

Recorded 01-Aug-2024 Filing No. 107671  
At 01:31 PM in Book G13 Page 1900  
Fee \$40.00 Kaia Bowden Rich County Recorder  
For Pinnacle Title



**Tax Serial Number:**  
**41-21-411-0001; 41-21-400-0062; 41-21-400-0069**

**RECORDATION REQUESTED BY:**

Capital Community Bank  
PLEASANT GROVE BRANCH  
1909 W STATE STREET  
PLEASANT GROVE, UT 84062

**WHEN RECORDED MAIL TO:**

Capital Community Bank  
PLEASANT GROVE BRANCH  
1909 W STATE STREET  
PLEASANT GROVE, UT 84062

**FOR RECORDER'S USE ONLY**

**MODIFICATION OF DEED OF TRUST**

THIS MODIFICATION OF DEED OF TRUST dated July 31, 2024, is made and executed between The Waters Edge Properties LLC, a Utah Limited Liability Company; whose address is 967 West Center St., Orem, UT 84057 ("Trustor") and Capital Community Bank, whose address is PLEASANT GROVE BRANCH, 1909 W STATE STREET, PLEASANT GROVE, UT 84062 ("Lender").

**DEED OF TRUST.** Lender and Trustor have entered into a Deed of Trust dated October 26, 2023 (the "Deed of Trust") which has been recorded in Rich County, State of Utah, as follows:

RECORDING DATE: NOVEMBER 1, 2023, FILING NUMBER: 106278, BOOK: D13, PAGE: 1368.

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

PARCEL 1: Part of Lot 9, Block 6, Plat "B" GARDEN CITY SURVEY, described as follows: Commencing 99 feet North from the Southwest corner of Lot 9, Block 6, Plat "B" GARDEN CITY SURVEY, running thence East 225 feet; thence North 99 feet; thence West 225 feet; thence South 99 feet to the place of beginning. Tax Parcel # 41-21-400-0062

PARCEL 3: Part of Lot 9, Block 6, Plat "B" GARDEN CITY SURVEY, described as follows: Beginning at a point 198 feet North and 225 feet East of the Southwest corner of Lot 9, Block 6, Plat "B" GARDEN CITY SURVEY, thence East 125 feet; thence South 124 feet; thence West 125 feet; thence North 124 feet to the point of beginning. Tax Parcel # 41-21-400-0069.

88 South Bear Lake Boulevard, Garden City, Utah 84028

ALL of WATERS EDGE RESORT PLANNED UNIT DEVELOPMENT PHASE III, as shown by the official plat thereof filed October 5, 2016 as Filing No. 90302 in Book S11, Page 1749 in the office of the Recorder of Rich County, Utah. Tax Parcel # 41-21-411-0001

The Real Property or its address is commonly known as Address Not Assigned and 88 South Bear Lake Boulevard, Garden City, UT 84028. The Real Property tax identification number is 41-21-411-0001; 41-21-400-0062; 41-21-400-0069.

MODIFICATION OF DEED OF TRUST  
(Continued)

Loan No: 3081331673

Page 2

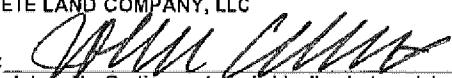
signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applies not only to any initial extension or modification, 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 JULY 31, 2024.

TRUSTOR:

ARETE LAND COMPANY, LLC

By:



John H. Curtis, not individually but solely in his capacity as  
Court-appointed Receiver in Case No. 230100026

LENDER:

CAPITAL COMMUNITY BANK



Todd Lewis, Vice President

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LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF UTAH

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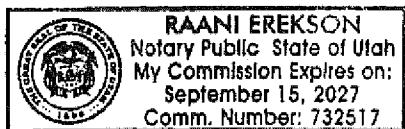
COUNTY OF SALT LAKE

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On this 31st day of JULY, 2024, before me, the undersigned Notary Public, personally appeared John H. Curtis, not individually but solely in his capacity as Court-appointed Receiver in Case No. 230100026, RECEIVER of Arete Land Company, LLC, and known to me to be a member or designated agent 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 he or she is authorized to execute this Modification and in fact executed the Modification on behalf of the limited liability company.

By Raani Erikson  
Notary Public in and for the State of UTAH

Residing at SALT LAKE CITY  
My commission expires 9-15-2027



MODIFICATION OF DEED OF TRUST  
(Continued)

Loan No: 3081331673

Page 3

LENDER ACKNOWLEDGMENT

STATE OF Utah

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) ss

COUNTY OF Utah

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On this 31 day of July, 20 24, before me, the undersigned Notary Public, personally appeared Todd Lewis and known to me to be the Vice President, authorized agent for Capital Community Bank that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of Capital Community Bank, duly authorized by Capital Community 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 Capital Community Bank.

By McKenna Gutierrez  
Notary Public in and for the State of UT

Residing at Pleasant Grove  
My commission expires 2/16/24