

Modification of Trust Deed Page 1 of 7
Gary Christensen Washington County Recorder
12/28/2022 04:18:02 PM Fee \$40.00 By
PROSPECT TITLE INSURANCE

Tax Serial Number:
AV-1334-J

WHEN RECORDED MAIL TO:
Cache Valley Bank
Washington Branch
710 W Telegraph
Washington, UT 84780-1533

FOR RECORDER'S USE ONLY

MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST dated December 16, 2022, is made and executed between KNOLLWOOD85, LLC, A UTAH LIMITED LIABILITY COMPANY ("Trustor") and Cache Valley Bank, whose address is Washington Branch, 710 W Telegraph, Washington, UT 84780-1533 ("Lender").

DEED OF TRUST. Lender and Trustor have entered into a Deed of Trust dated March 30, 2021 (the "Deed of Trust") which has been recorded in WASHINGTON County, State of Utah, as follows:

A CONSTRUCTION DEED OF TRUST DATED MARCH 30, 2021: RECORDED ON MARCH 30, 2021, ENTRY 20210022519 IN THE WASHINGTON COUNTY RECORDER'S OFFICE, SECURING REAL PROPERTY LOCATED AT 1354 N. STATE ST. APPLE VALLEY, UT. 84767-4869. (AV-A334-J) PARCEL.

REAL PROPERTY DESCRIPTION. The Deed of Trust covers the following described real

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property located in WASHINGTON County, State of Utah:

BEGINNING AT A POINT ON THE EAST LINE OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, AND THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROUTE NO. U-59 WHICH IS SITUATED NORTH 0 04'57" WEST, 143.51 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 30, THENCE NORTH 54 10'15" WEST ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE 77.08 FEET TO A STATE ROAD RIGHT-OF-WAY MARKER; THENCE NORTH 54 09'33" WEST ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE 896.61 FEET, THENCE DEPARTING SAID NORTHEASTERLY RIGHT-OF-WAY LINE AND RUNNING NORTH 35 18'34" EAST 330.83 FEET, THENCE NORTH 55 29'54" WEST 219.98 FEET, THENCE NORTH 0 20'08" EAST 208.70 FEET TO THE NORTH LINE OF THE SOUTHEAST 1/4 SOUTHEAST 1/4 OF SAID SECTION 30, THENCE NORTH 89 52'30" EAST ALONG THE 1/16 LINE 503.24 FEET, THENCE SOUTH 30 31'36" EAST ALONG THE SOUTHWESTERLY LINE OF LOT 78, APPLE VALLEY RANCH SUBDIVISION PHASE 2 90.14 FEET TO THE MOST SOUTHERLY CORNER OF SAID LOT 78, THENCE SOUTH 33 08'02" EAST 417.33 FEET TO THE EAST LINE OF SAID SECTION 30, THENCE SOUTH 0 04'57" EAST ALONG THE SECTION LINE 747.29 FEET TO THE POINT OF BEGINNING.

ACCESS EASEMENT #1 TO STATE ROUTE U-59

TOGETHER WITH A 30.00 FOOT WIDE EASEMENT FOR INGRESS/EGRESS AND UTILITIES DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS SITUATED NORTH 0 04'57" WEST ALONG THE SECTION LINE 765.81 FEET NORTH 90 00'00" WEST 751.48 FEET FROM THE SOUTHEAST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, THENCE NORTH 54 09'33" WEST 120.31 FEET, THENCE ALONG THE ARC OF A CURVE TO THE LEFT WITH A RADIUS OF 40.00 FEET A DISTANCE OF 62.83 FEET (THE CHORD OF SAID CURVE BEARS SOUTH 80 50'27" WEST 56.57 FEET), THENCE SOUTH 35 50'27" WEST 23.94 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROUTE NO. U-59, THENCE NORTH 54 09'33" WEST ALONG SAID RIGH-OF-WAY LINE 30.00 FEET, THENCE NORTH 35 50'27" EAST 23.94 FEET, THENCE ALONG THE ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 70.00 FEET A DISTANCE OF 109.96 FEET (THE CHORD OF SAID CURVE BEARS NORTH 80 50'27" EAST 98.99 FEET), THENCE SOUTH 54 09'33" EAST 120.03 FEET, THENCE SOUTH 35 18'34" WEST 30.00 FEET TO THE POINT OF BEGINNING.

ACCESS EASEMENT #2 TO APPLE VALLEY WAY

TOGETHER WITH A 30.00 FOOT WIDE EASEMENT FOR INGRESS/EGRESS AND UTILITIES DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS SITUATED NORTH 0 04'57" WEST ALONG THE SECTION LINE 1169.08 FEET AND NORTH 90 00'00" WEST 777.60 FEET FROM THE SOUTHEAST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, THENCE NORTH 74 26'53" WEST 250.16 FEET, THENCE NORTH 27 50'31" EAST 30.70 FEET, THENCE SOUTH 74 26'53" EAST 235.46 FEET, THENCE SOUTH 0 20'08" WEST 31.09 FEET TO THE POINT OF BEGINNING.

TAX PARCEL NO: AV-1334-J

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The Real Property or its address is commonly known as 1354 N STATE ST
, APPLE VALLEY, UT 84737-4869. The Real Property tax identification number is AV-1334-J

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

THIS DEED SECURES A LIEN IN THE AMOUNT OF \$949,273.00.

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 endorser 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 16, 2022.

TRUSTOR:

KNOLLWOOD85, LLC

By: *Daniel Jacob Tygard*
**DANIEL JACOB TYGARD, Member of KNOLLWOOD85,
LLC**

By: _____
**GEORGE MICHAEL TYGARD, Member of
KNOLLWOOD85, LLC**

**MODIFICATION OF DEED OF TRUST
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TRUSTOR:

KNOLLWOOD85, LLC

By: _____
**DANIEL JACOB TYGARD, Member of KNOLLWOOD85,
LLC**

By:  _____
**GEORGE MICHAEL TYGARD, Member of
KNOLLWOOD85, LLC**

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

LENDER ACKNOWLEDGMENT

STATE OF Utah)
) SS
COUNTY OF Washington)

On this 28th day of December, 20 22, before me, the undersigned Notary Public, personally appeared Daniel Johnson and known to me to be the Loan Officer, 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 [Signature]

Residing at Hildale, Utah

Notary Public in and for the State of Utah

My commission expires 5/10/2026

