

Ent: 410471 - Pg 1 of 4
Date: 3/20/2015 4:03:00 PM
Fee: \$16.00
Filed By: eCASH
Jerry M. Houghton, Recorder
Tooele County Corporation
For: Inwest Title Services - Layton

Tax Serial Number:
02-127-0-0056

WHEN RECORDED MAIL TO:
FIRST NATIONAL BANK OF LAYTON
Layton Hills Office
P.O. Box 248
1601 No. Hillfield Road
Layton, UT 84041

FOR RECORDER'S USE ONLY

MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST dated March 18, 2015, is made and executed between Fightertown FVLB, LLC, a California limited liability company, whose address is 7562 Caminito Avola, La Jolla, CA 92037 ("Trustor") and FIRST NATIONAL BANK OF LAYTON, whose address is Layton Hills Office, P.O. Box 248, 1601 No. Hillfield Road, Layton, UT 84041 ("Lender").

DEED OF TRUST. Lender and Trustor have entered into a Deed of Trust dated July 17, 2014 (the "Deed of Trust") which has been recorded in Tooele County, State of Utah, as follows:

July 18, 2014, Entry No. 400985, Page 1 of 19.

REAL PROPERTY DESCRIPTION. The Deed of Trust covers the following described real property located in Tooele County, State of Utah:

BEGINNING SOUTH 2607 FEET AND WEST 1064.50 FEET FROM THE EAST QUARTER CORNER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING FURTHER DESCRIBED AS BEING ON THE NORTH BOUNDARY LINE OF 1000 NORTH STREET AND ALSO BEING THE SOUTHWEST CORNER

**MODIFICATION OF DEED OF TRUST
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OF THE BETTY JEAN SKINNER JOHNSON TRUST DATED MAY 13, 2003, BETTY JEAN SKINNER JOHNSON, TRUSTEE PROPERTY (JOHNSON TRUST PROPERTY) AS DESCRIBED IN THAT CERTAIN QUIT CLAIM DEED RECORDED AS ENTRY NO. 203858 OF TOOELE COUNTY RECORDS; RUNNING THENCE WEST 200 FEET TO THE EAST RIGHT OF WAY LINE OF STATE HIGHWAY U-36; THENCE NORTH 6°50' EAST 165 FEET ALONG SAID EAST RIGHT OF WAY OF U-36 TO THE SOUTH BOUNDARY OF THE REBECCA KOEVEN IRREVOCABLE LIVING TRUST DATED APRIL 29, 1997, REBECCA KOEVEN, TRUSTEE, (KOEVEN TRUST PROPERTY) AS DESCRIBED IN THAT CERTAIN PERSONAL REPRESENTATIVE'S DEED RECORDED AS ENTRY NO. 96052 OF TOOELE COUNTY RECORDS; THENCE SOUTH 83°10' EAST 198.58 FEET ALONG THE SOUTH BOUNDARY LINE OF SAID KOEVEN TRUST PROPERTY AND A SOUTHERLY BOUNDARY OF SAID JOHNSON TRUST PROPERTY TO THE INTERSECTION OF A WESTERLY BOUNDARY LINE OF SAID JOHNSON TRUST PROPERTY; THENCE SOUTH 6°50' WEST 141.20 FEET ALONG SAID WESTERLY BOUNDARY LINE OF SAID JOHNSON TRUST PROPERTY TO THE POINT OF BEGINNING.

The Real Property or its address is commonly known as 1024 North Main Street, Tooele, UT 84074. The Real Property tax identification number is 02-127-0-0056.

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

The principal amount is hereby increased to the new principal amount of \$1,763,650.00.

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 MARCH 18, 2015.

**MODIFICATION OF DEED OF TRUST
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TRUSTOR:

FIGHTERTOWN FVLB, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

**FIGHTERTOWN 88, A CALIFORNIA LIMITED PARTNERSHIP,
Managing Member of Fightertown FVLB, LLC, a California limited liability company**

**SCOTT DEVELOPMENT CORPORATION, General Partner of
Fightertown 88, a California Limited Partnership**

By: 

Patrick W. Scott, President/Director of Scott
Development Corporation

LENDER:

FIRST NATIONAL BANK OF LAYTON

X 

Authorized Officer

MODIFICATION OF DEED OF TRUST
(Continued)

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LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF California)
) SS
COUNTY OF San Diego)

On this 19th day of March, 20 15, before me, the undersigned Notary Public, personally appeared **Patrick W. Scott, President/Director of Scott Development Corporation, General Partner of Fightertown 88, a California Limited Partnership, Managing Member of Fightertown FVLB, LLC, a California limited liability company**, 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 San Diego

Notary Public in and for the State of CA

My commission expires 03/07/2018

