

DOUGLAS COUNTY, NV

2020-947009

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ETRCO

KAREN ELLISON, RECORDER

APN# : 1320-29-601-005

**Recording Requested By:**

Western Title Company, LLC

**Escrow No.:** 114877-SLA

**When Recorded Mail To:**

All Pro Funding IV, LLC

13521 Northgagte Estates Drive,

Suite 200

Colorado Springs, CO 80921

**Mail Tax Statements to: (deeds only)**

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(space above for Recorder's use only)

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does not contain the social security number of any person or persons.

(Per NRS 239B.030)

Signature



Sherry Ackermann

Escrow Officer

**Second Amendment to Commercial Deed of Trust**

This page added to provide additional information required by NRS 111.312  
(additional recording fee applies)

**This document is being  
recorded as an  
accomodation only.**

**Upon recording, mail file-stamped copy to:**

John A. Miller  
All Pro Capital, LLC  
13521 Northgate Estates Drive, Suite 200  
Colorado Springs, Colorado 80921

## **SECOND AMENDMENT TO COMMERCIAL DEED OF TRUST**

### **Background**

- A. On July 11, 2019, All Pro Funding IV, LLC (“**APF IV**” or “**Beneficiary**”) made a loan in the amount of \$4,615,000.00 (which has a current outstanding principal balance of \$2,443,500.00) to Town Homes at Monterra III, LLC (“**Monterra**” or “**Trustor**”), as evidenced by a promissory note in that amount (the “**Note**”).
- B. Repayment of the Note is secured by a Deed of Trust Securing Future Advances with Assignment of Rents recorded on July 12, 2019 as Document # 2019-931671 in the office of Karen Ellison, Douglas County Nevada Recorder (the “**Deed of Trust**”). The Deed of Trust is a first lien encumbrance upon the property described on Exhibit A attached thereto (the “**Property**”).
- C. Pursuant to a Revolving Credit Agreement between APF IV and Monterra (the “**Credit Agreement**”), APF IV made an additional advance to Monterra on or about March 13, 2020 to fund improvements to the Property and changed the Note amount to \$5,415,000.00.
- D. Monterra signed a First Amendment to Commercial Deed of Trust (the “**First Amendment**”) to, among other things, change the legal description of the Property that was attached to the Deed of Trust. The First Amendment was recorded March 17, 2020 as Document # 2020-943597.
- E. Since the date of the First Amendment, a portion of the “**Remainder Parcel**” identified in First Amendment Exhibit A has been platted as Lots 18 through 27, inclusive.

F. Because additional lots are to be platted out of the Remainder Parcel, APF IV and Monterra wish to change the legal description set forth in First Amendment Exhibit A to the legal description set forth in **paragraph 1** below.

Now therefore, in consideration of the Background and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, APF IV and Monterra agree that:

**1. Revised Legal Description.** From and after the date of this Second Amendment to Commercial Deed of Trust (this "**Second Amendment**"), the legal description of the Property is changed to:

Lots 8, 10 through 17, inclusive, and Lots 18 through 27, inclusive, as shown on the FINAL MAP, A PLANNED UNIT DEVELOPMENT DP 18-0200, modified by DP 19-0441, THE TOWNES AT MONTERRA PHASES 3A and 3B-1, respectively, according to the maps filed in the office of the County Recorder, Douglas County, State of Nevada, on November 22, 2019, as File No. 2019-938681 (Phase 3A) and on April 29, 2020 as Document No. 2020-945359 (Phase 3B-1).

**2. No Further Changes.** As changed by this Second Amendment, the Deed of Trust (as previously changed by the First Amendment) shall continue in full force and effect as originally signed and filed.

[Signature page follows]

Town Homes at Monterra III, LLC

By: Carter Hill Homes, LLC, Managing Member

By: Hill Development Services, LLC, Member

By: *Brandon Hill*  
Brandon Hill, Manager

**Acknowledgment**

State of Nevada )  
 )ss  
Douglas County )

This instrument was acknowledged before me on June 2, 2020 by Brandon Hill, Manager of Hill Development Services, LLC, in its capacity as Member of Carter Hill Homes, LLC, as Managing Member of Town Homes at Monterra III, LLC.

*Sherry Ackermann*  
Notary Public

Notary's commission expires:  
4-26-2021

