

WHEN RECORDED, MAIL TO:

Kurt E. McCunniff

6724985  
08/27/97 3:40 PM 12.00  
NANCY WORKMAN  
RECORDER, SALT LAKE COUNTY, UTAH  
CLAY HARRISON  
28 E 2100 S #114  
SLC UT 84115  
REC BY: B KILPACK , DEPUTY - WI

Space Above for Recorder's Use

SECOND  
**Trust Deed**

THIS TRUST DEED is made this 25th day of August, 1997, between STEPHEN T. POWELL, as Trustor, whose address is 625 East Downing Street; Midvale, Utah 84047 (Street and Number) (City) (State)

SUTHERLAND TITLE COMPANY, as Trustee, and KURT E. MCCUNIFF, as Beneficiary.

Trustor hereby CONVEYS AND WARRANTS TO TRUSTEE IN TRUST, WITH POWER OF SALE, the following described property situated in SALT LAKE County, Utah: SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

THIS TRUST DEED IS BEING RECORDED JUNIOR AND SUBORDINATE TO A DEED OF TRUST DATED AUGUST 25, 1997 IN FAVOR OF Equity First Financial Corp. IN THE AMOUNT OF \$ 148,750.00 RECORDED AUGUST 27, 1997 AS ENTRY NO. \_\_\_\_\_

Together with all buildings, fixtures and improvements thereon and all water rights, rights of way, easements, rents, issues, profits, income, tenements, hereditaments, privileges and appurtenances thereunto now or hereafter used or enjoyed with said property, or any part thereof;

FOR THE PURPOSE OF SECURING payment of the indebtedness evidenced by a promissory note of even date herewith, in the principal sum of \$ 17,500.00, payable to the order of Beneficiary at the times, in the manner and with interest as therein set forth, and payment of any sums expended or advanced by Beneficiary to protect the security hereof.

Trustor agrees to pay all taxes and assessments on the above property, to pay all charges and assessments on water or water stock used on or with said property, not to commit waste, to maintain adequate fire insurance on improvements on said property, to pay all costs and expenses of collection (including Trustee's and attorney's fees in event of default in payment of the indebtedness secured hereby) and to pay reasonable Trustee's fees for any of the services performed by Trustee hereunder, including a reconveyance hereof.

The undersigned Trustor requests that a copy of any notice of default and of any notice of sale hereunder be mailed to him at the address hereinbefore set forth.

*Stephen T. Powell*  
STEPHEN T. POWELL

STATE OF UTAH  
COUNTY OF SALT LAKE

On the 25 day of August, 1997, personally appeared before me STEPHEN T. POWELL, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

NOTARY PUBLIC  
DEBRA J. EVANS  
6494 S. Bouchelle Ln.  
Salt Lake City, Utah 84121  
My Commission Expires June 5, 2000  
05 June 2000  
STATE OF UTAH

*Debra J. Evans*  
Notary Public  
Residing at: Salt Lake City, Utah

\*NOTE: Trustee must be a member of the Utah State Bar; a bank, building and loan association or savings and loan association authorized to do such business in Utah; a corporation authorized to do a trust business in Utah; or a title insurance or abstract company authorized to do such business in Utah.

6724985

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BK 7743 PG 2077

## EXHIBIT "A"

ORDER NO.: 97010730 (AMENDED)

Unit 17, as contained in #70 LUNDON STREET CONDOMINIUMS PROJECT PHASE 1 AMENDED, and expandable condominium project as created by the plat recorded May 21, 1986 in Book 86-5 of Plats at Page 77, and the Declaration of Covenants, Conditions and Restrictions for Lundon Street, Inc., recorded January 9, 1985, in Book 5694, at Page 642; and Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Lundon Street, Inc., recorded December 10, 1985, in Book 5716, at Page 1222, and by the First Supplement to Declaration of Condominium for Lundon Street, Inc., recorded May 21, 1986, in Book 5796 at Page 1566, and all subsequent Amendments appurtenant thereto, together with the appurtenant undivided interest in the common areas as defined therein.

Sidwell Number: 21-30-228-018

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CO. RECORDER

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