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BK 7126 PG 433

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RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
10/23/2018 12:03:00 PM
FEE \$21.00 Pgs: 5
DEP eCASH REC'D FOR STEWART TITLE INS AG

Tax Serial Number:
09-045-0017; 14-003-0117; 12-831-0002
AND 12-831-0008

RECORDATION REQUESTED BY:

Bank of American Fork, a Division of People's
Intermountain Bank
Layton
476 W Heritage Park Blvd.
Suite 100
Layton, UT 84041

WHEN RECORDED MAIL TO:

Bank of American Fork, a Division of People's
Intermountain Bank
Layton
476 W Heritage Park Blvd.
Suite 100
Layton, UT 84041

SEND TAX NOTICES TO:

THE POINTE, LLC; WAYNE A. BELLEAU aka WAYNE
BELLEAU; and TETON INVESTMENT HOLDING, LLC
1178 W LEGACY CROSSING BLVD #100
CENTERVILLE, UT 84014

FOR RECORDER'S USE ONLY

01459-15813



MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST dated October 19, 2018, is made and executed between **PARCEL 1: Wayne A. Belleau and Teton Investment Holding, LLC fka Teton Investment Holding, L.P.**

PARCEL 2: Wayne Belleau as to an undivided 33.6% interest, and Teton Investment Holding, LLC fka Teton Investment Holding, L.P. as to an undivided 66.4% interest.

PARCEL 3, 3-A, 3-B AND PARCEL 4: The Pointe, LLC, a Utah limited liability company ("Trustor") and Bank of American Fork, a Division of People's Intermountain Bank, whose address is Layton, 476 W Heritage Park Blvd., Suite 100, Layton, UT 84041 ("Lender").

DEED OF TRUST. Lender and Trustor have entered into a Deed of Trust dated September 28, 2015 (the "Deed of Trust") which has been recorded in DAVIS County, State of Utah, as follows:

RECORDED ON SEPTEMBER 29, 2015, AS ENTRY NUMBER 2895847, BOOK 6361, PAGES 533-546, RECORDED IN THE DAVIS COUNTY, UTAH RECORDER'S OFFICE.

REAL PROPERTY DESCRIPTION. The Deed of Trust covers the following described real property located in DAVIS 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 **PARCEL 1: 382 W 2675 N, LAYTON, UT 84041; PARCEL 2: APPROX 1900 W 1300 N, CLINTON, UT 84015; PARCEL 3, 3-A, 3-B: 279 N 2000 W, WEST POINT, UT 84015; AND PARCEL 4: 101 N 2000 W, WEST POINT, UT 84015.** The Real Property tax identification number is 09-045-0017; 14-003-0117; 12-831-0002 AND 12-831-0008.

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

INCREASE PRINCIPAL LOAN AMOUNT TO \$6,590,500.00.

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 endorser 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 OCTOBER 19, 2018.

MODIFICATION OF DEED OF TRUST
(Continued)

TRUSTOR:

THE POINTE, LLC

By: [Signature]
SPENCER H. WRIGHT, Manager of THE POINTE, LLC

X [Signature]
WAYNE A. BELLEAU aka WAYNE BELLEAU, Individually

TETON INVESTMENT HOLDING, LLC

TETON LAND COMPANY, L.L.C., Manager of TETON INVESTMENT HOLDING, LLC

By: [Signature]
GARY M. WRIGHT, Manager of TETON LAND COMPANY, L.L.C.

By: [Signature]
SPENCER H. WRIGHT, Manager of TETON LAND COMPANY, L.L.C.

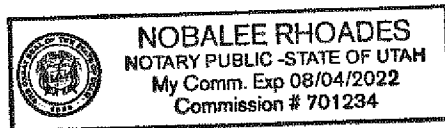
LENDER:

BANK OF AMERICAN FORK, A DIVISION OF PEOPLE'S INTERMOUNTAIN BANK

X [Signature]
Authorized Officer

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Utah)
)
COUNTY OF Davis) SS
)



On this 22 day of October, 2018, before me, the undersigned Notary Public, personally appeared **SPENCER H. WRIGHT, Manager of THE POINTE, 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.

