



W3166482

Tax Serial Number:

11-016-0015, 11-016-0016, 11-01-0017, 11-016-0027, 11-016-0041, 11-016-0046,

11-016-0037

188099

E# 3166482 PG 1 OF 6
Leann H. Kilts, WEBER COUNTY RECORDER
07-Jul-21 0349 PM FEE \$40.00 DEP DAC
REC FOR: MOUNTAIN VIEW TITLE - OGDEN
ELECTRONICALLY RECORDED

WHEN RECORDED MAIL TO:

Cache Valley Bank
Logan Main Office
101 North Main
P.O. Box 3227
Logan, UT 84323

FOR RECORDER'S USE ONLY

MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST dated June 30, 2021, is made and executed between **BAILEY V PROPERTIES, LLC**; and **E.K. BAILEY CONSTRUCTION INCORPORATED**, whose address is 1243 NORTH WASHINGTON BLVD, OGDEN, UT 84404 ("Trustor") and Cache Valley Bank, whose address is Logan Main Office, 101 North Main, P.O. Box 3227, Logan, UT 84323 ("Lender").

DEED OF TRUST. Lender and Trustor have entered into a Deed of Trust dated December 14, 2012 (the "Deed of Trust") which has been recorded in WEBER County, State of Utah, as follows:

RECORDED 12/19/2012 AS ENTRY #2611552 WEBER COUNTY RECORDER.

REAL PROPERTY DESCRIPTION. The Deed of Trust covers the following described real property located in WEBER County, State of Utah:

See EXHIBIT "A", which is attached to this Modification and made a part of this Modification as if fully set forth herein.

The Real Property or its address is commonly known as 1243 NORTH WASHINGTON BOULEVARD, HARRISVILLE, UT 84404. The Real Property tax identification number is 11-016-0015, 11-016-0016, 11-01-0017, 11-016-0027, 11-016-0041, 11-016-0046,

MODIFICATION. Lender and Trustor hereby modify the Deed of Trust as follows:

DEED OF TRUST MODIFIED TO INCLUDE PARCEL #11-016-0037.

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Deed of Trust shall remain unchanged and in full force and effect. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Deed of Trust as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Deed of Trust (the "Note"). It is the intention of Lender to retain as liable all parties to the Deed of Trust and all parties, makers and endorsers to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Deed of Trust does not sign this Modification, then all persons signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applies

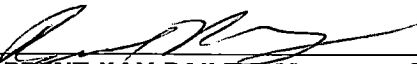
**MODIFICATION OF DEED OF TRUST
(Continued)**

not only to any initial extension or modification, but also to all such subsequent actions.

TRUSTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF DEED OF TRUST AND TRUSTOR AGREES TO ITS TERMS. THIS MODIFICATION OF DEED OF TRUST IS DATED JUNE 30, 2021.


TRUSTOR:

BAILEY V PROPERTIES, LLC

By: 
BRENT KAY BAILEY, Manager of BAILEY V PROPERTIES, LLC

By: 
KRISTINE BAILEY, Manager of BAILEY V PROPERTIES, LLC

E.K. BAILEY CONSTRUCTION INCORPORATED

By: 
BRENT KAY BAILEY, President of E.K. BAILEY
CONSTRUCTION INCORPORATED

By: 
KRISTINE BAILEY, Vice President of E.K. BAILEY
CONSTRUCTION INCORPORATED

LENDER:

CACHE VALLEY BANK

X 
Brad Peterson, Senior Vice President

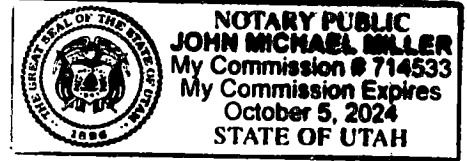
MODIFICATION OF DEED OF TRUST
(Continued)

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Utah

COUNTY OF Cache

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On this 1 day of July, 2021, before me, the undersigned Notary Public, personally appeared **BRENT KAY BAILEY, Manager of BAILEY V PROPERTIES, LLC** and **KRISTINE BAILEY, Manager of BAILEY V PROPERTIES, LLC**, and known to me to be members or designated agents of the limited liability company that executed the Modification of Deed of Trust and acknowledged the Modification to be the free and voluntary act and deed of the limited liability company, by authority of statute, its articles of organization or its operating agreement, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute this Modification and in fact executed the Modification on behalf of the limited liability company.

