

Tax Serial Number:
40:330:0006; 40:330:0027; 40:330:0025

ENT92513:2018 PG 1 of 3
Jeffery Smith
Utah County Recorder
2018 Sep 26 03:06 PM FEE 16.00 BY CS
RECORDED FOR Bartlett Title Insurance Agency, Inc.
ELECTRONICALLY RECORDED

RECORDATION REQUESTED BY:

CENTRAL BANK
PAYSON OFFICE
182 N MAIN ST
PO BOX 351
PAYSON, UT 84651

WHEN RECORDED MAIL TO:

CENTRAL BANK
PAYSON OFFICE
182 N MAIN ST
PO BOX 351
PAYSON, UT 84651

SEND TAX NOTICES TO:

ORCA THEATERS, INC. aka ORCA THEATERS,
INCORPORATED
633 SOUTH 950 WEST
PAYSON, UT 84651

FOR RECORDER'S USE ONLY

BT-16648

MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST dated September 20, 2018, is made and executed between ORCA THEATERS, INC. aka ORCA THEATERS, INCORPORATED, whose address is 633 SOUTH 950 WEST, PAYSON, UT 84651 ("Trustor") and CENTRAL BANK, whose address is PAYSON OFFICE, 182 N MAIN ST, PO BOX 351, PAYSON, UT 84651 ("Lender").

DEED OF TRUST. Lender and Trustor have entered into a Deed of Trust dated May 19, 2010 (the "Deed of Trust") which has been recorded in UTAH County, State of Utah, as follows:

RECORDED ON 05-24-2010 AS ENTRY NUMBER 42266:2010.

REAL PROPERTY DESCRIPTION. The Deed of Trust covers the following described real property located in UTAH County, State of Utah:

PARCEL 1: Lot 6, Plat "B", GATEWAY TOWN CENTER SUBDIVISION, Payson, Utah, according to the official plat thereof on file and of record in the Utah County Recorder's Office, Utah.

PARCEL 2: Part of Lot 7, Plat "B", GATEWAY TOWN CENTER SUBDIVISION, Payson, Utah, according to the official plat thereof on file and of record in the Utah County Recorder's Office, Utah, more particularly described as follows: Commencing North 606.77 feet and West 78.7 feet from the East quarter corner of Section 18, Township 9 South, Range 2 East, Salt Lake Base and Meridian; thence South 89°35'27" East 28.67 feet; thence South 03°27'29" West 309.96 feet; thence along a curve to the right (chord bears: South 47°47'27" West 18.81 feet, radius = 14 feet); thence North 00°42'14" East 322.26 feet to beginning.

PARCEL 3: Part of Lot 5, Plat "B", GATEWAY TOWN CENTER SUBDIVISION, Payson, Utah, according to the official plat thereof on file and of record in the Utah County Recorder's Office, Utah, more particularly described as follows: Commencing North 215.87 feet and West 87.76 feet from the East quarter corner of Section 18, Township 9 South, Range 2 East, Salt Lake Base and Meridian; thence along a curve to the left (chord bears: North 40°39'22" West 16.15 feet, radius = 14 feet); thence South 275.67 feet; thence South 89°28'50" East 78.39 feet; thence along a curve to the left (chord bears: North 13°56'44" West 131.23 feet, radius = 367 feet); thence along a curve to the right (chord bears: North 14°50'30" West 141.48 feet, radius = 433 feet) to beginning.

The Real Property or its address is commonly known as 633 SOUTH 950 WEST, PAYSON, UT 84651. The Real Property tax identification number is 40:330:0006; 40:330:0027; 40:330:0025.

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

INCREASE PRINCIPAL TO \$3,510,852.13

PARCEL NUMBERS NOW MORE APPROPRIATELY KNOWN AS: 40:330:0006; 40:330:0027 AND 40:330:0025.

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 SEPTEMBER 20, 2018.

MODIFICATION OF DEED OF TRUST
(Continued)

Loan No: 95523593

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TRUSTOR:

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ORCA THEATERS, INC. AKA ORCA THEATERS, INCORPORATED

By: [Signature]
KRISTINA PHILLIPS, President of ORCA THEATERS, INC. aka ORCA THEATERS, INCORPORATED

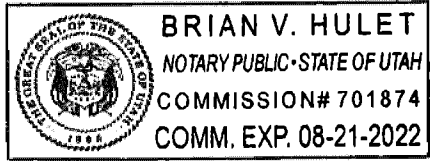
LENDER:

CENTRAL BANK

X [Signature]
Authorized Officer

CORPORATE ACKNOWLEDGMENT

STATE OF Utah)
) SS
COUNTY OF Utah)



On this 25th day of September, 20 18, before me, the undersigned Notary Public, personally appeared KRISTINA PHILLIPS, President of ORCA THEATERS, INC. aka ORCA THEATERS, INCORPORATED, and known to me to be an authorized agent of the corporation that executed the Modification of Deed of Trust and acknowledged the Modification to be the free and voluntary act and deed of the corporation, by authority of its Bylaws or by resolution of its board of directors, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute this Modification and in fact executed the Modification on behalf of the corporation.

By [Signature]
Notary Public in and for the State of Utah

Residing at Provo UT
My commission expires 08-21-2022

MODIFICATION OF DEED OF TRUST
(Continued)

Loan No: 95523593

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LENDER ACKNOWLEDGMENT

STATE OF Utah)
)
COUNTY OF Utah) SS
)



On this 25 day of September, 2018, before me, the undersigned Notary Public, personally appeared Brian V. Hulet and known to me to be the officer, authorized agent for **CENTRAL BANK** that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of **CENTRAL BANK**, duly authorized by **CENTRAL 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 **CENTRAL BANK**.

By [Signature]
Notary Public in and for the State of Utah

Residing at Provo
My commission expires 1-18-2020