

**Tax Serial Number:**

20-35-226-020, 20-35-226-021, 20-35-226-022, 20-25-300-064, 26-02-226-004, 26-02-226-006, and  
26-02-226-002

**RECORDATION REQUESTED BY:**

**BRIGHTON BANK**  
City Center Office  
311 South State Street  
Salt Lake City, UT 84111

14186311 B: 11462 P: 1173 Total Pages: 10  
12/15/2023 04:40 PM By: vanguyen Fees: \$54.00  
Rashelle Hobbs, Recorder, Salt Lake County, Utah  
Return To: MERIDIAN TITLE COMPANY  
64 E WINCHESTER STSALT LAKE CITY, UT 841075600

**WHEN RECORDED MAIL TO:**

**BRIGHTON BANK**  
City Center Office  
311 South State Street  
Salt Lake City, UT 84111

**SEND TAX NOTICES TO:**

Canyon Ranches, LC; Doves Landing, L.C.; Pond House LLC; and Sawtell Properties, LLC  
225 South 200 East, Suite 200  
Salt Lake City, UT 84111

**FOR RECORDER'S USE ONLY**

MTC #332759

## **MODIFICATION OF DEED OF TRUST**

THIS MODIFICATION OF DEED OF TRUST dated December 15, 2023, is made and executed between Pond House LLC, a Utah Limited Liability Company (as to Parcels 1, 2, & 3), Canyon Ranches, L.C., a Utah Limited Liability Company as to an undivided 50% interest; and Doves Landing, L.C., a Utah Limited Liability Company as to an undivided 50% interest (as to Parcel 4), and Sawtell Properties, LLC, a Utah Limited Liability Company (as to Parcels 5, 6, & 7) whose address is 225 South 200 East, Suite 200, Salt Lake City, UT 84111. ("Trustor") and BRIGHTON BANK, whose address is City Center Office, 311 South State Street, Salt Lake City, UT 84111 ("Lender").

**DEED OF TRUST.** Lender and Trustor have entered into a Deed of Trust dated July 20, 2023 (the "Deed of Trust") which has been recorded in Salt Lake County, State of Utah, as follows:

Recorded July 21, 2023 in the Salt Lake County Recorder's Office Entry #14131963 Book 11433 at Page 5763.

**REAL PROPERTY DESCRIPTION.** The Deed of Trust covers the following described real property located in Salt Lake 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 7916 and 7914 South 5600 West and 5702 West Window Ranch Way (Parcels 1, 2, & 3), 7552 South 5490 West (Parcel 4), and 5702, 5682, and 5648 West New Bingham Highway (Parcels 5, 6, & 7), West Jordan, UT 84081. The Real Property tax identification number is 20-35-226-020, 20-35-226-021, 20-35-226-022, 20-25-300-064, 26-02-226-004, 26-02-226-006, and 26-02-226-002.

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

The principal amount of this Deed has been increased to \$8,000,000.00.

**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 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

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

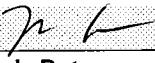
**Page 2**

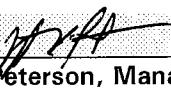
parties to the Deed of Trust and all parties, makers and endorsers to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed 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 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 DECEMBER 15, 2023.**

**TRUSTOR:**

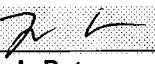
**CANYON RANCHES, LC**

By:   
Barrett J. Peterson, Manager of Canyon Ranches, LC

By:   
Justin V. Peterson, Manager of Canyon Ranches, LC

**DOVES LANDING, L.C.**

By:   
Justin V. Peterson, Manager of Doves Landing, L.C.

By:   
Barrett J. Peterson, Manager of Doves Landing, L.C.

