

WHEN RECORDED RETURN TO:

Katten Muchin Rosenman, LLP
550 S. Tryon Street, Suite 2900
Charlotte, NC 28202
Attn: Sherrie Dunning, Paralegal

RETURNED
MAY 12 2022

E 3476624 B 8008 P 901-908
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
05/12/2022 03:27 PM
FEE \$40.00 Pgs: 8
DEP RT REC'D FOR KATTEN MUCHIN ROSENMAN LLP

Serial Nos. 085910408 and ~~085910407~~

MEMORANDUM OF GROUND LEASE

THIS MEMORANDUM OF GROUND LEASE shall evidence that there is in existence a Lease as hereinafter described. It is executed by the parties hereto for recording purposes only as to the Lease hereinafter described, and it is not intended and shall not modify, amend, supersede or otherwise affect the terms and provisions of said Lease.

1. Name of Document: GROUND LEASE AGREEMENT
2. Name of Landlord: PARK LANE COMMONS SIX, LLC, a Utah limited liability company
3. Name of Declarant: PARK LANE COMMONS TWO, LLC, a Utah limited liability company
4. Name of Tenant: BANK OF AMERICA, NATIONAL ASSOCIATION, a national banking association
5. Address of Landlord: Park Lane Commons Six, LLC
1200 West Red Barn Lane
Farmington, Utah 84025
Attention: Richard A. Haws
6. Address of Declarant: Park Lane Commons Two, LLC
1200 West Red Barn Lane
Farmington, Utah 84025
Attention: Richard A. Haws
7. Address of Tenant: Bank of America, National Association
525 N. Tryon Street
Mail Code NC1-023-05-03
Charlotte, North Carolina 28202
Attn: Lease Administration (UTW-045)

With a copy to:

Bank of America, National Association
2505 W. Chandler Boulevard (AZ1-805-01-30)
Chandler, AZ 85224
Attn: Leslie O'Brien, Vice President (UTW-045)

8. Date of Ground Lease: MARCH 22, 2021
9. Initial Lease Term: Commencing on the Commencement Date and expiring approximately fifteen (15) years thereafter
10. Option to Extend: Tenant has the option to extend the Initial Lease Term for four (4) additional periods of five (5) years each.
11. Demised Premises: The real property more particularly described in Exhibit A-1 attached hereto.
12. Exclusive Rights: Landlord and Declarant have granted to Tenant certain exclusive rights for the operation of a branch bank, savings bank, savings and loan, credit union and automated teller machines with respect to the real property described on Exhibit B attached hereto.

Landlord and Declarant have granted to Tenant certain exclusive parking rights in the Tenant's Exclusive Parking Area as shown marked with hatch marks on Exhibit A-2 attached hereto.
13. Right of First Refusal: Landlord has granted to Tenant certain rights of first refusal and negotiation in the event Landlord desires to sell the Premises (or the parcel of which the Premises is a part) at any time during the Lease Term (including any extensions thereof).

A copy of the Ground Lease is on file with Landlord and Tenant at their respective addresses set forth above.

[SIGNATURES APPEAR ON FOLLOWING PAGES]

IN WITNESS WHEREOF, parties have executed this Memorandum of Ground Lease this 1st
of Aug. 2021.

LANDLORD:

PARK LANE COMMONS SIX, LLC,
a Utah limited liability company

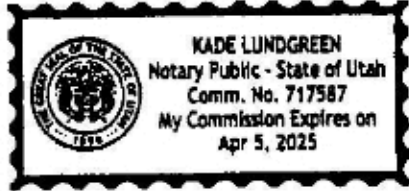
By: [Signature]
Name: Richard A. Haws
Its: Manager

LANDLORD'S ACKNOWLEDGMENT

STATE OF _____)
COUNTY OF Davis) ss

On April 18TH, 2022, before me, Kade Lundgreen, personally appeared
Richard Haws, 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
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.

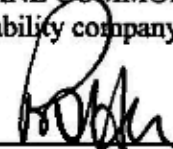
WITNESS my hand and official seal.
[Signature]
Notary Public



[SIGNATURES CONTINUE ON FOLLOWING PAGE]

DECLARANT:

PARK LANE COMMONS TWO, LLC, a Utah
limited liability company

By: 
Name: Richard A. Haws
Its: Manager

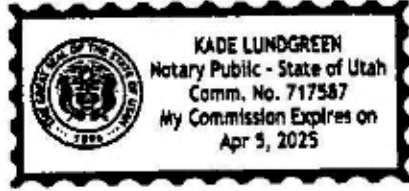
DECLARANT'S ACKNOWLEDGMENT

STATE OF _____)
COUNTY OF Davis) ss

On April 19th, 2022, before me, Kade Lundgreen, personally appeared Richard Haws, 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 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.

WITNESS my hand and official seal.


