3517102 BK 8190 PG 542 E 3517102 B 8190 P 542-551 RICHARD T. MAUGHAN DAVIS COUNTY, UTAH RECORDER 2/9/2023 3:13:00 PM FEE \$40.00 Pgs: 10 DEP eCASH REC'D FOR FIRST AMERICAN TITLE

Tax Serial Number:

11-061-227; 11-061-0227; 11-061-0228; 11-061-0229; 11-061-0230

RECORDATION REQUESTED BY:

Zions Bancorporation, N.A. dba Zions First National Bank Commercial Real Estate Region Ogden 2302 Washington Blvd Ogden, UT 84401

WHEN RECORDED MAIL TO:

Zions Bancorporation, N.A. dba Zions First National Bank Enterprise Loan Operations, UT ZTC4 1880 PO Box 25007 Salt Lake City, UT 84125-0007

FOR RECORDER'S USE ONLY

MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST dated November 10, 2022, is made and executed between Boulder Ranch L.C., whose address is 3651 North 100 East Suite 125, Provo, UT 84604 ("Trustor") and Zions Bancorporation, N.A. dba Zions First National Bank, whose address is Commercial Real Estate Region Ogden, 2302 Washington Blvd, Ogden, UT 84401 ("Lender").

DEED OF TRUST. Lender and Trustor have entered into a Deed of Trust dated May 17, 2017 (the "Deed of Trust") which has been recorded in Davis County, State of Utah, as follows:

Recorded June 15, 2017 as Entry No. 3026775, as modified.

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 186 S Main St, Layton, UT 84041. The Real Property tax identification number is 11-061-227; 11-061-0227; 11-061-0228; 11-061-0229; 11-061-0230.

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

Borrower and Lender agree that the Deed of Trust shall be modified as follows:

 The Legal Description is hereby amended and restated by attached exhibit or other description document which is attached and made a part this modification as fully set forth herein.

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.

DOCUMENT IMAGING. Lender shall be entitled, in its sole discretion, to image or make copies of all or any selection of the agreements, instruments, documents, and items and records governing, arising from or relating to any of Borrower's loans, including, without limitation, this document and the Related Documents, and Lender may destroy or archive the paper originals. The parties hereto (i) waive any right to insist or require that Lender produce paper originals, (ii) agree that such images shall be accorded the same force and effect as the paper originals, (iii) agree that Lender is entitled to use such images in lieu of destroyed or archived originals for any purpose, including as admissible evidence in any demand, presentment or other proceedings, and (iv) further agree that any executed facsimile (faxed), scanned, or other imaged copy of this document or any Related Document shall be deemed to be of the same force and effect as the original manually executed document.

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 NOVEMBER 10, 2022.

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TRUSTOR:		

BOULDER RANCH L.C.

F.M. WINKEL FAMILY L.L.C., Manager of Boulder Ranch L.C.

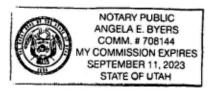
By: McKay H Winkel, Manager of F.M. Winkel Family L.L.C.

LENDER:

ZIONS BANCORPORATION, N.A. DBA ZIONS FIRST NATIONAL BANK

Authorized Officer

LIMITED LIABILITY COMPAN	Y ACKNOWLEDGMENT
STATE OF Utah)
) SS
COUNTY OF <u>Salt Lake</u>)
On this day of day of and undersigned Notary Public, personally appeared for Family L.L.C., Manager of Boulder Ranch L.C., and agent of the limited liability company that execut acknowledged the Modification to be the free and company, by authority of statute, its articles of orguses and purposes therein mentioned, and on or execute this Modification and in fact executed the company.	McKay H Winkel, Manager of F.M. Winkel known to me to be a member or designated ted the Modification of Deed of Trust and voluntary act and deed of the limited liability anization or its operating agreement, for the ath stated that he or she is authorized to
By anglosia	Residing at Salt Lake
Notary Public in and for the State of Wah	My commission expires <u>Supt. 1</u>



