

ENT 33840:2025 PG 1 of 8
ANDREA ALLEN
UTAH COUNTY RECORDER
2025 May 08 11:41 AM FEE 438.00 BY KR
RECORDED FOR Cottonwood Title Insurance
ELECTRONICALLY RECORDED

RECORDING REQUESTED BY:
Mountain West REIT, LLC
c/o Taylor Derrick Capital, LLC
2298 W. Horizon Ridge Pkwy #213
Henderson, NV 89052
Loan # 995

**APN: 59-052-0027, 39-379-0103, 39-379-0104, 39-379-0105, 39-379-0107, 39-384-0301
through 39-384-0305, 39-384-0309, 39-384-0312, 39-384-0315 through 39-384-0323, 39-396-
0404, 39-396-0409 through 39-396-0454, 39-393-0501 through 39-393-0565, 39-395-0601
through 39-395-0672**

File 174265-A-LMP

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

THIS MODIFICATION OF DEED OF TRUST dated April 1, 2025, is made and executed between **DAICLH, LLC**, a Utah limited liability company (the "Trustor" or "Borrower") and Mountain West REIT, LLC, whose address is 404 N 300 W, Salt Lake City, UT 84103 ("Lender").

Lender and Trustor have entered into a Construction Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing dated December 22, 2023 and recorded in the office of the Utah County Recorder on December 28, 2023 as Entry Number 83591:2023 (the "Deed of Trust").

REAL PROPERTY DESCRIPTION. The Deed of Trust covers the real property located in Utah County, State of Utah, as described on Exhibit A attached hereto.

MODIFICATION. Lender and Borrower hereby modify the Deed of Trust to **increase the secured amount of said Deed of Trust to FORTY FIVE MILLION DOLLARS (\$45,000,000)**.

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 accommodation parties, unless a party is expressly released by Lender in writing. Any

maker or endorser, including accommodation makers, if any, shall not be released by virtue of this Modification.

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 April 1, 2025.

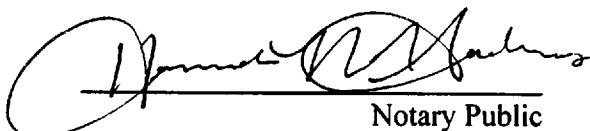
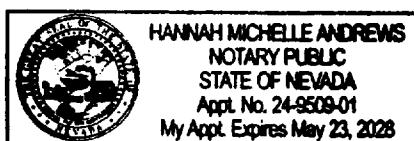
LENDER:

MOUNTAIN WEST REIT, LLC
a Delaware limited liability company

By: Andrew Menlove, Authorized Agent

STATE OF Nevada }
 } ss.
COUNTY OF Clark }

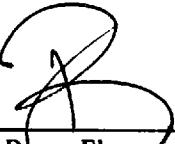
The foregoing instrument was ACKNOWLEDGED before me on this 28th day of April, 2025, by Andrew Menlove, Authorized Agent of Mountain West REIT, LLC, a Delaware limited liability company.



Hannah Michelle Andrews
Notary Public

BORROWER:

DAICLH, LLC
a Utah limited liability company

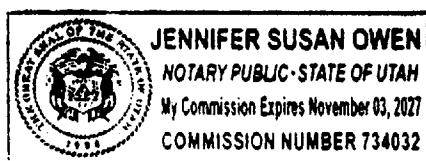


By: Bryan Flamm

Its: duly authorized Manager

STATE OF Utah }
COUNTY OF Salt Lake }

The foregoing instrument was ACKNOWLEDGED before me on this 24th day of
April, 2025, by Bryan Flamm, duly authorized Manager of DAICLH,
LLC, a Utah limited liability company.





