

Tax Serial Number:

30-073-0247, 30-073-0248, 30-073-0198, 30-073-0275, 30-073-0204, 30-073-0200, 30-073-0201,
30-073-0203, 30-073-0249, 30-079-0037, 30-079-0038, 30-073-0144, 30-073-0027, 30-073-0266,
30-073-0270, 30-073-0265, 30-073-0263, 30-079-0003, 30-079-0065 AND 30-079-0061

RECORDATION REQUESTED BY:

ROCK CANYON BANK
Pleasant Grove Office
475 East State Road
Pleasant Grove, UT 84062

WHEN RECORDED MAIL TO:

ROCK CANYON BANK
Pleasant Grove Office
475 East State Road
Pleasant Grove, UT 84062

132700-A-KTF

FOR RECORDER'S USE ONLY

MODIFICATION OF DEED OF TRUST



000000002884196001073504122021

THIS MODIFICATION OF DEED OF TRUST dated April 12, 2021, is made and executed between PAYSON PROPERTIES LLC, a Utah limited liability company, whose address is 2050 S RIMROCK CANYON DR, ELK RIDGE, UT 84651 ("Trustor") and ROCK CANYON BANK, whose address is Pleasant Grove Office, 475 East State Road, Pleasant Grove, UT 84062 ("Lender").

DEED OF TRUST. Lender and Trustor have entered into a Deed of Trust dated September 14, 2020 (the "Deed of Trust") which has been recorded in UTAH County, State of Utah, as follows:

ENTRY NO. 143658:2020 PG 1 OF 16 RECORDED SEPTEMBER 21, 2020 IN THE OFFICE OF THE UTAH COUNTY RECORDER

REAL PROPERTY DESCRIPTION. The Deed of Trust covers the following described real property located in UTAH 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 2050 RIMROCK CANYON DRIVE AND 1215 RANCH LANE, PAYSON, UT 84651. The Real Property tax identification number is 30-073-0247, 30-073-0248, 30-073-0198,

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

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30-073-0275, 30-073-0204, 30-073-0200, 30-073-0201, 30-073-0203, 30-073-0249, 30-079-0037, 30-079-0038, 30-073-0144, 30-073-0027, 30-073-0266, 30-073-0270, 30-073-0265, 30-073-0263, 30-079-0003, 30-079-0065 AND 30-079-0061

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

THIS DEED OF TRUST SHALL HEREBY INCREASE FROM \$2,000,000.00 TO \$2,800,000.00
THE SIGNER FOR PAYSON PROPERTIES WILL CHANGE FROM C KEITH ROOKER TO RUSTLER INVESTMENTS, INC.

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 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 APRIL 12, 2021.

TRUSTOR:

PAYSON PROPERTIES LLC

RUSTLER INVESTMENTS, INC., Member of PAYSON PROPERTIES LLC

By: 
DAN K SHAW, President of RUSTLER INVESTMENTS, INC.

LENDER:

ROCK CANYON BANK


Todd Guymon Branch Manager

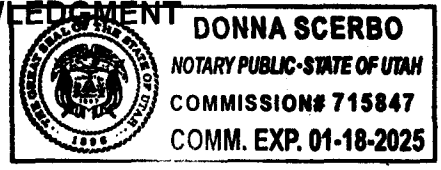
MODIFICATION OF DEED OF TRUST
(Continued)

Loan No: 2884196001

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LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Utah)
) SS
COUNTY OF Salt Lake)

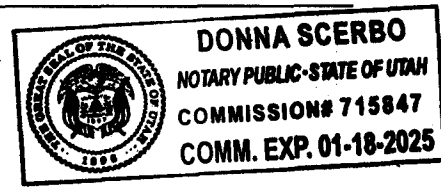


On this 14th day of April, 2021, before me, the undersigned Notary Public, personally appeared **DAN K SHAW, President of RUSTLER INVESTMENTS, INC., Member of PAYSON PROPERTIES LLC**, and known to me to be a member or designated agent of the limited liability company that executed the Modification of 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 [Signature] Residing at _____
Notary Public in and for the State of Utah My commission expires _____

LENDER ACKNOWLEDGMENT

STATE OF Utah)
) SS
COUNTY OF Salt Lake)



On this 14th day of April, 2021, before me, the undersigned Notary Public, personally appeared **Todd Guymon** and known to me to be the **Branch Manager**, authorized agent for **ROCK CANYON BANK** that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of **ROCK CANYON BANK**, duly authorized by **ROCK CANYON 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 **ROCK CANYON BANK**.

