



W2892039

E# 2892039 PG 1 OF 3
Leann H. Kilts, WEBER COUNTY RECORDER
28-Nov-17 1250 PM FEE \$15.00 DEP JC
REC FOR: FIRST AMERICAN TITLE INSURANCE CO
ELECTRONICALLY RECORDED

When recorded return to:
Utah Certified Development Company
5333 South Adams Ave., Suite B
Ogden, Utah 84405

File Name: Sand & Swirl, Inc.
Loan #: 85028850-04

FATLONS-805706

Property Tax ID: 14-037-0031, 14-037-0017

MEMORANDUM OF LEASE

This Memorandum of Lease dated this **27th day of November, 2017**, is between **C & R Erdmann Properties, L.L.C.** (herein called "Lessor") and **Sand & Swirl, Inc.** (herein called "Lessee").

1. Premises. Lessor hereby leases to Lessee upon the terms and conditions of that certain lease dated **November 1, 2017** between the parties (herein called the "Lease") the terms and conditions of which Lease are incorporated by this reference. The premises consist of the land described on Exhibit "A" attached hereto and by reference is included herein.
2. Term. The term of the Lease shall be **21 years** commencing on **November 1, 2017** and ending on **November 1, 2038**, subject to renewal or extension periods as follows: **NONE**
3. Purpose of Memorandum of Lease. This Memorandum of Lease is prepared for the purpose of recordation and it in no way modifies the Lease.

Lessor: C & R Erdmann Properties, L.L.C.

By: Corey A Erdmann
Corey A. Erdmann, Member

By: Rebecca N. Erdmann
Rebecca N. Erdmann, Member

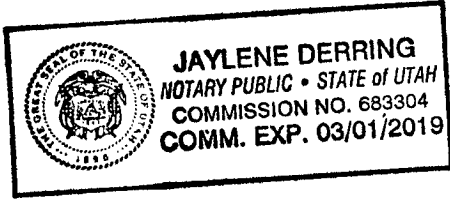
Lessee: Sand & Swirl, Inc.

By: Corey A Erdmann
Corey A. Erdmann, President

ACKNOWLEDGEMENT

STATE OF UTAH)
)
)
COUNTY OF WEBER)

On this 27th day of November, 2017, personally appeared before me Corey A. Erdmann and Rebecca N. Erdmann, who being by me duly sworn, did say that they are Members of **C & R Erdmann Properties, L.L.C.**, a limited liability company, and that the foregoing instrument was signed in behalf of said limited liability company with full authority.



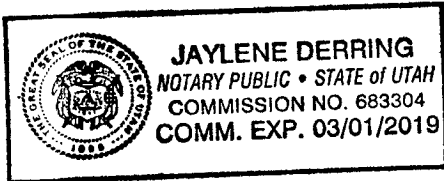
Jaylene Derring

NOTARY PUBLIC
Residing at: Ogden, Utah

ACKNOWLEDGEMENT

STATE OF UTAH)
)
)
COUNTY OF WEBER)

On this 27th day of November, 2017, personally appeared before me Corey A. Erdmann, who being by me duly sworn, did say that he is the President of **Sand & Swirl, Inc.**, a corporation, and that the foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors.



Jaylene Derring

NOTARY PUBLIC
Residing at: Ogden, Utah

EXHIBIT "A"

Debtor and Trustor: C & R Erdmann Properties, L.L.C.
to assist, Sand & Swirl, Inc.

Secured Party and Beneficiary: Utah Certified Development Company and
The U. S. Small Business Administration

Real Property Description

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PARCEL 1:

PART OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY:

BEGINNING AT A POINT SOUTH 89°02' EAST 936.29 FEET, NORTH 0°58' EAST 648.15 FEET, NORTHERLY ALONG THE ARC OF A 346.28 FOOT RADIUS CURVE TO THE LEFT 212.08 FEET AND NORTH 34°07'30" WEST 474.51 FEET FROM THE INTERSECTION OF PENNSYLVANIA AVENUE AND KERSHAW STREET, RUNNING THENCE NORTH 34°07'30" WEST 53.49 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 219.20 FOOT CURVE TO THE LEFT 99.95 FEET; THENCE NORTHERLY ALONG THE ARC OF A 50.00 FOOT RADIUS CURVE TO THE RIGHT 52.71 FEET; THENCE NORTH 0°09'15" EAST 73.18 FEET TO AN EXISTING FENCE; THENCE SOUTH 89°50'45" EAST 209.96 FEET ALONG SAID FENCE TO THE WEST LINE OF INTERSTATE 15; THENCE SOUTH 32°56'15" EAST 330.10 FEET ALONG SAID WEST LINE; THENCE NORTH 79°20'30" WEST 266.35 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

PART OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN, U.S. SURVEY:

BEGINNING AT A POINT SOUTH 89°31'50" EAST 477.10 FEET AND SOUTH 0°02' WEST 850.01 FEET FROM THE NORTHWEST CORNER OF SAID QUARTER SECTION AND RUNNING THENCE SOUTHERLY ALONG THE ARC OF A 50 FOOT RADIUS CURVE TO THE LEFT 52.71 FEET; THENCE ALONG THE ARC OF A 219.20 FOOT RADIUS CURVE TO THE RIGHT 99.95 FEET; THENCE SOUTH 34°07'30" EAST 109.00 FEET; THENCE NORTH 89°31'51" WEST 72 FEET; THENCE NORTH 34°07'30" WEST 67.12 FEET; THENCE ALONG THE ARC OF A 159.20 FOOT RADIUS CURVE TO THE LEFT 73.18 FEET; THENCE NORTH 0°02' EAST 102.82 FEET TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM ANY PORTION OF DESCRIBED PROPERTY FALLING WITHIN WADMAN DRIVE, DEDICATION PLAT RECORDED DECEMBER 16, 2004, AS ENTRY NO. 2074419, IN BOOK 60 AT PAGE 84 OF OFFICIAL RECORDS.

14-037-0031, 14-037-0017

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The address of such property is: 2620 Wadman Drive, Ogden, UT 84401

**The owner of such real property is:
C & R Erdmann Properties, LLC**