Notary Public

EXHIBIT A LEGAL DESCRIPTION**PARCEL 1 - UTAH COUNTY:**

A parcel of land situate within the Northwest Quarter of Section 21, the Southwest Quarter of Section 16, the Southeast Quarter of Section 17, the South Half of Section 20, and the Northwest Quarter of Section 21, all in Township 6 South, Range 2 West, Salt Lake Base and Meridian, located in Eagle Mountain City, County of Utah, State of Utah and being described as follows:

Beginning at a point in the Section line common to Sections 16 & 21, said point being S 89°23'00" E, along said Section line, a distance of 144.74 feet, from the Section Corner common to Section 16, 17, 20, & 21, Township 6 South, Range 2 West, Salt Lake Base and Meridian; and running thence S 32°58'10" E, a distance of 608.21 feet to the beginning of a curve; thence along the arc of said curve, turning to the left through an angle of 86°41'43", a distance of 22.70 feet, having a radius of 15.00 feet, and whose long chord bears S 76°19'02" E, a distance of 20.59 feet to a point of intersection with a non-tangential line; thence S 29°46'18" E, a distance of 13.50 feet; thence S 36°47'49" E, a distance of 32.24 feet; thence S 29°46'18" E, a distance of 13.50 feet, more or less, to the Southeasterly Right-of-Way line of Tyson Parkway; thence along said Southeasterly Right-of-Way line, the following Eight (8) courses: (1) S 60°13'42" W, a distance of 171.09 feet to the beginning of a curve; (2) along the arc of said curve turning to the left through an angle of 30°45'57", a distance of 735.91 feet, having a radius of 1370.50 feet, and whose long chord bears S 44°50'44" W, a distance of 727.10 feet to a point of intersection with a non-tangential line; (3) S 29°36'59" W, a distance of 372.32 feet to the beginning of a non-tangential curve; (4) along the arc of said curve turning to the right through 70°51'45", a distance of 1157.63 feet; having a radius of 936.00 feet, and whose long chord bears S 64°53'38" W, a distance of 1085.25 feet to the beginning of a non-tangential curve; (5) along the arc of said curve turning to the left through an angle of 23°22'26", a distance of 448.14 feet, having a radius of 1098.50 feet, and whose long chord bears S 88°38'17" W, a distance of 445.03 feet; (6) S 76°57'04" W, a distance of 21.35 feet to the beginning of a curve; (7) along the arc of said curve turning to the left through 22°09'31", a distance of 646.43 feet, having a radius of 1671.50 feet, and whose long chord bears S 65°52'19" W, a distance of 642.41 feet to the beginning of a non-tangential curve; (8) along the arc of said curve turning to the right through an angle of 20°37'14", a distance of 370.15 feet, having a radius of 1028.50 feet, and whose long chord bears S 65°06'10" W, a distance of 368.16 feet to a point of intersection with a non-tangential line; thence N 10°28'44" W, a distance of 172.04 feet; thence N 09°20'05" W, a distance of 19.04 feet; thence N 13°47'39" W, a distance of 36.82 feet; thence N 12°49'03" W, a distance of 17.00 feet; thence N 18°18'48" W, a distance of 46.82 feet; thence N 20°17'42" W, a distance of 17.02 feet; thence N 23°17'02" W, a distance of 36.84 feet; thence N 28°58'23" W, a distance of 21.36 feet; N 26°27'42" W, a distance of 636.28 feet; thence N 63°32'18" E, a distance of 110.00 feet; thence N 26°27'42" W, a distance of 167.00 feet; S 63°32'18" W for a distance of 110.00 feet; thence N 26°27'42" W, a distance of 131.60 feet; thence N 26°48'38" W, a distance of

