



W1882282

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cc

When recorded return to:

Bank One, Arizona, NA
8620 N. 22nd Avenue, Suite #104
Department AZ1-2304
Phoenix, Arizona 85021
Attention: Imelda Cervantes

FIRST AMENDMENT TO DEED OF TRUST, ASSIGNMENT OF RENTS, SECURITY AGREEMENT AND FIXTURE FILING

This Amendment is made as of August 13, 2002, by PETERSEN INVESTMENT, II, a Utah general partnership (“Trustor”), and BANK ONE, NA, with its main office in Chicago, Illinois, a national banking association (“Beneficiary”).

RECITALS

A. Trustor previously executed and delivered to Beneficiary that certain Deed of Trust, Assignment of Rents, Security Agreement and Fixture Filing, dated February 27, 2002, and recorded on March 1, 2002, in the Official Records of Weber County, Utah, in Docket 2213, Page 2268 (“Deed of Trust”) to secure, among other things, a Secured Promissory Note dated February 27, 2002, in the original principal sum of \$4,875,000.00 (“Note”) and interest as specified therein and any and all extensions, revisions or renewals thereof in whole or in part as provided in the Deed of Trust.

Now, therefore, in consideration of the premises, the promises hereinafter set forth and for other good and valuable consideration, the receipt of which, is hereby acknowledged, Trustor and Beneficiary hereby confirm and agree as follows:

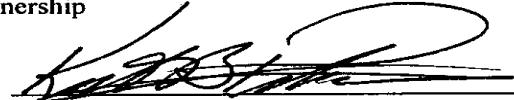
AGREEMENT

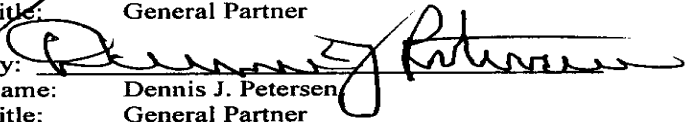
1. Accuracy of Recitals. Trustor hereby acknowledges the accuracy of the foregoing Recitals.
2. Amendment to Deed of Trust. The definition of “Obligations” is hereby modified to remove the Borrowing Base Loan, which Borrowing Base Loan is more fully described in paragraph (c) on Page 3.
3. Miscellaneous. Except for the amendment above stated, all of the remaining conditions and covenants of the Deed of Trust shall remain in full force effect, unchanged, and the Deed of Trust is in all respects ratified, confirmed and approved.
4. Counterparts. This First Amendment to Deed of Trust, Assignment of Rents, Security Agreement and Fixture Filing may be executed in any number of counterparts, each of which shall be an original, but all of which shall constitute one and the same instrument.

E# 1882282 BK2274 PG1708
DOUG CROFTS, WEBER COUNTY RECORDER
17-OCT-02 1019 AM FEE \$16.00 DEP CV
REC FOR: BANK ONE

IN WITNESS WHEREOF, this First Amendment is duly executed by Trustor and Beneficiary as of the day and year first above written.

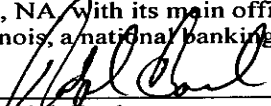
PETERSEN INVESTMENT, II, a Utah general partnership

By: 
Name: Kent B. Petersen
Title: General Partner

By: 
Name: Dennis J. Petersen
Title: General Partner

“Trustor”

BANK ONE, NA, with its main office in Chicago, Illinois, a national banking association,

By: 
Name: Ralph Bach
Title: Vice President

“Bank”

State of ~~Utah~~ Alaska)
County of Anchorage) ss.

The above instrument was acknowledged before me this 23rd day of August, 2002, by Kent B. Petersen, as General Partner of PETERSEN INVESTMENT, II, a Utah general partnership, on behalf of the partnership.

Notary Public
AIMEE DNEASTER MILLER
State of Alaska
My Commission Expires Sept. 12, 2005

[Signature]
Notary Public

My Commission Expires:
Sept. 12, 2005

State of Utah)
County of _____) ss.

The above instrument was acknowledged before me this _____ day of _____, 2002, by Dennis J. Petersen, as General Partner of PETERSEN INVESTMENT, II, a Utah general partnership, on behalf of the partnership.

[Signature]
Notary Public
Notary Public
LYNNE F. GRAY
6761 East 1100 South
Huntsville, Utah 84317
My Commission Expires
September 23, 2002
State of Utah

My Commission Expires:

State of Arizona)
County of Maricopa) ss.

The above instrument was acknowledged before me this 26 day of August, 2002, by Ralph Bach, the Vice President of Bank One, NA, with its main office in Chicago, Illinois, a national banking association, on behalf of said association.