**POND HOUSE LLC**

By:   
Barrett J. Peterson, Manager of Pond House LLC

By:   
Justin V. Peterson, Manager of Pond House LLC

**SAWTELL PROPERTIES, LLC**

By:   
Barrett J. Peterson, Manager of Sawtell Properties, LLC

MODIFICATION OF DEED OF TRUST  
(Continued)

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LENDER:

BRIGHTON BANK

X   
Authorized Officer, KENT NELSON

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Utah

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) SS

COUNTY OF Salt Lake

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Notary Public - State of Utah  
**BEAU ERICKSON**  
Comm. #713202  
My Commission Expires  
July 31, 2024

On this 15th day of December, 20 23, before me, the undersigned Notary Public, personally appeared Barrett J. Peterson, Manager of Canyon Ranches, LC and Justin V. Peterson, Manager of Canyon Ranches, LC, 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 Beau Erickson

Residing at Salt Lake City, Utah

Notary Public in and for the State of Utah

My commission expires July 31, 2024

MODIFICATION OF DEED OF TRUST  
(Continued)

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LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Utah

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Notary Public - State of Utah  
**BEAU ERICKSON**  
Comm. #713202  
My Commission Expires  
July 31, 2024

COUNTY OF Salt Lake

On this 15th day of December, 20 23, before me, the undersigned Notary Public, personally appeared **Justin V. Peterson, Manager of Doves Landing, L.C. and Barrett J. Peterson, Manager of Doves Landing, L.C.**, 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 Beau Erickson

Residing at Salt Lake City, Utah

Notary Public in and for the State of Utah

My commission expires July 31, 2024

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Utah

)  
) SS  
)



Notary Public - State of Utah  
**BEAU ERICKSON**  
Comm. #713202  
My Commission Expires  
July 31, 2024

COUNTY OF Salt Lake

On this 15th day of December, 20 23, before me, the undersigned Notary Public, personally appeared **Barrett J. Peterson, Manager of Pond House LLC and Justin V. Peterson, Manager of Pond House 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 Beau Erickson

Residing at Salt Lake City, Utah

Notary Public in and for the State of Utah

My commission expires July 31, 2024

MODIFICATION OF DEED OF TRUST  
(Continued)

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LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Utah

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) SS  
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Notary Public - State of Utah  
**BEAU ERICKSON**  
Comm. #713202  
My Commission Expires  
July 31, 2024

COUNTY OF Salt Lake

On this 15th day of December, 20 23, before me, the undersigned Notary Public, personally appeared **Barrett J. Peterson, Manager of Sawtell Properties, 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 Beau Erickson

Residing at Salt Lake City, Utah

Notary Public in and for the State of Utah

My commission expires July 31, 2024

LENDER ACKNOWLEDGMENT

STATE OF Utah

)  
) SS  
)



Notary Public - State of Utah  
**BEAU ERICKSON**  
Comm. #713202  
My Commission Expires  
July 31, 2024

COUNTY OF Salt Lake

On this 15th day of December, 20 23, before me, the undersigned Notary Public, personally appeared Kent Nelson and known to me to be the Executive Vice President, authorized agent for **BRIGHTON BANK** that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of **BRIGHTON BANK**, duly authorized by **BRIGHTON 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 **BRIGHTON BANK**.

By Beau Erickson

Residing at Salt Lake City, Utah

Notary Public in and for the State of Utah

My commission expires July 31, 2024

## **Exhibit "A"**

Parcel 1: [20-35-226-020]

Parcel A, Highlands South Subdivision, according to the plat thereof as recorded in the office of the Salt Lake County Recorder.

Parcel 2: [20-35-226-021]

Lot 6, Highlands South Subdivision, according to the plat thereof as recorded in the office of the Salt Lake County Recorder.

Parcel 3: [20-35-226-022]

Parcel B, Highlands South Subdivision, according to the plat thereof as recorded in the office of the Salt Lake County Recorder.

Parcel 4: [20-25-300-064]

Lot 7, JORDAN HIGHLANDS #1 (unrecorded), which is more particularly described as follows: POINT OF BEGINNING is on the Section Line bearing North 0°42'46" West 1394.11 feet from the Southwest corner of Section 25, Township 2 South, Range 2 West, Salt Lake Base and Meridian; and running thence with said Section Line North 0°42'46" West 233.93 feet; thence East 929.03 feet; thence South 2°38'39" East 234.16 feet; thence West 936.92 feet to the point of beginning.

TOGETHER WITH a 66.00 foot easement for ingress, egress and utilities, the center line of which is beginning on the Section Line at a point bearing South 89°55'39" East 984.00 feet from the Southwest corner of Section 25, Township 2 South, Range 2 West, Salt Lake Base and Meridian; thence North 2°38'39" West 3239.06 feet; thence North 15°28'37" West 783.14 feet; thence North 0°24'32" West 1311.75 feet to the Section Line.

