

Official Record

Recording requested By
STATE BANK OF SOUTHERN UTAH

Lincoln County - NV

Leslie Boucher - Recorder

Fee: \$48.00 Page 1 of 10
RPTT: Recorded By: AE
Book- 309 Page- 0149

I the undersigned hereby affirm that this Document submitted for recording does not Contain any personal information.



WADE KLEINMAN, SENIOR VICE PRESIDENT



01-19-2017

DATE

Assessor Parcel No(s): 012-110-36 & 012-170-53 - PARCEL 1, 012-110-31 - PARCEL 2, 012-110-29 - PARCELS 3 4 & 5, 012-170-16 & -17 - PARCEL 6, 012-170-13 - PARCEL 7, 012-170-39 - PARCEL 8 & 9, 012-220-07 - PARCEL 10, 012-210-13 - PARCEL 11, 012-040-20 - PARCEL 12, 006-351-02 - PARCEL 13, 006-351-03 - PARCEL 14, 012-110-33, -34 & -35 - PARCEL 15

RECORDATION REQUESTED BY:

State Bank of Southern Utah, Cedar City Main Branch, 377 North Main Street, PO Box 340, Cedar City, UT 84721

WHEN RECORDED MAIL TO:

State Bank of Southern Utah, Cedar City Main Branch, 377 North Main Street, PO Box 340, Cedar City, UT 84721

SEND TAX NOTICES TO:

MATHEWS FARMS, A NEVADA PARTNERSHIP; ROBERT J MATHEWS; SHANE MATHEWS; CAROL L MATHEWS; JENNY R MATHEWS; ROBERT MATHEWS; and SHANE R MATHEWS; PO BOX 328; PANACA, NV 89042

FOR RECORDER'S USE ONLY

Modification of Deed of Trust

This Modification of Deed of Trust made this 19st day of January, 2017, Between Partnership, as Trustor and State Bank of Southern Utah as Trustee, and State Bank of Southern Utah as Beneficiary



Witnesseth:

WHEREAS, on the 26th day of September, 2016, Trustor did make, execute and deliver to Trustee a Revolving Credit Deed of Trust recorded on December 16, 2016, as DOC# 0150747 in Official Records in the Office of the County Recorder of Lincoln County, State of Nevada, for the purpose of securing that payment of the sum of \$100,000.00 with interest thereon according to the terms of a Promissory Note or Notes dated September 26, 2016 in favor of Beneficiary covering the real property in Lincoln County, State of Nevada, described as follows:

See Attached Exhibit A

AND WHEREAS, the parties herein desire to modify and amend said Revolving Credit Deed of Trust to reflect a corresponding modification of the secured Note to provide for an increase in the Note amount as described below.

NOW THEREFORE, for value received, the parties hereto do hereby modify and amend said Revolving Credit Deed of Trust to provide for an additional advance on the Note of \$100,000.00 making a new secured amount of \$200,000.00. The modification of the deed of trust is for the purpose of securing payment of the new loan amount stated above with interest thereon according to the terms of a Modification Agreement and Note dated January 19, 2017 in favor of Beneficiary covering the real property described above.

Trustor does hereby grant and convey the above described real property to Trustee under said Revolving Credit Deed of Trust together with power of sale and subject to each and all of the terms and conditions of said deed of trust, including this modification and exhibits thereto, securing the full amount of the Note as modified, \$200,000.00 plus interest and costs.

IT IS FURTHER AGREED, by and between the parties hereto that in all other respects not inconsistent herewith the terms of said Revolving Credit Deed of Trust which is incorporated herein by reference thereto shall remain in full force and effect and be binding hereon. Said Revolving Credit Deed of Trust as herein modified and amended shall constitute one deed of trust.

This agreement shall inure to and bind the heirs, devisees, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this agreement the day and year first above written.



