

38

Tax Serial Number:  
C0029018001A, C00290280050,  
C40210267802, C40210267803,  
C40210267805, C40210267806,  
C40210267807, C40210267809,  
C40210267810, C40210267811,  
C00290280080, C00290280070,  
C0029028000A, C00290280000

**RECORDATION REQUESTED BY:**

First Utah Bank  
Construction Loan Department  
8915 S. 700 East, Suite 103  
Sandy, UT 84070

Ent 122752 Bk 966 Pg 749-754  
Date: 06-OCT-2014 9:52:13AM  
Fee: \$38.00 Check  
Filed By: IH  
LOUISE C JONES, Recorder  
SAN JUAN COUNTY CORPORATION  
For: MOUNTAIN VIEW TITLE

**WHEN RECORDED MAIL TO:**

First Utah Bank  
Construction Loan Department  
8915 S. 700 East, Suite 103  
Sandy, UT 84070

**SEND TAX NOTICES TO:**

First Utah Bank  
Construction Loan Department  
8915 S. 700 East, Suite 103  
Sandy, UT 84070

FOR RECORDER'S USE ONLY

124714

**MODIFICATION OF DEED OF TRUST**

THIS MODIFICATION OF DEED OF TRUST dated July 28, 2014, is made and executed between Shoalb M. Sharieff, Trustee of Desert Rose Inn L.L.C. Revocable Trust under the provisions of a trust agreement dated January 13, 2014 ("Trustor") and First Utah Bank, whose address is Construction Loan Department, 8915 S. 700 East, Suite 103, Sandy, UT 84070 ("Lender").

Noted: 10-6-14

DEED OF TRUST. Lender and Trustor have entered into a Deed of Trust dated January 27, 2014 (the "Deed of Trust") which has been recorded in San Juan County, State of Utah, as follows:

Recorded on January 30, 2014 as Entry No: 120928, in Book No: 959, on Page Nos: 703-715, in the San Juan County Recorder's Office.

REAL PROPERTY DESCRIPTION. The Deed of Trust covers the following described real property located in San Juan 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 701 Main Street, Bluff, UT 84512. The Real Property tax identification number is C0029018001A, C00290280050, C40210267802, C40210267803, C40210267805, C40210267806, C40210267807, C40210267809, C40210267810, C40210267811, C00290280080, C00290280070, C0029028000A, C00290280000.

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

Increase Principal Balance to \$3,470,000.00.

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 TRUST AND TRUSTOR AGREES TO ITS TERMS. THIS MODIFICATION OF DEED OF TRUST IS DATED JULY 28, 2014.

TRUSTOR:

X  Trustee

Shoalb M. Sharieff, Trustee of Desert Rose Inn L.L.C. Revocable Trust under the provisions of a Trust Agreement dated January 13, 2014

21

MODIFICATION OF DEED OF TRUST  
(Continued)

Loan No: 9200030998

Page 2

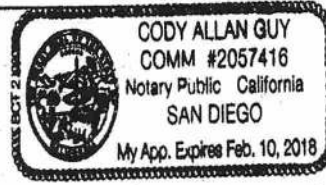
LENDER:

FIRST UTAH BANK

X Scott Geertsen  
Scott Geertsen, Construction Lending Department Manager,

TRUST ACKNOWLEDGMENT

STATE OF California )  
 ) SS  
COUNTY OF San Diego )



On this 16 day of August, 20 14, before me, the undersigned Notary Public, personally appeared Shoalb M. Sharlett, Trustee of Desert Rose Inn L.L.C. Revocable Trust, and known to me to be an authorized trustee or agent of the trust that executed the Modification of Deed of Trust and acknowledged the Modification to be the free and voluntary act and deed of the trust, by authority set forth in the trust documents or, by authority of statute, 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 trust.

By [Signature] Residing at 7040 Avenida Encinas Carlsbad  
Notary Public In and for the State of CA My commission expires 2/10/18

LENDER ACKNOWLEDGMENT

STATE OF Utah )  
 ) SS  
COUNTY OF Salt Lake )

On this 24th day of September, 20 14, before me, the undersigned Notary Public, personally appeared Scott Geertsen and known to me to be the Construction Lending Department Manager, authorized agent for First Utah Bank that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of First Utah Bank, duly authorized by First Utah 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 First Utah Bank.