By [Signature] Residing at _____
Notary Public in and for the State of Utah My commission expires _____

EXHIBIT A PROPERTY DESCRIPTION

PARCEL 1:

Commencing at the South quarter corner of Section 22, Township 9 South, Range 2 East, Salt Lake Base and Meridian, based upon the Utah State Plane Coordinate NAD83 resurvey published by Utah County, May 22, 2003; thence North 00°36'31" West 1316.54 feet to the North line of the South half of the Southeast quarter of said Section 22; thence North 89°30'41" East along said line 591.42 feet; thence South 06°55'49" East 342.84 feet; thence 205.17 feet along a 281.00 foot radius curve to the left whose chord bears South 27°50'49" East 200.64 feet; thence South 41°14'11" West 155.81 feet; thence South 147.72 feet; thence South 89°59'59" East 279.47 feet; thence North 07°46'18" West 179.86 feet; thence 77.90 feet along a 108.88 foot radius curve to the left whose chord bears North 28°16'10" West 76.25 feet; thence North 48°45'49" West 100.36 feet; thence 159.90 feet along a 219.00 foot radius curve to the right whose chord bears North 27°50'49" West 156.37 feet; thence North 06°55'49" West 335.83 feet to the North line of the South half of the Southeast quarter of said Section 22; thence North 89°30'41" East along said line 679.56 feet; thence South 00°31'00" East 251.39 feet; thence South 74°39'45" West 335.00 feet; thence South 15°20'15" East 158.00 feet; thence South 74°39'45" West 213.53; thence 64.55 feet along a 108.88 foot radius curve to the right whose chord bears South 28°16'49" East 63.61 feet; thence North 74°41'00" East 464.35 feet; thence South 10°41'30" West 351.27 feet; thence South 11°46'06" East 490.31 feet; thence South 89°21'05" West 187.06 feet; thence South 38°16'47" East 11.98 feet; thence South 89°33'34" West along the section line 1167.64 feet to the point of beginning. (Basis of bearing: The Section line from the South quarter corner to the Southeast corner bears North 89°33'34" East.)

TOGETHER WITH: Non exclusive rights of way and easements over, upon and across those two certain properties described below as Easement Parcels 1 and 2 for ingress and egress for vehicular and pedestrian traffic and for the installation and maintenance of utilities until such time as such property becomes a dedicated public roadway by the City of Elk Ridge, Utah.

PARCEL 2:

