AM Fee: \$40.00 CO
For: McCoy & Orta, P.C.
ELECTRONICALLY RECORDED

**ASSIGNMENT OF DEED OF TRUST, SECURITY AGREEMENT AND FIXTURE
FILING WITH ASSIGNMENT OF LEASES AND RENTS**

BRMK LENDING, LLC, a Delaware limited liability company, successor in interest by merger
to BRELF II, LLC, a Washington limited liability company
(Assignor)

to

BRMK LENDING SPE JP, LLC, a Delaware limited liability company
(Assignee)

Dated: As of February 2, 2024

Parcel Nos.: 00-0010-9855, 00-0010-9590, 00-0010-9921, 00-0010-9830, 00-0020-9630,
00-0020-9631 and 00-0020-9632
County of Wasatch
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, SECURITY AGREEMENT AND FIXTURE
FILING WITH ASSIGNMENT OF LEASES AND RENTS**

BRMK LENDING, LLC, a Delaware limited liability company, successor in interest by merger to **BRELF II, LLC**, a Washington limited liability company, whose address is 1251 Avenue of the Americas, 50th Floor, New York, NY 10020 (“Assignor”), as the holder of the instrument hereinafter described and for valuable consideration hereby endorses, assigns, sells, transfers and delivers to **BRMK LENDING SPE JP, LLC**, a Delaware limited liability company, whose address is 1251 Avenue of the Americas, 50th Floor, New York, NY 10020, their successors, participants and assigns (“Assignee”), all right, title and interest of Assignor, in and to that certain Deed of Trust, Security Agreement and Fixture Filing with Assignment of Leases and Rents made by **FRAGOLA ENTERPRISES LLC**, a Utah limited liability company to **COTTONWOOD TITLE**, as Trustee, for the benefit of **BRELF II, LLC**, a Washington limited liability company, dated as of November 16, 2018 and recorded on November 16, 2018, as Entry Number 458110, in Book 1238, Page 1552 in the Recorder's Office of Wasatch County, Utah (as the same may have been amended, modified, restated, supplemented, assigned, renewed or extended), (the "Deed of Trust"), securing payment of note(s) of even date therewith, in the principal amount of \$12,961,283.00, and creating a lien on the property described in Exhibit A attached hereto and by this reference made a part hereof.

Together with any and all notes and obligations therein described, the debt and claims secured thereby and all sums of money due and to become due thereon, with interest provided for therein, and Assignor hereby irrevocably appoints Assignee hereunder its attorney to collect and receive such debt, and to foreclose, enforce and satisfy the foregoing the same as it might or could have done were these presents not executed, but at the cost and expense of Assignee.

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.

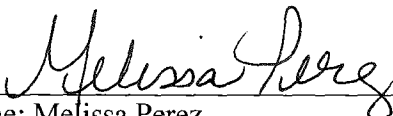
TO HAVE AND TO HOLD the Deed of Trust unto Assignee and to the successors and assigns of Assignee forever.

[SIGNATURE ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, Assignor has caused this instrument to be executed by its duly authorized officer on the day and year first above written.

ASSIGNOR:

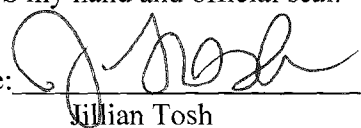
BRMK LENDING, LLC, a Delaware limited liability company, successor in interest by merger to BREL II, LLC, a Washington limited liability company

By: 
Name: Melissa Perez
Title: Authorized Person

ACKNOWLEDGMENT

STATE OF TEXAS)
)
COUNTY OF DALLAS)

On this 18 day of September, 2023, before me, the undersigned, a Notary Public in and for said state, personally appeared Melissa Perez as Authorized Person of BRMK LENDING, LLC, a Delaware limited liability company, successor in interest by merger to BREL II, LLC, a Washington limited liability company, 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 she executed the same in her capacity, and that by her 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.
Signature: 
Jillian Tosh
Notary Public



My Commission Expires February 21, 2024

Reference No.: 181.042
Matter Name: Fragola Enterprises LLC
Pool: READY CAPITAL_BRMK JPM REPO
Security Instrument Assignment (Tier I)

EXHIBIT "A"Legal Description

PARCEL 1:

Northeast quarter of the Northwest quarter of Section 20, Township 4 South, Range 10 West, Uintah Special Base and Meridian.

PARCEL 2:

Beginning at the Southeast corner of the Southwest quarter of Section 17, Township 4 South, Range 10 West, Uintah Special Base and Meridian; thence West 80 rods; thence North 40 rods; thence East 20 rods; thence North 20 rods; thence East 20 rods; thence North 20 rods; thence East 20 rods; thence South 60 rods; thence East 20 rods; thence South 20 rods to the point of beginning.