By [Signature] Residing [Address]  
Notary Public In and for the State of Utah My commission expires March 4, 2016

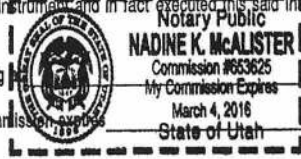


EXHIBIT "A"

PARCEL 1:

ALL OF BLOCK 18, COTTONWOOD ADDITION, BLUFF, UTAH. INCLUDING: THE ALLEYWAY 20 FOOT WIDE RUNNING EAST AND WEST THROUGH THE MIDDLE OF BLOCK 18.

ALSO: A PORTION OF THE 20 FEET WIDE ALLEY LOCATED WEST OF LOT 12 AND LOT 13, BLOCK 18, COTTONWOOD ADDITION, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT 63.64 FEET NORTH OF THE SOUTHWEST CORNER OF LOT 12, BLOCK 18, COTTONWOOD ADDITION, AND RUNNING THENCE SOUTH 183.64 FEET TO THE SOUTHWEST CORNER OF LOT 13, BLOCK 18, THENCE WEST 20 FEET; THENCE NORTH 175.64 FEET; THENCE NORTHEASTERLY TO THE POINT OF BEGINNING.

ALSO: BEGINNING AT THE SOUTHWEST CORNER OF BLOCK 18, COTTONWOOD ADDITION, RUNNING THENCE NORTH 85°40'24" EAST 120 FEET TO THE SOUTHEAST CORNER OF LOT 14, BLOCK 18; THENCE SOUTH 4°19'36" EAST 60 FEET; THENCE SOUTH 85°40'24" WEST 140 FEET; THENCE NORTH 4°19'36" WEST 60 FEET; THENCE NORTH 85°40'24" EAST 20 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING A PARCEL OF LAND IN FEE FOR A HIGHWAY KNOWN AS PROJECT NO. 050-1, AS DESCRIBED IN THAT CERTAIN WARRANTY DEED DATED APRIL 19, 1979, AND RECORDED AS ENTRY NUMBER IF-02421

PARCEL NUMBER: C0029018001A

PARCEL 2:

BLOCK 28, LOTS 5 AND 6, IN COTTONWOOD ADDITION, BLUFF, UTAH.

ALSO: A PORTION OF THE 20 FEET WIDE ALLEY LOCATED WEST OF LOT 6, BLOCK 28, COTTONWOOD ADDITION, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 6, BLOCK 28, COTTONWOOD ADDITION, AND RUNNING THENCE NORTH 100 FEET; THENCE WEST 20 FEET; THENCE SOUTH 100 FEET; THENCE EAST 20 FEET TO THE POINT OF BEGINNING.

PARCEL NUMBER: C00290280050

PARCEL 3:

BEGINNING AT A POINT LOCATED SOUTH 86°02'45" EAST 4030.0 FEET AND SOUTH 4°19'36" EAST 20 FEET FROM THE WEST QUARTER CORNER OF SECTION 26, TOWNSHIP 40 SOUTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN. POINT OF BEGINNING ALSO LOCATED SOUTH 4°19'36" EAST 20 FEET FROM THE SOUTHEAST CORNER OF BLOCK 28 OF THE COTTONWOOD ADDITION AS IT IS LOCATED ON THE GROUND. RUNNING THENCE NORTH 85°40'24" EAST 40 FEET; THENCE SOUTH 4°19'36" EAST 75 FEET; THENCE SOUTH 85°40'24" WEST 340 FEET; THENCE NORTH 4°19'36" WEST 20 FEET; THENCE NORTH 85°40'24" EAST 300 FEET; THENCE NORTH 4°19'26" WEST 55 FEET TO THE POINT OF BEGINNING. BEARINGS BASED UPON THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 26 BEING NORTH 0°01' WEST. CONVEYING AND RESERVING A PERMANENT, NON-EXCLUSIVE RIGHT-OF-WAY FOR INGRESS AND EGRESS AND A PERMANENT, NON-EXCLUSIVE UTILITY EASEMENT FOR PURPOSES OF CONSTRUCTING, INSTALLING, LAYING, USING,

File Number: 124714

OPERATING, INSPECTING, MAINTAINING, REPLACING, AND REMOVING UTILITIES AND ASSOCIATED INFRASTRUCTURE OVER AND UPON SAID PARCEL DESCRIBED IN THAT CERTAIN QUIT CLAIM DEED DATED MARCH 21, 2013, AND RECORDED AS ENTRY NUMBER 118293.

