

Tax Serial Number:  
40-442-0001

WHEN RECORDED MAIL TO:  
Timberline Bank  
649 Market St  
Grand Junction, CO 81505

SEND TAX NOTICES TO:  
Timberline Bank  
Grand Junction  
649 Market St  
Grand Junction, CO 81505

FOR RECORDER'S USE ONLY

### MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST dated December 28, 2021, is made and executed between WPW HOLDINGS LLC, A COLORADO LIMITED LIABILITY COMPANY, whose address is 709 23 2/10 RD, GRAND JUNCTION, CO 81505-8707 ("Trustor") and Timberline Bank, whose address is Grand Junction, 649 Market St, Grand Junction, CO 81505 ("Lender").

DEED OF TRUST. Lender and Trustor have entered into a Deed of Trust dated February 1, 2021 (the "Deed of Trust") which has been recorded in UTAH County, State of Utah, as follows:

RECORDED ON FEBRUARY 1, 2021, IN THE UTAH COUNTY CLERK AND RECORDERS OFFICE WITH RECEPTION NO. 19576:2021 .

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

AS CONTAINED IN THE ORIGINAL DEED OF TRUST REFERENCED ABOVE

The Real Property or its address is commonly known as 1975 WEST STATE STREET, PLEASANT GROVE, UT 84062. The Real Property tax identification number is 40-442-0001.

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

THE GRANTOR IS MODIFIED TO WPW HOLDINGS, LLC, A COLORADO LIMITED LIABILITY COMPANY.

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 endorers 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 DECEMBER 28, 2021.

MODIFICATION OF DEED OF TRUST  
(Continued)

TRUSTOR:

WPW HOLDINGS LLC

By: [Signature]  
WARREN P WALCHER II, Manager of WPW HOLDINGS  
LLC

LENDER:

TIMBERLINE BANK

X [Signature]  
NATHAN RHODES, Business Banking Officer

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Colorado )  
 ) SS  
COUNTY OF Mesa )

On this 25<sup>th</sup> day of December, 20 21, before me, the undersigned Notary Public, personally appeared **WARREN P WALCHER II, Manager of WPW HOLDINGS 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] Residing at 649 Market St, CO 81501  
Notary Public in and for the State of Colorado My commission expires 7-19-2023

NATHAN J. RHODES  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID #20114045201  
My Commission Expires July 19, 2023

MODIFICATION OF DEED OF TRUST  
(Continued)

LENDER ACKNOWLEDGMENT

STATE OF Colorado )  
 ) SS  
COUNTY OF Mesa )

On this 28<sup>th</sup> day of December, 20 21, before me, the undersigned Notary Public, personally appeared **NATHAN RHODES** and known to me to be the **Business Banking Officer**, authorized agent for **Timberline Bank** that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of **Timberline Bank**, duly authorized by **Timberline 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 **Timberline Bank**.

By *Gabriel J. Taets*

Residing at 649 Market st GJCO 81505

Notary Public in and for the State of

My commission expires 12-28-21

GABRIEL J. TAETS  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID #20174052570  
My Commission Expires December 28, 2021

**EXHIBIT 'A'**

File No.: **NCS-1034226-M-SLC1 (ami)**

Property: **1975 West State Street, Pleasant Grove, UT 84062**

**LOT 1, PLAT "A", GROVE POINTE SUBDIVISION, PLEASANT GROVE, UTAH, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE UTAH COUNTY RECORDER.**

**THE TERMS OF THAT CERTAIN SHARED ACCESS AGREEMENT BY AND BETWEEN DEVCO 182, LLC, A UTAH LIMITED LIABILITY COMPANY AND BUD, LLC, A UTAH LIMITED LIABILITY COMPANY DATED JUNE 9, 2011 AND RECORDED AUGUST 18, 2011 AS ENTRY NO. 58512:2011, RECORDS OF UTAH COUNTY, UTAH.**

**A.P.N. 40-442-0001**