

00772141 B: 1559 P: 64

B: 1559 P: 64 Fee \$40.00

Carri R. Jeffries, Iron County Recorder - Page 1 of 8  
06/28/2021 09:30:42 AM By: MERIDIAN TITLE COMPANY

mtc 293192

**Tax Serial Number:**

B-0010-0014-0000; B-1237-0003-0000; B-1236-0000-0000; B-1242-0000-0000;

~~B-1239-0000-0000~~; B-1214-0002-0000

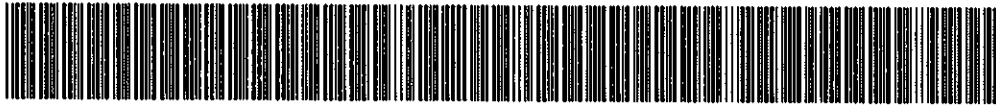
~~B-1238-0002-0000~~

**WHEN RECORDED MAIL TO:**

First Community Bank Utah, Division of Glacier Bank  
Layton Hills Branch  
1601 N. Hill Field Rd.  
Layton, UT 84041

**FOR RECORDER'S USE ONLY**

**MODIFICATION OF DEED OF TRUST**



\*#####%0735%06222021%#####%19\*

THIS MODIFICATION OF DEED OF TRUST dated June 22, 2021, is made and executed between CEDAR STORAGE PARTNERS, LLC, a Utah limited liability company whose address is 748 WEST HERITAGE PARK BLVD., STE. 203, LAYTON, UTAH 84041-5725 ("Trustor") and First Community Bank Utah, Division of Glacier Bank, whose address is Layton Hills Branch, 1601 N. Hill Field Rd., Layton, UT 84041 ("Lender").

DEED OF TRUST. Lender and Trustor have entered into a Deed of Trust dated September 21, 2020 (the "Deed of Trust") which has been recorded in IRON County, State of Utah, as follows:

Recorded on September 21, 2020, in the Office of the Iron County Recorder, as Entry No.

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

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**00752894, in Book 1508, at Page 40; and subsequently amended and re-recorded as Entry No. 00756956, in Book 1518, at Page 1769.**

**REAL PROPERTY DESCRIPTION.** The Deed of Trust covers the following described real property located in IRON 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 690 INDUSTRIAL ROAD and 718 WEST 400 NORTH, CEDAR CITY, UT 84721. The Real Property tax identification number is B-0010-0014-0000; B-1237-0003-0000; B-1236-0000-0000; B-1242-0000-0000; B-1239-0000-0000; B-1214-0002-0000.

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

**The principal balance of \$13,913,650.00 is hereby reduced to a new principal balance of \$8,580,530.00 after CDC pay down in the amount of \$5,333,120.00.**

**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 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 JUNE 22, 2021.**

MODIFICATION OF DEED OF TRUST  
(Continued)

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TRUSTOR:

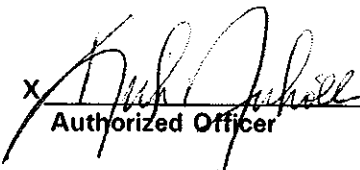
CEDAR STORAGE PARTNERS, LLC

By:   
\_\_\_\_\_  
KEVIN S. GARN, Manager of CEDAR STORAGE  
PARTNERS, LLC

By:   
\_\_\_\_\_  
THOMAS K. CHECKETTS, Manager of CEDAR  
STORAGE PARTNERS, LLC

LENDER:

FIRST COMMUNITY BANK UTAH, DIVISION OF GLACIER BANK


x   
\_\_\_\_\_  
Authorized Officer

MODIFICATION OF DEED OF TRUST  
(Continued)

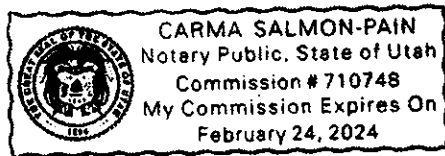
LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Utah )  
 ) SS  
COUNTY OF Davis )

On this 22<sup>nd</sup> day of June, 20 21, before me, the undersigned Notary Public, personally appeared KEVIN S. GARN, Manager of CEDAR STORAGE PARTNERS, LLC and THOMAS K. CHECKETTS, Manager of CEDAR STORAGE PARTNERS, 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   
Notary Public in and for the State of UT

Residing at Ogden, Utah  
My commission expires 2-24-24



MODIFICATION OF DEED OF TRUST  
(Continued)

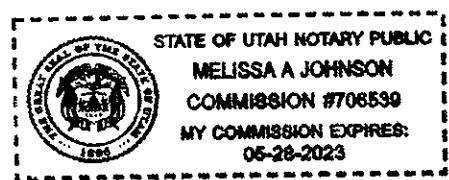
LENDER ACKNOWLEDGMENT

STATE OF Utah )  
 ) SS  
COUNTY OF Davis )

On this 22 day of June, 20 21, before me, the undersigned Notary Public, personally appeared Kirk Nicholls and known to me to be the Vice President, authorized agent for **First Community Bank Utah, Division of Glacier Bank** that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of **First Community Bank Utah, Division of Glacier Bank**, duly authorized by **First Community Bank Utah, Division of Glacier 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 **First Community Bank Utah, Division of Glacier Bank**.

