

14022410 B: 11375 P: 7125 Total Pages: 4
09/28/2022 02:42 PM By: Mwestergard Fees: \$40.00
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: COTTONWOOD TITLE INSURANCE AGENCY, INC.
1996 EAST 6400 SOUTH SUITE 120SALT LAKE CITY, UT 84121

RECORDING REQUESTED BY)
AND WHEN RECORDED MAIL TO:)

David K. Broadbent)
Holland & Hart LLP)
222 South Main, Suite 2200)
Salt Lake City, Utah 84101)

162496-B47

15-24-452-019

Above Space for Recorder's Use

MEMORANDUM OF TENANCY IN COMMON AGREEMENT

This MEMORANDUM OF TENANCY IN COMMON AGREEMENT (this "Memorandum") is made and entered into as of SEPT 27, 2022, by Tire Higher, LLC, a Utah limited liability company, Right Side Up Auto, L.C., a Utah limited liability company, and David Smart (the "Co-Tenants") for the purpose of affording notice that the Co-Tenants have entered into that certain Tenancy in Common Agreement, of even date herewith (the "Agreement"), which governs the relationship of the Co-Tenants as to their tenant in common interests in certain real property located in Salt Lake County, Utah, as more particularly described in Exhibit "A" attached hereto and incorporated herein, together with all improvements thereon and personal property used in connection therewith (the "Property"), on the terms and conditions set forth in the Agreement.

This Memorandum may be executed in one or more counterparts, all of which shall be considered one and the same agreement and each of which shall be deemed an original.

This Memorandum is not a complete recitation of all the terms and conditions of the Agreement and is not to be construed as restricting, enlarging, modifying or amending the Agreement. The Co-Tenants possess executed counterparts of the Agreement to which reference is made for a complete recitation of all terms and conditions set forth therein.

In the event of any conflict between the terms and conditions of this Memorandum and the terms and conditions of the Agreement, the terms and conditions of the Agreement shall control.

[SIGNATURES ON FOLLOWING PAGES]

[Signature page to Memorandum of Tenancy in Common Agreement]

IN WITNESS WHEREOF, the Co-Tenants have executed this Memorandum as of the day and year first above written.

Tire Higher, LLC

By: [Signature]

Its: Manager

Blake Ballard

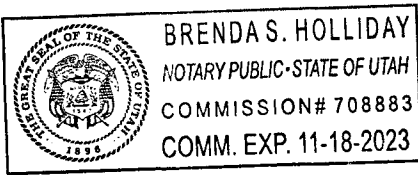
STATE OF UTAH)

: ss.

COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 27th day of September, 2022, by Blake Ballard, as manager of Tire Higher, LLC.

[Signature]
NOTARY PUBLIC



Right Side Up Auto, L.C.,
a Utah limited liability company

By: [Signature]

Its: Manager

Cheston Brian Heinz

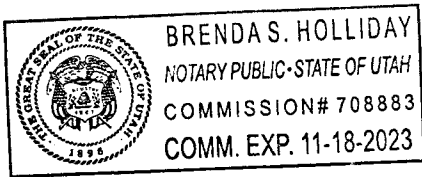
STATE OF UTAH)

: ss.

COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 27th day of September, 2022, by Cheston Brian Heinz, as manager of Right Side Up Auto, L.C.

[Signature]
NOTARY PUBLIC



**EXHIBIT A
PROPERTY DESCRIPTION**

Beginning at a point which is South 89°56'30" East 14.00 feet and North 00°04'30" West 542.60 feet along the East line of 300 West Street from the Southwest corner of Lot 2, Block 39, Ten Acre Plat "A", Big Field Survey, and running thence North 00°04'30" West 244.34 feet; thence North 90°00'00" East 229.43 feet; thence South 00°33'05" East 43.72 feet; thence South 90°00'00" West 16.79 feet; thence South 00°33'05" West 201.95 feet; thence North 89°36'30" West 210.80 feet to the point of beginning.

Tax Id No.: 15-24-452-019