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LENDER ACKNOWLEDGMENT		
STATE OF Utah).	
- · · · · ·) SS	
COUNTY OF Salt Lake,)	
On this	within and foregoing instrument and and voluntary act and deed of Zions duly authorized by Zions Bancorporation, of directors or otherwise, for the uses and se or she is authorized to execute this said on behalf of Zions Bancorporation, N.A.	
By Undy Clorish	Residing at Salt Lake City	
Notary Public in and for the State of Utoh	My commission expires 4/2/2021	

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- UT C:\COMML\CFI\LPL\G202.FC TR-337483 PR-306

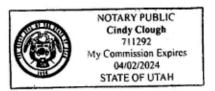


Exhibit "A"

PARCEL 1:

A PART OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, DAVIS COUNTY, STATE OF UTAH;

BEGINNING ON THE EASTERLY LINE OF A STATE HIGHWAY AT A POINT WHICH BEARS NORTH 89°27'20" WEST 1345.64 FEET ALONG THE SECTION LINE AND SOUTH 0°32'40" WEST 969.10 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 28, TOWNSHII 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE SOUTH 25°12'11" EAST 28.95 FEET; THENCE NORTH 88°54' EAST 128.50 FEET; THENCE SOUTH 1°06' WEST 52.50 FEET; THENCE NORTH 87°11'14" EAST 170.00 FEET; THENCE NORTH 1°06' WEST 70.67 FEET; THENCE SOUTH 89°29' WEST 310.89 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM THAT PORTION OF LAND CONVEYED TO THE UTAH DEPARTMENT OF TRANSPORTATION DISCLOSED BY WARRANTY DEED RECORDED MARCH 13, 2014 AS ENTRY NO. 2794125 IN BOOK 5974 AT PAGE 644 OF OFFICIAL RECORDS AND THEREAFTER AN AFFIDAVIT OF CORRECTION RECORDED APRIL 23, 2014 AS ENTRY NO. 2800148 IN BOOK 6003 AT PAGE 396 OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND, IN FEE, BEING PART OF AN ENTIRE TRACT INCIDENT TO THE WIDENING OF SR-126 AND THE REALIGNMENT OF THE I-15 INTERCHANGE KNOWN AS PROJECT S-15-8(211)332, LOCATED IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, THE BOUNDARY LINES ARE FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A NORTHWEST CORNER OF SAID ENTIRE TRACT AT A POINT THAT IS 1345.64 FEET NORTH 89°27'20" WEST ALONG THE SECTION LINE, 969.10 FEET SOUTH 0°32'40" WEST AND 45.55 FEET NORTH 25°04'02" WEST FROM THE NORTH QUARTER CORNER OF SAID SECTION 28 MORE OR LESS BY RECORD, SAID POINT ALSO BEING 1362.09 FEET NORTH 89°06'21" WEST ALONG THE SECTION LINE AND 941.21 FEET SOUTH 0°53'39" WEST AS MEASURED FROM SAID NORTH QUARTER CORNER, SAID POINT ALSO BEING 93.06 FEET PERPENDICULARLY DISTANT EASTERLY FROM ENGINEER STATION 106+80.39 FOR THE SR-126 CONTROL LINE FOR SAID PROJECT AND RUNNING THENCE ALONG THE EASTERLY RIGHT OF WAY LINE OF THE FRONTAGE ROAD FOR SAID PROJECT THE FOLLOWING 2 COURSES: 1) NORTH 88°46'45" EAST 146.78 FEET ALONG A NORTHERLY LINE OF SAID ENTIRE TRACT AND EXTENSION THEREOF; 2) SOUTH 1°13'20" EAST 49.37 FEET TO A SOUTHERLY LINE OF SAID ENTIRE TRACT; THENCE LEAVING SAID RIGHT OF WAY LINE SOUTH 88°54'00" WEST 125.06 FEET ALONG SAID SOUTHERLY LINE TO A WESTERLY LINE OF SAID ENTIRE TRACT; THENCE NORTH 25°04'46" WEST 53.69 FEET ALONG SAID WESTERLY LINE TO THE POINT OF BEGINNING.