PARCEL 3:

Beginning at a point which is North 87°08'21" East 317.86 feet from the Northwest corner of Section 20, Township 4 South, Range 10 West, Special Uintah Base and Meridian; thence North 88°56'15" East 990.43; thence South 00°32'59" East 1311.9 feet; thence North 88°59'11" East 1318.78 feet; thence South 00°27'35" East 654.05 feet; thence South 00°22'34" East 327.78 feet; thence North 89°00'53" East 2.74 feet; thence South 15°51'39" West 1851.77 feet; thence South 83°30'58" East 642.29 feet; thence South 12°27'14" West 1120.41 feet; thence South 89°33'20" West 2505.46 feet; thence South 88°56'08" West 1713.33 feet; thence along proposed Lot 3 to the right of way of a proposed County Road the following ten (10) calls: (1) thence North 00°05'55" East 1146.35 feet; (2) thence North 58°31'47" West 448.36 feet; (3) thence North 39°22'51" East 835.32 feet; (4) thence South 60°11'26" East 695.18 feet; (5) thence North 24°57'53" East 663.24 feet; (6) thence North 23°54'39" East 783.50 feet; (7) thence North 19°16'12" East 232.76 feet; (8) thence East 448.51 feet; (9) thence North 54°26'50" East 731.65 feet; (10) thence North 35°33'10" West 136.22 feet; thence along the West line of a proposed 60 foot County Road right of way along proposed Lot 3 the following four (4) calls: (1) thence along the arc of a 65.58 foot radius curve to the right 151.43 feet (central angle of 132°18'04" and a chord bearing North 47°43'59" West 119.96 feet); (2) thence along the arc of a 128.03 foot radius curve to the right 59.80 feet (central angle of 26°45'46" and a chord bearing North 31°47'56" East 59.26 feet); (3) thence along the arc of a 328.98 foot radius curve to the left 85.88 feet (central angle of 14°57'22" and a chord bearing North 37°42'08" East 85.63 feet); (4) thence along the arc of a 949.76 foot radius curve to the right 26.91 feet (central angle of 01°37'23" and a chord bearing North 31°02'09" East 26.90 feet) to a point along proposed Lot 2; thence along the West line of a proposed 60 foot County Road right of way along proposed Lot 2 the following two (2) calls: (1) thence along the arc of a 949.76 foot radius curve to the right 46.93 feet (central angle of 02°49'51" and chord bearing North 33°15'46" East 46.92 feet); (2) thence along the arc of a 1902.74 foot radius curve to the right 274.37 feet (central angle of 08°15'42" and a chord bearing North 38°48'33" East 274.13 feet) to a point along proposed Lot 1; thence along the West line of a proposed 60 foot County Road right of way along proposed Lot 1 the following two (2) calls: (1) thence along the arc of a 1902.74 foot radius curve to the right 268.78 feet (central angle of 08°05'37" and a chord bearing North 46°59'12" East 268.56 feet); (2) thence along the arc of a 1160.86 foot radius curve to the left 52.84 feet (central angle of 02°36'28" and a chord bearing North 49°43'47" East 52.83 feet); thence leaving the proposed County Road right of way and following the boundary of proposed Lot 1 the following five (5) calls: (1) thence North 47°48'05" West 312.09 feet; (2) thence South 75°12'42" West 601.60 feet; (3) thence South 54°26'50" West 557.87 feet; (4) thence West 121.00 feet; (5) thence North 27°06'59" East 1205.83 feet to the point of beginning.

Parcels 1, 2 and 3 above are also described by survey as one contiguous parcel as follows:

Portions of land in Sections 17, 19, and 20, in Township 4 South, Range 10 West, Special Uintah Base and Meridian as follows:

Beginning at a point which is North 87°08'57" East 317.85 feet from the Northwest corner of Section 20, Township 4 South, Range 10 West, Special Uintah Base and Meridian and running thence North 88°56'53" East 990.51 feet

