

Recording Requested By and Mail to:

Suburban Land Reserve, Inc.
Attn: Ryan Bull
51 S. Main Street, Suite 301
Salt Lake City, Utah 84111

Tax Parcel No.: 39:310:0089

FATCO NES-968316-89

(space above for recorder's use only)

MEMORANDUM OF RIGHT OF FIRST REFUSAL

This MEMORANDUM OF RIGHT OF FIRST REFUSAL (this "**Memorandum**") is made as of the 12 day of July, 2021 (the "Effective Date"), by DESTINATION HOMES, INC., a Utah corporation ("**Grantor**"), and SUBURBAN LAND RESERVE, INC., a Utah corporation ("**Grantee**").

RECITALS

A. Grantor is the owner of certain real property in Saratoga Springs, Utah County, Utah, as more fully described in Exhibit A attached hereto (the "**Property**").

B. Grantor and Grantee have entered into that certain Purchase and Sale Agreement with an Effective Date of June 30, 2019, as amended from time to time (collectively, the "**Agreement**"), by which Grantor has granted to Grantee certain rights to purchase the Property as more fully set forth in the Agreement (the "**Purchase Rights**").

C. The parties have agreed to record this Memorandum to provide record notice of the Purchase Rights.

MEMORANDUM AND NOTICES

1. **Notice of Rights.** The parties hereby provide record notice of Grantee's Purchase Rights. The Purchase Rights include a Right of First Refusal given by Grantor to Grantee commencing on the Effective Date of this Memorandum. This Memorandum, and Grantee's Purchase Rights described in the Agreement, shall automatically terminate upon the issuance of a certificate of occupancy for the Property by the City of Saratoga Springs, or other municipality having jurisdiction over the Property. All terms, provisions and conditions of Grantor's Purchase Rights are more fully set forth in the Agreement. This Memorandum is neither intended to, nor shall alter, modify, or otherwise change the Purchase Rights set forth in the Agreement. In the event of any conflict between the terms of this Memorandum and the Agreement, the Agreement shall control.

[SIGNATURES TO FOLLOW]

IN WITNESS WHEREOF, the parties hereto have executed this to be effective as of the date of its recording.

GRANTEE:

SUBURBAN LAND RESERVE, INC.,
a Utah corporation

By: *R. Steven Romney*
Name: R. Steven Romney *RSR*

Its: President

GRANTOR:

DESTINATION HOMES, INC.,
a Utah corporation

By: _____

Name: _____

Its: _____

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

On this 12 day of July, 2021, before me personally appeared R. Steven Romney, whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being duly sworn (or affirmed), did say that he is the President of SUBURBAN LAND RESERVE, INC., a Utah corporation, and that the foregoing document was signed by him on behalf of said corporation in his capacity as President.



Marilyn F. Nielson
Notary Public

STATE OF _____)
: ss.
COUNTY OF _____)

On this ___ day of July, 2021, before me personally appeared _____, whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being duly sworn (or affirmed), did say that he is the _____ of DESTINATION HOMES, INC., a Utah corporation, and that the foregoing document was signed by him on behalf of said company in his capacity as _____.

Notary Public

IN WITNESS WHEREOF, the parties hereto have executed this to be effective as of the date of its recording.

GRANTEE:

SUBURBAN LAND RESERVE, INC.,
a Utah corporation

By: _____

Name: R. Steven Romney

Its: President

GRANTOR:

DESTINATION HOMES, INC.,
a Utah corporation

By: David S Bailey

Name: David S Bailey

Its: Vice Pres

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

On this __ day of July, 2021, before me personally appeared R. Steven Romney, whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being duly sworn (or affirmed), did say that he is the President of SUBURBAN LAND RESERVE, INC., a Utah corporation, and that the foregoing document was signed by him on behalf of said corporation in his capacity as President.

Notary Public

STATE OF Utah)
: ss.
COUNTY OF Davis)

On this __ day of July, 2021, before me personally appeared David S Bailey, whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being duly sworn (or affirmed), did say that he is the Member of DESTINATION HOMES, INC., a Utah corporation, and that the foregoing document was signed by him on behalf of said company in his capacity as Member.

Jodi Eskelsen

Notary Public

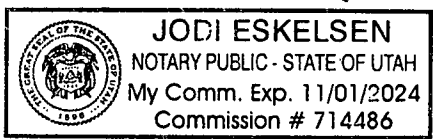


Exhibit A

(Real Property)

Lot 89 of Founders at Beacon Pointe Plat A recorded on March 3, 2020, as Entry No. 27310:2020, Map 16979, in the Official Records of the Utah County Recorder's Office.