ENT 11192:2020 PG 1 of 6

Jeffery Smith

Utah County Recorder

2020 Jan 28 04:10 PM FEE 44.00 BY CS

RECORDED FOR Vanguard Title Insurance Agency, LLC

ELECTRONICALLY RECORDED

AFTER RECORDING RETURN TO: BRMK Lending, LLC 1420 5th Avenue Suite 2000 Seattle, WA 98101 41869-419

Information Required by RCW Ch. 36.18 and 65.04.

<u>Document Title</u>: First Amendment to Deed of Trust Security Agreement and Fixture

Filing with Assignment of Leases and Rents

Reference Number(s) of Document Assigned or Released: ENT 102583:2018

Grantor(s): Cedar Corners Management, LLC, a Utah limited liability company
Grantee: BRMK LENDING, LLC, a Delaware limited liability company, successor

in interest by merger to BRELF II, LLC, a Washington limited liability

company

FIRST AMENDMENT TO DEED OF TRUST, SECURITY AGREEMENT AND FIXTURE FILING WITH ASSIGNMENT OF LEASES AND RENTS

THIS FIRST AMENDMENT TO DEED OF TRUST is made this _____ day of January, 2020, between Cedar Corners Management, LLC, a Utah limited liability company, as "Grantor," whose address is 1374 W 200 S, Lindon, UT 84042, to Vanguard Title Insurance Agency, LLC, "Trustee", 532 E. 800 N., Orem, UT 84097 for the benefit of BRMK LENDING, LLC, a Delaware limited liability company, successor in interest by merger to BRELF II, LLC, a Washington limited liability company, or assigns, "Beneficiary," whose address is 1420 5th Avenue, Suite 2000, Seattle, WA 98101, on the following terms:

1. The Property encumbered by this First Amendment to Deed of Trust and the original Deed of Trust is as follows:

Real property in the County of Utah, State of Utah, described as follows:

See Attached Exhibit "A" For Legal Description

PHYSICAL ADDRESS: 1800 Bobby Wren BLVD (Undeveloped Land)

Eagle Mountain, UT 84005

ASSESSOR'S TAX PARCEL NO.: 59:007:0094, 59:044:0131, 59:044:0148, 59:044:0147, 59:044:0146, 59:044:0145, 59:044:0144, 59:044:0120, 59:044:0143, 59:044:0118, 59:044:0114 and 59:044:0142

- 2. The original Deed of Trust is recorded under Utah County Recorder's File No. ENT 102583:2018.
- 3. The sole amendment to the original Deed of Trust is to provide for a change in the amount of the Promissory Note to \$6,450,000.00, and such other and further additional advances as may be made by Beneficiary to Grantor. In all other respects the original Deed of Trust shall remain in full force and effect, and unchanged.

Signature Page to Follow

GRANTOR:

Cedar Corners Management, LLC, a Utah limited liability company

By: The Tristar Irrevocable Trust, Dated 2/13/2009, Manager

STATE OF MACH COUNTY OF Utal

I certify that I know or have satisfactory evidence that Brad A. Jensen is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as Trustee of The Tristar Irrevocable Trust, Dated 2/13/2009, Manager of Cedar Corners Management, LLC, a Utah limited liability company to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day

and year first above written.

Scott Favell NOTARY PUBLIC in and for the State of

, residing at: Wah 6: cuto h

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BENEFICIARY

BRMK LENDING, LLC, a Delaware limited liability company, successor in interest by merger to BRELF II, LLC, a Washington limited liability company

By: Broadmark Realty Capital Inc., a Maryland

corporation, its Sole Member

Name: Jeffrey B. Pyatt

Title: President and Chief Executive Officer

STATE OF WASHINGTON) ss. COUNTY OF KING

> **Notary Public** State of Washington LAURIE SOLOWAY

> > MARCH 2, 2020

I certify that I know or have satisfactory evidence that JEFFREY B. PYATT is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the President and Chief Executive Officer of BROADMARK REALTY CAPITAL INC., the Sole Member of BRMK LENDING, LLC, to be the free and voluntary act and deed of such limited liability company, for the uses and purposes mentioned in the instrument.

WITNESS my hand and official seal hereto affixed on

COMMISSION EXPIRES

(Print or stamp name of Notary) NOTARY PUBLIC in and for the State of

Washington

My Appointment Expires: _

EXHIBIT "A"

A TRACT OF LAND BEING SITUATE IN THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 6 SOUTH, RANGE 1 WEST, AND THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, HAVING A BASIS OF BEARINGS OF SOUTH 89°31'31" EAST BETWEEN THE NORTHWEST CORNER AND THE NORTH QUARTER CORNER OF SAID SECTION 7, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS SOUTH 00°28'03" WEST 26.50 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 7, AND RUNNING THENCE SOUTH 89°31'31" EAST 540.61 FEET TO THE POINT OF A 20.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE ALONG SAID CURVE A DISTANCE OF 31.39 FEET THROUGH A

