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BK 6411 PG 1293

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RICHARD T. MAUGHAN  
DAVIS COUNTY, UTAH RECORDER  
12/11/2015 3:52:00 PM  
FEE \$14.00 Pgs: 3  
DEP eCASH REC'D FOR FOUNDERS TITLE CO

Tax Serial Number:  
12-419-0004

RECORDATION REQUESTED BY:  
Cache Valley Bank  
Layton Office  
1333 North Hill Field Road  
Layton, UT 84041

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

SEND TAX NOTICES TO:  
Cache Valley Bank  
Layton Office  
1333 North Hill Field Road  
Layton, UT 84041

752489

FOR RECORDER'S USE ONLY

### MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST dated DECEMBER 11, 2015, is made and executed between SYRACUSE ASSISTED LIVING PHASE 1, LLC DBA RAIN TREE SENIOR LIVING, whose address is 3765 KIESEL AVE, OGDEN, UT 84405 ("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 December 15, 2014 (the "Deed of Trust") which has been recorded in DAVIS County, State of Utah, as follows:

RECORDED 12/17/2014 AS ENTRY NO. 2839394 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:

See the exhibit or other description document 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 2063 W. 1900 S., SYRACUSE, UT 84075. The Real Property tax identification number is 12-419-0004.

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

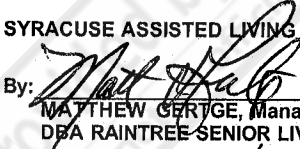
INCREASE THE PRINCIPAL AMOUNT FROM \$2,545,455.00 TO 3,055,300.00.


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 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 11, 2015.

TRUSTOR:

SYRACUSE ASSISTED LIVING PHASE 1, LLC DBA RAIN TREE SENIOR LIVING

By:   
MATTHEW GERTGE, Manager of SYRACUSE ASSISTED LIVING PHASE 1, LLC  
DBA RAIN TREE SENIOR LIVING

By:   
DANIEL TABISH, Manager of SYRACUSE ASSISTED LIVING PHASE 1, LLC DBA  
RAIN TREE SENIOR LIVING

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

LENDER:

CACHE VALLEY BANK

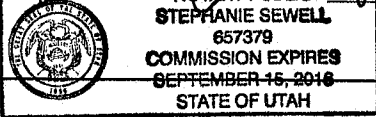
X *Bruce Jensen*  
Bruce Jensen, Vice President

**LIMITED LIABILITY COMPANY ACKNOWLEDGMENT**

STATE OF Utah )  
 ) SS  
COUNTY OF DAVIS )

On this 11 day of December, 20 15, before me, the undersigned Notary Public, personally appeared **MATTHEW GERTGE, Manager of SYRACUSE ASSISTED LIVING PHASE 1, LLC DBA RAIN TREE SENIOR LIVING and DANIEL TABISH, Manager of SYRACUSE ASSISTED LIVING PHASE 1, LLC DBA RAIN TREE SENIOR LIVING**, 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 *Stephanie Sewell* Residing at Ogden UT  
Notary Public in and for the State of Utah My commission expires 9.15.16

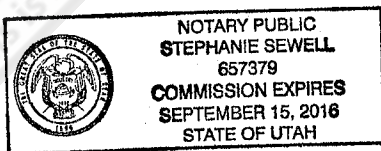


**LENDER ACKNOWLEDGMENT**

STATE OF Utah )  
 ) SS  
COUNTY OF DAVIS )

On this 11 day of December, 20 15, before me, the undersigned Notary Public, personally appeared **Bruce Jensen** and known to me to be the **Vice President**, 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 *Stephanie Sewell* Residing at Ogden UT  
Notary Public in and for the State of Utah My commission expires 9.15.16



## COMMITMENT FOR TITLE INSURANCE

### Schedule C

Order No. F-D50728B  
[\*]

All of Lot 4, RAMPTON MEDICAL PLAZA, according to the Official Plat thereof, recorded in the Office of the County Recorder of Davis County, State of Utah.

The following is shown for information purposes only: 12-419-0004

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SCHEDULE C  
ALTA Commitment (6/17/06)



Founders Title Company