Trustor

MATHEWS FARMS, A NEVADA PARTNERSHIP

By: Robert J Mathews
ROBERT J MATHEWS, PARTNER of MATHEWS FARMS, A NEVADA PARTNERSHIP

By: Shane R Mathews
SHANE MATHEWS, PARTNER of MATHEWS FARMS, A NEVADA PARTNERSHIP

X Robert J Mathews
ROBERT J MATHEWS, Individually

X Shane R Mathews
SHANE MATHEWS, Individually

X Carol L Mathews
CAROL L MATHEWS, Individually

X Jenny R Mathews
JENNY R MATHEWS, Individually

X Robert J Mathews
ROBERT MATHEWS, Individually

X Shane R Mathews
SHANE R MATHEWS, Individually

Beneficiary

State Bank of Southern Utah
Wade Kleinman
Wade Kleinman, Senior Vice President

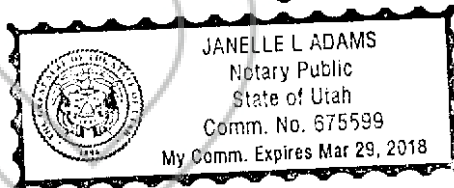


STATE OF UTAH)
 : ss.
COUNTY OF IRON)

On the 23 day of January, 2017, personally appeared before me Wade Kleinman, who, being by me duly sworn, did say that he is the Senior Vice President of STATE BANK OF SOUTHERN UTAH and that said Modification of Trust Deed was signed in behalf of said Corporation by authority of its bylaws or a resolution of its Board of Directors, and said Wade Kleinman acknowledged to me that said Corporation executed the same.

Janelle L Adams
Notary Public

My Commission Expires: 3-29-2018 Residing at Cedar City UT

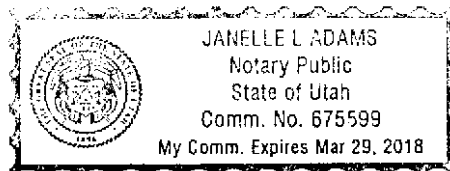


STATE OF UTAH)
 : ss.
COUNTY OF IRON)

On the 20 day of January, 2017, personally appeared before me Robert J. Mathews and Shane Mathews, Partners of Mathews Farms, A Nevada Partnership, who, and know to me to be partners of the partnership that executed the Modification of Trust Deed and acknowledged the Modification of Trust Deed to be the free and voluntary act and deed of the partnership, by authority of statute or its Partnership Agreement, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute this Modification of Trust Deed on behalf of the partnership.

Janelle L Adams
Notary Public

My Commission Expires: 3-29-2018 Residing at Cedar City UT



STATE OF UTAH)
 : ss.
COUNTY OF IRON)

On the 20 day of January, 2017, personally appeared before me Robert J. Mathews; Shane Mathews; Carol L Mathews; Jenny R Mathews; Robert Mathews; and Shane Mathews; that executed the Modification of Trust Deed and acknowledged the Modification of Trust Deed to be the free and voluntary act and deed of these individuals.

Janelle L Adams
Notary Public

Residing at Cedar city UT

My Commission Expires: 3-29-2018

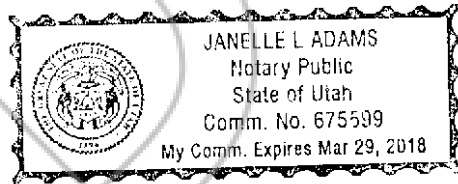




EXHIBIT "A"

This Exhibit is attached to and made a part of that certain Deed of Trust dated September 26, 2016 by and between Robert J Mathews and Carol L Mathews, husband and wife as joint tenants as to Parcels 1-11 and Robert Mathews a married man, and Shane Mathews a married man AS THEIR SOLE AND SEPARATE PROPERTY D.B.A. MATHEWS FARMS AS TO PARCEL 12, SHANE R. MATHEWS and JENNY R MATHEWS, AS TO PARCELS 13 AND 14 AND ROBERT MATHEWS AS TO PARCEL 15 as Trustor and State Bank of Southern Utah as Beneficiary and as Lender. This attachment is for the purpose of describing Trustor's interest in the real property by legal description and water rights which is appurtenant to, or used in conjunction with this or other property. This description is not intended to limit in any way all of Trustor's rights, title and interest which is conveyed to Beneficiary and Lender in the Deed of Trust.