Commencing at a point which lies South 00°31'03" East along the Section Line 1336.47 feet and West 2074.96 feet from the East quarter corner of Section 22, Township 9 South, Range 2 East, Salt Lake Base and Meridian, based upon the Utah State Plane Coordinate NAD83 resurvey published by Utah County, May 22, 2003; thence South 89°30'41" West along the South line of the North half of the Southeast quarter of said Section 22, 3.11 feet; thence South 06°55'49" East 342.84 feet; thence 205.17 feet along a 281.00 foot radius curve to the left whose chord bears South 27°50'49" East 200.64 feet; thence South 41°14'11" West 155.81 feet; thence South 147.72 feet; thence South 89°59'59" East 279.47 feet; thence North 07°46'18" West 179.86 feet; thence 77.90 feet along a 108.88 foot radius curve to the left whose chord bears North 28°16'10" West 76.25 feet; thence North 48°45'49" West 100.36 feet; thence 205.17 feet along a 219.00 foot radius curve to the right whose chord bears North 27°50'49" West 156.37 feet; thence North 06°55'49" West 335.83 feet to the South line of the North half of the Southeast quarter of said Section 22; thence South 89°37'30" West 3.01 feet; thence North 06°55'49" West 349.72 feet; thence North 87°13'12" East 0.25 feet; thence North 06°57'04" West 149.63 feet; thence North 26°26'02" West 61.13 feet; thence South 87°11'57" West 24.37 feet; thence North 00°12'03" West 104.13 feet; thence North 30°07'43" West 230.50 feet; thence North 89°41'27" East 100.78 feet; thence North 00°12'03" West 19.28 feet; thence North 89°48'00" West 139.83 feet; thence North 28°39'45" West 12.39 feet; thence North 29°15'16" West 491.06 feet; thence South 89°27'49" West along the quarter section line 56.92 feet; thence South 02°12'50" East 36.12 feet; thence South 49°22'12" East 92.30 feet; thence South 29°38'19" East 338.78 feet; thence South 26°03'03" East 491.98 feet; thence South 06°55'46" East 197.97 feet; thence South 06°55'49" East 285.21 feet to the point of beginning. (Basis of bearing: The Section line from the South quarter corner to the Southeast corner bears North 89°33'34" East.)

LESS AND EXCEPTING THEREFROM the following:

Beginning at a point in an existing fence on the East side of an existing Private Lane, which point lies North 2194.45 feet and East 362.51 feet from the South quarter corner of Section 22, Township 9 South, Range 2 East,

Salt Lake Base and Meridian and running thence South 21°59'06" East 174.67 feet along said fence; thence South 20°30'58" East 173.15 feet continuing along said fence; thence North 87°13'12" East 37.63 feet; thence North 00°12'03" West 110.10 feet; thence North 29°36'40" West 220.73 feet; thence North 89°41'27" East 94.17 feet; thence North 00°12'03" West 19.28 feet; thence North 89°48'00" West 148.31 feet to the point of beginning.

PARCEL 3:

Commencing at a point which is located South 00°31'03" East along the Section Line 58.82 feet and West 2671.56 feet from the East quarter corner of Section 22, Township 9 South, Range 2 East, Salt Lake Base and Meridian, based upon the Utah State Plane Coordinate NAD83 resurvey published by Utah County, May 22, 2003; thence South 89°10'12" East 96.11 feet; thence South 49°22'12" East 92.30 feet; thence South 29°38'19" East 338.78 feet; thence South 26°03'03" East 491.98 feet; thence South 78°36'11" West 215.16 feet; thence South 00°37'10" East 188.32 feet; thence North 81°37'00" East 235.28 feet; thence South 06°55'49" East 285.21 feet; thence South 89°30'41" West along the South line of the North half of the Southeast quarter of said Section 22, 594.53 feet; thence North 00°36'31" West 1283.57 feet to the point of beginning. (Basis of bearing: The Section line from the South quarter corner to the Southeast corner bears North 89°33'34" East.)

TOGETHER WITH: A non exclusive right of way and easement over, upon and across that certain property described below as Easement Parcel 1 for ingress and egress for vehicular and pedestrian traffic and for the installation and maintenance of utilities until such time as such property becomes a dedicated public roadway by the City of Elk Ridge, Utah.

PARCEL 4:

Commencing at a point which is located South 00°31'03" East along the Section Line 988.81 feet and West 2057.75 feet from the East quarter corner of Section 22, Township 9 South, Range 2 East, Salt Lake Base and Meridian; thence North 87°13'12" East 485.16 feet; thence South 00°26'37" East 0.59 feet; thence North 87°11'57" East 237.05 feet; thence South 00°31'03" East 375.88 feet to the South line of the North half of the Southeast quarter of said Section 22; thence South 89°30'41" West along said line 682.58 feet; thence North 06°55'49" West 349.71 feet to the point of beginning. (Basis of bearing: The Section line from the South quarter corner to the Southeast corner bears North 89°33'34" East.)

