

NCS-334610 AH

After Recording Return To:

FABSTER, LLC

4350 S. Durango Drive, Suite 100
Las Vegas, Nevada 89147

11725411

9/16/2013 4:31:00 PM \$21.00

Book - 10177 Pg - 9427-9431

Gary W. Ott

Recorder, Salt Lake County, UT

FIRST AMERICAN NCS

BY: eCASH, DEPUTY - EF 5 P.

MEMORANDUM OF LEASE

This Memorandum of Lease Agreement (the "Memorandum") is entered into this 16th day of September, 2013, by and between *Boyer Quarry Bend, L.C., a Utah limited liability company* ("Landlord"), and *FABSTER, LLC, a Nevada limited liability company* ("Tenant").

Recitals

A. Landlord and Tenant have entered into a Ground Lease Agreement (the "Lease") dated June 26, 2006 and amended and restated January 1, 2012 pursuant to which Landlord has demised and leased to Tenant the property described on Exhibit "A" attached hereto and made a part hereof (the "Leased Premises").

B. Landlord and Tenant desire to execute this Memorandum, which is to be recorded in the Public Records of Salt Lake County, Utah, in order that third parties may have notice of the estate of Tenant in the Leased Premises and of the Lease.

Agreement

NOW, THEREFORE, in consideration of the rents and covenants provided for in the Lease to be paid and performed by Tenant, Landlord does hereby lease unto Tenant the Leased Premises on the terms, and subject to the conditions set forth in the Lease, among which are the following:

The Lease Commencement Date shall be May 1, 2007, and the initial term of this Ground Lease shall continue for a period of twenty (20) years.

All of the terms, conditions, provisions and covenants of the Lease are incorporated in this Memorandum by reference as though written out at length herein. In the event of any inconsistency between the provisions of this Memorandum and those of the Lease, the provisions of the Lease shall control. Copies of the Lease are held by both Landlord and Tenant.

IN WITNESS WHEREOF, the Landlord and Tenant have caused this Memorandum to be executed by their respective duly authorized representatives as of the date first above written.

Landlord: *Boyer Quarry Bend, L.C., a Utah limited liability company*

[Signature]
By *Devon Glenn*
Its *Manager*

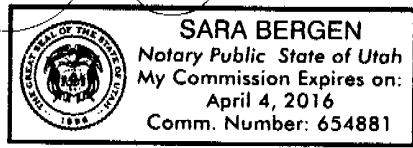
STATE OF UT)
County of Salt Lake)SS.

On September 16, 2013, before me, the undersigned Notary Public, personally appeared Devon Glenn who is the Manager of Boyer Quarry Bend, L.C., a Utah limited liability company, personally known to me (or 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 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.

WITNESS my hand and official seal.

My Commission Expires:
April 4, 2016

[Signature]
Notary Public



Tenant: FABSTER, LLC, a Nevada limited liability company

By [Signature]
Its owner/member

STATE OF UT)
County of SALT LAKE)SS.

On September 13, 2013, before me, the undersigned Notary Public, personally appeared FRED L. SMITH, JR who is the Member of FABSTER, LLC, a Nevada limited liability company, personally known to me (or 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 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.

WITNESS my hand and official seal.

My Commission Expires: March 18, 2017
[Signature]
Notary Public

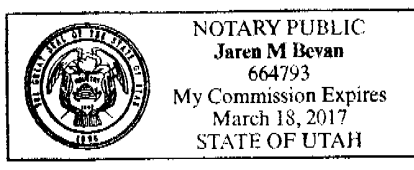


EXHIBIT "A"

LEGAL DESCRIPTION OF LEASED PREMISES

"NEW LOT 8, QUARRY BEND SUBDIVISION":

A PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY IN SALT LAKE COUNTY, UTAH:

BEGINNING AT A POINT ON THE NORTHERLY LINE OF 9400 SOUTH STREET LOCATED 820.81 FEET SOUTH 89°06'33" EAST ALONG THE SECTION LINE; AND 91.73 FEET NORTH FROM THE SOUTH QUARTER CORNER OF SAID SECTION 5; AND RUNNING THENCE ALONG SAID NORTHERLY LINE OF 9400 SOUTH STREET THE FOLLOWING FIVE COURSES: NORTHWESTERLY ALONG THE ARC OF A 788.05 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 146.61 FEET (CENTER BEARS NORTH 3°19'23" EAST; CENTRAL ANGLE EQUALS 10°39'34" AND LONG CHORD BEARS NORTH 81°20'50" WEST 146.40 FEET; NORTH 0°14'51" EAST 10.30 FEET; NORTHWESTERLY ALONG THE ARC OF A 778.05 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 31.99 FEET (CENTER BEARS NORTH 14°09'45" EAST; CENTRAL ANGLE EQUALS 2°21'21" AND LONG CHORD BEARS NORTH 74°39'34" WEST 31.99 FEET); NORTH 61°40'05" WEST 116.01 FEET; AND NORTHWESTERLY ALONG THE ARC OF AN 893.50 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 80.71 FEET (CENTER BEARS NORTH 25°56'30" EAST; CENTRAL ANGLE EQUALS 5°10'33" AND LONG CHORD BEARS NORTH 61°28'14" WEST 80.69 FEET); THENCE ALONG THE SOUTHEASTERLY LINE OF A PUBLIC ROAD AS WIDENED THE FOLLOWING TWO COURSES: NORTH 13°39'11" EAST 18.20 FEET; AND NORTH 39°17'17" EAST 249.85 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 1500.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 116.54 (CENTER BEARS NORTH 40°03'16" EAST; CENTRAL ANGLE EQUALS 4°27'05" AND LONG CHORD BEARS SOUTH 52°10'17" EAST 116.51 FEET) TO A POINT OF REVERSE CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A 225.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 213.61 FEET (CENTRAL ANGLE EQUALS 54°23'46" AND LONG CHORD BEARS SOUTH 27°11'56" EAST 205.68 FEET) TO A POINT OF TANGENCY; THENCE SOUTH 0°00'03" EAST 91.04 FEET TO THE POINT OF BEGINNING.

