

Memo of Lease Page 1 of 6  
Russell Shirts Washington County Recorder  
10/12/2018 01:37:56 PM Fee \$24.00 By  
BINGHAM SNOW & CALDWELL

WHEN RECORDED MAIL TO:

Dean T. Terry Investments L.L.C.  
Attention: Douglas D. Terry, Esq.  
132 W. Tabernacle  
St. George, UT 84770

Effects Portions of Parcel No. W-209-D-1

**MEMORANDUM OF LEASE**

THIS MEMORANDUM OF LEASE ("Memorandum") dated effect this 11<sup>th</sup> day of October, 2018 is entered into between **DEAN T. TERRY INVESTMENTS L.L.C.**, a Utah limited liability company also known as Dean T Terry Investments L C ("Landlord") and **SPR HOLDINGS WASHINGTON LLC**, a Utah limited liability company ("Tenant").

1. Premises. For the term and upon the provisions set forth in that certain Second Amended and Restated Ground Lease Agreement dated effective October 11, 2018 by and between Landlord and Tenant (the "Lease"), all of which provisions are specifically made a part hereof as if set out in full herein, Landlord leases to Tenant and Tenant leases from Landlord the real property legally described in *Exhibit A* attached hereto and incorporated herein by this reference (the "Property"), which property is known to be a portion of Parcel Number W-209-D-1, together with all rights, privileges and easements appurtenant to the Property.

2. Term. The initial term of the Lease is scheduled to terminate upon such date as shall be twenty (20) years from the Commencement Date of the Lease, unless sooner terminated or extended as provided or permitted in the Lease. Pursuant to the Lease, the Commencement Date is the date that is three hundred sixty five (365) days after the Effective Date of the Lease.

3. Right to Extend. Tenant has the right to extend and renew the Lease Term for five (5) successive and additional periods of five (5) years each, provided Tenant is not then in default under the Lease.

4. Definitions. Any capitalized terms used but not defined herein shall have the meaning given to them in the Lease.

5. Purpose of Memorandum. This Memorandum is solely for the purpose of giving constructive notice of the Lease. In the event of a conflict between the terms of the Lease and this Memorandum, the terms of the Lease shall govern and control.

[Signatures and acknowledgements appear on following page.]

IN WITNESS WHEREOF, the parties hereto have respectively executed this Memorandum of Lease effective as of the date first written above.

**LANDLORD:**

DEAN T. TERRY INVESTMENTS L.L.C.  
a Utah limited liability company

By: *Dean T. Terry*  
Dean T. Terry, Manager

**TENANT:**

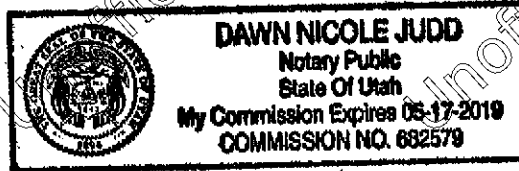
SPR HOLDINGS WASHINGTON LLC  
a Utah limited liability company

By: *Clark Kelsey*  
Clark Kelsey, Manager

STATE OF UTAH )  
 ) ss.  
COUNTY OF WASHINGTON )

On this 11th day of October, 2018, before me personally appeared Dean T. Terry, whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being by me duly sworn (or affirmed), did say that he is the Manager of DEAN T. TERRY INVESTMENTS L.L.C., and that the foregoing document was signed by him on behalf of that entity by authority of its Operating Agreement or of a resolution of its managers and/or members, and he acknowledged to me that the entity executed the same and the document was the act of the entity for its stated purpose.

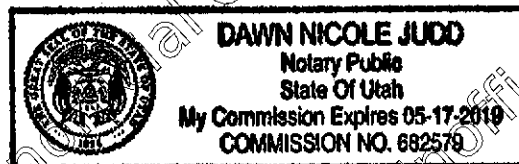
*Dawn Nicole Judd*  
NOTARY PUBLIC



STATE OF UTAH )  
 ) ss.  
COUNTY OF WASHINGTON )

On this 11th day of October, 2018, before me personally appeared Clark Kelsey, whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being by me duly sworn (or affirmed), did say that he is the Manager of SPR HOLDINGS WASHINGTON LLC, and that the foregoing document was signed by him on behalf of that entity by authority of its Operating Agreement or of a resolution of its managers and/or members, and he acknowledged before me that the entity executed the same and the document was the act of the entity for its stated purpose.

