

WHEN RECORDED RETURN TO:

Steven W. Farnsworth, Esq.
Farnsworth Johnson PLLC
180 N. University Ave., Ste. 260
Provo, UT 84601

CT-148988-CAB

**MEMORANDUM OF FIRST AMENDMENT TO FIRST AMENDED AND RESTATED
COTENANCY AGREEMENT**

TIN 48-894-0002

NOTICE IS HEREBY GIVEN that:

Each of the following own an undivided tenant in common interest in certain real property located in Provo, Utah (the "Property"), which Property is more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference, in the following percentages: Peak Riverwoods, LLC, a Utah limited liability company [43.96%], VGT Riverwoods, LLC, a Utah limited liability company [43.96%] and PEG Riverwoods, LLC, a Utah limited liability company [12.08%] (collectively the "Owners").

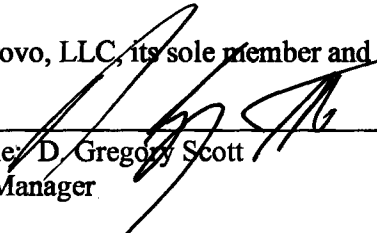
Notice is also hereby given that the Owners have entered into this First Amendment to First Amended and Restated Cotenancy Agreement dated as of October 15, 2021, to govern their use and ownership of the Property. The terms of such First Amendment to First Amended and Restated Cotenancy Agreement are hereby incorporated by reference.

This Memorandum may be executed in multiple counterparts, each of which is an original and all of which together constitute one and the same document.

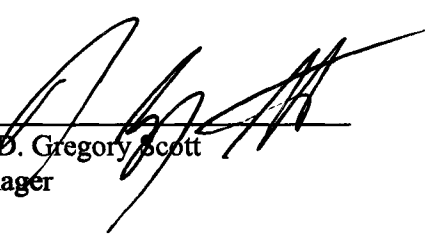
DATED as of October 15, 2021.

Peak Riverwoods, LLC

By: Peak-Provo, LLC, its sole member and manager

By: 
Name: D. Gregory Scott
Its: Manager

VGT Riverwoods, LLC

By: 
Name: D. Gregory Scott
Its: Manager

PEG Riverwoods, LLC

By: PEG Capital Partners Fund I, L.P. its sole member

By: PEG Capital Partners I GP, LLC, its general partner

By: PEG Capital Partners, LLC, its manager

By: 

Name: Cameron Gunter

Its: Manager

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of CALIFORNIA
County of LOS ANGELES

On OCT. 11, 2021 before me, CRISTINA BARBAKOW, Notary Public
(insert name and title of the officer)

personally appeared D. GRECHY SCOTT
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature 



ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of CALIFORNIA
County of LOS ANGELES

On OCT 11, 2021 before me, CRISTINA BARBAKOW NOTARY PUBLIC
(insert name and title of the officer)

personally appeared D. GREGORY SCOTT
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature]

(Seal)



STATE OF UTAH)
 : ss.
COUNTY OF UTAH)

The foregoing Memorandum of First Amendment to First Amended and Restated Cotenancy Agreement was acknowledged before me this ___ day of _____, 2021, by Cameron Gunter, Manager of PEG Capital Partners, LLC.

Notary Public
Residing at _____

My commission expires:

(SEE ATTACHED)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of LOS ANGELES)
On 10/11/21 before me, ENOCH MILLER: NOTARY PUBLIC
Date Here Insert Name and Title of the Officer
personally appeared CAMERON GUNTER
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- Corporate Officer -- Title(s): _____
- Partner -- Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____

Signer Is Representing: _____

Signer's Name: _____

- Corporate Officer -- Title(s): _____
- Partner -- Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____

Signer Is Representing: _____

EXHIBIT A
(Legal Description)

The following described real property situated in Utah County, State of Utah to wit:

Lot 2, Provo Apartments at 4800 North Plat 'A' Subdivision, Provo, Utah, according to the Official Plat thereof on file and of record in the Utah County Recorder's Office, Utah, recorded November 9, 2018 as Entry No. 107714:2018.