22.29 feet; thence N 24°18'53" W, a distance of 29.82 feet; thence N 20°51'21" W, a distance of 32.14 feet; thence N 15°17'05" W, a distance of 29.82 feet; N 10°58'16" W, a distance of 32.15 feet; N 06°12'59" W, a distance of 29.82 feet; thence N 01°09'58" W, a distance of 33.22 feet; thence N 03°34'05" E, a distance of 46.85 feet; thence N 12°00'15" E, a distance of 60.50 feet; thence N 12°13'35" E, a distance of 65.81 feet; thence N 12°13'35" E, a distance of 65.00 feet; thence N 12°10'51" E, a distance of 65.00 feet; thence N 07°18'04" E, a distance of 73.14 feet; thence N 04°12'47" E, a distance of 26.03 feet; thence N 01°36'19" E, a distance of 46.82 feet; thence N 05°06'28" E, a distance of 107.18 feet; thence N 78°08'58" E, a distance of 100.45 feet; thence N 79°05'53" E, a distance of 1.87 feet; thence N 10°32'19" W, a distance of 110.24 feet; thence S 79°27'41" W, a distance of 5.53 feet, to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through an angle of 03°07'05", a distance of 57.11 feet, having a radius of 1049.50 feet, and whose long chord bears N 14°02'11" W, a distance of 57.11 feet to a point of intersection with a non-tangential line; thence S 79°27'41" W, a distance of 109.20 feet; thence N 19°09'58" W, a distance of 232.28 feet; thence N 20°45'27" W, a distance of 14.26 feet; thence N 31°17'41" W, a distance of 46.82 feet; thence N 37°42'27" W, a distance of 11.03 feet; thence N 52°09'08" W, a distance of 46.82 feet; thence N 62°14'30" W, a distance of 13.45 feet; thence N 65°08'02" W, a distance of 56.82 feet; thence N 59°50'39" W, a distance of 15.20 feet; thence N 74°40'50" W, a distance of 61.45 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the right through an angle of 30°32'56", a distance of 171.42 feet, having a radius of 321.50 feet, and whose long chord bears N 16°50'49" W, a distance of 169.39 feet to a point of intersection with a non-tangential line; thence N 83°20'31" E, a distance of 51.04 feet to the beginning of a curve; thence along the arc of said curve turning to the right through 22°21'09", a distance of 59.88 feet, having a radius of 153.50 feet, and whose long chord bears S 85°28'55" E, a distance of 59.51 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the right through an angle of 47°07'21", a distance of 173.95 feet, having a radius of 211.50 feet, and whose long chord bears N 21°30'15" E, a distance of 169.09 feet; thence N 45°03'56" E, a distance of 147.42 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through an angle of 01°39'21", a distance of 12.59 feet, having a radius of 435.50 feet, and whose long chord bears S 64°18'22" E, a distance of 12.59 feet; thence S 65°08'02" E, a distance of 557.30 feet, to the beginning of a curve; thence along the arc of said curve turning to the right through an angle of 03°47'12", a distance of 35.00 feet, having a radius of 529.50 feet, and whose long chord bears S 63°14'26" E, a distance of 34.99 feet to the White Hills Water Company Parcel; thence along the lines of said White Hills Water Company Parcel the following Four (4) courses: (1) S 00°35'13" W, a distance of 148.07 feet; (2) S 89°30'09" E, a distance of 200.00 feet; (3) N 00°35'13" E, a distance of 200.00 feet; (4) N 89°30'09" W, a distance of 6.48 feet; thence N 43°18'50" E, a distance of 3.27 feet; thence N 46°46'07" E, a distance of 55.65 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through an angle of 11°34'23", a distance of 106.75 feet, having a radius of 528.50 feet, and whose long chord bears N

