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09/09/2002 03:28 PM 19.00  
Book - 8645 Pg - 5883-5887  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
BRIGHTON TITLE  
BY: ZJM, DEPUTY - WI 5 P.

#385 NWC 70th South & Redwood  
West Jordan, UT  
8/23/02

8346737

### MEMORANDUM OF OPTION TO LEASE REAL PROPERTY

THIS MEMORANDUM OF OPTION TO LEASE REAL PROPERTY is entered into as of the 4th day of September 2002, by and between **CPI/West Jordan, LLC**, an Idaho limited liability company ("**Landlord**"), and **Albertson's, Inc.**, a Delaware corporation ("**Tenant**").

1. Landlord and Tenant have entered into a Shopping Center Lease dated February 29, 1996 (the "**Lease**"), which Lease was amended by a First Amendment to Shopping Center Lease on May 6, 1998, and a Second Amendment to Shopping Center Lease on January 28, 1999.

2. Landlord and Tenant entered into a Memorandum of Shopping Center Lease, evidencing the Lease, which was recorded March 14, 1996, as Entry No. 6303877, Official Records of Salt Lake County, Utah. Landlord and Tenant executed a First Amendment to Memorandum of Shopping Center Lease, which was recorded February 19, 1999, as Entry No. 7261934, Official Records of Salt Lake County, Utah, and a Second Amendment to Memorandum of Shopping Center Lease, which was recorded October 1, 1999, as Entry No. 7479748, Official Records of Salt Lake County, Utah. The Memorandum of Shopping Center Lease, as amended by the First Amendment to Memorandum of Shopping Center Lease

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and by the Second Amendment to Memorandum of Shopping Center Lease are hereinafter collectively referred to as the "Lease Memorandum."

3. The Lease Memorandum describes with particularity the Tenant's Leased Premises and the Shopping Center, which descriptions are incorporated herein by this reference.

4. Landlord and Tenant have entered into and executed an Option to Lease Real Property (the "Option") as of Sept 4, 2002, which Option gives Tenant the right and option to lease additional real property lying adjacent to the Tenant's Leased Premises (on the North side thereof) and to expand Tenant's Building over and upon the additional real property. The additional real property subject to the Option is a portion of Parcels 3 and 4, as described in the Lease Memorandum.

5. The term of the Option is the same as the primary term of the Lease.

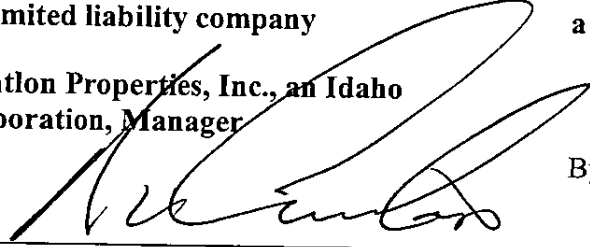
6. All capitalized terms herein shall have the same meaning given those terms in the Lease Memorandum, except and unless capitalized terms herein are otherwise expressly defined herein.

EXECUTED as of the date first above written.

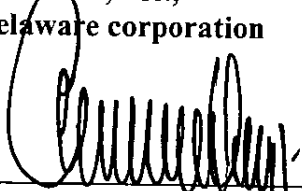
**LANDLORD:**  
CPI/West Jordan, LLC,  
an Idaho limited liability company

By: Cantlon Properties, Inc., an Idaho  
corporation, Manager

CB

By:   
Roger D. Cantlon,  
President

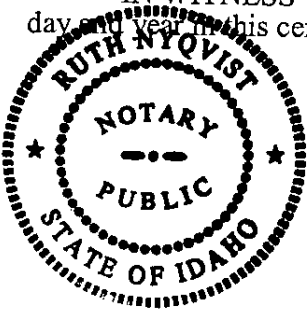
**TENANT:**  
Albertson's, Inc.,  
a Delaware corporation

By:  HTV/De  
LINCOLN V. SHARP, JR.  
Vice President, Real Estate Law

STATE OF IDAHO )  
 ) ss.  
County of )

On this 4th day of Sept, 2002, before me, Ruth Nyqvist, a Notary Public in and for said State, personally appeared Roger D. Cantlon, known or identified to me to be the President of Cantlon Properties, Inc., an Idaho corporation, the manager of the limited liability company of **CPI/West Jordan, LLC**, and the manager who subscribed said company name to the foregoing instrument, and acknowledged to me that he executed the same in said company name.

