



\*W2854988\*

E# 2854988 PG 1 OF 5  
Leann H. Kilts, WEBER COUNTY RECORDER  
01-May-17 04:19 PM FEE \$37.00 DEP DAC  
REC FOR: COTTONWOOD TITLE INSURANCE AGENCY  
ELECTRONICALLY RECORDED

Loan 709

CTIA 91263-ZF

**RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:**

Taylor Derrick Capital, LLC  
2298 W. Horizon Ridge Pkwy #213  
Henderson, NV 89052

APN: 21-126-0001; 21-126-0007; 21-126-0002; 21-126-0008; 21-126-0003; 21-130-0001;  
21-130-0002; 21-130-0003; 21-126-0006; 21-130-0004; 21-130-0005; 21-130-0006; 21-130-0007;  
21-126-0011; 21-126-0012; 23-012-0022; 21-001-0014; 21-001-0015 and 21-111-0001  
Additional Parcel 20-011-0005

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

THIS MODIFICATION OF DEED OF TRUST dated May 1, 2017, is made and executed between SANCTUARY RANCH UTAH, LLC, a Utah limited liability company, and Timothy P. Charlwood, also known as Timothy Patrick Charlwood (collectively the "Trustor" or "Borrower") and Mountain West Debt Fund, LP, whose address is 357 West 200 South #200, Salt Lake City, UT 84101 ("Lender").

Lender and Trustor have entered into a Deed of Trust, Assignment of Leases and Rents, Security Agreement, and Fixture Filing dated July 15, 2016 and recorded in the office of the Weber County Recorder on July 15, 2016 as Entry Number 2803929, as modified by a Modification of Deed of Trust, Assignment of Leases and Rents, Security Agreement, and Fixture Filing dated and recorded December 13, 2016 in the office of the Weber County Recorder as Entry Number 2831753 (the "Deed of Trust").

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

**SEE SCHEDULE A ATTACHED HERETO AND MADE A PART HEREOF.**

**MODIFICATION.** Lender and Borrower hereby modify the Deed of Trust to encumber additional real property known located in Huntsville, Utah further described as follows:

**SEE SCHEDULE B ATTACHED HERETO AND MADE A PART HEREOF.**

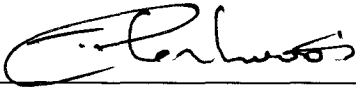
Lender and Borrower hereby **FURTHER MODIFY** the Deed of Trust to increase the secured amount of said Deed of Trust to **SIX MILLION FIVE HUNDRED THOUSAND AND 00/100 DOLLARS (\$6,500,000.00).**

**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 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

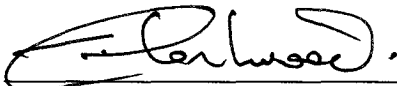


BORROWER:

SANCTUARY RANCH UTAH, LLC, a  
Utah limited liability company



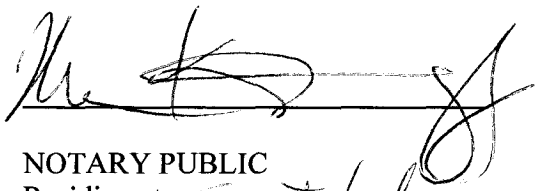
Timothy P. Charlwood, Manager



Timothy P. Charlwood, an Individual  
a/k/a Timothy Patrick Charlwood

STATE OF UTAH            )  
                                  )  
County of Salt Lake    )    ss.

On the 27 day of April, 2017, personally appeared before me, Timothy P. Charlwood, the signers of the above instrument, who duly acknowledged to me that he/she executed the same in his individual capacity and in his capacity as Manager of Sanctuary Ranch Utah, LLC.

  
NOTARY PUBLIC  
Residing at: Salt Lake  
My Commission Expires:  
8-26-18

**EXHIBIT A**

**LEGAL DESCRIPTION**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF HUNTSVILLE, WEBER COUNTY, STATE OF UTAH IS DESCRIBED AS FOLLOWS:

Lots 1, 2, 3, 6 and Private Roadways within THE SANCTUARY SUBDIVISION, according to the official plat thereof as recorded in the office of the Weber County Recorder, State of Utah.