Notary Public



[SIGNATURES CONTINUE ON FOLLOWING PAGE]

TENANT:

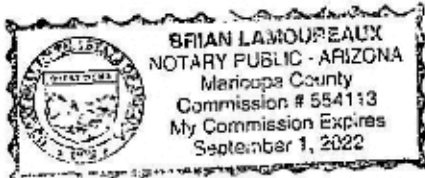
BANK OF AMERICA, NATIONAL
ASSOCIATION, a national banking association

By: Leslie O'Brien 3/18/2021
Name: Leslie O'Brien CS# 53696
Its: Vice President UTW-045

TENANT'S ACKNOWLEDGMENT

STATE OF ARIZONA)
) SS
COUNTY OF MARICOPA)

On this 18th day of MARCH, 2021, before me, the undersigned notary public, personally appeared Leslie O'Brien, a Vice President of BANK OF AMERICA, NATIONAL ASSOCIATION, a national banking association, proved to me by satisfactory evidence of identification, or my own personal knowledge of the identity of the signatory, to be the person whose name is signed above, and acknowledged to me that she signed the foregoing document voluntarily on behalf of the association.



[Signature]
Printed Name: Brian Lamoureux
Arizona Notary Public
My Commission Expires: 09/01/2022

[NOTARY SEAL]

EXHIBIT A-1
to
MEMORANDUM OF GROUND LEASE

Legal Description of Premises

BEING all of Lot 402, Park Lane Commons – Phase 4, according to the official plat thereof, recorded March 20, 2017 as Entry No. 3008957 in the office of the County Recorder of Davis County, Utah.

EXHIBIT A-2
to
MEMORANDUM OF GROUND LEASE

Tenant's Exclusive Parking Area

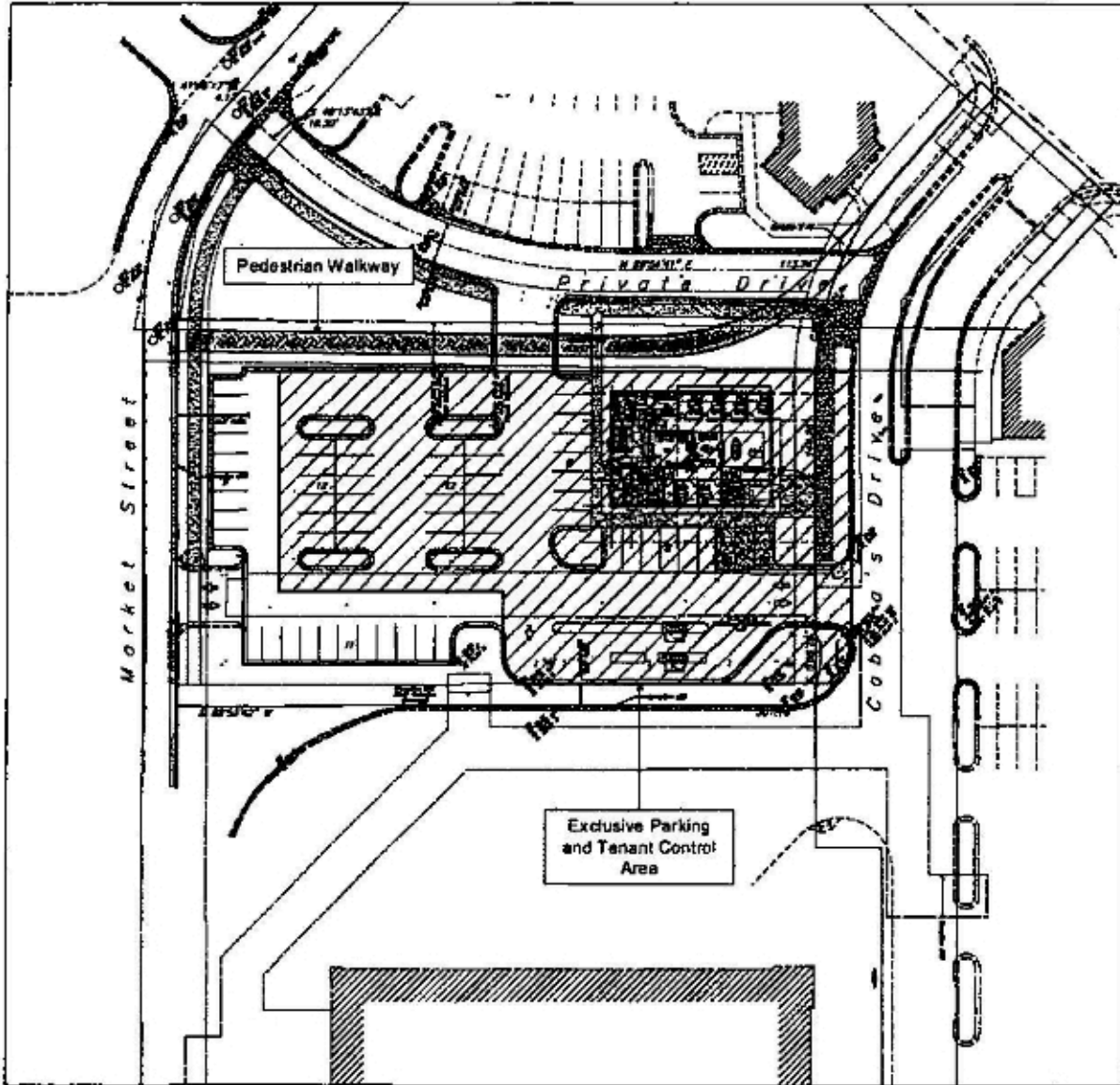


EXHIBIT B
to
MEMORANDUM OF GROUND LEASE

Legal Description of Shopping Center

That Shopping Center located in the City of Farmington, County of Davis, State of Utah, known as Park Lane Commons