Real Estate described as:

PARCEL 1:

A parcel of land located in the SW1/4 of the SW1/4 of Section 5 and the NW1/4 of the NW1/4 of Section 8, T. 2 S., R. 68 E., of the M.D.B.&M., Lincoln County, Nevada, described as follows:

BEGINNING at a point on the East right of way of US Highway 93 from which the Southwest corner of said Section 5 bears S 88°07'04" W 375.39 feet to the Point of Beginning;
Thence N 02°52'26" E 492.05 feet to a rebar & cap stamped RE Fonger PLS 4235;
Thence S 87°01'12" E 133.11 feet;
Thence N 03°00'49" E 821.67 feet from which a reference monument bears N 02°58'22" E 20.00 feet;
Thence S 89°58'24" E 739.44 feet to the SW1/16 corner of said Section 5;
Thence S 0°18'20" E 1317.70 feet to the W1/16 corner of Sections 5 & 8;
Thence S 0°06'26" E 844.06 feet to a fence;
Thence S 15°52'04" W 90.04 feet along the fence to a fence angle point;
Thence S 24°55'13" W 422.37 feet to the 1/16th line;
Thence N 89°54'18" W 815.24 feet to the US Highway 93 right of way;
Thence N 02°58'19" E 1314.70 feet along said right of way to the Section 5/8 line;
Thence N 03°45'13" E 12.44 feet to the Point of Beginning.

PARCEL 2:

A parcel of land located in the SE1/4 of the SW1/4 of Section 5, T. 2 S., R. 68 E., of the M.D.B.&M., Lincoln County, Nevada, lying on the Westerly side of the abandoned U.P. Railroad right of way, described as follows:

BEGINNING at the W1/16 corner of Sections 5 and 8, from which the SW corner of said Section 5 bears S 89°58'19" E 1322.46 feet;
Thence N 0°18'20" W 1317.70 feet to the NW1/16 corner;
Thence S 89°58'24" E 864.45 feet to the said railroad right of way;
Thence S 24°58'37" E 1453.30 feet along said right of way to the Section line of 5 and 8;
Thence N 89°58'19" W 243.76 feet to the Point of Beginning.

PARCEL 3:

In the NW1/4 of the SE1/4 and the SW1/4 of the SE1/4 of Section 5, T 2 S, R 68 E., of the M.D.B.&M., Lincoln County, Nevada, described as follows:

BEGINNING at the SW corner of the NW1/4 of the SE1/4 from which the SW corner of said Section 5 bears S 63°27'16" W 2945.56 feet;
Thence N 0°25'47" W 379.72 feet to the abandoned U.P. Railroad right of way;
Thence N 24°58'37" E 1034.54 feet along said right of way;
Thence S 89°58'26" E 137.00 feet;
Thence S 01°36'49" E 2127.57 feet;
Thence S 89°40'35" W 505.00 feet to the N-S Center line of Section 5;
Thence N 0°25'47" W 812.17 feet to the Point of Beginning.



PARCEL 4:

In the NW1/4 of the SE1/4 and the SW1/4 of the SE1/4 and the NE1/4 of the SE1/4 of Section 5, T 2 S, R 68 E, of the M.D.B.&M., Lincoln County, Nevada, described as follows:

BEGINNING at a point from which the SW corner of said Section 5 bears S 80°50'37" W 3186.73 feet;
Thence N 01°36'49" E 2127.57 feet to the E-W Center line of Section 5;
Thence S 89°58'26" E 866.27 feet to a boundary fence line;
Thence S 07°35'06" W 2141.44 feet along said fence;
Thence S 89°40'35" W 643.52 feet to the Point of Beginning.

PARCEL 5:

In the SW1/4 of the NE1/4 of Section 5, T 2 S, R 68 E, of the M.D.B.&M., Lincoln County, Nevada, described as follows:

BEGINNING at a point on the East right of way of the abandoned U.P. Railroad and the E-W Center line of Section 5;
Thence N 24°58'37" E 1451.58 feet to the North 1/16th Section line;
Thence N 89°57'56" E 105.50 feet;
Thence S 0°32'44" E 1316.27 feet;
Thence N 89°58'26" W 705.90 feet to the Point of Beginning.

PARCEL 6:

In the NW1/4 of the NE1/4 of Section 8, T 2 S, R 68 E, of the M.D.B.&M., Lincoln County, Nevada, described as follows:

BEGINNING at the North Quarter Corner of said Section 8, from which the Northwest corner of said Section 8 bears N 89°58'19" W 2644.92 feet;
Thence S 89°58'19" E 1322.46 feet;
Thence S 0°04'24" E 1317.15 feet;
Thence S 89°54'15" W 1323.11 feet to the Center-North 1/16th corner;
Thence N 0°02'43" W 1315.59 feet to the Point of Beginning.