PARCEL 2:

A PART OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, DAVIS COUNTY, STATE OF UTAH:

BEGINNING AT A POINT WHICH BEARS NORTH 89°27'20" WEST 1345.64 FEET ALONG THE SECTION LINE AND SOUTH 0°32'40" WEST 969.10 FEET TO A POINT ON THE EASTERLY LINE OF A STATE HIGHWAY AND NORTH 89°29' EAST 350.89 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 28, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 89°29' EAST 338.47 FEET TO THE WESTERLY LINE OF INTERSTATE 15; THENCE SOUTHEASTERLY ALONG THE ARC OF A 1774.16 FOOT RADIUS CURVE TO THE RIGHT 82.65 FEET (LC BEARS SOUTH 15°37'35" EAST 82.64 FEET); THENCE SOUTH 88°54' WEST 359.18 FEET; THENCE NORTH 1°06' WEST 83.44 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM THAT PORTION OF LAND CONVEYED TO THE UTAH DEPARTMENT OF TRANSPORTATION DISCLOSED BY WARRANTY DEED RECORDED MARCH 13, 2014 AS ENTRY NO. 2794126 IN BOOK 5974 AT PAGE 646 OF OFFICIAL, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND, IN FEE, BEING PART OF AN ENTIRE TRACT INCIDENT TO THE WIDENING OF SR-126 AND THE REALIGNMENT OF THE I-15 INTERCHANGE KNOWN AS PROJECT S-15-8(211)332, LOCATED IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, THE BOUNDARY LINES ARE FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WESTERLY RIGHT OF WAY AND NO-ACCESS LINE OF I-15 THAT IS 220.95 FEET PERPENDICULARLY DISTANT WESTERLY OF ENGINEER STATION 464+91.86 OF THE CONTROL LINE FOR I-15 FOR SAID PROJECT, SAID POINT ALSO BEING 1345.64 FEET NORTH 89°27'20" WEST ALONG THE SECTION LINE, 969.10 FEET SOUTH 0°32'40" WEST, 350.89 FEET NORTH 89°29'00" EAST 83.44 FEET SOUTH 1°06'00" EAST, AND 267.28 FEET NORTH 88°54'00" EAST MORE OR LESS, BY RECORD FROM THE NORTH

QUARTER CORNER OF SAID SECTION 28, SAID POINT ALSO BEING 727.70 FEET NORTH 89°06'21" WEST ALONG THE SECTION LINE AND 1035.39 FEET SOUTH 0°53'39" WEST BY MEASUREMENT FROM SAID NORTH QUARTER CORNER AND RUNNING THENCE ALONG SAID WESTERLY RIGHT OF WAY AND NO-ACCESS LINE THE FOLLOWING 2 COURSES: 1) NORTHERLY 107.32 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1488.00 FEET, THE CHORD BEARS NORTH 7°02'51" WEST 107.30 FEET; 2) NORTHERLY 320.18 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1483.17 FEET, THE CHORD BEARS NORTH 11°19'00" WEST 319.56 FEET TO A POINT IN THE EASTERLY LINE OF SAID ENTIRE TRACT AND THE WESTERLY RIGHT OF WAY AND NO-ACCESS LINE OF I-15 PROJECT I-15-7(18)326; THENCE SOUTHERLY 505.08 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1838.35 FEET, THE CHORD BEARS SOUTH 20°18'26" EAST 503.49 FEET AND ALONG SAID EASTERLY LINE; THENCE SOUTHERLY 157.83 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1759.86 FEET, THE CHORD BEARS SOUTH 9°32'38" EAST 157.78 FEET ALONG SAID EASTERLY LINE TO THE SOUTHERLY LINE OF SAID ENTIRE TRACT; THENCE NORTH 86°41'27" WEST 100.02 FEET ALONG SAID SOUTHERLY LINE TO SAID WESTERLY RIGHT OF WAY AND NO-ACCESS LINE OF I-15; THENCE ALONG SAID WESTERLY RIGHT OF WAY AND NO-ACCESS LINE THE FOLLOWING 2 COURSES: 1) NORTH 5°23'51" WEST 142.26 FEET; 2) NORTH 11°00'55" WEST 61.69 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