TOGETHER WITH: A non exclusive right of way and easement over, upon and across that certain property described below as Easement Parcel 1 for ingress and egress for vehicular and pedestrian traffic and for the installation and maintenance of utilities until such time as such property becomes a dedicated public roadway by the City of Elk Ridge, Utah.

PARCEL 5:

Beginning at a point South 00°29'48" East along the Section Line 1581.051 feet and West 1336.080 feet from the East quarter corner of Section 22, Township 9 South, Range 2 East, Salt Lake Base and Meridian; thence South 00°29'48" East 227.570 feet; thence South 74°41' West along the Northerly line of the parcel previously deeded to Joseph S. Muir, 476.072 feet; thence 64.885 feet along the arc of a 108.88 foot radius curve to the left, the chord of which curve bears North 28°15'40" West 63.617 feet; thence North 74°41' East 213.531 feet; thence North 15°19' West 158.00 feet; thence North 74°41' East 335.00 feet to point of beginning.

PARCEL 6:

Commencing 1320 feet West from the Northeast corner of Section 27, Township 9 South, Range 2 East, salt Lake Base and Meridian; thence South 165 feet; thence West 264 feet; thence North 165 feet; thence East 264 feet to the point of beginning.

PARCEL 7:

Commencing 1584 feet West from the Northeast corner of Section 27, Township 9 South, Range 2 East, Salt Lake Base and Meridian; thence South 165 feet; thence West 264 feet; thence North 165 feet; thence East 264 feet to the point of beginning.

PARCEL 8:

Beginning at a point South 00°29'48" East along the section line 747.635 feet and West 1336.080 feet from the East quarter corner of Section 22, Township 9 South, Range 2 East, Salt Lake Base and Meridian; thence South 00°29'48" East 206.164 feet; thence South 87°13'12" West 721.863 feet; thence North 06°55'49" West 150.394 feet; thence North 26°24'27" West 61.126 feet; thence North 87°13'12" East 765.465 feet to the point of beginning.

TOGETHER WITH: A non exclusive right of way and easement over, upon and across that certain property described below as Easement Parcel 1 for ingress and egress for vehicular and pedestrian traffic and for the installation and maintenance of utilities until such time as such property becomes a dedicated public roadway by the City of Elk Ridge, Utah.

PARCEL 9:

Commencing South 1068.82 feet and West 2340.4 feet from the East quarter corner of Section 22, Township 9 South, Range 2 East, Salt Lake Base and Meridian; thence North 82°06'48" East 236.28 feet; thence North 06°26'01" West 198.8 feet; thence South 79°07'14" West 215.94 feet; thence South 00°05'24" East 189.21 feet to the point of beginning.

TOGETHER WITH a non exclusive right of way and easement over, upon and across that certain property described below as Easement Parcel 1 for ingress and egress for vehicular and pedestrian traffic and for the installation and maintenance of utilities until such time as such property becomes a dedicated public roadway by the City of Elk Ridge, Utah.

PARCEL 10:

Commencing at a point being located South 89°11'00" West 500.00 feet and South 00°49'00" East 464.00 feet from the East quarter corner of Section 22, Township 9 South, Range 2 East, Salt Lake Base and Meridian; thence South 00°49'00" East 345.51 feet; thence North 84°48'31" West 81.56 feet; thence South 63°10'00" West 529.36 feet; thence North 16.11 feet; thence West 60.01 feet; thence North 386.23 feet; thence North 89°11'00" East 261.10 feet along Plat "A", Brad Shuler Subdivision according to the official plat of record on file in the Utah County Recorder's office; thence continuing along said Plat "A", Brad Shuler Subdivision North 00°49'00" West 166.01 feet; thence North 89°11'00" East 350.00 feet to the point of beginning.

TOGETHER WITH a non-exclusive easement for ingress and egress as disclosed in that certain Grant of Easement recorded February 3, 2012 as Entry No. 8816:2012.