Less and excepting:

Beginning at the Grantor's Southwest property corner, said point being 1394.11 feet North 0°28'02" West along the section line from the Southwest corner of Section 25, Township 2 South, Range 2 West of the Salt Lake Base and Meridian; thence North 0°28'02" West 233.93 feet along said section line to the Grantor's Northwest property corner; thence South 89°45' 16" East 63.00 feet along the Grantor's Northerly property line; thence South 0°28'02" East, parallel with said section line, a distance of 233.93 feet to the Grantor's Southerly property line; thence North 89°45'16" West 63.00 feet along said Southerly property line to the point of beginning.

Parcel 5: [26-02-226-004]

Part of the Northeast Quarter of Section 2, Township 3 South, Range 2 West, Salt Lake Base and Meridian, located in Salt Lake County, State of Utah:

Beginning North 89°38'44" West 864.58 feet from the Northeast Corner of said Section 2, and running thence South 0°04'24" West 997.745 feet to a point on the Northerly right of way line of State Highway 48 (Project No. S-6 conveyed to State Road Commission of Utah by deed recorded in Book 869 at Page 601); thence South 58°16'46" West along said Northerly right of way line 441.16 feet; thence North 0°04'24 East 1237.55 feet to a point on the North boundary of said Section 2; thence South 89°38'44" East 374.10 feet along said North boundary to the point of beginning.

**LESS AND EXCEPTING** therefrom Parcel 1 any portion of the following:

A Parcel of land in fee, being part of an entire tract of property, situate in the Northeast Quarter of Section 2, Township 3 South, Range 2 West, Salt Lake Base and Meridian. The boundary of said parcel of land is described as follows:

Beginning at a point in the northerly boundary line of said entire tract of property, which point is 1168.75 feet North 89°38'44" West along the section line from the Northeast corner of said Section 2, and running thence South 1°39'09" East 1057.00 feet; thence South 7°58'20" East 109.21 feet to a point on the northerly right-of-way line of State Highway 48 (Project No. S-6 conveyed to the State Road Commission of Utah by deed recorded in Book 869, at Page 601); thence South 58°16'46" West 137.71 feet along said northerly right-of-way line; thence North 0°04'24" East 1237.55 feet to a point in the North line of said Section 2; thence South 89°38'44" East 69.93 feet along said North line to the point of beginning.

**ALSO, LESS AND EXCEPTING:**

A parcel of land in fee for a highway known as Project No. MP-0182(6), being part of an entire tract of property situate in the NE1/4 of the NE1/4 of Section 2, Township 3 South, Range 2 West, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point in the westerly boundary line of said entire tract, which point is 1168.75 feet North 89°38'44" West along the section line and 158.31 feet South 01°39'09" East from the Northeast corner of said Section 2, said point is also 220.00 feet perpendicularly distant easterly from the Mountain View Corridor Right of Way Control Line opposite approximate engineer station 1420+66.23, and running thence South 09°00'44" East 331.61 feet; thence North 80°59'16" East 89.27 feet; thence South 13°19'39" East 450.78 feet; thence South 17°40'39" East 116.00 feet to the northwesterly right of way line of the New Bingham Highway at a point 453.84 feet perpendicularly distant easterly from said control line opposite engineer station 1412+03.45; thence South 58°16'24" West (South 58°16'46" West by record) 279.50 feet along said right of way line to the southwest corner of said entire tract; thence along the westerly boundary line of said entire tract the following two (2) courses and distances: (1) North 07°58'20" West 112.45 feet; thence (2) North 01°39'09" West 898.69 feet to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

**ALSO, LESS AND EXCEPTING:**

Description of Parcel being part of the Northeast Quarter of Section 2, Township 3 South, Range 2 West, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Commencing at the Northeast corner of said Section 2, Township 3 South, Range 2 West, Salt Lake Base and Meridian; thence North 89°39'30" West a distance of 1,168.75 feet along said section line to the Point of Beginning being on the East line of the Mountain View Corridor; thence South 89°39'30" East a distance of 304.17 feet along said section line; thence South 00°03'38" West a distance of 197.47 feet; thence South 88°42'25" West a distance of 291.86 feet to the East line of the Mountain View Corridor; thence along said East line the following 2 courses: (1) North 09°01'35" West a distance of 48.23 feet; (2) thence North 01°39'55" West a distance of 158.31 feet to the Point of Beginning.

