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RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
6/6/2014 10:57:00 AM
FEE \$14.00 Pgs: 3
DEP eCASH REC'D FOR FOUNDERS TITLE CO - L

Tax Serial Number:
10-166-0002

WHEN RECORDED MAIL TO:
Cache Valley Bank
Layton Office
1333 North Hill Field Road
Layton, UT 84041

FD47286A

FOR RECORDER'S USE ONLY

MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST dated JUNE 5, 2014, is made and executed between DURBANO DEVELOPMENT COMPANY, L.C. ("Trustor") and Cache Valley Bank, whose address is Layton Office, 1333 North Hill Field Road, Layton, UT 84041 ("Lender").

DEED OF TRUST. Lender and Trustor have entered into a Deed of Trust dated January 3, 2012 (the "Deed of Trust") which has been recorded in DAVIS County, State of Utah, as follows:

RECORDED JANUARY 6, 2012 AS ENTRY NO 2636344, BOOK 5432, PAGE 248-261 IN THE OFFICE OF THE DAVIS COUNTY RECORDER.

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

ALL OF LOT 2, HERITAGE PARK AT LAYTON HILLS, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF DAVIS COUNTY, STATE OF UTAH.

The Real Property or its address is commonly known as 476 WEST HERITAGE PARK BLVD., LAYTON, UT 84041. The Real Property tax identification number is 10-166-0002.

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

INCREASE THE PRINCIPAL AMOUNT FROM \$1,500,000.00 TO \$2,600,000.00.

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 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

MODIFICATION OF DEED OF TRUST
(Continued)

TRUST AND TRUSTOR AGREES TO ITS TERMS. THIS MODIFICATION OF DEED OF TRUST IS DATED JUNE 5, 2014.

TRUSTOR:

DURBANO DEVELOPMENT, L.C.

By: [Signature]
DOUGLAS M DURBANO, MANAGER of DURBANO
DEVELOPMENT, L.C.

LENDER:

CACHE VALLEY BANK

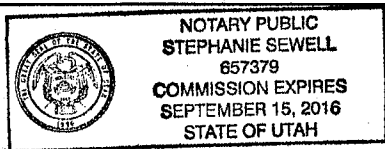
X [Signature]
BRUCE JENSEN, Loan Officer

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Utah)
) SS
COUNTY OF DAVIS)

On this 5 day of June, 20 14, before me, the undersigned Notary Public, personally appeared **DOUGLAS M DURBANO, MANAGER of DURBANO DEVELOPMENT, L.C.**, 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 Ogden UT
Notary Public in and for the State of Utah My commission expires 9.15.16



LENDER ACKNOWLEDGMENT

STATE OF Utah)
) SS
COUNTY OF DAVIS)

On this 5 day of June, 20 14, before me, the undersigned Notary Public, personally appeared **BRUCE JENSEN** and known to me to be the **Loan Officer**, authorized agent for **Cache Valley Bank** that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of **Cache Valley Bank**, duly authorized by **Cache Valley 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 **Cache Valley Bank**.

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

Residing at Ogden UT
My commission expires 9.15.16

