

341271

FHA PROJECT: Landmark Apartments  
PROJECT NO : 105-35051-PM-  
L8/UT99-0036-005  
SPONSORS : Landmark Associates

No. \_\_\_\_\_

RECORDED AT THE REQUEST OF \_\_\_\_\_

Western States Title

DATE OCT 9 1980 TIME 11:00 am

BOOK 187 OF RECORDS PAGE 28 FEE 5.00

DONNA S. MCKENDRICK TOOELE COUNTY RECORDER  
Tooele County Recorder  
DONNA S. MCKENDRICK

MODIFICATION AGREEMENT

THIS AGREEMENT entered into this 26th day of September, 1980 between LANDMARK ASSOCIATES and the DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT of that certain Mortgage and Note secured thereby, on the above designated project, dated August 5, 1980 as Entry No. 339351 in Book 184 at Page 449 of the official records and a Regulatory Agreement executed by Landmark Associates dated August 1, 1980, recorded August 5, 1980 at Entry No. 339352 in Book 184 at Page 453 of the official records which are in-

RECORDERS MEMO

\_\_\_\_\_ incorporated by reference in the above identified mortgage. Due to an error in the date of the Regulatory Agreement, which must coincide with the date of the Mortgage, it is herein agreed between the parties that the date of the Regulatory Agreement shall be amended to read August 5, 1980 and that document shall be re-recorded to reflect that change.

In consideration of the consent of the parties herein to this modification and the consent of the Secretary of Housing and Urban Development, acting by and through the Federal Housing Commissioner, granted on that basis that the re-recorded Regulatory Agreement will not affect that certain mortgage between Landmark Associates and Home Savings and Loan, dated August 5th, and recorded August 5, 1980 as Entry 339351 in Book 184 at Page 449 of the official records of Tooele County, further execution and subsequent re-recording will not affect the above identified Regulatory Agreement. Any default under the Regulatory Agreement will still be deemed a default under the mortgage allowing the Federal Housing Commissioner to declare the indebtedness secured thereby to be due and payable.

DATED this 26 day of September, 1980.

LANDMARK ASSOCIATES, a Utah  
Utah Limited Partnership

By [Signature]

ATTEST: \_\_\_\_\_

UNITED STATES DEPARTMENT OF HOUSING  
AND URBAN DEVELOPMENT

By [Signature]  
AUTHORIZED AGENT

ATTEST: \_\_\_\_\_

STATE OF UTAH )  
: ss.  
COUNTY OF SALT LAKE)

On the 26<sup>th</sup> day of September, 1980, personally appeared before me [Signature], who acknowledged himself to be the authorized agent of the Mortgagor General Partner in LANDMARK ASSOCIATES, a Limited Partnership, and acknowledged to me that he executed the same as such

[Signature]  
NOTARY PUBLIC  
Residing at

My Commission Expires:

9/15/81

STATE OF COLORADO )  
: ss.  
CITY & COUNTY OF DENVER)

On the 7<sup>th</sup> day of October, 1980, before me a Notary Public appeared Donald J. Dickson to me personally known and known to me to be the duly appointed authorized agent and person who executed the aforesaid instrument, bearing the date of September, 1980, by virtue of the authority vested in him by 24 CFR 200,109 and acknowledged that he executed the aforesaid instrument for and on behalf of the Federal Housing Commissioner, for the purpose herein expressed.

[Signature]  
NOTARY PUBLIC  
Residing at Denver, Colo.

My Commission Expires:

Sept 2, 1981

NOTARY PUBLIC  
STATE OF COLORADO

BEGINNING at a point that is South 88° 39' 00" East 205.806 feet on the South right-of-way line of 2nd North Street from the Northwest corner, Lot 4, Block 4, Plat "B", Tooele City Survey, thence South 88° 39' 00" East 301.486 feet along said South right-of-way line to a fence line; thence South 01° 27' 00" West 722.773 feet along said fence to a second fence corner; thence North 88° 31' 00" West 301.486 feet; thence North 01° 27' 00" East 722.071 feet to the point of beginning.

Contains 5.00 ACRES (217,800 S.F.)