

153648-KAP

When recorded, return to:

Kutak Rock LLP
8601 N. Scottsdale Road
Suite 300
Scottsdale, AZ 85253
Attention: Lynn T. Ziolkowski, Esq.

18-013-0022

MEMORANDUM OF TENANCY IN COMMON AGREEMENT

This Memorandum of Tenancy in Common Agreement (“**Memorandum**”) is executed as of March 4, 2022 (“**Effective Date**”), by the undersigned, as holders of various interests as tenants-in-common, to place all persons on notice of the existence of an unrecorded and concurrently dated Tenancy in Common Agreement dated (“**TIC Agreement**”) affecting the ownership and use of the real property described on **Exhibit “A”** (“**Property**”). The TIC Agreement reflects an undivided 50% tenants-in-common interest held by each of MHP #16, LLC, an Arizona limited liability company, and TIMPANOGOS VILLAGE MHP, LLC, a Utah limited liability company.

This Memorandum of Tenancy in Common Agreement puts all interested parties on notice of the existence of the TIC Agreement.

The TIC Agreement: (i) establishes the authority of MHP #16, LLC, to act as a manager for the Property to perform certain acts on behalf of all tenants-in-common, subject to the limitations established in the TIC Agreement; and (ii) contains provisions that affect the ability of any tenant-in-common to convey any interest in the Property and the use and operation of the Property. The TIC Agreement also creates various lien rights and security interests in favor of each party to the TIC Agreement. A copy of the TIC Agreement may be obtained by written request to MHP #16, LLC, with an address at Arizona Statutory Agent, LLC, 300 W. Clarendon Ave., Suite 240, Phoenix, AZ 85013; or by written request to Kutak Rock LLP, 8601 N. Scottsdale Road, Suite 300, Scottsdale, Arizona 85253, Attention: Lynn T. Ziolkowski, Esq.

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SIGNATURES BEGIN ON THE NEXT PAGE.

**SIGNATURE PAGE
TO
MEMORANDUM OF
TENANCY IN COMMON AGREEMENT**

Dated of the Effective Date described above.

MHP #16, LLC, an Arizona limited liability company

By: The Vanderhout Family Limited Partnership, an
Arizona limited liability partnership, its Manager

By: The Vanderhout Family Trust, dated April 1,
1995, its general partner

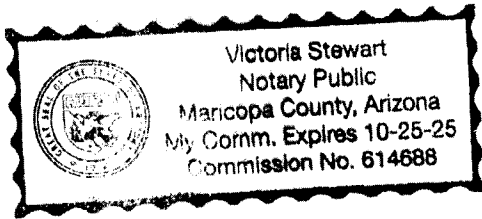
By: 

Its: Trustee

Cornelis Vanderhant

STATE OF Arizona)
) ss.
COUNTY OF Maricopa)

The foregoing instrument was acknowledged before me this 9th day of March, 2022, by CORNELIS VANDERHOUT the Trustee of The Vanderhout Family Trust, dated April 1, 1995, general partner of The Vanderhout Family Limited Partnership, an Arizona limited partnership, Manager of MHP #16, LLC, an Arizona limited liability company, who executed the within and the foregoing instrument for and on behalf of said company, being authorized so to do, for the purposes therein contained.



Victoria Stewart
Notary Public

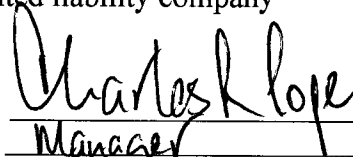
My Commission Expires: 10/25/25

**SIGNATURE PAGE
TO
MEMORANDUM OF
TENANCY IN COMMON AGREEMENT**

Dated of the Effective Date described above.

TIMPANOGOS VILLAGE MHP, LLC, a Utah
limited liability company

By:



Its:

Manager

Charles R. Pope

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of March, 2022, by _____ the _____, of TIMPANOGOS VILLAGE MHP, LLC, a Utah limited liability company, who executed the within and the foregoing instrument for and on behalf of said company, being authorized so to do, for the purposes therein contained.

See stamp below

Notary Public

My Commission Expires: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Diego
Subscribed and sworn to (or affirmed)
before me on this 4th day of March,
20 22 by Charles R Pope
proved to me on the basis of satisfactory
evidence ~~to be the person(s) who~~
appeared before me.
Signature [Signature]

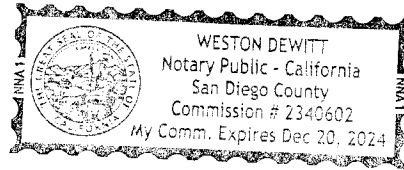


EXHIBIT "A"
TO
MEMORANDUM OF TENANCY IN COMMON AGREEMENT

(Legal Description)

EXHIBIT A PROPERTY DESCRIPTION

Beginning at a point which is North 1317.93 feet and East 19.31 feet from the South quarter corner of Section 16, Township 6 South, Range 2 East, Salt Lake Base and Meridian, and running thence North 0°06'00" West 647.87 feet; thence North 88°12'00" East 118.21 feet; thence South 0°11'00" East 3.71 feet to a line described in a boundary line agreement recorded December 27, 1977, as Entry No. 43934, in Book 1609, at Page 79 of official Records; thence North 87°56'07" East 806.36 feet along said line; thence North 0°11'00" West 1.05 feet; thence North 88°06'00" East 362.51 feet; thence South 1°10'00" East 672.40 feet; thence South 89°13'05" West 1298.99 feet to the point of beginning.

SUBJECT TO AND TOGETHER WITH the effects of that certain Boundary Line Agreement recorded October 2, 2006 as Entry No. 130052:2006 in the Utah County Recorder's office.