*Dawn Nicole Judd*  
NOTARY PUBLIC



**EXHIBIT A**  
**Legal Description of Leased Property**

**THE LEASEHOLD ESTATE OF THE FOLLOWING PROPERTY:**

**PARCEL 1**

BEGINNING AT A POINT THAT LIES NORTH 01°06'01" EAST 1201.08 FEET AND NORTH 90°00'00" WEST 201.50 FEET, FROM THE SOUTH QUARTER CORNER OF SECTION 12, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, WASHINGTON CITY, WASHINGTON COUNTY, UTAH, AND RUNNING THENCE NORTH 18°10'01" WEST 259.49 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF COMMERCE BOULEVARD (ALSO KNOWN AS 1100 EAST STREET), THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING FIVE (5) COURSES AND DISTANCES: 1 - EASTERLY ALONG A 1460.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, (LONG CHORD BEARS NORTH 73°03'16" EAST A DISTANCE OF 63.30 FEET, CENTER POINT LIES SOUTH 18°11'16" EAST), THROUGH A CENTRAL ANGLE OF 02°29'04" A DISTANCE OF 63.30 FEET; 2 - NORTH 78°44'25" EAST 141.98 FEET; 3 - NORTH 15°42'12" WEST 0.47 FEET; 4 - NORTH 74°17'54" EAST 155.52 FEET; 5 - EASTERLY ALONG A 55.50 FOOT RADIUS CURVE TO THE RIGHT, (LONG CHORD BEARS SOUTH 78°16'32" EAST A DISTANCE OF 51.13 FEET, CENTER POINT LIES SOUTH 15°42'07" EAST), THROUGH A CENTRAL ANGLE OF 54°51'11" A DISTANCE OF 53.13 FEET TO A POINT ON WEST RIGHT-OF-WAY OF WASHINGTON PARKWAY, THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING FIVE (5) COURSES AND DISTANCES: 1 - SOUTHEASTERLY ALONG A 129.50 FOOT RADIUS REVERSE CURVE TO THE LEFT, (LONG CHORD BEARS SOUTH 58°34'10" EAST A DISTANCE OF 34.79 FEET, CENTER POINT LIES NORTH 39°09'04" EAST), THROUGH A CENTRAL ANGLE OF 15°26'28" A DISTANCE OF 34.90 FEET; 2 - SOUTHEASTERLY ALONG A 85.50 FOOT RADIUS REVERSE CURVE TO THE RIGHT, (LONG CHORD BEARS SOUTH 40°59'44" EAST A DISTANCE OF 73.06 FEET, CENTER POINT LIES SOUTH 23°42'36" WEST), THROUGH A CENTRAL ANGLE OF 50°35'20" A DISTANCE OF 75.49 FEET; 3 - SOUTH 15°42'04" EAST 83.89 FEET; 4 - SOUTH 74°17'56" WEST 7.00 FEET; 5 - SOUTH 15°42'04" EAST 51.00 FEET, THEN LEAVING SAID RIGHT-OF-WAY AND RUNNING SOUTH 74°17'06" WEST 442.46 FEET TO THE POINT OF BEGINNING. CONTAINING 111,360 SQUARE FEET OR 2.56 ACRES.

**RESERVING THEREFROM THE FEE SIMPLE ESTATE HOLDER'S RIGHT TO GRANT NON-EXCLUSIVE RIGHT OF WAY EASEMENTS FOR INGRESS, EGRESS, UTILITIES AND DRAINAGE OVER THE FOLLOWING PORTION OF THE ABOVE-DESCRIBED PARCEL:**

**A RIGHT-OF-WAY WITH VARYING WIDTHS, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, WASHINGTON COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF COMMERCE BOULEVARD, SAID POINT LIES THENCE NORTH 01°06'01" EAST ALONG THE SECTION LINE 1456.58 FEET AND NORTH 88°53'59" WEST 243.77 FEET, FROM THE SOUTH QUARTER CORNER SAID SECTION 12; RUNNING THENCE SOUTHWESTERLY ALONG A 20.00 FOOT RADIUS CURVE TO THE LEFT, (LONG CHORD BEARS SOUTH 27°44'30" WEST A DISTANCE OF 28.71 FEET, CENTER POINT LIES SOUTH 16°23'46" EAST),**