CENTRAL ANGLE OF 89°56'13" (CHORD BEARS SOUTH 44°33'25" EAST 28.27 FEET); THENCE SOUTH 00°24'42" WEST 115.80 FEET; THENCE NORTH 88°40'36" EAST 577.09 FEET; THENCE SOUTH 88°02'01" EAST 531.68 FEET; THENCE SOUTH 00°33'30" WEST 111.51 FEET TO THE POINT OF A 20.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE ALONG SAID CURVE A DISTANCE OF 31.87 FEET THROUGH A CENTRAL ANGLE OF 91°18'38" (CHORD BEARS SOUTH 46°12'49" WEST 28.61 FEET) TO THE POINT OF A 973.50 FOOT COMPOUND CURVE TO THE RIGHT; THENCE ALONG SAID CURVE A DISTANCE OF 72.01 FEET THROUGH A CENTRAL ANGLE OF 4°14'18" (CHORD BEARS NORTH 86°00'43" WEST 72.00 FEET) TO THE POINT OF A 4026.50 FOOT RADIUS

REVERSE CURVE TO THE LEFT; THENCE ALONG SAID CURVE A DISTANCE OF 829.49 FEET THROUGH A CENTRAL ANGLE OF 11°48'12" (CHORD BEARS NORTH 89°47'40" WEST 828.02 FEET) TO THE POINT OF A 973.50 FOOT RADIUS REVERSE CURVE TO THE RIGHT; THENCE ALONG SAID CURVE A DISTANCE OF 100.27 FEET THROUGH A CENTRAL ANGLE OF 5°54'06" (CHORD BEARS SOUTH 87°15'17" WEST 100.23 FEET);

THENCE NORTH 89°47'40" WEST 87.57 FEET; THENCE SOUTH 00°24'42" WEST 1024.58 FEET TO THE POINT OF A 20.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE ALONG SAID CURVE A DISTANCE OF 16.22 FEET THROUGH A CENTRAL ANGLE OF 46°28'11" (CHORD BEARS SOUTH 23°38'45" WEST 15.78 FEET); THENCE NORTH 89°35'17" WEST 555.93 FEET; THENCE SOUTH 88°44'16" WEST 678.08 FEET TO THE POINT OF A

NON-TANGENT 20.00 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE A DISTANCE OF 16.65 FEET THROUGH A CENTRAL ANGLE OF 47°42'01" (CHORD BEARS NORTH 21°20'30" EAST 16.17 FEET) TO THE POINT OF A 673.50 FOOT COMPOUND CURVE TO THE LEFT; THENCE ALONG SAD CURVE A DISTANCE OF 612.95 FEET THROUGH A CENTRAL ANGLE OF 52°08'39" (CHORD BEARS NORTH 28°34'33" WEST 592.01 FEET); THENCE SOUTH 35°21'08" WEST 130.00 FEET TO THE POINT OF A NON-TANGENT 543.50 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE A DISTANCE OF 117.68 FEET THROUGH A CENTRAL ANGLE OF 12°24'21" (CHORD BEARS NORTH 60°51'04" WEST 117.45 FEET) TO THE POINT OF A 356.50 FOOT RADIUS REVERSE CURVE TO THE RIGHT; THENCE ALONG SAID CURVE A DISTANCE OF 178.96 FEET THROUGH A CENTRAL ANGLE OF 28°45'45" (CHORD BEARS NORTH 52°40'24" WEST 177.09 FEET); THENCE NORTH 89°34'01" WEST 57.32 FEET; THENCE NORTH 00°25'45" EAST 740.85 FEET; THENCE SOUTH 89°30'01" EAST 1336.60 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING:

BEGINNING AT A POINT WHICH IS SOUTH 89°31'31" EAST ALONG THE SECTION LINE A DISTANCE OF 587.06 FEET FROM THE NORTHWEST CORNER OF SECTION 7, TOWNSHIP 6 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 89°31'31" EAST ALONG SAID SECTION LINE A DISTANCE OF 1082.22 FEET; THENCE SOUTH 00°33'30" WEST 349.77 FEET TO THE POINT OF A 1850.50 FEET RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE A DISTANCE OF 337.43 FEET THROUGH A CENTRAL ANGLE OF

10°26'51" (CHORD BEARS SOUTH 04°39'56" EAST 336.96 FEET) TO THE POINT OF A 947.00 FEET RADIUS REVERSE CURVE TO THE RIGHT; THENCE ALONG SAID CURVE A DISTANCE OF 169.14 FEET THROUGH A CENTRAL ANGLE OF 10°14'00" (CHORD BEARS SOUTH 04°46'21" EAST 168.92 FEET); THENCE SOUTH 00°20'39" WEST 464.79 FEET TO THE POINT OF A NON-TANGENT 20.00 FEET RADIUS CURVE TO THE RIGHT; THENCE ALONG SAID CURVE A DISTANCE OF 16.24 FEET THROUGH A CENTRAL ANGLE OF 46°31'33" (CHORD BEARS SOUTH 23°44'19" WEST 15.80 FEET); THENCE NORTH 89°35'17" WEST 1126.93 FEET TO THE POINT OF A NON-TANGENT 20.00 FEET RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE A DISTANCE OF 16.22 FEET THROUGH A CENTRAL ANGLE OF 46°28'09" (CHORD BEARS NORTH 23°38'46" EAST 15.78 FEET); THENCE NORTH 00°24'42" EAST 1319.62 FEET TO THE POINT OF BEGINNING.

Tax Parcel No.: 59:007:0094, 59:044:0131, 59:044:0148, 59:044:0147, 59:044:0146, 59:044:0145, 59:044:0144, 59:044:0120, 59:044:0143, 59:044:0118, 59:044:0114 and 59:044:0142