**Parcel 6: [26-02-226-006]**

Beginning at a point which lies North 89°38'44" West 494.79 feet along the North boundary of Section 2, Township 3 South, Range 2 West, Salt Lake Base and Meridian, from the Northeast Corner of said Section 2 and running thence South 0°04'24" West 769.175 feet to a point on the Northerly right of way line of State Highway 48 (Project S-6 conveyed to State Road Commission of Utah by deed recorded in Book 869 at Page 601); thence South 58°16'46" West along said Northerly right of way line 434.73; thence North 0°00'24" East 997.745 feet to a point on the North boundary of said Section 2; thence South 89°38'44" East 369.79 feet along said North boundary to the point of beginning.

**LESS AND EXCEPTING:**

Description of Parcel being part of the Northeast Quarter of Section 2, Township 3 South, Range 2 West, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Commencing at the Northeast corner of said Section 2, Township 3 South, Range2 West, Salt Lake Base and Meridian; thence North 89°39'30" West a distance of 494.79 feet along said section line to the Point of Beginning, said point also being the Northwest corner of that certain parcel of land conveyed to the City of West Jordan by Special Warranty Deed dated March 4, 2019, and recorded March 6, 2019, under Entry No. 12945071, in Book 10758, at Page 2248, in the office of the Salt Lake County Recorder; thence South 00°03'38" West a distance of 186.92 feet along the Westerly line of City of West Jordan parcel to the Southwest corner thereof; thence South 88°42'25" West a distance of 369.89 feet; thence North 00°03'38" East a distance of 197.47 feet to the section line; thence South 89°39'30" East along the section line a distance of 369.79 feet to the Point of Beginning.

**Parcel 7: [26-02-226-002]**

Part of the Northeast Quarter of Section 2, Township 3 South, Range 2 West, Salt Lake Base and Meridian, located in Salt Lake County, State of Utah:

Beginning at the Northeast Corner of said Section 2; and running thence South  $0^{\circ}03'00''$  West 463.54 feet along the East boundary of said Section 2 to a point on the Northerly right of way line of State Highway 48 (Project No. S-6 conveyed to State Road Commission of Utah by deed recorded in Book 869 at Page 601); thence South  $58^{\circ}16'46''$  West along said Northerly right of way line 581.68 feet; thence North  $0^{\circ}04'24''$  East 769.175 feet to a point on the North boundary of aforesaid Section 2; thence South  $89^{\circ}38'44''$  East along said North boundary 494.79 feet to the point of beginning.

LESS AND EXCEPTING, two parcels conveyed to the City of West Jordan by Special Warranty Deed recorded November 22, 2002 as Entry No. 8431265 in Book 8689 at Page 1030 of Official Records, described as follows:

- 1) Beginning at the Southeast Corner of Section 35, Township 2 South, Range 2 West, Salt Lake Base and Meridian; thence South  $00^{\circ}03'00''$  West 466.52 feet; thence South  $58^{\circ}19'40''$  West 62.31 feet; thence North  $00^{\circ}03'00''$  East 144.45 feet; thence along the arc of a 983.00 foot radius curve to the right through a central angle of  $04^{\circ}43'04''$  for 80.94 feet (chord bears North  $02^{\circ}24'32''$  East 80.92 feet; thence North  $04^{\circ}46'04''$  East 190.82 feet; thence along the arc of a 877.00 foot radius curve to the left through a central angle of  $04^{\circ}43'04''$  for 72.21 feet (chord bears North  $02^{\circ}24'32''$  East 72.19 feet); thence North  $00^{\circ}03'00''$  East 11.84 feet; thence South  $89^{\circ}37'53''$  East 31.00 feet to the point of beginning.
- 2) Beginning at a point which is North  $89^{\circ}37'53''$  West 31.00 feet from the Southeast Corner of Section 35, Township 2 South, Range 2 West, Salt Lake Base and Meridian; thence South  $00^{\circ}03'00''$  West 11.84 feet; thence along the arc of a 877.00 foot radius curve to the right through a central angle of  $04^{\circ}43'04''$  for 72.21 feet (chord bears South  $02^{\circ}24'32''$  West 72.19 feet); thence South  $04^{\circ}46'04''$  West 190.82 feet; thence along the arc of a 983.00 foot radius curve to the left through a central angle of  $04^{\circ}43'04''$  for 80.94 feet (chord bears South  $02^{\circ}24'32''$  West 80.92 feet); thence South  $00^{\circ}03'00''$  West 118.26 feet; thence North  $22^{\circ}10'00''$  West 53.46 feet; thence along the arc of a 236.00 foot radius curve to the right through a central angle of  $32^{\circ}00'22''$  for 131.83 feet (chord bears North  $06^{\circ}09'49''$  West 130.12 feet); thence North  $09^{\circ}50'22''$  East 298.78 feet; thence South  $89^{\circ}37'53''$  East 5.49 feet to the point of beginning.