[THE SAID "NEW LOT 8, QUARRY BEND SUBDIVISION" BEING IDENTIFIED AND DEPICTED ON THAT CERTAIN PLAT ENTITLED "NOTICE OF APPROVAL OF LOT LINE ADJUSTMENT - QUARRY BEND SUBDIVISION" RECORDED DECEMBER 2, 2009 AS ENTRY NO. 10850684 IN BOOK 2009P AT PAGE 174 IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER.]

LESS AND EXCEPTING THEREFROM THE FOLLOWING PORTION OF PROPERTY CONVEYED TO SANDY CITY CORPORATION, A UTAH MUNICIPAL CORPORATION BY SPECIAL WARRANTY DEED OF DEDICATION RECORDED NOVEMBER 29, 2012 AS ENTRY NO. 11525068 IN BOOK 10082 AT PAGE 3779 OF OFFICIAL RECORDS. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

EXCEPTION TRACT 1 ('ROAD DEDICATION WEST'):

ALL THAT LAND BEING PART OF A PARCEL SHOWN AS "NEW LOT 8" IN THAT SPECIAL WARRANTY DEED RECORDED DECEMBER 02, 2009 AS ENTRY NO. 10850685, IN BOOK 9785, AT PAGE 1035 OF THE OFFICIAL RECORDS OF SALT LAKE COUNTY RECORDER, IN THE STATE OF UTAH, COUNTY OF SALT LAKE, CITY OF SANDY, BEING PART OF SECTION 5, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST CORNER OF SAID PARCEL, SAID POINT BEING SOUTH 89°06'33" EAST 472.23 FEET AND NORTH 00°00'00" EAST 220.69 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 5, AND RUNNING THENCE NORTH 13°39'11" EAST 18.20 FEET; THENCE NORTH 39°17'17" EAST 4.89 FEET, TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE EAST, WITH A RADIUS OF 20.00 FEET AND RADIAL BEARING OF NORTH 52°56'36" WEST; THENCE SOUTHERLY 33.84 FEET ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 96°55'41", TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST, WITH A RADIUS OF 893.50 FEET AND A RADIAL BEARING OF SOUTH 30°07'31" WEST; THENCE NORTHWESTERLY 15.47 FEET ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°59'32", TO THE POINT OF BEGINNING.

EXCEPTION TRACT 2 ("ROAD DEDICATION EAST"):

ALL THAT LAND BEING PART OF PARCEL SHOWN AS "NEW LOT 8" IN THAT SPECIAL WARRANTY DEED RECORDED DECEMBER 02, 2009 AS ENTRY NO. 10850685, IN BOOK 9785, AT PAGE 1035 OF THE OFFICIAL RECORDS OF THE SALT LAKE COUNTY RECORDER, IN THE STATE OF UTAH, COUNTY OF SALT LAKE, CITY OF SANDY, BEING PART OF SECTION 5, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID PARCEL, SAID POINT BEING SOUTH 89°06'33" EAST 820.81 FEET, NORTH 00°00'00" EAST 91.73 FEET, TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTH WITH A RADIUS OF 788.05 FEET AND A RADIAL BEARING OF SOUTH 03°19'23" WEST, AND WESTERLY 139.11 FEET ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 10°06'52" FROM THE SOUTH QUARTER CORNER OF SAID SECTION 5, AND THENCE CONTINUING 7.50 FEET ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°32'42", TO THE EAST LINE OF ROAD DEDICATION C PER ROAD DEDICATION SR-209 PLAT RECORDED JUNE 15, 2006 AS ENTRY NO. 9754372, IN BOOK 2006P OF PLATS, AT PAGE 168 OF OFFICIAL RECORDS OF THE SALT LAKE COUNTY RECORDER; THENCE NORTH 00°14'51" EAST 2.15 FEET ALONG SAID EAST LINE; THENCE SOUTH 61°39'59" EAST 8.26 FEET TO THE POINT OF BEGINNING.

TAX PARCEL NO: 28-05-451-012-0000.