PARCEL 11:

Commencing at a point being located South 89°11'00" West 384.48 feet and South 00°49'00" East 28.00 feet from the East quarter corner of Section 22, Township 9 South, Range 2 East, Salt Lake Base and Meridian; thence South 00°17'05" East 200.85 feet; thence South 89°11'00" West 113.65 feet; thence North 00°49'00" West 200.85 feet; thence North 89°11'00" East 115.52 feet to the point of beginning.

PARCEL 12:

Commencing at a point located South 89°11'00" West 100.00 feet and South 00°49'00" East 464.00 feet from the East quarter corner of Section 22, Township 9 South, Range 2 East, Salt Lake Base and Meridian; thence North 89°11'00" East 100.00 feet; thence South 09°29'06" East 185.83 feet; thence South 00°49'00" East 172.51 feet; thence North 89°39'15" West 528.10 feet; thence North 00°49'00" West 273.18 feet; thence North 89°11'00" East

86.20 feet; thence North 72°36'17" East 48.82 feet; thence North 00°49'00" West 58.39 feet; thence North 89°11'00" East 267.00 feet to the point of beginning.

LESS AND EXCEPTING THEREFROM the following:

Commencing at a point located South 89°11'00" West 100.00 feet and South 00°49'00" East 464.00 feet from the East quarter corner of Section 22, Township 9 South, Range 2 East, Salt Lake Base and Meridian; thence North 89°11'00" East 100.00 feet; thence South 09°29'06" East 60.79 feet; thence North 83°37'19" West 110.02 feet; thence North 00°49'00" West 46.31 feet to the point of beginning.

PARCEL 13:

Commencing at a point located South 89°11'00" West 100.00 feet and South 00°49'00" East 273.00 feet from the East quarter corner of Section 22, Township 9 South, Range 2 East, Salt Lake Base and Meridian; thence South 00°49'00" East 191.00 feet; thence South 89°11'00" West 267.00 feet; thence North 00°49'00" West 191.00 feet; thence North 89°11'00" East 267.00 feet to the point of beginning.

PARCEL 14:

The Southwest quarter of the Northeast quarter and the North three quarters of the West half of the Southeast quarter of Section 27, Township 9 South, Range 2 East, Salt Lake Base and Meridian.

EXCEPTING THEREFROM all oil, gas and minerals and all rights incidental thereto as heretofore reserved or conveyed in deed recorded August 10, 1981 as Entry No. 22930 in Book 1929 at Page 864 of official records.

PARCEL 15:

Commencing 1320 feet South of the Northeast corner of Section 27, Township 9 South, Range 2 East, Salt Lake Base and Meridian; thence West 1320 feet; thence South 1980 feet; thence East 1320 feet; thence North 1980 feet to the point of beginning.

SUBJECT TO that certain Boundary Line Agreement recorded December 4, 2014 as Entry No. 87447:2014.

LESS AND EXCEPTING THEREFROM that portion conveyed to Payson City, a Municipal Corporation, in that certain Warranty Deed recorded April 8, 1986 as Entry No. 10369 in Book 2294 at Page 141, more particularly described as follows:

Beginning at a point which is South 00°49'46" East along the section line, 1319.34 feet from the Northeast corner of Section 27, Township 9 South, Range 2 East, Salt Lake Base and Meridian and running thence South 00°49'46" East along said section line 92.52 feet; thence South 40°00'00" West 180.48 feet; thence South 07°15'30" East 694.64 feet; thence North 54°03'30" East 48.90 feet to the East line of said Section 27; thence South 00°49'46" East along said section line 769.45 feet; thence West 246.54 feet; thence North 09°00'00" West 714.00 feet; thence North 05°00'00" West 298.00 feet; thence North 09°00'00" West 440.00 feet; thence North 25°20'16" West 248.84 feet; thence North 89°53'57" East 535.46 feet to the point of beginning.

