

WHEN RECORDED MAIL TO:

Kaufman and Broad of Utah, Inc.  
c/o Kerry L. Owens  
201 South Main, Ste 1800  
SLC, UT 84111-2218

ENT 45390:2000 PG 1 of 3  
RANDALL A. COVINGTON  
UTAH COUNTY RECORDER  
2000 Jun 09 10:08 am FEE 113.00 BY SB  
RECORDED FOR MERIDIAN TITLE

MTC File No. 71032-*accow*

## MODIFICATION OF TRUST DEED

THIS AGREEMENT IS made this 30 day of April, 2000, between Newport Holding at Pilgrims Landing, L.L.C. as TRUSTOR; and Kaufman and Broad of Utah, Inc. as BENEFICIARY; and First American Title Company as original TRUSTEE, but Meridian Title Company having been duly substituted as Successor Trustee. For good and valuable consideration the adequacy of which is hereby acknowledged the parties hereto understand and agree as follows:

1. This Agreement is made in connection with that certain Trust Deed dated March 23, 2000 wherein Newport Holding at Pilgrims Landing, L.L.C. is Trustor, First American Title Company is Trustee, and Kaufman and Broad of Utah, Inc. is Beneficiary recorded March 23, 2000 as Entry No. 23085:2000 of Official Records (herein referred to as the Trust Deed). All of the terms and conditions of said Trust Deed are incorporated herein and made a part hereof by this reference thereto.

2. As originally recorded said Trust Deed covered the following described property situated in Utah County, State of Utah, to-wit:

Parcel 1:

Lots 2 through 5, inclusive; Lots 7 through 11, inclusive; and Lots 15, 16, 18, 21, 22, 24, 29, 37, 38, and 39; Lots 42 through 45, inclusive; Lots 47 and 55; and Lots 58 through 61, inclusive; all of PLAT ONE, KAUFMAN AND BROAD AT PILGRIMS LANDING SUBDIVISION, Lehi, Utah according to the official plat thereof on file in the Office of the Recorder of Utah County, Utah.

Parcel 2:

Lots 66 through 113, inclusive; and Lots 120 through 132, inclusive; all of PLAT TWO, KAUFMAN AND BROAD AT PILGRIMS LANDING SUBDIVISION, Lehi, Utah according to the official plat thereof on file in the Office of the Recorder of Utah County, Utah.

*44-126-006 through 44-126-013*  
*44-126-012 through 44-126-0152*

3. The parties have agreed that three (3) lots shall be released and reconveyed from the lien of the Trust Deed and three (3) other Lots shall be covered by the lien of the Trust Deed.

4. The undersigned Beneficiary agrees to execute appropriate partial reconveyances releasing and reconveying Lots 93, 124 and 126 of Plat Two of said Subdivision from the lien of

THIS DOCUMENT IS BEING RECORDED SOLELY  
AS A COURTESY AND MERIDIAN TITLE COMPANY  
ASSUMES NO LIABILITY FOR THE ACCURACY OR  
CONTENTS OF SAID DOCUMENT.

said Trust Deed.

5. Further, the undersigned Trustor hereby agrees that said Trust Deed is modified and amended to change the legal description covered by the lien of said Trust Deed to cover the following additional Lots of Plat Two of Said Subdivision, which Lots are more particularly described as follows, to-wit:

Lots 114, 118 and 119 of PLAT TWO, KAUFMAN AND BROAD AT PILGRIMS LANDING SUBDIVISION, Lehi, Utah according to the official plat thereof on file in the Office of the Recorder of Utah County, Utah.

6. The undersigned parties agree that the foregoing changes set forth above hereby are declared to be and to have been made from the time said Trust Deed was originally executed the same as if said additional Lots had been initially described in said Trust Deed as originally recorded.

7. Except as herein modified all of the terms and conditions of said Trust Deed shall remain in full force and effect the same as originally written and recorded.

TRUSTOR: Newport Holding at Pilgrims Landing, L.L.C.

By: [Signature]  
Its: ~~President~~ / ~~Manager~~

BENEFICIARY: Kaufman and Broad of Utah, Inc.

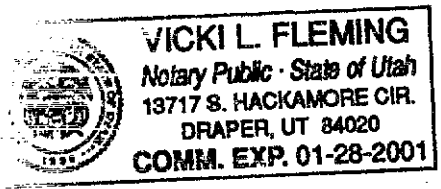
By: [Signature], ~~Asst Sec.~~  
Its:

SUCCESSOR TRUSTEE: Meridian Title Company

By: [Signature]  
Its: ~~V-Pres~~

STATE OF UTAH )  
 )  
 ) : ss.  
 )  
COUNTY OF SALT LAKE )

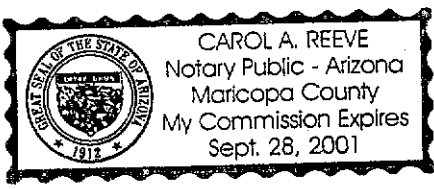
The foregoing instrument was acknowledged before me 30<sup>th</sup> day of April, 2000, by Kent A. Hogan the President/MP of Newport Holding at Pilgrims Landing, L.L.C., the Trustor, who duly acknowledged that it was executed by authority.



Vicki L. Fleming  
NOTARY PUBLIC

STATE OF )  
 )  
 ) : ss.  
 )  
COUNTY OF )

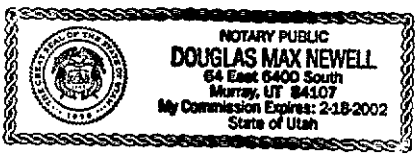
The foregoing instrument was acknowledged before me 30<sup>th</sup> day of April, 2000, by Kent D. Worley the Assist. Secretary of Kaufman and Broad of Utah, Inc., the Beneficiary, who duly acknowledged that said instrument was executed by authority.



Carol A. Reeve  
NOTARY PUBLIC

STATE OF UTAH )  
 )  
 ) : ss.  
 )  
COUNTY OF SALT LAKE )

The foregoing instrument was acknowledged before me 8<sup>th</sup> day of June April, 2000, by James R. Finke the VP of Meridian Title Company, the Successor Trustee, who duly acknowledged that said instrument was executed by authority.



Douglas Max Newell  
NOTARY PUBLIC