PARCEL NUMBER: C40210267802

PARCEL 4:

BEGINNING AT A POINT LOCATED SOUTH 86°02'45" EAST 4030.0 FEET AND SOUTH 4°19'36" EAST 20 FEET FROM THE WEST QUARTER CORNER OF SECTION 26, TOWNSHIP 40 SOUTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN; POINT OF BEGINNING ALSO LOCATED SOUTH 4°13'35" EAST 20 FEET FROM THE SOUTHEAST CORNER OF BLOCK 28, COTTONWOOD ADDITION AS IT IS LOCATED ON THE GROUND. RUNNING THENCE NORTH 85°40'24" EAST 80.0 FEET; THENCE SOUTH 4°19'36" EAST 95.0 FEET; THENCE SOUTH 85°40'24" WEST 410.0 FEET; THENCE NORTH 4°19'36" WEST 95.0 FEET; THENCE NORTH 85°40'24" EAST 330.0 FEET TO THE POINT OF BEGINNING. BEARINGS BASED ON THE WEST LINE OF THE NORTHWEST QUARTER SECTION 26 BEING NORTH 0°01' WEST.

LESS: BEGINNING AT A POINT LOCATED SOUTH 86°02'45" EAST 4030.0 FEET AND SOUTH 4°19'36" EAST 20.0 FEET FROM THE WEST QUARTER CORNER OF SECTION 26, TOWNSHIP 40 SOUTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN. POINT OF BEGINNING ALSO LOCATED SOUTH 4°19'36" EAST 20.0 FEET FROM THE SOUTHEAST CORNER OF BLOCK 28, COTTONWOOD ADDITION AS IT IS LOCATED ON THE GROUND. RUNNING THENCE NORTH 85°40'24" EAST 40.0 FEET; THENCE SOUTH 4°19'36" EAST 75.0 FEET; THENCE SOUTH 85°40'24" WEST 340.0 FEET; THENCE NORTH 4°19'36" WEST 75.0 FEET; THENCE NORTH 85°40'24" EAST 300.0 FEET TO THE POINT OF BEGINNING. BEARING BASED ON THE WEST LINE OF THE NORTHWEST QUARTER SECTION 26 BEING NORTH 0°01' WEST.

PARCEL NUMBER: C40210267803

PARCELS 5:

BEGINNING AT THE NORTHWEST CORNER OF LOT 8, BLOCK 28, COTTONWOOD ADDITION, BLUFF, UTAH, SAID POINT ALSO LOCATED SOUTH 86°54'17" EAST 3719.1 FEET FROM THE WEST QUARTER CORNER OF SECTION 26, TOWNSHIP 40 SOUTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN, RUNNING THENCE NORTH 85°40'24" EAST 150 FEET, THENCE SOUTH 4°19'36" EAST 175 FEET; THENCE SOUTH 85°40'24" WEST 150 FEET; THENCE NORTH 4°19'36" WEST 175 FEET TO THE POINT OF BEGINNING.

PARCEL NUMBERS: C00290280080

PARCEL 6:

BEGINNING AT A POINT LOCATED SOUTH 86°44'31" EAST 3639.83 FEET FROM THE WEST QUARTER CORNER, SECTION 26, TOWNSHIP 40 SOUTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT ALSO LOCATED SOUTH 85°40'24" WEST 20 FEET FROM THE NORTHWEST CORNER OF LOT 7, BLOCK 28, OF THE COTTONWOOD ADDITION AS IT IS LOCATED ON THE GROUND, RUNNING THENCE SOUTH 85°40' WEST 97.6 FEET; THENCE NORTH 25°37' WEST 336.8 FEET; THENCE NORTH 75°43' EAST 223.3 FEET; THENCE SOUTH 04°19'36" EAST 352.4 FEET TO THE POINT OF BEGINNING.

PARCEL NUMBER: C40210267806

PARCEL 7:

BEGINNING AT A POINT LOCATED SOUTH 242.85 FEET AND EAST 3423.27 FEET FROM THE WEST  
File Number: 124714

QUARTER CORNER OF SECTION 26, TOWNSHIP 40 SOUTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN, RUNNING THENCE SOUTH 60°59' EAST 182.6 FEET; THENCE SOUTH 48°21' EAST 76.0 FEET; THENCE NORTH 85°40'24" EAST 57.0 FEET; THENCE SOUTH 4°19'36" EAST 40.0 FEET; THENCE SOUTH 85°40'24" WEST 25.0 FEET; THENCE SOUTH 4°19'36" EAST 160.0 FEET; THENCE SOUTH 85°40'24" WEST 88.6 FEET; THENCE NORTH 27°03' WEST 384.8 FEET TO THE POINT OF BEGINNING.