A REMAINDER PORTION OF THAT CERTAIN PARCEL CITED AS PARCEL 3 IN THAT CERTAIN SPECIAL WARRANTY DEED RECORDED JUNE 15, 2017, AS ENTRY NO. 3026774 IN BOOK 6787 AT PAGE 1106, SAID REMAINDER PORTION BEING DESCRIBED BY SURVEY AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE 15, SAID POINT BEING ON THE ARC OF A 1759.90 FOOT NON TANGENT RADIUS CURVE TO THE RIGHT, SAID POINT BEING SOUTH 397.08 FEET AND WEST 954.48 FEET FROM THE NORTH QUARTER CORNER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, AND RUNNING THENCE ALONG SAID RIGHT OF WAY LINE THE FOLLOWING 3 COURSES: 1) SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 8°16′26″ A DISTANCE OF 254.14 FEET, CHORD BEARS SOUTH 33°06′49″ EAST 253.92 FEET TO A POINT ON THE ARC OF A NON TANGENT 1483.17 FOOT RADIUS CURVE TO THE RIGHT, 2) SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 12°22′06″ A DISTANCE OF 320.17 FEET, CHORD BEARS SOUTH 11°40′53″ EAST 319.55 FEET, 3) SOUTH 9°05′54″ EAST 19.76 FEET; THENCE SOUTH 89°07′13″ WEST 475.47 FEET, THENCE NORTH 1°35′03″ WEST 25.05 FEET; THENCE SOUTH 88°25′02″ WEST 4.44 FEET; THENCE NORTH 1°48′26″ WEST 270.10 FEET; THENCE NORTH 47°38′55″ EAST 382.28 FEET TO THE POINT OF BEGINNING

CONTAINS 192,880 SQ. FT. 4.430 ACRES

PARCEL 4:

BEGINNING AT A POINT NORTH 89°27'20" WEST 1345.64 FEET ALONG THE SECTION LINE

AND SOUTH 0°32'40" WEST 969.10 FEET AND NORTH 89°29' EAST 310.89 FEET FROM THE NORTH QUARTER CORNER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, DAVIS COUNTY, STATE OF UTAH; AND RUNNING THENCE NORTH 89°29' EAST 40.00 FEET; THENCE SOUTH 1°06' EAST 83.44 FEET; THENCE NORTH 88°54' EAST 359.18 FEET, MORE OR LESS, TO THE WESTERLY LINE OF INTERSTATE 15; THENCE SOUTHERLY ALONG SAID WESTERLY LINE TO A POINT SOUTH 1°45'40" EAST 141.97 FEET AND NORTH 89°30' EAST 6.0 FEET AND SOUTH 27° EAST 135.20 FEET AND SOUTH 87°30' EAST 357.60 FEET FROM THE POINT OF BEGINNING; THENCE NORTH 87°30' WEST 357.60 FEET; THENCE NORTH 27° WEST 135.20 FEET; THENCE SOUTH 89°30' WEST 6.0 FEET; THENCE NORTH 1°45'40" WEST 141.97 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM THAT PORTION OF LAND CONVEYED TO THE UTAH DEPARTMENT OF TRANSPORTATION DISCLOSED BY WARRANTY DEED RECORDED MARCH 13, 2014 AS ENTRY NO. 2794126 IN BOOK 5974 AT PAGE 646 OF OFFICIAL, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND, IN FEE, BEING PART OF AN ENTIRE TRACT INCIDENT TO THE WIDENING OF SR-126 AND THE REALIGNMENT OF THE I-15 INTERCHANGE KNOWN AS PROJECT S-15-8(211)332, LOCATED IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, THE BOUNDARY LINES ARE FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WESTERLY RIGHT OF WAY AND NO-ACCESS LINE OF I-15 THAT IS 220.95 FEET PERPENDICULARLY DISTANT WESTERLY OF ENGINEER STATION 464+91.86 OF THE CONTROL LINE FOR I-15 FOR SAID PROJECT, SAID POINT ALSO BEING 1345.64 FEET NORTH 89°27'20" WEST ALONG THE SECTION LINE, 969.10 FEET SOUTH 0°32'40" WEST, 350.89 FEET NORTH 89°29'00" EAST 83.44 FEET SOUTH 1°06'00" EAST, AND 267.28 FEET NORTH 88°54'00" EAST MORE OR LESS. BY RECORD FROM THE NORTH QUARTER CORNER OF SAID SECTION 28, SAID POINT ALSO BEING 727.70 FEET NORTH 89°06'21" WEST ALONG THE SECTION LINE AND 1035.39 FEET SOUTH 0°53'39" WEST BY MEASUREMENT FROM SAID NORTH QUARTER CORNER AND RUNNING THENCE ALONG SAID WESTERLY RIGHT OF WAY AND NO-ACCESS LINE THE FOLLOWING 2 COURSES: 1) NORTHERLY 107.32 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1488.00 FEET, THE CHORD BEARS NORTH 7°02'51" WEST 107.30 FEET; 2) NORTHERLY 320.18 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1483.17 FEET, THE CHORD BEARS NORTH 11°19'00" WEST 319.56 FEET TO A POINT IN THE EASTERLY LINE OF SAID ENTIRE TRACT AND THE WESTERLY RIGHT OF WAY AND NO-ACCESS LINE OF I-15 PROJECT I-15-7(18)326; THENCE SOUTHERLY 505.08 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1838.35 FEET, THE CHORD BEARS SOUTH 20°18'26" EAST 503.49 FEET AND ALONG SAID EASTERLY LINE; THENCE SOUTHERLY 157.83 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1759.86 FEET, THE CHORD BEARS SOUTH 9°32'38" EAST 157.78 FEET ALONG SAID EASTERLY LINE TO THE SOUTHERLY LINE OF SAID ENTIRE TRACT; THENCE NORTH 86°41'27" WEST 100.02 FEET ALONG SAID SOUTHERLY LINE TO SAID WESTERLY RIGHT OF WAY AND NO-ACCESS LINE OF I-15; THENCE ALONG SAID WESTERLY RIGHT OF WAY AND NO-ACCESS LINE THE FOLLOWING 2 COURSES: 1) NORTH 5°23'51" WEST 142.26 FEET; 2) NORTH 11°00'55" WEST 61.69 FEET TO THE POINT OF BEGINNING.

PARCEL 5:

A RIGHT-OF-WAY FOR INGRESS AND EGRESS APPURTENANT TO PARCEL 4 OVER THE NORTH 25.00 FEET, AS DISCLOSED IN THE QUIT CLAIM DEED RECORDED SEPTEMBER 24, 2004, AS ENTRY NO. 2019913 IN BOOK 3631 AT PAGE 561 OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: A PART OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH,RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, DAVIS COUNTY, STATE OF UTAH: BEGINNING ON THE EASTERLY LINE OF A

STATE HIGHWAY AT A POINT WHICH BEARS NORTH 89°27'20" WEST 1345.64 FEET ALONG THE SECTION LINE AND SOUTH 0°32'40" WEST 969.10 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 28; THENCE SOUTH 25°12'11" EAST 28.95 FEET; THENCE NORTH 88°54' EAST 128.50 FEET; THENCE SOUTH 1°08' WEST 52.50 FEET; THENCE NORTH 87°11'14" EAST 170 FEET; THENCE NORTH 1°06' WEST 70.67 FEET; THENCE SOUTH 89°29' WEST 310.89 FEET TO THE POINT OF BEGINNING.