# After recording mail to:

Judson T. Pitts Tycksen & Shattuck, L.C. 12401 South 450 East STE E-1 Draper, Utah 84020



ENT 71666:2022 PG 1 of 4 ANDREA ALLEN UTAH COUNTY RECORDER 2022 Jun 17 10:52 am FEE 40.00 BY JG RECORDED FOR PITTS, JUDSON T

#### TRUSTEE'S DEED

THIS INDENTURE is made this 14th day of June, 2022, between Judson T. Pitts, Successor Trustee as Grantor, and Scott McCord, as Grantee.

In consideration of Ten Dollars and other valuable consideration received as described herein, Trustee Judson T. Pitts, by virtue of his authority under the trust deed referenced herein, and in consideration of the amount bid and paid by the Grantee at auction, hereby conveys, without any covenant or warranty, express or implied, the real property situated in Utah County, Utah identified as:

#### See Exhibit A attached.

### Recitals

- 1. This conveyance is made pursuant to the powers conferred on Grantor by:
  - a. A Trust Deed executed by Tioga Real Estate Group, LLC, as Trustor, on April 22, 2019, in which BRMK Lending, LLC was named as the Beneficiary; and in which Vanguard Title Insurance Agency, LLC, was named as trustee for whom Judson T. Pitts, the undersigned was substituted as trustee (via recorded Substitution of Trustee dated January 11, 2022) which Trust Deed was filed for record in the office of the Utah County Recorder on April 23, 2019, as Entry No. 34275:2019, Pages 1-31 of the records of said County Recorder.
  - b. LC WILLOW, LLC, current beneficiary and successor in interest to BRELF II, LLC/BRMK Lending, LLC via assignment dated December 23, 2021, and recorded in the office of the Utah County Recorder as Entry No. 11083: 2022.
- 2. After satisfaction of the conditions authorizing this conveyance specified in said Trust Deed and by law, the Grantor declares as follows:
- a. Breach and default occurred under the provisions of the Trust Deed in the manner set forth in the Notice of Default referred to below, such default continuing until the time of sale.

- b. The Beneficiary caused the Substituted Trustee to execute a written Notice of Default and Election to Sell, dated January 23, 2021, which notice was duly recorded on January 25, 2022, as Entry No. 10500:2022 with the Utah County Recorder in the official records of Utah County, Utah.
- c. After said Notice of Default was recorded, the Substituted Trustee duly mailed or otherwise provided in the manner required, all copies of such notice required under the Trust Deed or by law, including notice to the Trustor at its proper address and to all who properly filed for record Requests for Notice.
- d. The Substituted Trustee, in consequence of the foregoing and of the passage of at least three months after said Notice of Default was recorded, executed its Notice of Sale declaring the time and place of sale to be on June 10, 2022, at the hour of 10:00 a.m., at the front steps of the Utah County Courthouse, and particularly describing the property and setting out the conditions of sale; and gave such notice of sale as follows:
  - i. By posting such notice at least twenty days prior to the date of sale in a conspicuous place on the property to be sold and at the County Recorder's office, Utah County, state of Utah.
  - ii. By publishing such notice in the Lehi Free Press, a publication of general circulation in Utah County, Utah three times once a week for three consecutive weeks, ending 05/26/22, the last publication occurring at least ten days and not more than thirty days prior to the sale; and
  - iii. By mailing copies of such notice, at least twenty days prior to sale, to those having the right to receive them under the Trust Deeds and by law, including the Trustor thereunder.
- e. At the time and place of sale specified above, the Trustee duly sold at public auction to Grantee, the highest bidder, the above described property for the bid price of \$3,442,036.64, which has been received by the Substituted Trustee and applied on the obligations secured as required by law and the provisions of the Trust Deed.
- f. All other applicable Utah statutory provisions or Trust Deed terms have been complied with as to acts to be performed and notice to be given.

Dated this 15 day of June, 2022

Judson Z. Pitts

Successor Trustee and Grantor

Address 12401 South 450 East, Suite E-1

Draper, UT 84020

State of Utah

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County of Salt Lake )

On this <u>15</u> day of June, 2022, before me personally appeared Judson T. Pitts, Trustee, personally known or satisfactorily proved to me on the basis of satisfactory evidence to be the person whose name is subscribed on this instrument, and acknowledged that he executed the same.

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CARMA JEAN HARPER
Notary Public - State of Uteh
Comm. No. 719849
My Commission Expires on
Aug 11, 2025

Notary Publi

## EXHIBIT A

## **LEGAL DESCRIPTION OF THE PROPERTY**

REAL PROPERTY IN THE COUNTY OF UTAH, STATE OF UTAH, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS NORTH 00°42'40" WEST ALONG THE SECTION LINE A DISTANCE OF 591.13 FEET AND SOUTH 89°29'37" EAST 252.91 FEET FROM THE WEST QUARTER OF SECTION 17, TOWNSHIP 7 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 231.65 FEET: THENCE SOUTH 89°55'48" WEST 8.77 FEET TO TE EAST LINE OF THE RAILROAD RIGHT-OF-WAY; THENCE NORTH 38°53'40" WEST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 636.38 FEET TO THE SOUTHWEST CORNER OF BEAR RIVER STORAGE PLAT "B". ON FILE WITH THE OFFICE OF THE UTAH COUNTY RECORDER AS MAP NO. 15331; THENCE ALONG THE SOUTH LINE OF SAID PLAT THE FOLLOWING TWO (2) COURSES, 1) SOUTH 89° 39'12" EAST 270.27 FEET, 2) SOUTH 89°27'01" EAST 759.01 FEET TO THE WEST RIGHT-OF-WAY LINE OF STATE STREET; THENCE SOUTH 29°14'22" EAST ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 200.66 FEET: THENCE SOUTH 64°45'38" WEST 88.00 FEET: THENCE SOUTH 29°14'22" EAST 55.00 FEET; THENCE NORTH 89°29'37" WEST 666.20 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTION THEREFROM THE FOLLOWING DESCRIBED TRACT OF LAND:

COMMENCING AT A POINT IN THE WEST LIINE OF THE PUBLIC HIGH WAY 8.77 CHAINS NORTH AND 15.26 CHAINS, MORE OR LESS, SOUTH 89° EAST FROM THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 7 SOUTH, RANGE 3 EAST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE ALONG THE PUBLIC HIGHWAY NORTH 29° WEST 100 FEET; THENCE SOUTH 65 1/4° WEST 88.00 FEET; THENCE SOUTH 29°EAST 55 FEET; THENCE SOUTH 89° EAST 100 FEET TO THE PLACE OF BEGINNING.

ALSO LESS AND EXCEPTING ANY PORTION WITHIN THE BOUNDS OF THE RAILROAD.