



W3053162

E# 3053162 PG 1 OF 9
Leann H. Kilts, WEBER COUNTY RECORDER
08-May-20 0243 PM FEE \$40.00 DEP TN
REC FOR: CHICAGO TITLE INSURANCE COMPANY -
ELECTRONICALLY RECORDED

PREPARED BY, AND AFTER RECORDING
RETURN TO:

Erica D. Howard
RGA Reinsurance Company
16600 Swingley Ridge Rd
Chesterfield, MO 63017
Loan No. 73100884

Tax Parcel Nos. 01-106-0001 and 01-111-0002

Space Above for Recorder's Use

**MEMORANDUM OF
LOAN MODIFICATION AGREEMENT**

WASHINGTON LODGING LLC,
a Utah limited liability company

(Borrower)

and

KEVIN S. GARN
(Guarantor)

in favor of

RGA REINSURANCE COMPANY,
a Missouri corporation
(Lender)

MEMORANDUM OF LOAN MODIFICATION AGREEMENT

Loan No. 73100884

THIS MEMORANDUM OF LOAN MODIFICATION AGREEMENT (this "Memorandum") is dated May 8, 2020 and effective as of May 1, 2020, by and between WASHINGTON LODGING LLC, a Utah limited liability company ("Borrower"), KEVIN S. GARN, an individual ("Guarantor") and RGA REINSURANCE COMPANY, a Missouri corporation ("Lender").

A. On June 28, 2018, Lender extended to Borrower a loan (the "Loan") in the original principal amount of \$12,750,000.00.

B. The Loan is evidenced, in part, by a Promissory Note (the "Note") dated June 28, 2018 in the original principal amount of 12,750,000.00. The Loan is secured by a Deed of Trust, Security Agreement and Fixture Filing (the "Security Instrument") dated June 28, 2018, executed by Borrower in favor of Lender, filed for record on July 2, 2018, in the Office of the Register of Deeds, Recorder of Deeds or County Clerk, as applicable, in and for Weber County, Utah (the "Recording Office") as Document No. 2928844 whereby certain real property legally described in Exhibit A attached hereto, improvements, and other property rights relating thereto are pledged as collateral.

C. Guarantor guaranteed Borrower's obligations under the Note and other Loan Documents (defined below) by way of that certain Separate Guaranty of Carveout Obligations dated as of June 28, 2018 by Guarantor in favor of Lender.

D. Due to the effects of the Coronavirus Disease 2019 pandemic, Borrower has requested that Lender modify certain terms and conditions of the Loan Documents. Lender has now agreed to modify the terms of the Loan Documents pursuant to that certain Loan Modification Agreement dated as of the date hereof (the "Modification Agreement") by and between Borrower, Guarantor and Lender, the terms of which may, among other things, increase the outstanding principal balance of the Note or extend the Maturity Date.

F. All provisions of the Modification Agreement are incorporated herein by reference.

G. The Note, the Security Instrument, the Guaranty and the Modification Agreement, together with any other documents executed by Borrower or Guarantor evidencing, securing, or pertaining to the Loan, and any and all amendments and modifications thereto, shall be collectively referred to as the "Loan Documents." Capitalized terms not otherwise defined in this Agreement shall have the meaning given to them in the Loan Documents.

SEE NEXT PAGE FOR SIGNATURES

IN WITNESS WHEREOF, Borrower and Lender have executed this Memorandum as of the date first set forth above.

BORROWER:

WASHINGTON LODGING LLC,
a Utah limited liability company

By: 
Name: Kevin S. Garn
Title: Manager

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

[SIGNATURES CONTINUED FROM PRIOR PAGE]

GUARANTOR:



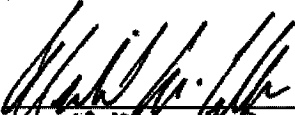
KEVIN S. GARN

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

[SIGNATURES CONTINUED FROM PRIOR PAGE]

LENDER:

RGA REINSURANCE COMPANY, a Missouri corporation

By: 
Name: Michael D. McEllan
Title: Senior Vice President

ACKNOWLEDGMENT

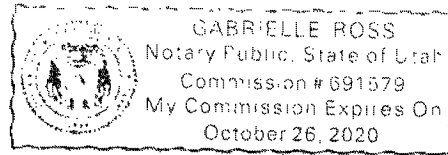
State of Utah
County of Davis

On May 5, 2020 before me, Gabrielle Ross, Notary Public,
personally appeared Kevin S. Oarn as Manager of Washington Lodging, LLC,
who proved to me on the basis of satisfactory evidence
to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to
me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by
his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the
person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Utah that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Gabrielle Ross



ACKNOWLEDGMENT

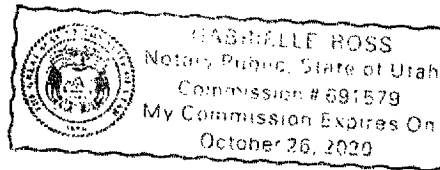
State of Utah
County of Davis

On May 5, 2020 before me, Gabrielle Ross, Notary Public, personally appeared Kevin S. Gamm who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Utah that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Gabrielle Ross



ACKNOWLEDGMENT

State of Missouri
County of St. Louis

On May 6, 2020 before me, Robin Jo Koster, personally appeared Michael D. McElroy who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Missouri that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Robin Jo Koster



ROBIN JO KOSTER
My Commission Expires
July 14, 2021
St. Charles County
Commission #13518600

EXHIBIT A

LEGAL DESCRIPTION

**PARCEL 1: (01-108-0001)
LOT 8A, OGDEN CITY ENTERTAINMENT SUBDIVISION - PHASE 2 (AMENDED), OGDEN CITY, WEBER COUNTY,
STATE OF UTAH, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE WEBER
COUNTY RECORDER'S OFFICE.**

**PARCEL 2: (01-111-0002)
ALL OF LOT 8D, OGDEN CITY ENTERTAINMENT SUBDIVISION, PHASE 2, LOT 8B FIRST AMENDMENT, OGDEN
CITY, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED IN THE OFFICE OF THE COUNTY RECORDER
OF WEBER, STATE OF UTAH.**