THROUGH A CENTRAL ANGLE OF 91°43'28" A DISTANCE OF 32.02 FEET; THENCE SOUTH 18°07'14" EAST 32.09 FEET; THENCE SOUTH 15°52'31" EAST 126.24 FEET; THENCE SOUTH 18°09'50" EAST 72.97 FEET; THENCE NORTH 74°17'42" EAST 12.18 FEET; THENCE SOUTH 15°29'03" EAST 8.47 FEET; THENCE SOUTH 74°17'42" WEST 31.75 FEET; THENCE NORTH 18°10'01" WEST 259.49 FEET TO SAID SOUTH RIGHT-OF-WAY; THENCE EASTERLY ALONG SAID LINE AND ALONG A 1460.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, (LONG CHORD BEARS NORTH 72°42'29" EAST A DISTANCE OF 45.65 FEET, CENTER POINT LIES SOUTH 18°11'16" EAST), THROUGH A CENTRAL ANGLE OF 01°47'29" A DISTANCE OF 45.65 FEET TO THE POINT OF BEGINNING.

*IN FAVOR OF FUTURE HOLDERS OF LEASEHOLD ESTATES AND ESTATES IN FEE SIMPLE OF PROPERTY MORE PARTICULARLY DESCRIBED AS:*

BEGINNING AT THE NORTH QUARTER CORNER OF SECTION 13, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE S 0°54'24" W ALONG THE CENTER SECTION LINE 116.31 FEET; THENCE S 80°01'27" W 447.04 FEET; THENCE S 0°54'24" W 518.66 FEET; THENCE N 88°58'02" W 830.02 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF 1000 EAST STREET; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING THREE (3) COURSES; (1) N 1°01'58" E 102.26 FEET; (2) THENCE N 24°36'40" E 25.00 FEET; (3) THENCE N 1°01'58" E 100.00 FEET TO A POINT ON THE SOUTH BOUNDARY OF AUTUMN PARK MINOR SUBDIVISION, RECORDED AND ON FILE IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER, STATE OF UTAH; THENCE ALONG SAID SUBDIVISION THE FOLLOWING TWO (2) COURSES; (1) S 88°29'19" E 242.30 FEET; (2) THENCE N 1°01'58" 177.00 FEET TO A POINT ON THE SOUTH BOUNDARY OF A PARCEL OF LAND MORE PARTICULARLY DESCRIBED IN WARRANTY DEED DOCUMENT NUMBER 20070027171, RECORDED AND ON FILE IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER, STATE OF UTAH; THENCE ALONG THE BOUNDARY OF SAID PARCEL THE FOLLOWING THREE (3) COURSES; (1) S 88°29'19" E 301.58 FEET; (2) THENCE 1°05'22" E 690.30 FEET; (3) THENCE N 88°54'09" W 526.24 FEET TO A POINT ON SAID EAST RIGHT-OF-WAY OF 1000 EAST STREET; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING TWENTYFOUR (26) COURSES; (1) N 1°05'49" E 40.30 FEET TO A POINT ON A 25.00 FOOT NON-TANGENT RADIUS CURVE TO THE RIGHT WHICH RADIUS BEARS N 1°05'49" E; (2) THENCE ALONG THE ARC OF SAID CURVE 41.61 FEET THROUGH A CENTRAL ANGLE OF 95°22'25" TO A POINT ON A 690.00 FOOT RADIUS COMPOUND CURVE TO THE RIGHT; (3) THENCE ALONG THE ARC OF SAID CURVE 133.27 FEET THROUGH A CENTRAL ANGLE OF 11°03'58" TO A POINT ON A 20.00 FOOT RADIUS COMPOUND CURVE TO THE RIGHT; (4) THENCE ALONG THE ARC OF SAID CURVE 32.76 FEET THROUGH A CENTRAL ANGLE OF 93°51'04"; (5) THENCE N 21°23'15" E 50.00 FEET TO A POINT ON A 20.00 FOOT NON-TANGENT RADIUS CURVE TO THE RIGHT WHICH RADIUS BEARS N 21°23'15" E; (6) THENCE ALONG THE ARC OF SAID CURVE 32.76 FEET THROUGH A CENTRAL ANGLE OF 93°51'04" TO A POINT ON A 690.00 FOOT RADIUS COMPOUND CURVE TO THE RIGHT; (7) THENCE ALONG THE ARC OF SAID CURVE 43.90 FEET THROUGH A CENTRAL ANGLE OF 3°38'44" TO A POINT ON A 20.00 FOOT RADIUS COMPOUND CURVE TO THE RIGHT; (8) THENCE ALONG THE ARC OF SAID CURVE 6.44 FEET THROUGH A CENTRAL ANGLE OF 18°27'31"; (9) THENCE N 47°20'34" E 36.46 FEET TO A POINT ON A 20.00 FOOT RADIUS CURVE TO THE LEFT; (10) THENCE ALONG THE ARC OF SAID CURVE 5.09 FEET THROUGH A CENTRAL ANGLE OF 14°34'38" TO A POINT ON 678.00 FOOT RADIUS REVERSE CURVE TO THE RIGHT; (11) THENCE ALONG THE ARC OF SAID CURVE 136.34 FEET THROUGH A CENTRAL