By Mike Miller
Notary Public in and for the State of ut

Residing at Logan
My commission expires 10/5/2024

CORPORATE ACKNOWLEDGMENT

STATE OF Utah

COUNTY OF Cache

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On this 1 day of July, 2021, before me, the undersigned Notary Public, personally appeared **BRENT KAY BAILEY, President of E.K. BAILEY CONSTRUCTION INCORPORATED** and **KRISTINE BAILEY, Vice President of E.K. BAILEY CONSTRUCTION INCORPORATED**, and known to me to be authorized agents of the corporation that executed the Modification of Deed of Trust and acknowledged the Modification to be the free and voluntary act and deed of the corporation, by authority of its Bylaws or by resolution of its board of directors, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute this Modification and in fact executed the Modification on behalf of the corporation.

By Mike Miller
Notary Public in and for the State of ut

Residing at Logan
My commission expires 10/5/2024

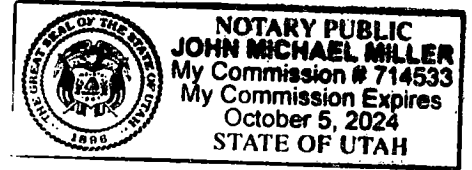
MODIFICATION OF DEED OF TRUST
(Continued)

LENDER ACKNOWLEDGMENT

STATE OF Utah

COUNTY OF Cache

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On this 1 day of July, 20 21, before me, the undersigned Notary Public, personally appeared **Brad Peterson** and known to me to be the **Senior Vice President**, authorized agent for **Cache Valley Bank** that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of **Cache Valley Bank**, duly authorized by **Cache Valley Bank** through its board of directors or otherwise, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute this said instrument and in fact executed this said instrument on behalf of **Cache Valley Bank**.

By Mike Chalk

Residing at Logan

Notary Public in and for the State of UT

My commission expires 10/5/2024

EXHIBIT "A" LEGAL DESCRIPTION

File No.: 188099

PARCEL 1:

PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT 9.95 CHAINS WEST AND 9.95 CHAINS NORTH OF THE SOUTHEAST CORNER OF SAID QUARTER SECTION, AND RUNNING THENCE NORTH 116 FEET, THENCE WEST 270 FEET, THENCE NORTH 145 FEET, THENCE EAST 30 FEET, THENCE NORTH 3 FEET, THENCE WEST 585 FEET, THENCE SOUTH 4 CHAINS, THENCE EAST 825 FEET TO BEGINNING.

PARCEL 2:

BEGINNING AT A POINT 9.95 CHAINS WEST AND 13.95 CHAINS NORTH AND WEST 12.5 CHAINS OF THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN RUNNING THENCE EAST 540 FEET, THENCE NORTH 69.98 FEET, THENCE WEST 540 FEET, THENCE SOUTH 69.98 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN: BEGINNING AT A POINT 9.95 CHAINS WEST AND 990.684 FEET NORTH OF THE SOUTHEAST CORNER OF SAID QUARTER SECTION; RUNNING THENCE NORTH 90 FEET; THENCE WEST 12.5 CHAINS; THENCE SOUTH 90 FEET; THENCE EAST 12.5 CHAINS TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THAT PORTION THEREOF LYING WITHIN THE BOUNDARIES OF WASHINGTON BLVD.

PARCEL 4:

PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT 1481.7 FEET WEST AND 809 FEET NORTH OF THE SOUTHEAST CORNER OF SECTION 5, RUNNING THENCE WEST 415.1 FEET, THENCE NORTH 615.4 FEET, THENCE SOUTH 83 DEG 00 MIN EAST 418.2 FEET, THENCE SOUTH 564 FEET TO THE PLACE OF BEGINNING.

PARCEL 5:

PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT 656.70 FEET WEST AND 775.70 FEET NORTH FROM THE SOUTHEAST CORNER OF SAID QUARTER SECTION; RUNNING THENCE SOUTH 3.00 FEET, THENCE WEST 240.00 FEET, THENCE NORTH 3.00 FEET, THENCE EAST 240.00 FEET TO THE POINT OF BEGINNING.

PARCEL 6:

PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 9.95 CHAINS WEST AND 13.95 CHAINS NORTH FROM THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER, RUNNING THENCE NORTH 69.98 FEET; THENCE WEST 12.5 CHAINS; THENCE SOUTH

69.98 FEET; THENCE EAST 12.5 CHAINS TO THE POINT OF BEGINNING.
EXCEPTING THEREFROM THE WEST 540 FEET THEREOF.

PARCEL 7:

PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT 9.95 CHAINS WEST AND 13.95 CHAINS NORTH FROM THE SOUTHEAST CORNER OF SAID QUARTER SECTION, AND RUNNING THENCE WEST 240 FEET; THENCE SOUTH 3 FEET; THENCE WEST 30.00 FEET; THENCE SOUTH 145 FEET; THENCE EAST 30 FEET; THENCE NORTH 3 FEET; THENCE EAST 240 FEET; THENCE NORTH 145 FEET TO POINT OF BEGINNING.