LESS AND EXCEPTING THEREFROM any portion lying within the bounds of the following described tract of land, as disclosed by that certain Quit Claim Deed recorded August 6, 1953 as Entry No. 8822 in Book 633 at Page 239 in the Utah County Recorder's office, to-wit:

Commencing 10 chains South of the Northwest corner of the Southeast quarter of Section 16, Township 6 South, Range 2 East, Salt Lake Meridian, and running thence East 2 rods, thence South 40 rods, thence West 2 rods, thence North 40 rods. to place of beginning.

ALSO LESS AND EXCEPTING THEREFROM any portion lying within the bounds of the following described tract of land, as disclosed by that certain Warranty Deed recorded April 1, 2010 as Entry No. 26480:2010 in the Utah County Recorder's office, to-wit:

A parcel of land in fee, being part of an entire tract of property, situate in the NW¼SE¼ of Section 16, Township 6 South, Range 2 East, SLB&M, incident to the construction of a freeway known as Project No. MP-I15-6. The boundaries of said parcel of land are described as follows:

Beginning at the Northwest corner of said entire tract, which point is 1965.81 feet N.0°11'38"W. along the Quarter section line and 24.87 feet East from the South Quarter corner of said Section 16; and running thence N.88°12'05"E. 8.13 feet along the northerly boundary line of said entire tract to a point in the existing easterly right of way line of 1200 West Street; thence N.0°11'38"W. 1.89 feet along said easterly right of way line to the northerly boundary line of said entire tract as described in the Boundary Line Agreement recorded as Entry #130052:2006 in the Utah County Recorder's Office; thence N.89°08'34"E. 7.56 feet along said northerly boundary line to a point 34.00 feet radially distant easterly from the centerline of 1200 West Street, opposite approximate Engineers Station 13+60.69; thence Southwesterly 85.43 feet along the arc of a 549.00-foot radius non tangent curve to the left (chord bears S.3°38'26"W. 85.34 feet); thence S.1°42'23"W. 28.46 feet; thence S.0°09'34"E. 70.85 feet; thence S.89°50'26"W. 9.29 feet to a point in the westerly boundary line of said entire tract; thence N.0°05'55"W. 182.24 feet along said westerly boundary line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

(Note: Rotate the above described parcel 0°00'05" counterclockwise to equal record bearings.)

The above also being described by the survey performed by Landmark Surveying, Inc., on March 7, 2022, as Surveyor File No. 4270, as follows:

A tract of land located in the Southeast quarter of Section 16, Township 6 South, Range 2 East, Salt Lake Base and Meridian, having a basis of bearing on Utah Central Zone State Plane Coordinate System of 1983 (NAD83) of North 00°11'38" West between the monumented locations of the South quarter corner (having Utah County Surveyor State Plane Coordinates of N=7274404.61 E=1577867.81 U.S. ft) and the North quarter corner (having Utah County Surveyor State Plane Coordinates of N=7279720.32 E=1577849.83 U.S. ft), described by survey as follows:

Commencing at a point located 1318.08 feet North 00°11'38" West, along said monumented quarter section line, and 33.00 feet North 89°48'22" East, to the East right of way line of 1200 West Street, from said South quarter corner; running the following Five (5) courses along said right of way line; 1) North 00°11'38" West 465.41 feet; 2) North 89°50'26" East 0.82 feet; 3) North 00°09'34" West 70.85 feet; 4) North 01°42'23" East 28.46 feet; 5) along the arc of a curve to the right 85.42 feet, having a radius of 549.00 feet with a chord bearing and distance of North 03°38'25" East 85.33 feet; thence North 89°08'40" East 102.81 feet, along a line established in a Boundary Line Agreement document recorded as Entry No. 130052:2006, recorded October 2, 2006, to a fence corner representing the East terminus of Boundary Line Agreement; thence South 00°34'32" East 4.66 feet, to a line established in a Boundary Line Agreement document recorded as Entry No. 43934 Book 1609 page 79, recorded December 27, 1977; thence North 87°56'07" East 804.90 feet (715.79 feet by record), to the East line of Lot 8, Deerfield Park Plat B a subdivision recorded as Entry No. 5437 map filing #1711 on February 22, 1977, said point being an existing fence corner post and the Southwest corner of Lot 22, Deerfield Park Plat C, a subdivision recorded as Entry No. 28138 map filing #1867 on August 29, 1977; thence North 88°08'40" East 352.94 feet, along the South boundary of said Deerfield Park Plat C, to a point located North 01°35'32" West 4.88 feet to the platted location of Ridgeview Condominiums Phase V being a plat recorded as Entry No. 37176 map filing #6579 on May 3, 1996; thence South 01°35'32" East 351.67 feet, along the extension of and the East boundary of said Ridgeview Condominiums Phase V, to the Southwest corner of said Ridgeview Condominiums Phase V; thence South 01°37'07" East 318.06 feet, along the East boundary of and extension of said East boundary of Ridgeview Condominiums Phase I being a plat recorded as Entry No. 48515 map filing #5569 on June 10, 1994, to the North boundary of Westlake Plat C a subdivision recorded as Entry No. 20537 map filing #1803 on July 1, 1977; thence South 89°13'19" West 411.56 feet, along said North boundary, to a corner of Lot 3, said Westlake Plat C being the Northeast corner of Westlake Village Plat A Amended Amended Amended and recorded as Entry No. 20771 map filing #3190 on July 23, 1985; thence South 89°12'18" West 872.61 feet, along the North boundary of said Westlake Village Plat A Amended Amended Amended, to the point of beginning.

Tax Id No.: 18-013-0022