52°06'32" W, a distance of 106.57 feet to a point of intersection with a non-tangential line; thence N 34°48'33" E, a distance of 170.85 feet; thence N 72°48'53" W, a distance of 25.87 feet; thence N 08°28'48" E, for a distance of 133.49 feet; thence S 78°59'57" W, a distance of 6.39 feet; thence N 13°16'19" W, a distance of 55.54 feet; thence N 76°11'51" E, a distance of 6.31 feet to the beginning of a curve; thence along the arc of said curve turning to the right through 45°11'18", a distance of 543.37 feet, having a radius of 688.96 feet, and whose long chord bears S 81°12'57" E, a distance of 529.40 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through 24°37'33", a distance of 157.91 having a radius of 367.41 feet, and whose long chord bears S 70°50'47" E, a distance of 156.70 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through 48°00'20", a distance of 307.07 feet; having a radius of 366.50 feet, and whose long chord bears N 73°01'15" E, a distance of 298.17 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the right through 22°22'54", a distance of 103.52 feet, having a radius of 265.00 feet, and whose long chord bears N 60°12'32" E, a distance of 102.86 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through an angle of 161°23'55", a distance of 8.45 feet, having a radius of 3.00 feet, and whose long chord bears N 09°18'01" W, a distance of 5.92 feet to a point of intersection with a non-tangential line; thence North, a distance of 8.00 feet; thence East, a distance of 138.98 feet; thence N 00°00'04" E, a distance of 3.39 feet to the beginning of a curve; thence along the arc of said curve turning to the left through 73°06'18", a distance of 22.33 feet, having a radius of 17.50 feet, and whose long chord bears N 36°33'06" W, a distance of 20.84 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the right through 102°49'18", a distance of 94.22 feet, having a radius of 52.50 feet, and whose long chord bears N 21°41'35" W, a distance of 82.07 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through 54°22'32", a distance of 198.35 feet, having a radius of 209.00 feet, and whose long chord bears N 02°31'48" E, a distance of 190.99 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the right through 21°04'47", a distance of 36.79 feet, having a radius of 100.00 feet, and whose long chord bears N 14°07'04" W, a distance of 36.58 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through an angle of 21°33'59", a distance of 18.82 feet; having a radius of 50.00 feet, and whose long chord bears N 14°21'41" W, a distance of 18.71 feet; thence N 25°08'40" W, a distance of 1.85 feet to the beginning of a curve; thence along the arc of said curve turning to the left through 25°08'11", a distance of 39.48 feet, having a radius of 90.00 feet, and whose long chord bears N 37°42'46" W, a distance of 39.17 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the right through 96°48'53", a distance of 49.00 feet, having a radius of 29.00 feet, and whose long chord bears N 01°52'25" W, a distance of 43.37 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through an angle of 46°31'58", a distance of 14.62 feet, having a radius of 18.00 feet, and whose long chord bears N 23°16'02" E, a distance of 14.22 feet to a point of intersection with a non-tangential line; thence N 00°27'07" E, a distance of 6.28 feet; thence S 89°32'50" E, a distance of 1390.34

feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the right through an angle of $18^{\circ}18'32''$, a distance of 295.58 feet, having a radius of 925.00 feet, and whose long chord bears S $80^{\circ}32'55''$ E, a distance of 294.33 feet to a point of intersection with a non-tangential line; thence S $15^{\circ}41'35''$ W, a distance of 105.35 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through $01^{\circ}28'21''$, a distance of 20.49 feet, having a radius of 797.29 feet, and whose long chord bears S $14^{\circ}56'15''$ W, a distance of 20.49 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the right through $09^{\circ}21'30''$, a distance of 18.54 feet, having a radius of 113.50 feet, and whose long chord bears S $19^{\circ}34'18''$ W, a distance of 18.52 feet to the beginning of a non-tangential curve; thence along the arc of said curve turning to the left through an angle of $24^{\circ}24'44''$, a distance of 164.68 feet, having a radius of 386.50 feet, and whose long chord bears S $12^{\circ}02'41''$ W, a distance of 163.43 feet; thence S $00^{\circ}09'40''$ E, a distance of 8.76 feet to the beginning of a curve; thence along the arc of said curve turning to the left through an angle of $23^{\circ}03'20''$, a distance of 310.05 feet, having a radius of 770.50 feet, and whose long chord bears S $11^{\circ}41'20''$ E, a distance of 307.96 feet; thence S $23^{\circ}13'00''$ E, a distance of 50.66 feet to the beginning of a curve; thence along the arc of said curve turning to the right through an angle of $80^{\circ}35'36''$, a distance of 386.12 feet, having a radius of 274.50 feet, and whose long chord bears S $17^{\circ}04'48''$ W, a distance of 355.06 feet; thence S $57^{\circ}22'35''$ W, a distance of 118.75 feet to the beginning of a curve; thence along the arc of said curve turning to the left through an angle of $90^{\circ}20'46''$, a distance of 23.65 feet, having a radius of 15.00 feet, and whose long chord bears S $12^{\circ}12'13''$ W, a distance of 21.28 feet; thence S $32^{\circ}58'10''$ E, a distance of 74.53 feet to the point of beginning.