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Security Instrument Assignment (Tier I)

along the North line of said Section 20 and the USFS boundary to a BOR monument; thence North 00°12'34" West 648.73 feet along the USFS boundary to a BOR monument; thence North 89°03'54" East 329.84 feet along the USFS boundary to BOR monument; thence North 00°13'38" West 324.03 feet along the USFS boundary to BOR monument; thence North 89°07'01" East 329.65 feet along the USFS boundary to a BOR monument; thence North 00°16'20" West 323.71 feet along the USFS boundary to a BOR monument; thence North 89°10'24" East 329.58 feet along the USFS boundary to BOR monument; thence South 00°17'24" East 970.11 feet along the USFS boundary to a BOR monument; thence North 89°00'45" East 330.17 feet along the USFS boundary to a BOR monument; thence South 00°20'39" East 323.02 feet along the USFS boundary to a BOR brass cap monument for the North quarter corner of Section 20, Township 4 South, Range 10 West, Special Uintah Base and Meridian; thence South 00°26'34" East 1313.09 feet along the USFS boundary and following the center of section line for Section 20 to a rebar with surveyor cap marked "145796"; thence South 00°26'34" East 654.05 feet along the USFS boundary to a BOR monument; thence South 00°21'33" East 327.78 feet along the USFS boundary; thence North 89°01'54" East 2.74 feet, more or less, to the Western boundary of the 40 Dam Acres Subdivision; thence South 15°52'40" West 1851.77 feet along the Western boundary of the 40 Dam Acres Subdivision, on file and of record in the office of the Wasatch County Recorder; thence South 83°29'57" East 642.29 feet along the boundary of said subdivision to the Western boundary of the Hundley Properties LC property; thence South 12°28'15" West 1120.33 feet, more or less, and along the Western boundary of the Hundley Properties LC property to the South line of Section 20, Township 4 South, Range 10 West; thence South 89°33'54" West 2504.65 feet along the South line of Section 20 to the 1966 BLM monument for the Southwest corner of Section 20, Township 4 South, Range 10 West; thence South 88°56'32" West 1713.33 feet along the South line of Section 19, Township 4 South, Range 10 West; thence North 00°06'19" East 1146.35 feet along the Easterly boundary of the Strawberry Pines Subdivision; thence North 58°31'23" West 448.36 feet along the boundary of the Strawberry Pines Subdivision; thence North 39°23'15" East 835.32 feet along the boundary of the Strawberry Pines Subdivision; thence South 60°11'02" East 695.18 feet along the boundary of the Strawberry Pines Subdivision; thence North 24°58'17" East 663.24 feet along the boundary of the Strawberry Pines Subdivision; thence North 23°55'03" East 783.50 feet along the boundary of the Strawberry Pines Subdivision; thence North 19°16'36" East 232.76 feet along the boundary of the Strawberry Pines Subdivision; thence South 89°59'36" East 448.51 feet along the boundary of the Strawberry Pines Subdivision; thence North 54°27'14" East 731.65 feet along the boundary of the Strawberry Pines Subdivision; thence North 35°32'46" West 136.22 feet to the West right-of-way line for a County Road known as Forest Road 090; thence along said right-of-way line (also the boundary of the Strawberry Pines Subdivision) the following eight courses: Northwesterly 151.43 feet along a 65.58 foot radius curve to the left with central angle of 132°18'01" and chord bearing North 47°43'35" West 119.96 feet; thence 59.80 feet along a 128.03 foot radius curve to the right with central angle of 26°45'42" and chord bearing North 31°48'16" East 59.26 feet; thence 85.88 feet along a 328.98 foot radius curve to the left with central angle of 14°57'25" and chord bearing North 37°42'25" East 85.64 feet; thence 26.91 feet along a 949.76 foot radius curve to the left with central angle of 01°37'24" and chord bearing North 31°02'24" East 26.91 feet; thence 46.93 feet along a 949.76 foot radius curve to the right with central angle of 02°49'52" and chord bearing North 33°16'02" East 46.93 feet; thence 274.37 feet along a 1902.74 foot radius curve to the right with central angle of 08°15'43" and chord bearing North 38°48'50" East 274.13 feet; thence 268.76 feet along a 1902.74 foot radius curve to the right with central angle of 08°05'37" and chord bearing North 46°59'29" East 268.56 feet; thence 52.84 feet along a 1160.86 foot radius curve to the right with central angle of 02°36'29" and chord bearing North 49°44'04" East 52.84 feet; thence North 47°47'41" West 312.09 feet along the boundary of the Strawberry Pines Subdivision; thence South 75°13'06" West 601.60 feet along the boundary of the Strawberry Pines Subdivision; thence South 54°27'14" West 557.87 feet along the boundary of the Strawberry Pines Subdivision; thence North 89°59'36" West 121.00 feet along the boundary of the Strawberry Pines Subdivision; thence North 27°07'23" East 1205.74 feet along the boundary of the Strawberry Pines Subdivision to the point of beginning.

Tax Id No.: 00-0010-9855, 00-0010-9590, 00-0010-9921, 00-0010-9830, 00-0020-9630, 00-0020-9631 and 00-0020-9632

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