ANGLE OF 11°31'19" TO A POINT ON A 20.00 FOOT RADIUS COMPOUND CURVE TO THE RIGHT; (12) THENCE ALONG THE ARC OF SAID CURVE 32.27 FEET THROUGH A CENTRAL ANGLE OF 92°26'19"; (13) THENCE N 46°43'33" E 50.00 FEET; (14) THENCE N 43°16'27" W 12.60 FEET TO A POINT ON A 20.00 FOOT RADIUS CURVE TO THE RIGHT; (15) THENCE ALONG THE ARC OF SAID CURVE 31.42 FEET THROUGH A CENTRAL ANGLE OF 90°00'00"; (16) THENCE N 46°43'33" E 259.16 FEET TO A POINT ON A 20.00 FOOT RADIUS CURVE TO THE RIGHT; (17) THENCE ALONG THE ARC OF SAID CURVE 31.65 FEET THROUGH A CENTRAL ANGLE OF 90°40'07"; (18) THENCE N 47°42'12" E 50.00 FEET TO A POINT ON A 20.00 FOOT NON-TANGENT CURVE TO THE RIGHT WHICH RADIUS BEARS N 47°23'40" E; (19) THENCE ALONG THE ARC OF SAID CURVE 32.04 FEET THROUGH A CENTRAL ANGLE OF 91°47'05" TO A POINT ON A 1460.00 FOOT COMPOUND CURVE TO THE RIGHT; (20) THENCE ALONG THE ARC OF SAID CURVE 640.04 FEET THROUGH A CENTRAL ANGLE OF 25°07'03"; (21) THENCE N 78°44'25" E 141.98 FEET; (22) THENCE N 15°42'12" W 0.47 FEET; (23) THENCE N 74°17'54" E 155.52 FEET TO A POINT ON A 55.50 FOOT RADIUS CURVE TO THE RIGHT; (24) THENCE ALONG THE ARC OF SAID CURVE 53.13 FEET THROUGH A CENTRAL ANGLE OF 54°51'11" TO A POINT ON A 129.50 FOOT NON-TANGENT REVERSE CURVE TO THE LEFT WHICH RADIUS BEARS N 39°14'57" E; (25) THENCE ALONG THE ARC OF SAID CURVE 34.90 FEET THROUGH A CENTRAL ANGLE OF 15°26'28" TO A POINT ON A 85.50 FOOT RADIUS COMPOUND CURVE TO THE RIGHT; (26) THENCE ALONG THE ARC OF SAID CURVE 75.49 FEET THROUGH A CENTRAL ANGLE OF 50°35'20"; SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY OF WASHINGTON PARKWAY; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING THREE (3) COURSES; (1) S 15°42'04" E 83.89 FEET; (2) THENCE S 74°17'56" W 7.00 FEET; (3) THENCE S 15°42'04" E 51.00 FEET; THENCE S 74°16'29" W 232.01 FEET; THENCE S 1°06'01" W 258.05 FEET TO THE POINT OF BEGINNING. CONTAINS 1,811,258 SQUARE FEET OR 41.58 ACRES

PARCEL 2

*A NON-EXCLUSIVE RIGHT OF WAY EASEMENT FOR INGRESS, EGRESS, DRAINAGE AND UTILITIES ACROSS PROPERTY DESCRIBED MORE PARTICULARLY DESCRIBED AS:*