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

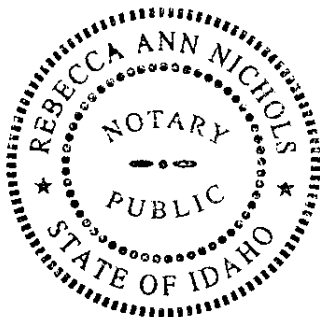


Ruth Nyqvist  
Notary Public for the State of Idaho  
Residing at Boise Idaho  
My commission expires 12/10/04

STATE OF IDAHO )  
 ) ss.  
County of Ada )

On this 4th day of September, 2002, before me, Rebecca Ann Nichols, a Notary Public in and for said State, personally appeared LINCOLN V. SHARP, JR., known to me to be Vice President, Real Estate Law of **Albertson's, Inc.**, the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

WITNESS MY HAND and official seal hereto affixed the day, month and year in this certificate first above written.



Rebecca Ann Nichols  
Notary Public for the State of Idaho  
Residing at Boise  
My commission expires 09.29.06

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SCHEDULE I

WEST JORDAN TOWN CENTER

PARCEL 3

A portion of LOT 5 OF the OFFICIAL PLAT of WEST JORDAN TOWN CENTER

also described as follows:

Parcel 3:

BEGINNING at a point that is  $N0^{\circ}01'25''W$  along the quarter-section line 738.52 feet and  $S89^{\circ}58'35''W$  319.83 feet from the County monument at the South Quarter corner of Section 22, Township 2 South, Range 1 West, Salt Lake Base and Meridian; thence  $S0^{\circ}01'25''E$  200.32 feet; thence  $S89^{\circ}58'35''W$  294.34 feet; thence  $N0^{\circ}01'25''W$  6.87 feet; thence  $S89^{\circ}58'35''W$  102.32 feet; thence  $S0^{\circ}01'25''E$  280.67 feet; thence  $N89^{\circ}58'35''E$  20.50 feet; thence  $S0^{\circ}01'25''E$  223.00 feet to a point on the North line of 7000 South Street; thence along said North line of street  $N89^{\circ}54'29''W$  35.19 feet to a point of the Southerly extension of the East line of Heatherwood Subdivision Phase II, according to the official plat thereof; thence along said extension and said East line of subdivision  $N0^{\circ}01'13''W$  486.50 feet; thence Northeasterly 210.73 feet along said subdivision line and the arc of a 2915.00 foot radius curve to the right through a central angle of  $4^{\circ}08'31''$  (chord bears  $N2^{\circ}03'03''E$  210.68 feet); thence  $N89^{\circ}58'35''E$  403.69 feet to the point of beginning. Contains 93,017 square feet or 2.1354 acres.

(21-22-381-028 & 21-22-381-027)

ok  
PC  
6/24/98

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SCHEDULE I

WEST JORDAN TOWN CENTER

PARCEL 4

A portion of LOT 5 OF the OFFICIAL PLAT of WEST JORDAN TOWN CENTER

also described as follows:

Parcel 4:

BEGINNING at a point that is  $N0^{\circ}01'25''W$  along the quarter-section line 738.52 feet and  $S89^{\circ}58'35''W$  243.06 feet from the County monument at the South Quarter corner of Section 22, Township 2 South, Range 1 West, Salt Lake Base and Meridian; thence  $S89^{\circ}58'35''W$  480.46 feet to a point on the East line of Heatherwood Subdivision Phase II, according to the official plat thereof; thence Northeasterly 249.61 feet along said subdivision line and the arc of a 2915.00 foot radius curve to the right through a central angle of  $4^{\circ}54'22''$  (chord bears  $N6^{\circ}34'29''E$  249.53 feet); thence  $N89^{\circ}58'35''E$  281.84 feet; thence  $N0^{\circ}01'25''W$  17.93 feet; thence  $N89^{\circ}58'35''E$  360.01 feet to a point on the West line of Redwood Road; thence along said West line of street  $S0^{\circ}01'25''E$  99.38 feet; thence  $S89^{\circ}58'35''W$  190.06 feet; thence  $S0^{\circ}01'25''E$  166.43 feet to the point of beginning. Contains 137,924 square feet or 3.1663 acres.

(21-22-381-027 & 21-22-381-026)

OK  
RC  
6/24/98

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