LESS AND EXCEPTING therefrom any portion lying within the bounds of FIREFLY NPA 8 PHASE A PLAT 1, according to the official plat thereof recorded December 29, 2023 as Entry No. 84114:2023 in the office of the Utah County Recorder.

ALSO LESS AND EXCEPTING therefrom any portion lying within the bounds of FIREFLY NPA 8 PHASE A PLAT 3, according to the official plat thereof recorded June 4, 2024 as Entry No. 36568:2024 in the office of the Utah County Recorder.

ALSO LESS AND EXCEPTING therefrom any portion lying within the bounds of FIREFLY NPA 8 PHASE A PLAT 4 AMENDED, according to the official plat thereof recorded April 1, 2025 as Entry No. 23332:2025 in the office of the Utah County Recorder.

ALSO LESS AND EXCEPTING therefrom any portion lying within the bounds of FIREFLY NPA 8 PHASE A PLAT 5, according to the official plat thereof recorded January 3, 2025 as Entry No. 537:2025 in the office of the Utah County Recorder.

ALSO LESS AND EXCEPTING therefrom any portion lying within the bounds of FIREFLY NPA 8 PHASE A PLAT 6, according to the official plat thereof recorded March 21, 2025 as Entry No. 19994:2025 in the office of the Utah County Recorder.

PARCEL 2 - UTAH COUNTY:

Lots 103, 104, 105, and 107, FIREFLY NPA 8 PHASE A PLAT 1, according to the official plat thereof recorded December 29, 2023 as Entry No. 84114:2023 in the office of the Utah County Recorder.

PARCEL 3 - UTAH COUNTY:

Lots 301 through 305, inclusive, 309, 312, and 315 through 323, inclusive, FIREFLY NPA 8 PHASE A PLAT 3, according to the official plat thereof recorded June 4, 2024 as Entry No. 36568:2024 in the office of the Utah County Recorder.

PARCEL 4 - UTAH COUNTY:

Lots 404, and 409 through 454, inclusive, FIREFLY NPA 8 PHASE A PLAT 4 AMENDED, according to the official plat thereof recorded April 1, 2025 as Entry No. 23332:2025 in the office of the Utah County Recorder.

PARCEL 5 - UTAH COUNTY:

Lots 501 through 565, inclusive, FIREFLY NPA 8 PHASE A PLAT 5, according to the official plat thereof recorded January 3, 2025 as Entry No. 537:2025 in the office of the Utah County Recorder.

PARCEL 6 - UTAH COUNTY:

Lots 601 through 672, inclusive, FIREFLY NPA 8 PHASE A PLAT 6, according to the official plat thereof recorded March 21, 2025 as Entry No. 19994:2025 in the office of the Utah County Recorder.

APNS: 59-052-0027, 39-379-0103, 39-379-0104, 39-379-0105, 39-379-0107, 39-384-0301 through 39-384-0305, 39-384-0308, 39-384-0309, 39-384-0312, 39-384-0315 through 39-384-0323, 39-396-0404, 39-396-0409 through 39-396-0454, 39-393-0501 through 39-393-0565, 39-395-0601 through 39-395-0672