A RIGHT-OF-WAY WITH VARYING WIDTHS, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, WASHINGTON COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF COMMERCE BOULEVARD, SAID POINT LIES THENCE NORTH 01°06'01" EAST ALONG THE SECTION LINE 1442.17 FEET AND NORTH 88°53'59" WEST 287.09 FEET, FROM THE SOUTH QUARTER CORNER SAID SECTION 12; RUNNING THENCE SOUTH 18°10'01" EAST 259.49 FEET; THENCE SOUTH 74°17'42" WEST 15.99 FEET; THENCE NORTH 18°10'02" WEST 165.07 FEET; THENCE NORTH 39°15'50" WEST 25.00 FEET; THENCE NORTH 18°09'50" WEST 49.69 FEET; THENCE NORTHWESTERLY ALONG A 20.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, (LONG CHORD BEARS NORTH 64°04'15" WEST A DISTANCE OF 28.73 FEET, CENTER POINT LIES SOUTH 71°50'10" WEST), THROUGH A CENTRAL ANGLE OF 91°48'50" A DISTANCE OF 32.05 FEET TO SAID SOUTH RIGHT-OF-WAY LINE, THENCE ALONG SAID LINE AND EASTERLY ALONG A 1460.00 FOOT RADIUS REVERSE CURVE TO THE RIGHT, (LONG CHORD BEARS NORTH 70°55'02" EAST A DISTANCE OF 45.61 FEET, CENTER POINT LIES SOUTH 19°58'40" EAST),

THROUGH A CENTRAL ANGLE OF 01°47'24" A DISTANCE OF 45.61 FEET THE POINT OF BEGINNING.

*IN FAVOR OF THE HOLDER OF THE LEASEHOLD ESTATE AND/OR ESTATE IN FEE SIMPLE OF PROPERTY DESCRIBED MORE PARTICULARLY AS:*

BEGINNING AT A POINT THAT LIES NORTH 01°06'01" EAST 1201.08 FEET AND NORTH 90°00'00" WEST 201.50 FEET, FROM THE SOUTH QUARTER CORNER OF SECTION 12, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, WASHINGTON CITY, WASHINGTON COUNTY, UTAH, AND RUNNING THENCE NORTH 18°10'01" WEST 259.49 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF COMMERCE BOULEVARD (ALSO KNOWN AS 1100 EAST STREET), THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING FIVE (5) COURSES AND DISTANCES: 1 - EASTERLY ALONG A 1460.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, (LONG CHORD BEARS NORTH 73°03'16" EAST A DISTANCE OF 63.30 FEET, CENTER POINT LIES SOUTH 18°11'16" EAST), THROUGH A CENTRAL ANGLE OF 02°29'04" A DISTANCE OF 63.30 FEET; 2 - NORTH 78°44'25" EAST 141.98 FEET; 3 - NORTH 15°42'12" WEST 0.47 FEET; 4 - NORTH 74°17'54" EAST 155.52 FEET; 5 - EASTERLY ALONG A 85.50 FOOT RADIUS CURVE TO THE RIGHT, (LONG CHORD BEARS SOUTH 78°16'32" EAST A DISTANCE OF 51.13 FEET, CENTER POINT LIES SOUTH 15°42'07" EAST), THROUGH A CENTRAL ANGLE OF 54°51'11" A DISTANCE OF 53.13 FEET TO A POINT ON WEST RIGHT-OF-WAY OF WASHINGTON PARKWAY, THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING FIVE (5) COURSES AND DISTANCES: 1 - SOUTHEASTERLY ALONG A 129.50 FOOT RADIUS REVERSE CURVE TO THE LEFT, (LONG CHORD BEARS SOUTH 58°34'10" EAST A DISTANCE OF 34.79 FEET, CENTER POINT LIES NORTH 39°09'04" EAST), THROUGH A CENTRAL ANGLE OF 15°26'28" A DISTANCE OF 34.90 FEET; 2 - SOUTHEASTERLY ALONG A 85.50 FOOT RADIUS REVERSE CURVE TO THE RIGHT, (LONG CHORD BEARS SOUTH 40°59'44" EAST A DISTANCE OF 73.06 FEET, CENTER POINT LIES SOUTH 23°42'36" WEST), THROUGH A CENTRAL ANGLE OF 50°35'20" A DISTANCE OF 75.49 FEET; 3 - SOUTH 15°42'04" EAST 83.89 FEET; 4 - SOUTH 74°17'56" WEST 7.00 FEET; 5 - SOUTH 15°42'04" EAST 51.00 FEET, THEN LEAVING SAID RIGHT-OF-WAY AND RUNNING SOUTH 74°17'06" WEST 442.46 FEET TO THE POINT OF BEGINNING. CONTAINING 111,360 SQUARE FEET OR 2.56 ACRES.