ALSO, LESS AND EXCEPTING:

A parcel of land in fee for a highway known as Project No. MP-0182(6), being part of an entire tract of property situate in the Northeast Quarter of Northeast Quarter of Section 2, Township 3 South, Range 2 West, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at Northeast corner of said entire tract in the westerly right of way line of 5600 West Street, which corner is 36.53 feet North  $89^{\circ}38'44''$  West along the Section line from the Northeast corner of Said Section 2, said point is also 36.50 feet perpendicularly distant westerly from the 5600 West Street right of way control line opposite approximate

engineer station 152+77.30, and running thence South 09°50'19" West (South 09°50'22" West by record) 177.12 feet to a point 66.61 feet perpendicularly distant westerly from said control line opposite engineer station 151+02.61; thence North 39°45'22" West 61.95 feet; thence North 00°02'58" East 86.50 feet; thence North 50°14'38" East 63.35 feet to the northerly boundary line of said entire tract; thence South 89°38'44" East 21.11 feet along said northerly boundary line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

**ALSO, LESS AND EXCEPTING:**

A parcel of land in fee for a highway known as Project No. MP-0182(6), being part of an entire tract of property situate in the Northeast 1/4 of Northeast 1/4 of Section 2, Township 3 South, Range 2 West, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at southeast corner of said entire tract and the intersection of the northwesterly right of way line of the New Bingham Highway and the westerly right of way line of 5600 West Street, which corner is 466.85 feet South 00°02'58" West (South 00°03'00" West by record) along the Section line and 62.38 feet South 58°16'24" West (South 58°16'46" West by record) from the Northeast Corner of Said Section 2, said point is also 53.00 feet perpendicularly distant Westerly from the 5600 West Street right of way control line opposite approximate engineer station 147+77.26, and running thence South 58°16'24" West (South 58°16'46" West by record) 1.18 feet along said northwesterly right of way line; thence North 00°02'58" East 29.70 feet to a point 54.00 feet perpendicularly distant westerly from said control line opposite engineer station 148+06.33; thence South 22°10'03" East (South 22°10'00" East by record) 2.65 feet to the westerly right of way line of said 5600 West Street; thence South 00°02'57" West (South 00°03'00" West by record) 26.62 feet along said westerly right of way line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

**ALSO, LESS AND EXCEPTING:**

A parcel of land situated in the Northeast quarter of Section 2, Township 3 South, Range 2 West of the Salt Lake Base and Meridian, located in the City of West Jordan, County of Salt Lake, State of Utah, being more particularly described as follows, to wit:

Commencing at the Northeast corner of said Section 2, Township 3 South, Range 2 West, Salt Lake Base and Meridian; thence North 89°39'30" West a distance of 57.64 feet along said Section line to the point of beginning, said point being on the Westerly right of way line of 5600 West Street; thence along said Westerly right of way line the following three (3) bearings and distances, (1) South 50°13'52" West a distance of 63.36 feet; (2) South 00°02'12" West a distance of 86.50 feet; (3) South 39°46'08" East a distance of 61.95 feet; thence South 88°42'25" West a distance of 428.33 feet; thence North 00°03'38" East a distance of 186.92 feet to the Section line; thence South 89°39'30" East a distance of 437.16 feet to the point of beginning.

Tax ID: 20-35-226-020, 20-35-226-021, 20-35-226-022, 20-25-300-064, 26-02-226-002, 26-02-226-006, 26-02-226-004