

Tax Serial Number:
30-002-0088

ENT 115964:2018 PG 1 of 3
Jeffery Smith
Utah County Recorder
2018 Dec 07 10:24 AM FEE 17.00 BY DA
RECORDED FOR Cottonwood Title Insurance Agency, Inc.
ELECTRONICALLY RECORDED

RECORDATION REQUESTED BY:
Ireland Bank
Aberdeen Branch
386 North Main Street, PO Box 835
Aberdeen, ID 83210

WHEN RECORDED MAIL TO:
Ireland Bank
Aberdeen Branch
386 North Main Street, PO Box 835
Aberdeen, ID 83210

SEND TAX NOTICES TO:
Ireland Bank
Aberdeen Branch
386 North Main Street, PO Box 835
Aberdeen, ID 83210

FOR RECORDER'S USE ONLY

83054-DU

MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST dated December 3, 2018, is made and executed between Stokes Brothers Real Estate, LLC, an Idaho Limited Liability Company, whose address is 1310 Pomerelle Avenue, Burley, ID 83318 ("Trustor") and Ireland Bank, whose address is Aberdeen Branch, 386 North Main Street, PO Box 835, Aberdeen, ID 83210 ("Lender").

DEED OF TRUST. Lender and Trustor have entered into a Deed of Trust dated September 22, 2016 (the "Deed of Trust") which has been recorded in Utah County, State of Utah, as follows:

Recorded on 09/27/2016 as Instrument No. 94797:2016.

REAL PROPERTY DESCRIPTION. The Deed of Trust covers the following described real property located in Utah 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 795 North State Road 198, Salem, UT 84653. The Real Property tax identification number is 30-002-0088.

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

Extend Maturity Date, Change Payment Schedule, Change in Interest Rate, Change in Late Charge Terms and Reduction of Loan Amount from \$2,240,709.00 to \$2,027,750.00.

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 DECEMBER 3, 2018.

TRUSTOR:

STOKES BROTHERS REAL ESTATE, LLC

By: 
John Robert Stokes, Member of Stokes Brothers Real Estate, LLC

By: 
Steven Brett Stokes, Member of Stokes Brothers Real Estate, LLC

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

Loan No: 1213000810

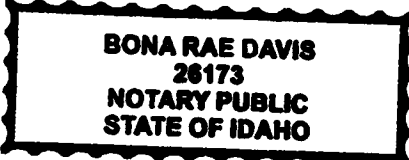
LENDER:

IRELAND BANK

X *Brett Crowther*
Brett Crowther, Vice President

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Idaho)
) SS
COUNTY OF Cassia)

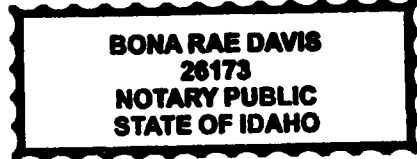


On this 3rd day of December, 20 18, before me, the undersigned Notary Public, personally appeared John Robert 2nd Stokes, Member of Stokes Brothers Real Estate, LLC and Steven Brett Stokes, Member of Stokes Brothers Real Estate, LLC, and known to me to be members or designated agents of the limited liability 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 *Bona Rae Davis* Residing at *Burley*
Notary Public in and for the State of Idaho My commission expires 7/5/2020

LENDER ACKNOWLEDGMENT

STATE OF Idaho)
) SS
COUNTY OF Cassia)



On this 3rd day of December, 20 18, before me, the undersigned Notary Public, personally appeared Brett Crowther and known to me to be the Vice President, authorized agent for Ireland Bank that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of Ireland Bank, duly authorized by Ireland 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 Ireland Bank.

By *Bona Rae Davis* Residing at *Burley*
Notary Public in and for the State of Idaho My commission expires 7/5/2020

EXHIBIT A PROPERTY DESCRIPTION

Beginning at a fence corner which lies East 1495.22 feet and North 914.61 feet, according to Utah Coordinate Bearings, Central Zone, from the West one quarter corner of Section 1, Township 9 South, Range 2 East, Salt Lake Base and Meridian; and running thence South 89°14'50" East 580.64 feet along an existing fence to a fence on a Westerly line of State Road 198; thence North 23°02'16" East 387.85 feet along said fence; thence North 88°21'00" West 731.38 feet; thence South 00°12'00" West 370.35 feet to the point of beginning.

LESS AND EXCEPTING THEREFROM the following:

Beginning at a point which lies East 1495.22 feet and North 914.61 feet from the West quarter of Section 1, Township 9 South, Range 2 East, Salt Lake Base and Meridian and running thence South 89°14'50" East 580.64 feet; thence North 23°02'16" East 26.48 feet; thence North 55°05'46" West 4.75 feet; thence South 32°05'10" West 1.21 feet; thence 21.16 feet along a 15 foot radius curve to the right (chord bears: South 67°19'03" West 19.45 feet); thence North 70°35'42" West 3.5 feet; thence 102.32 feet along a 265 foot radius curve to the left (chord bears: North 78°11'11" West 101.69 feet); thence North 89°14'50" West 436.71 feet; thence 40.19 feet along a 25 foot radius curve to the right (chord bears: North 37°44'18" West 36 feet); thence West 6.69 feet; thence South 00°12'00" West 67.12 feet to the point of beginning.

ALSO LESS AND EXCEPTING THEREFROM the following:

A part of the Northwest quarter of Section 1, Township 9 South, Range 2 East, Salt Lake Base and Meridian, U.S. Survey: Beginning at a point 1012.45 feet North and 783.37 feet East from the West quarter corner of said section; and running thence North 00°13'36" East 78.014 feet; thence South 88°44'39" East 22.72 feet; thence Southeasterly along the arc of a 508.54 foot radius curve to the right a distance of 264.63 feet (long chord bears South 73°50'22" East 261.65 feet); thence Southeasterly along the arc of a 422.37 foot radius curve to the left a distance of 223.51 feet (long chord bears South 74°05'31" East 220.91 feet); thence South 89°15'06" East 143.29 feet; thence Northeasterly along the arc of a 21.00 foot radius curve to the left a distance of 33.19 feet (long chord bears North 45°28'27" East 29.84 feet); thence North 00°12'00" East 537.09 feet; thence South 88°30'00" East 66.02 feet; thence South 00°12'00" West 635.43 feet; thence North 89°15'06" West 231.24 feet; thence Northwesterly along the arc of a 500.37 foot radius curve to the right a distance of 264.78 feet (long chord bears North 74°05'32" West 261.70 feet); thence Northwesterly along the arc of a 430.54 foot radius curve to the left a distance of 224.04 feet (long chord bears North 73°50'22" West 221.52 feet); thence North 88°44'39" West 21.32 feet to the point of beginning.

The above-described property also being described of record as follows:

Commencing North 1284.81 feet and East 1501.79 feet from the West quarter corner of Section 1, Township 9 South, Range 2 East, Salt Lake Base and Meridian; thence South 88°21'00" East 726.1 feet; thence South 23°02'16" West 361.37 feet; thence North 55°05'46" West 4.75 feet; thence South 32°05'37" West 1.21 feet; thence along a 15.01 foot radius curve to the right (chord bears: South 67°19'02" West 19.45 feet); thence North 70°35'53" West 3.5 feet; thence along a 265.93 foot radius curve to the left (chord bears: North 78°11'11" West 101.69 feet); thence North 89°14'50" West 436.71 feet; thence along a 25 foot radius curve to the right (chord bears: North 37°44'19" West 36 feet); thence West 1.41 feet; thence North 00°12'00" East 308.08 feet to the point of beginning.

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