ALSO EXCEPTING THEREFROM all oil, gas and minerals and all rights incidental thereto as heretofore reserved or conveyed in deed recorded August 10, 1981 as Entry No. 22931 in Book 1929 at Page 865 of official records.

ALSO LESS AND EXCEPTING THEREFROM the following:

Commencing South 1436.07 feet from the Northeast corner of Section 27, Township 9 South, Range 2 East, Salt Lake Base and Meridian; thence South 40°00'00" West 148.68 feet; thence South 07°15'30" East 694.64 feet; thence North 54°03'30" East 9.65 feet; thence North 797.31 feet to the beginning.

PARCEL 16:

Commencing North 01°15'00" East 908.25 feet and North 88°45'00" West 19.82 feet from the South quarter corner of Section 27, Township 9 South, Range 2 East, Salt Lake Base and Meridian; thence West 632.25 feet; thence North 28°41'42" West 16.17 feet; thence South 88°45'00" East 584.75 feet; thence North 28°41'42" West 1263.19 feet; thence South 80°17'11" West 482.19 feet; thence North 79°02'11" East 150.46 feet; thence North 06°49'43" West 467.5 feet; thence North 25°00'00" West 320 feet; thence West 160 feet; thence North 2560 feet; thence East 1340 feet; thence South 4371.6 feet to the beginning. (this legal description has been rotated to State Plane Bearings)

TOGETHER WITH a right of ingress and egress granted in that certain Easement for Ingress & Egress recorded February 6, 2008 as Entry No. 13907:2008.

EASEMENT PARCEL 1:

Beginning at a point which is South 1335.75 feet and West 2063.06 feet (based upon the Utah State Plane Coordinate System, Central Zone, Bearings of Section lines) from the East quarter corner of Section 22, Township 9 South, Range 2 East, Salt Lake Base and Meridian; thence North 6°55'49" West 482.51 feet; thence North 26°03'03" West 493.36 feet; thence North 29°39'12" West 337.40 feet; thence North 49°22'12" West 92.30 feet; thence North 89°10'12" West 96.68 feet; thence North 0°29'48" West 34.65 feet; thence North 89°30'12" East 152.69 feet; thence South 29°14'01" East 496.67 feet; thence South 26°03'03" East 494.30 feet; thence South 6°55'49" East 438.15 feet; thence South 89°31'19" West 56.36 feet to the point of beginning.

EASEMENT PARCEL 2:

Beginning at a point which is South 1335.78 feet and West 2066.08 feet (based upon the Utah State Plane Coordinate System, Central Zone, Bearings of Section Lines) from the East quarter corner of Section 22, Township 9 South, Range 2 East, Salt Lake Base and Meridian; thence North 89°31'19" East 62.40 feet; thence South 6°55'49" East 336.49 feet; thence 159.90 feet along the arc of a 219.00 foot radius curve to the left; the chord of which curve bears South 27°50'49" East 156.37 feet; thence South 48°45'49" East 100.36 feet; thence 77.90 feet along the arc of a 108.88 foot radius curve to the right the chord of which curve bears South 28°16'04" East 76.25 feet; thence South 7°46'18" East 179.86 feet; thence West 62.57 feet; thence North 7°46'18" West 171.40 feet; thence 33.54 feet along the arc of a 46.88 foot radius curve to the left, the chord of which curve bears North 28°16'04" West 32.83 feet; thence North 48°45'49" West 100.36 feet; thence 205.17 feet along the arc of a 281.00 foot radius curve to the right, the chord of which curve bears North 27°50'49" West 200.64 feet; thence North 6°55'49" West 343.51 feet to the point of beginning.

Tax Id No.: 30-073-0247, 30-073-0248, 30-073-0198, 30-073-0275, 30-073-0204, 30-073-0200, 30-073-0201, 30-073-0203, 30-073-0249, 30-079-0037, 30-079-0038, 30-073-0144, 30-073-0027, 30-073-0266, 30-073-0270, 30-073-0265, 30-073-0263, 30-079-0003, 30-079-0065 and 30-079-0061