

After Recording Return To:

WinCo Foods, LLC  
Attn: Tammy Zokan  
650 N. Armstrong Place  
Boise, ID 83704

APN: 12-236-0001

12-236-0002

12-236-0003



\*W2436059\*

E# 2436059 PG 1 OF 4  
ERNEST D ROWLEY, WEBER COUNTY RECORDER  
23-SEP-09 258 PM FEE \$18.00 DEP SC  
REC FOR: FIRST AMERICAN NCS - SOUTH TEM  
ELECTRONICALLY RECORDED

This Space Reserved for Recording Purposes

COUNTY OF WEBER, UTAH

### MEMORANDUM OF SITE DEVELOPMENT AGREEMENT

NOTICE IS HEREBY GIVEN that a Site Development Agreement (the "Agreement") has been entered into as of September \_\_\_\_, 2009, by and between **WRIGHT DEVELOPMENT GROUP, INC.**, a Utah corporation, whose mailing address is 1536 N. Woodland Park, Dr., Suite 200, Layton, Utah 84041, and **WINCO FOODS, LLC**, a Delaware limited liability company, whose mailing address is 650 N. Armstrong Place, Boise, Idaho 83704.

The Agreement affects property described therein located in the City of Ogden, County of Weber, State of Utah, and more particularly described in **Exhibit A** attached hereto and by this reference made a part hereof. All the terms, conditions and covenants of the Agreement are incorporated herein by this reference and may be inspected at the offices of the parties.

This memorandum may be executed by the parties hereto in separate counterparts, each of which shall be deemed to be an original when executed, but which counterparts together shall constitute one and the same instrument.

**[Signature and notary pages follow immediately.]**

IN WITNESS WHEREOF, the above-named parties have executed this Memorandum of Site Development Agreement as of the day and year first above written.

WRIGHT DEVELOPMENT GROUP, INC., a Utah corporation

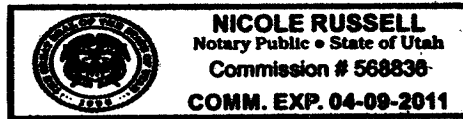
By: *Ray D. Shiget*  
Its: *President*

STATE OF UTAH                    )  
  )ss.  
County of *Davis*                    )

On this *21<sup>st</sup>* day of September 2009, before me, a Notary Public, personally appeared *GARY M. WRIGHT*, known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same in his authorized capacity on behalf of WRIGHT DEVELOPMENT GROUP, INC., and that by his signature on this instrument the entity upon behalf of which such person acted has executed this instrument.

WITNESS my hand and official seal.

*Nicole Russell*  
Notary Public



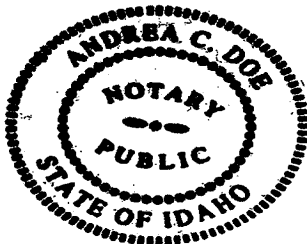
WINCO FOODS, LLC, a Delaware limited liability company

By: Steven L. Goddard  
Name: STEVEN L. GODDARD  
Its: CEO

STATE OF IDAHO )  
 : ss.  
COUNTY OF ADA )

On this 2<sup>nd</sup> day of September 2009 before me, the undersigned Notary Public for said State, personally appeared Steven L. Goddard, known to me to be the CEO of WINCO FOODS, LLC, the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same on behalf of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Andrea C. Doe  
Notary Public for the State of Idaho  
Residing at: Boise, Idaho  
Comm. Expires: May 16, 2012

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**EXHIBIT A**  
**Legal Description of the Property**

Lots 1, 2, and 3 of that certain plat entitled "The Commons at Ogden", which plat was filed in the office of the recorder of the County of Weber, State of Utah on August 7, 2009 as Entry No. 2428525 in Book 70 of Plats at Page 29