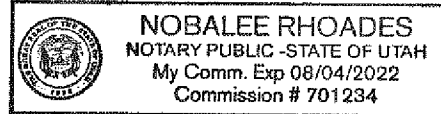
By [Signature]
Notary Public in and for the State of Utah

Residing at Layton
My commission expires 8.4.22

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

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Utah)
) SS
COUNTY OF Davis)

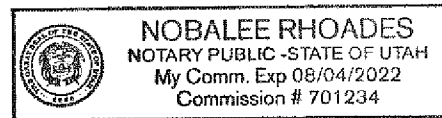


On this day before me, the undersigned Notary Public, personally appeared **WAYNE A. BELLEAU aka WAYNE BELLEAU**, to me known to be the individual described in and who executed the Modification of Deed of Trust, and acknowledged that he or she signed the Modification as his or her free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 22 day of October, 20 18.
By NOBALEE RHOADES Residing at Layton
Notary Public in and for the State of Utah My commission expires 8-4-22

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Utah)
) SS
COUNTY OF Davis)

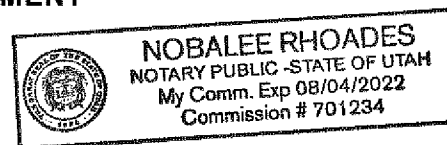


On this 22 day of October, 20 18, before me, the undersigned Notary Public, personally appeared **GARY M. WRIGHT, Manager of TETON LAND COMPANY, L.L.C., Manager of TETON INVESTMENT HOLDING, LLC and SPENCER H. WRIGHT, Manager of TETON LAND COMPANY, L.L.C., Manager of TETON INVESTMENT HOLDING, LLC**, and 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 NOBALEE RHOADES Residing at Layton
Notary Public in and for the State of Utah My commission expires 8-4-22

LENDER ACKNOWLEDGMENT

STATE OF Utah)
) SS
COUNTY OF Davis)



On this 22 day of October, 20 18, before me, the undersigned Notary Public, personally appeared Dale Smith and known to me to be the vice president, authorized agent for **Bank of American Fork, a Division of People's Intermountain Bank** that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of **Bank of American Fork, a Division of People's Intermountain Bank**, duly authorized by **Bank of American Fork, a Division of People's Intermountain 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 **Bank of American Fork, a Division of People's Intermountain Bank**.

By NOBALEE RHOADES Residing at Layton
Notary Public in and for the State of Utah My commission expires 8-4-22

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

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EXHIBIT "A"

Parcel 1:

Beginning at a point 10.865 chains North along the Section line and South 89°22'00" East 706.11 feet from the Southwest corner of the Northwest Quarter of Section 9, Township 4 North, Range 1 West, Salt Lake Base and Meridian, and running thence North 0°08'15" East 600.43 feet along the Easterly line of Windsor Square Commercial Subdivision Phase 3 to the North line of the South half of the Northwest Quarter of said Section, thence South 89°30' East 866.51 feet along said North line to the Westerly line of the property conveyed to the United States of America by Deed recorded March 3, 1977 in Book 638 at Page 317 of Official Records, thence South 27°28' East 683.63 feet, more or less, to a point 10.865 chains North of the South line of said Northwest Quarter, thence West 1166.49 feet, more or less, to the point of beginning.

Parcel 2:

Beginning at a point which is North 45°07'30" East 46.70 feet to the intersection of the North line of one street with the East line of another street, (being 33.0 feet North of the South section line and 33.0 feet East of the West section line), and North 0°09'39" East 646.54 feet parallel to the West line of said section and East 414.77 feet from the Southwest corner of Section 27, Township 5 North, Range 2 West, Salt Lake Base and Meridian, and running thence East 403.65 feet to the Westerly line of Tartan Ridge Estates No. 4, thence along said Westerly line South 0°18'28" East 647.80 feet to the North line of 1300 North Street, thence along said North line North 89°54'43" West 403.65 feet, thence North 647.18 feet to the point of beginning. Less and excepting Clinton Alzheimer Special Care Center.

Parcel 3:

Lot 2, THE POINT, according to the Official Plat thereof as recorded in the Office of the Davis County Recorder, State of Utah.

Parcel 3-A:

Easements for, but not limited to, pedestrian and vehicular ingress, egress, parking, utilities and signage as provided by that certain Restrictions and Easements Agreement recorded August 4, 2015 as Entry No. 2884787 in Book 6322, Page 1451 of Official Records.

Parcel 3-B:

Right of way created by that dedication plat of The Point recorded August 4, 2015 as Entry No. 2884784, over and across the following described property: Access Easements as depicted across Parcel A, The Point according to the Official Plat thereof.

Parcel 4:

Lot 8, THE POINT, according to the Official Plat thereof as recorded in the Office of the Davis County Recorder, State of Utah.

Tax I.D. Numbers: 09-045-0017, 14-003-0117, 12-831-0002, and 12-831-0008