PARCEL 7:

In the NE1/4 of the NW1/4 of Section 8, T 2 S, R 68 E, of the M.D.B.&M., Lincoln County, Nevada, described as follows:

This Parcel has two parts that are separated by the abandoned U.P. Railroad right of way

West Side:

BEGINNING at the W1/16th corner between Sections 5 and 8, from which the Northwest corner of said Section bears N 89°58'19" W 1322.46 feet;
Thence S 89°58'29" E 246.80 feet along said Section line;
Thence S 19°11'44" W 84.21 feet along a fence;
Thence S 15°54'00" W 421.75 feet along said fence;
Thence S 15°53'05" W 373.01 feet along said fence to the West 1/16th line;
Thence N 0°06'26" W 844.06 feet along said 1/16th line to the Point of Beginning.

East Side:

BEGINNING at a point on the U.P. Railroad right of way from which the Northwest corner of said Section 8 bears N 82°35'38" W 1752.05 feet;
Thence S 89°58'19" E 246.53 feet;
Thence S 0°04'40" E 989.83 feet;
Thence N 89°54'19" W 277.20 feet;
Thence N 0°05'33" W 923.16 feet to the said railroad right of way;
Thence N 24°55'13" E 73.14 feet along said railroad right of way to the Point of Beginning.



PARCEL 8:

All that portion of the East Half of the Northeast Quarter of the Northwest Quarter (E1/2 of NE1/4 of NW1/4) of Section 8, Township 2 South, Range 68 East, of the M.D.B.&M., Lincoln County, Nevada, being part of Patent No. 5942, lying North of the right of way for State Highway No. 25 and East of the County Road to Panaca Station Grounds, Patent No. 4639.

EXCEPTING THEREFROM all mines of gold, silver, copper, lead, cinnabar and other valuable minerals that may exist as reserved by the State of Nevada in Patent recorded July 23, 1945 in Book G-1, Page 197 of Official Records.

PARCEL 9:

All that portion of the North Half of the Southeast Quarter of the Northwest Quarter (N1/2 of SE1/4 of NW1/4) of Section 8, Township 2 South, Range 68 East, of the M.D.B.&M., Lincoln County, Nevada, lying North of the right of way for State Highway No. 25 and East of the County Road to Panaca Station Grounds.

EXCEPTING THEREFROM all mines of gold, silver, copper, lead, cinnabar and other valuable minerals that may exist as reserved by the State of Nevada in Patent recorded December 12, 1901 in Book 1, Page 45 of Official Records.

PARCEL 10:

The East One-half of the Northeast Quarter (E1/2 of NE1/4) of Section 25, Township 2 South, Range 67 East, of the M.D.B.&M., Lincoln County, Nevada;

EXCEPTING THEREFROM that portion conveyed for railroad right of way;

ALSO EXCEPTING THEREFROM that portion lying Northwesterly of the railroad right of way;

FURTHER EXCEPTING THEREFROM that portion as conveyed in Deed recorded September 19, 1979 as Inst. No. 65792, in Book 32, Page 496 of Official Records.

PARCEL 11:

Sectional Lot 4 AKA the Southwest Quarter of the Southwest Quarter (SW1/4 of SW1/4) and the Southeast Quarter of the Southwest Quarter (SE1/4 of SW1/4) of Section 19, Township 2 South, Range 68 East, of the M.D.B.&M., Lincoln County, Nevada.

ALSO:

Sectional Lots 1 and 2, AKA the West One-half of the Northwest Quarter (W1/2 of NW1/4) and the Northeast Quarter of the Northwest Quarter (NE1/4 of NW1/4) of Section 30, Township 2 South, Range 68 East, of the M.D.B.&M., Lincoln County, Nevada.



PARCEL 12:

A parcel of land located within the S1/2 of the NE1/4 and the SE1/4 of Section 32, Township 1 South, Range 68 East, M.D.B.&M., Lincoln County, Nevada, described as follows:

BEGINNING at a point on the Common Section line between Section 32 and 33, from which the Northeast corner of said Section 32 bears N 0°55'04" W 1415.09 feet which is monumental by a BLM brass cap dated 1971, also from which the North 1/16th corner of said Section 32 and 33* bears N 0°55'04" W 100.00 feet;
 Thence S 0°55'04" E 1215.10 feet to the East Quarter corner of said Section 32 monumental by a BLM brass Cap;
 Thence continuing South on the East Section line of said Section 32, S 0°55'44" E 358.04 feet* to the abandoned West U.P. Railroad right of way;
 Thence S 25°55'27" W 1064.56 feet* along the West U.P Railroad right of way to the intersection with the South 1/16th line of said Section 32;
 Thence continuing along the said Railroad right of way, S 25°55'27" W 1469.17 feet* to the South line of Section 32;
 Thence S 89°48'15" W 194.44 feet* to the East 1/16th corner common to Section 32, T 1 S, R 68 E and Section 5, T 2 S, R 68 E, M.D.B.&M.;
 Thence continuing S 89°48'15" W 439.04 feet on the said Section line*;
 Thence N 0°03'40" W 1000.00 feet*;
 Thence S 89°48'15" W 900.00 feet to the N-S Center Section line of said Section 32;
 Thence N 0°03'40" 331.10 feet** to the Center-South 1/16th corner of said Section 32;
 Thence continuing N 0°03'40" W 1331.10 feet** to the Center of said Section 32;
 Thence continuing N 0°03'40" W 246.55 feet* on the Center line of said Section 32;
 Thence leaving the N-S Center line of said Section 32, N 42°58'04" E 1042.79 feet*;
 Thence N 88°20'11" E 600.08 feet to the East 1/16th line* from which the Northeast 1/16th corner bears N 0°29'20" W 278.71 feet*;
 Thence continuing S 85°20'09" E 85.06 feet* to an angle point;
 Thence S 87°54'16" E 695.85 feet*;
 Thence N 08°10'45" E 197.05 feet*;
 Thence S 89°30'10" E 500.00 feet to the Point of Beginning.

* = "to a 5/8" rebar with plastic cap stamped L. Smith PLS 12751"
 * = "to a 5/8" rebar with aluminum cap stamped L. Smith PLS 12751 and corner identification"
 Basis of Bearing: The East line of Section 8, T 2 S, R 68 E, M D B & M recorded BLM Dependent Resurvey (presently unapproved).

PARCEL 13:

The Southwest Quarter of the Southwest Quarter (SW1/4 of SW1/4) of Section 26; the Southeast Quarter of the Southeast Quarter (SE1/4 of SE1/4) of Section 27, excepting therefrom the West 25 rods thereof; the Northeast Quarter of the Northeast Quarter (NE1/4 of NE1/4) of Section 34, excepting therefrom the West 25 rods thereof, all in Township 1 North, Range 65 East of the M.D.B.&M., Lincoln County, Nevada.

PARCEL 14

The West 25 rods of the Southeast Quarter of the Southeast Quarter (SE1/4 of SE1/4) of Section 27; the West 25 rods of the Northeast Quarter of the Northeast Quarter (NE1/4 of NE1/4) of Section 34; the Northeast Quarter of the Northwest Quarter (NE1/4 of NW1/4); and the Northwest Quarter of the Northeast Quarter (NW1/4 of NE1/4) of Section 34, in Township 1 North, Range 65 East of the M.D.B.&M., Lincoln County, Nevada.

PARCEL 15:

Parcels Five (5), Six (6) and Seven (7), as shown by map thereof recorded for Lester & Lorene Mathews on February 22, 1988 as Doc. No. 88303 and on file in Book A of Maps, Page 284, in the office of the County Recorder, Lincoln County, Nevada.

Assessor's Parcel Number: 012-110-36 & 012-170-53 (Par 1), 012-110-31 (Par 2), 012-110-29 (Par's 3, 4 & 5), 012-170-16 & -17 (Par 6), 012-170-13 (Par 7), 012-170-39 (Par's 8 & 9), 012-220-07 (Par 10), 012-210-13 (Par 11), 012-040-20 (Par 12), 006-351-02 (Par 13), 006-351-03 (Par 14), 012-110-33, -34, & -35 (Par 15)



In addition to the above described Real Property Trustor also conveys all rights, title, and interest in and to the following described Water Rights:

ALL WATER APPURTENANT TO THIS OR OTHER PROPERTY, DESCRIBED AS WATER FROM THE FOLLOWING WATER RIGHTS:

**Robert J Mathews and Carol L Mathews
20154, 11968, V04355, 13047, 12249, V04399**

Also water rights currently vested in Wilson Family Trust and A Morley and Mary Wilson Family Trust but under application to be transferred to Robert J and Carol L Mathews under applications 73440, 73439 and 73442

**Robert J Mathews and Shane R Mathews
11723, 24349**

**Shane R Mathews and Jenny R Mathews
5371, 9660, 10119, 10120, 11118**

**PERMIT #16435
PERMIT #16912**

