

RECORDING REQUESTED BY:  
Mountain West REIT, LLC  
c/o Taylor Derrick Capital, LLC  
2298 W. Horizon Ridge Pkwy #213  
Henderson, NV 89052  
Loan # 946

14007438 B: 11368 P: 368 Total Pages: 8  
08/26/2022 04:59 PM By: ctafoya Fees: \$40.00  
Rashelle Hobbs, Recorder, Salt Lake County, Utah  
Return To: COTTONWOOD TITLE INSURANCE AGENCY, INC.  
1996 EAST 6400 SOUTH SUITE 120SALT LAKE CITY, UT 84121

APN: 21-01-228-015

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

THIS MODIFICATION OF DEED OF TRUST dated August 26, 2022, is made and executed between **MILLCREEK OG, LLC**, a Utah limited liability company (the "Trustor" or "Borrower") and **MOUNTAIN WEST REIT, LLC**, a Delaware limited liability company, whose address is 357 West 200 South #200, Salt Lake City, UT 84101 ("Lender").

Lender and Trustor have entered into a Construction Deed of Trust, Security Agreement, Assignment of Leases and Rents and Fixture Filing dated April 30, 2021 and recorded in the office of the Salt Lake County Recorder on May 5, 2021 as Entry Number 13654444 in Book 11169 at Page 7221- 7259 (the "Deed of Trust").

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

SEE SCHEDULE A ATTACHED HERETO AND MADE A PART HEREOF.

**MODIFICATION.** Lender and Borrower hereby modify the Deed of Trust to increase the secured amount of said Deed of Trust to **THIRTY TWO MILLION DOLLARS (\$32,000,000.00)**.

**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 Secured Promissory Note 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

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## SCHEDULE A

A parcel of land situated in the Northeast quarter of Section 1, Township 2 South, Range 1 West, Salt Lake Base and Meridian, Salt Lake County, Utah, more particularly described as follows:

Commencing at the East Quarter corner of said Section 1; thence North  $87^{\circ}01'34''$  East 16.16 feet to the Monument Line of Main Street; thence North  $0^{\circ}15'54''$  East 1741.07 feet along the said Monument Line; thence North  $76^{\circ}16'11''$  West 33.93 feet to the True Point of Beginning, said point being the intersection of the 1968 Murray City Annexation Boundary in Big Cottonwood Creek and a line 33 feet West of the Main Street Monument Line; and running from the above described point of beginning along the annexation boundary as follows:

North  $76^{\circ}16'11''$  West 23.32 feet; thence North  $40^{\circ}00'30''$  West 154.80 feet; thence North  $68^{\circ}26'54''$  West 290.80 feet; thence North  $76^{\circ}57'23''$  West 457.00 feet; thence South  $29^{\circ}13'33''$  West 51.05 feet to the point of intersection with a line parallel to and 33.00 feet Easterly of the railroad centerline; thence North  $8^{\circ}59'00''$  West along the East railroad right-of-way line 359.40 feet; thence South  $89^{\circ}14'45''$  East 748.55 feet more or less to a point on the West boundary line of Gordon's South Lawn Addition Subdivision; thence South  $3^{\circ}50'00''$  West along said West boundary line 368.14 feet to the Southwest corner of Lot 21, Block 4, Gordon's South Lawn Addition; thence North  $85^{\circ}15'$  East along the South line of said Lot 21, 197.01 feet; thence South  $0^{\circ}15'54''$  West 283.64 feet to the Point of Beginning.

Note: Parcel No. 21-01-228-015

Property Address: 4186 S. Main Street  
Millcreek, UT 84107

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**BORROWER:**

**MILLCREEK OG, LLC**

A Utah limited liability company

\_\_\_\_\_  
By: Micah W. Peters  
Its: Manager/sole Member

State of Utah                    )  
  :SS  
County of Salt Lake        )

On August 26, 2022, before me personally appeared Micah W. Peters, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he executed the same in his individual capacity and in his aforementioned stated capacity.

I certify under PENALTY OF PERJURY under the laws of the State of Utah that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (Seal)

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