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PATRICK F GILL, AUDITOR AND RECORDER
WOODBURY COUNTY IOWA

Recorder's Cover Sheet

TITLE OF DOCUMENT: Modification of a Mortgage

Preparer Information:

Centennial Bank— *Ken Doutre*
Ogden Branch
4605 Harrison Blvd Ste 1
Ogden, UT 84403
(801) 475-7000

Taxpayer Information:

Sioux City Golden Corral, LLC
1485 W. Hillfield Road #202
Layton, UT 84020

Return Address:

First Nebraska Title and Escrow
2425 S 120th Street
Omaha, NE 68144

Mortgagor: Sioux City Golden Corral, LLC

Mortgagee: Centennial Bank, Ogden Branch

Legal description:

See page 4

Tax Serial Number:
547190 and 547178

*prepared by **
RECORDATION REQUESTED BY:

Centennial Bank, Inc.
Ogden Branch
4605 Harrison Boulevard, Suite #1
Ogden, UT 84403

WHEN RECORDED MAIL TO:

Centennial Bank, Inc.
Ogden Branch
4605 Harrison Boulevard, Suite #1
Ogden, UT 84403

SEND TAX NOTICES TO:

Sioux City Golden Corral, LLC
1485 W. Hillfield Road, #202
Layton, UT 84020

FOR RECORDER'S USE ONLY

MODIFICATION OF MORTGAGE

THIS MODIFICATION OF MORTGAGE dated July 1, 2009, is made and executed between Sioux City Golden Corral, LLC, whose address is 1485 W. Hillfield Road, #202, Layton, UT 84020 (referred to below as "Grantor") and Centennial Bank, Inc., whose address is 4605 Harrison Boulevard, Suite #1, Ogden, UT 84403 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated June 16, 2008 (the "Mortgage") which has been recorded in Woodbury County, State of Iowa, as follows:

Recorded July 11, 2008 in the Office of the Woodbury County Recorder, State of Iowa, in Roll 698 Image 10676-10691.

REAL PROPERTY DESCRIPTION. The Mortgage covers the following described real property located in Woodbury County, State of Iowa:

See Exhibit "A", 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 5200-5330 Sergeant Court, Sioux City, IA 51104. The Real Property tax identification number is 547190 and 547178.

MODIFICATION. Lender and Grantor hereby modify the Mortgage as follows:

Loan is hereby converted from a Construction Loan to a amortized term loan. All other terms and conditions remain the same.

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Mortgage shall remain unchanged and in full force and effect and are legally valid, binding, and enforceable in accordance with their respective terms. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Mortgage 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 Mortgage (the "Note"). It is the intention of Lender to retain as liable all parties to the Mortgage 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 Mortgage 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.

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF MORTGAGE IS DATED JULY 1, 2009.

GRANTOR:

SIoux CITY GOLDEN CORRAL, LLC

By: 

R. Scott Priest, Manager of Sioux City Golden Corral, LLC

By: 

Michael Jones, Manager of Sioux City Golden Corral, LLC

MODIFICATION OF MORTGAGE
(Continued)

Loan No: 38540944

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LENDER:

CENTENNIAL BANK, INC.

x. Ken T. Doutré
Authorized Signer Ken T. Doutré

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF UT)
) SS
COUNTY OF DAVIS)



NOTARY PUBLIC
JENNY WALL
1485 W. HILLFIELD ROAD
SUITE 202
LAYTON, UTAH 84041
MY COMMISSION EXPIRES
APRIL 10th, 2011
STATE OF UTAH

On this 13 day of Aug, 20 09, before me, the undersigned Notary Public, personally appeared R. Scott Priest, Manager of Sioux City Golden Corral, LLC and Michael Jones, Manager of Sioux City Golden Corral, LLC, and known to me to be members or designated agents of the limited liability company that executed the Modification of Mortgage and acknowledged the Modification to be the free and voluntary act and deed of the limited liability company, by authority of statute, its articles of organization or its operating agreement, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute this Modification and in fact executed the Modification on behalf of the limited liability company.

By Jenny Wall Residing at Layton
Notary Public in and for the State of Utah My commission expires Apr. 10, 2011

LENDER ACKNOWLEDGMENT

STATE OF UTAH)
) SS
COUNTY OF DAVIS)



JIM C MORRIS
NOTARY PUBLIC - STATE OF UTAH
2412 W 1125 S
SYRACUSE, UT 84075
COMM. EXP. 10-22-2011

On this 14 day of AUGUST, 20 09, before me, the undersigned Notary Public, personally appeared KEN T. DOUTRE and known to me to be the VICE-PRESIDENT, authorized agent for Centennial Bank, Inc. that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of Centennial Bank, Inc., duly authorized by Centennial Bank, Inc. 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 Centennial Bank, Inc..

By Jim C Morris Residing at DAVIS COUNTY
Notary Public in and for the State of UTAH My commission expires 10-22-11

EXHIBIT A

Legal Description

PARCEL DESCRIPTION:

Outlots 10 and 11 in Lakeport Commons, an addition to Sioux City, Woodbury County, Iowa, EXCEPT that portion of said Outlot 10 described as follows:

Beginning at the southeast corner of said Outlot 10; thence North 53°50'02" West along the south line of said Outlot 10 for a distance of 230.44 feet to the southwest corner of said Outlot 10; thence North 34°10'05" East along the west line of said Outlot 10 for a distance of 65.91 feet; thence South 53°00'57" East for a distance of 233.00 feet to the east line of said Outlot 10; thence South 45°16'18" West along said east line for a distance of 11.06 feet; thence south 34°29'48" West along said east line for a distance of 51.64 feet to the Point of Beginning.

BASIS OF BEARINGS:

All bearings are referenced recorded plat of said Lakeport Commons.