Lots 4, 5, 7 and 8 within THE SANCTUARY FIRST AMENDMENT SUBDIVISION, according to the official plat thereof as recorded in the office of the Weber County Recorder, State of Utah.

Lots 4 and 5 (the same being the East half of the Northeast quarter) of Section 4, Township 6 North,  
Range 2 East, Salt Lake Base and Meridian.

EXCEPTING THEREFROM that portion lying within the bounds of The Sanctuary Subdivision and The Sanctuary First Amendment Subdivision.

The Northwest quarter of Section 3, Township 6 North, Range 2 East, Salt Lake Base and Meridian.

EXCEPTING THEREFROM that portion lying within the bounds of The Sanctuary Subdivision and The Sanctuary First Amendment Subdivision.

The Southwest quarter of Section 34, Township 7 North, Range 2 East, Salt Lake Base and Meridian.

ALL OF THE ABOVE DESCRIBED PROPERTY IS TOGETHER WITH a perpetual easement for ingress, egress and utilities over and across the existing 50' private road as more particularly described and conveyed in that certain Right of Way and Easement recorded January 14, 1998 as Entry No. 1515370 in Book 1901 at Page 2685, and in that certain Easement Agreement and Declaration of Covenants recorded September 23, 2004 as Entry No. 2058175 of official records.

All of Lot 99, GREEN HILL COUNTRY ESTATES, PHASE NO. 6, LOT 99 - FIRST AMENDMENT, according to the official plat thereof as recorded in the office of the Weber County Recorder.

All of the parcels of land located in Weber County, State of Utah, identified by the following Tax Parcel Numbers: 21-126-0001; 21-126-0007; 21-126-0002; 21-126-0008; 21-126-0003; 21-130-0001; 21-130-0002; 21-130-0003; 21-126-0006; 21-130-0004; 21-130-0005; 21-130-0006; 21-130-0007; 21-126-0011; 21-126-0012; 23-012-0022; 21-001-0014; 21-001-0015 and 21-111-0001

**EXHIBIT B**

**ADDITIONAL PROPERTY LEGAL DESCRIPTION**

Part of the Southwest quarter of Section 12, Township 6 North, Range 1 East, Salt Lake Base and Meridian, U.S. Survey: Beginning at a point North  $89^{\circ}27'35''$  West along the section line 1078.9 feet from the Southeast corner of said Southwest quarter section and running thence North  $00^{\circ}32'25''$  East 262.20 feet, to fence corner; thence South  $71^{\circ}15'$  West, along fence, 326.43 feet; thence South  $00^{\circ}32'25''$  West 154.36 feet, to the South line of said section at a point South  $89^{\circ}27'35''$  East 1281.05 feet from the Southwest corner of said Section 12; thence South  $89^{\circ}27'35''$  East 308.10 feet to the point of beginning.

EXCEPTING THEREFROM any portion of the above described property that may lie within the Pineview Dam boundary.

ALSO: A part of the Northwest quarter of Section 13, Township 6 North, Range 1 East, Salt Lake Meridian, U.S. Survey:

Beginning at a point on the North line of said quarter section, 983.4 feet West from the Northeast corner of said quarter section and running thence South 4 chains, more or less, to the center line of the county road; thence North  $60^{\circ}30'$  West 7.59 feet; thence North 226.6 feet, to the North line of said quarter section; thence East, along said North line, 6.6 feet to the place of beginning.

EXCEPTING that portion within the boundaries of the county road.

ALSO: Part of the Northwest quarter of Section 13, Township 6 North, Range 1 East, Salt Lake Meridian, U.S. Survey:

Beginning at a point 990 feet West from the Northeast corner of said quarter section and running thence South 226.6 feet, to the center of the county road; thence North  $60^{\circ}30'$  West, along said center line to the North line of said quarter section; thence East, along said North line, to the place of beginning.

EXCEPTING that portion lying within the boundaries of the county road.

ALSO EXCEPTING THEREFROM any portion of the above described property that may lie within the Pineview Dam boundary.