[Signature]
Notary Public
OFFICIAL SEAL
CRUZ IMELDA CERVANTES
NOTARY PUBLIC - ARIZONA
MARICOPA COUNTY
My Comm. Expires Nov. 30, 2002

My Commission Expires:

EXHIBIT "A"

900 West Riverdale Road
Ogden/Riverdale, Utah 84405

PARCEL 1:

06-016-0001 ✓

PART OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING ON THE NORTH LINE OF RIVERDALE ROAD, SAID POINT BEING 26.95 FEET SOUTH $0^{\circ}18'31''$ WEST AND 1168.00 FEET NORTH $64^{\circ}15'$ EAST ALONG THE NORTH LINE OF RIVERDALE ROAD FROM THE SOUTHWEST CORNER OF SAID SECTION 7, SAID POINT ALSO BEING ON THE SOUTHEAST CORNER OF THE PROPERTY CONVEYED TO C.C. PINGREE BY WARRANTY DEED IN BOOK 402 OF RECORDS, PAGE 507; RUNNING THENCE NORTH $64^{\circ}15'$ EAST 438.65 FEET ALONG THE NORTH LINE OF RIVERDALE ROAD TO THE WEST LINE OF 900 WEST STREET; THENCE TWO COURSES ALONG SAID WEST LINE AS FOLLOWS: NORTH $0^{\circ}38'20''$ EAST 340.34 FEET; AND NORTH $2^{\circ}33'12''$ EAST 264.69 FEET TO THE SOUTH LINE OF AN EXISTING STREET, BEING 4600 SOUTH STREET; THENCE NORTH $89^{\circ}22'30''$ WEST 378.40 FEET ALONG SAID SOUTH LINE OF SAID EXISTING STREET, BEING 4600 SOUTH STREET; THENCE SOUTH $0^{\circ}44'15''$ WEST 646.45 FEET; THENCE NORTH $89^{\circ}32'$ WEST 22.74 FEET; THENCE SOUTH $0^{\circ}28'$ WEST 153.23 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

06-016-0029 ✓

PART OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT ON THE NORTH LINE OF STATE ROAD (RIVERDALE ROAD) 27.20 FEET SOUTH $0^{\circ}20'$ WEST (26.95 FEET SOUTH $0^{\circ}19'57''$ WEST ALONG THE SECTION LINE) AND NORTH $64^{\circ}15'$ EAST (NORTH $64^{\circ}16'49''$ EAST ALONG THE NORTH LINE OF RIVERDALE ROAD) 912.70 FEET AND NORTH $2^{\circ}25'$ WEST 389.05 FEET FROM THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER SECTION; THENCE NORTH $10^{\circ}13'09''$ EAST 26.34 FEET TO THE SOUTHWEST CORNER OF A METAL BUILDING, AND THENCE NORTH $0^{\circ}28'12''$ EAST 169.05 FEET ALONG THE WEST WALL OF SAID METAL BUILDING AND THE EXTENSION OF SAID WEST WALL; THENCE NORTH $53^{\circ}26'14''$ EAST 116.80 FEET; THENCE SOUTH $89^{\circ}15'45''$ WEST 175.53 FEET TO THE WEST PROPERTY LINE OF PETERSON INVESTMENT II; THENCE (3) THREE COURSES ALONG SAID WEST LINE AS FOLLOWS: SOUTH $0^{\circ}44'15''$ WEST 387.18 FEET, NORTH $89^{\circ}32'$ WEST 22.74 FEET; THENCE NORTH 4.85 FEET; THENCE NORTH $64^{\circ}30''$ WEST 273.97 FEET TO BEGINNING.

PARCEL 3:

06-016-0033 ✓

PART OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT ON THE NORTH LINE OF THE STATE ROAD 19.05 FEET SOUTH 20' (26.95 FEET SOUTH $0^{\circ}19'59''$ WEST ALONG THE SECTION LINE) WEST AND 912.7 FEET NORTH $64^{\circ}15'$ EAST FROM THE SOUTHWEST CORNER OF SAID QUARTER SECTION; RUNNING THENCE NORTH $2^{\circ}25'$ WEST 389.05 FEET, MORE OR LESS, TO AN OLD FENCE LINE; THENCE SOUTH $64^{\circ}39'$ EAST 273.87 FEET; THENCE SOUTH $0^{\circ}28'$ WEST 153.23 FEET TO THE NORTH LINE OF SAID ROAD; THENCE SOUTH $64^{\circ}15'$ WEST 255.3 FEET TO THE POINT OF BEGINNING.

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