PARCEL NUMBER: C40210267807

PARCEL 8:

BEGINNING AT A POINT LOCATED SOUTH 408.42 FEET AND EAST 3819.67 FEET FROM THE WEST QUARTER CORNER OF SECTION 26, TOWNSHIP 40 SOUTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN. RUNNING THENCE NORTH 85°40'24" EAST 145 FEET; THENCE SOUTH 4°19'36" EAST 160 FEET; THENCE SOUTH 85°40'24" WEST 145 FEET; THENCE NORTH 4°19'36" WEST 160 FEET TO THE POINT OF BEGINNING.

PARCEL NUMBER: C40210267809

PARCEL 9:

BEGINNING AT A POINT LOCATED SOUTH 397.48 FEET AND EAST 3964.25 FEET FROM THE WEST QUARTER CORNER OF SECTION 26, TOWNSHIP 40 SOUTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN. RUNNING THENCE NORTH 85°40'24" EAST 145 FEET; THENCE SOUTH 4°19'36" EAST 160 FEET; THENCE SOUTH 85°40'24" WEST 145 FEET; THENCE NORTH 4°19'36" WEST 160 FEET TO THE POINT OF BEGINNING.

PARCEL NUMBER: C40210267810

PARCEL 10:

BEGINNING AT A POINT LOCATED SOUTH 86°44'31" EAST 3639.83 FEET FROM THE WEST QUARTER CORNER OF SECTION 26, TOWNSHIP 40 SOUTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT ALSO LOCATED SOUTH 85°40'24" WEST 20.0 FEET FROM THE NORTHWEST CORNER OF LOT 7, BLOCK 28 OF THE COTTONWOOD ADDITION AS IT IS LOCATED ON THE GROUND. RUNNING THENCE SOUTH 04°19'36" EAST 120.0 FEET; THENCE SOUTH 85°40' WEST 50.9 FEET; THENCE NORTH 25°37' WEST 128.8 FEET; THENCE NORTH 85°40' EAST 97.6 FEET TO THE POINT OF BEGINNING.

PARCEL NUMBER: C40210267811

PARCEL 11:

BEGINNING AT THE NORTHWEST CORNER OF LOT 8, BLOCK 28, COTTONWOOD ADDITION, BLUFF, UTAH, SAID POINT ALSO LOCATED SOUTH 86°54'17" EAST 3719.1 FEET FROM THE WEST QUARTER CORNER OF SECTION 26, TOWNSHIP 40 SOUTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN, RUNNING THENCE NORTH 85°40'24" EAST 150 FEET, THENCE SOUTH 4°19'36" EAST 175 FEET; THENCE SOUTH 85°40'24" WEST 150 FEET; THENCE NORTH 4°19'36" WEST 175 FEET TO THE POINT OF BEGINNING.

PARCEL NUMBER: C40210267805

PARCEL 12:

BLOCK 28, LOT 7, IN THE COTTONWOOD ADDITION, BLUFF, UTAH.

PARCEL NUMBER: C00290280070

File Number: 124714

PARCEL 13:

A PORTION OF THE 20 FOOT WIDE ALLEY LOCATED SOUTH AND WEST OF LOT 7, BLOCK 28, COTTONWOOD ADDITION, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT THE SOUTHEAST CORNER OF LOT 7, BLOCK 28, COTTONWOOD ADDITION, RUNNING THENCE SOUTH 4°19'36" EAST 20 FEET; THENCE SOUTH 85°40'24" WEST 80 FEET; THENCE NORTH 4°19'36" WEST 120 FEET; THENCE NORTH 85°40'24" EAST 20 FEET; THENCE SOUTH 4°19'36" EAST 100 FEET; THENCE NORTH 85°40'24" EAST 60 FEET TO THE POINT OF BEGINNING.

PARCEL NUMBER: C0029028000A

PARCEL 14:

TOWNSHIP 40 SOUTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN: SECTION 26: BEGINNING AT THE SOUTHWEST CORNER OF LOT 6, BLOCK 28, COTTONWOOD ADDITION, AND RUNNING THENCE NORTH 85°39'02" EAST 210 FEET; THENCE SOUTH 04°20'58" EAST 20 FEET; THENCE SOUTH 85°39'02" WEST 230 FEET; THENCE NORTH 04°20'58" WEST 20 FEET; THENCE NORTH 85°39'02" EAST 20 FEET TO THE POINT OF BEGINNING.

PARCEL NUMBER: C00290280000

Serial Number:

File Number: 124714