By Melissa A Johnson  
Notary Public in and for the State of Utah

Residing at Utah  
My commission expires 5/28/2023



**Exhibit "A"**

PARCEL 1: [B-0010-0014-0000]

BEGINNING SOUTH 89°24'27" WEST 961.67 FEET ALONG THE 1/16 SECTION LINE FROM THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 36 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 0°42'27" EAST 119.28 FEET; THENCE SOUTH 89°24'27" WEST 7.42 FEET; THENCE NORTH 1°21'17" EAST 124.79 FEET ALONG AN EXISTING FENCE LINE; THENCE SOUTH 89°56'45" EAST 203.57 FEET ALONG AN EXISTING FENCE LINE; THENCE NORTH 89°24'27" EAST 332.22 FEET; THENCE SOUTH 0°20'27" WEST 829.31 FEET; THENCE SOUTH 0°42'27" WEST 32.30 FEET; THENCE SOUTH 83°15'40" WEST 153.10 FEET ALONG THE NORTHERLY LINE OF AN EXISTING RAILROAD RIGHT OF WAY; THENCE SOUTH 89°24'27" WEST 333.31 FEET; THENCE NORTH 0°42'27" EAST 489.69 FEET; THENCE SOUTH 89°24'27" WEST 49.97 FEET; THENCE NORTH 0°42'27" EAST 148.76 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION OF SAID PROPERTY TYING WITHIN INDUSTRIAL ROAD.

PARCEL 2: [B-1237-0003-0000]

BEGINNING SOUTH 89°24'27" WEST, 1531.59 FEET ALONG THE 1/16 SECTION LINE AND NORTH 0°17'24" WEST, 353.49 FEET FROM THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 36 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 89°24'27" WEST, 192.17 FEET TO THE EASTERLY RIGHT OF WAY OF A 50.00 FOOT ROADWAY; THENCE ALONG SAID RIGHT OF WAY NORTH 0°17'27" WEST 264.92 FEET; THENCE NORTH 89°24'27" EAST 48.49 FEET; THENCE SOUTH 0°17'27" EAST 19.10 FEET; THENCE NORTH 89°24'27" EAST 143.68 FEET; THENCE SOUTH 0°17'27" EAST 245.82 FEET TO THE POINT OF BEGINNING.

ALSO

BEGINNING SOUTH 89°24'27" WEST, 1531.59 FEET ALONG THE 1/16 SECTION LINE AND NORTH 0°17'27" WEST, 80.18 FEET FROM THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 36 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 89°24'27" WEST, 192.17 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY OF A 50 FOOT CITY ROADWAY; THENCE ALONG

SAID ROADWAY NORTH 0°17'27" WEST 273.31 FEET; THENCE NORTH 89°24'27" EAST, 192.17 FEET; THENCE SOUTH 0°17'27" EAST, 273.31 FEET TO THE POINT OF BEGINNING.

PARCEL 3: [B-1236-0000-0000]

BEGINNING SOUTH 89°22'36" WEST, 1883.25 FEET ALONG THE SECTION LINE FROM THE NORTHEAST CORNER OF SECTION 10, TOWNSHIP 36 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 0°17'27" EAST, 668.58 FEET; THENCE SOUTH 89°22'36" WEST, 214.50 FEET; THENCE NORTH 57°11'34" WEST, 310.28 FEET TO A POINT OF NON-TANGENT CURVATURE TO THE RIGHT, HAVING A RADIUS OF 22798.32 FEET AND A CENTRAL ANGLE OF 1°35'47" (RADIUS POINT BEARS SOUTH 78°28'42" EAST); THENCE ALONG THE ARC OF A SAID CURVE 635.23 FEET; THENCE NORTH 89°22'36" EAST, 328.36 FEET; THENCE SOUTH 0°17'27" EAST, 121.44 FEET TO THE SECTION LINE; THENCE ALONG SAID SECTION LINE NORTH 89°22'36" EAST, 7.39 FEET TO THE POINT OF BEGINNING.

PARCEL 4: [B-1242-0000-0000]

BEGINNING AT A POINT SOUTH 89°24'27" WEST 2083.51 FEET AND NORTH 0°28'29" WEST 368.90 FEET FROM THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 36 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 0°17'27" WEST 50 FEET; THENCE SOUTH 89°24'27" WEST 250.30 FEET; THENCE SOUTH 0°16'33" EAST 504.62 FEET; THENCE NORTH 88°55'19" EAST 170.74 FEET; THENCE NORTH 0°16'33" WEST 164.42 FEET; THENCE NORTH 89°24'27" EAST 79.65 FEET, MORE OR LESS TO THE EAST LINE OF THE GRANTORS LAND; THENCE NORTH 0°17'27" WEST 288.75 FEET TO THE POINT OF BEGINNING.

PARCEL 5: [B-1239-0000-0000]

BEGINNING AT A POINT S89°24'27"W 1955.87' ALONG THE NORTH SIXTEENTH SECTION LINE AND N00°17'27"W 353.49' FROM THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 36 SOUTH, RANGE 11 WEST, SALT LAKE MERIDIAN; THENCE S89°24'27"W 128.64'; THENCE N00°17'27"W 304.06'; THENCE N89°22'36"E 128.64'; THENCE S00°17'27"E 304.13' TO THE POINT-OF-BEGINNING (P.O.B.) AND CONTAINS 0.90 ACRES.

PARCEL 6: [B-1214-0002-0000]

BEGINNING SOUTH 89°22'36" WEST, 1773.70 FEET ALONG THE SECTION LINE AND SOUTH 0°17'27" EAST, 516.50 FEET FROM THE NORTHEAST CORNER OF SECTION 10, TOWNSHIP 36 SOUTH, RANGE 11 WEST, SALT LAKE MERIDIAN; THENCE SOUTH 0°17'27" EAST, 160.00 FEET; THENCE SOUTH 89°22'36" WEST, 109.55 FEET; THENCE NORTH 0°17'27" WEST, 160.00 FEET; THENCE NORTH 89°22'36" EAST, 109.55 FEET TO THE POINT OF BEGINNING.

Tax ID: B-0010-0014-0000, B-1237-0003-0000, B-1236-0000-0000, B-1242-0000-0000,  
B-1239-0000-0000, B-1214-0002-0000