

Recording Requested By and Mail to:

Suburban Land Reserve, Inc.  
Attn: Ryan Bull  
51 S. Main Street, Suite 301  
Salt Lake City, Utah 84111

Tax Parcel No.: 39:310:0026

FATCO NCS 968316-216

(space above for recorder's use only)

### MEMORANDUM OF RIGHT OF FIRST REFUSAL

This MEMORANDUM OF RIGHT OF FIRST REFUSAL (this "**Memorandum**") is made as of the 20 day of April, 2021 (the "Effective Date"), by DESTINATION HOMES, INC., a Utah corporation ("**Grantor**"), and SUBURBAN LAND RESERVE, INC., a Utah corporation ("**Grantee**").

### RECITALS

A. Grantor is the owner of certain real property in Saratoga Springs, Utah County, Utah, as more fully described in Exhibit A attached hereto (the "**Property**").

B. Grantor and Grantee have entered into that certain Purchase and Sale Agreement with an Effective Date of June 30, 2019, as amended from time to time (collectively, the "**Agreement**"), by which Grantor has granted to Grantee certain rights to purchase the Property as more fully set forth in the Agreement (the "**Purchase Rights**").

C. The parties have agreed to record this Memorandum to provide record notice of the Purchase Rights.

### MEMORANDUM AND NOTICES

I. **Notice of Rights.** The parties hereby provide record notice of Grantee's Purchase Rights. The Purchase Rights include a Right of First Refusal given by Grantor to Grantee commencing on the Effective Date of this Memorandum. This Memorandum, and Grantee's Purchase Rights described in the Agreement, shall automatically terminate upon the issuance of a certificate of occupancy for the Property by the City of Saratoga Springs, or other municipality having jurisdiction over the Property. All terms, provisions and conditions of Grantor's Purchase Rights are more fully set forth in the Agreement. This Memorandum is neither intended to, nor shall alter, modify, or otherwise change the Purchase Rights set forth in the Agreement. In the event of any conflict between the terms of this Memorandum and the Agreement, the Agreement shall control.

[SIGNATURES TO FOLLOW]



IN WITNESS WHEREOF, the parties hereto have executed this to be effective as of the date of its recording.

**GRANTEE:**

SUBURBAN LAND RESERVE, INC.,  
a Utah corporation

By: \_\_\_\_\_

Name: R. Steven Romney

Its: President

**GRANTOR:**

DESTINATION HOMES, INC.,  
a Utah corporation

By: [Signature]

Name: David S. Bailey

Its: Vice President

STATE OF UTAH )  
: ss.  
COUNTY OF SALT LAKE )

On this \_\_\_ day of April, 2021, before me personally appeared R. Steven Romney, whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being duly sworn (or affirmed), did say that he is the President of SUBURBAN LAND RESERVE, INC., a Utah corporation, and that the foregoing document was signed by him on behalf of said corporation in his capacity as President.

\_\_\_\_\_  
Notary Public

STATE OF Utah )  
: ss.  
COUNTY OF Davis )

On this 19 day of April, 2021, before me personally appeared David S. Bailey whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being duly sworn (or affirmed), did say that he is the Vice President of DESTINATION HOMES, INC., a Utah corporation, and that the foregoing document was signed by him on behalf of said company in his capacity as Vice President.

[Signature]  
\_\_\_\_\_  
Notary Public



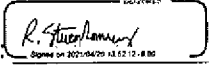
IN WITNESS WHEREOF, the parties hereto have executed this to be effective as of the date of its recording.

**GRANTEE:**

SUBURBAN LAND RESERVE, INC.,  
a Utah corporation

**GRANTOR:**

DESTINATION HOMES, INC.,  
a Utah corporation

RB By:  \_\_\_\_\_  
Signed on 2021/04/20 12:52:12 -0500

By: \_\_\_\_\_

Name: R. Steven Romney

Name: \_\_\_\_\_

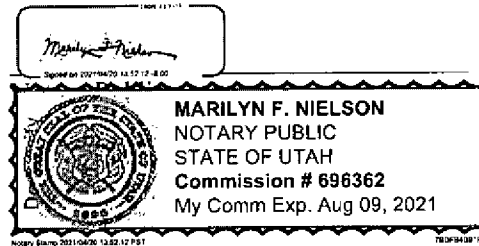
Its: President

Its: \_\_\_\_\_

STATE OF UTAH )  
: ss.  
COUNTY OF SALT LAKE )

On this 20 day of April, 2021, before me personally appeared R. Steven Romney, whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being duly sworn (or affirmed), did say that he is the President of SUBURBAN LAND RESERVE, INC., a Utah corporation, and that the foregoing document was signed by him on behalf of said corporation in his capacity as President.

The principal taking the oath and signing the document, R. Steven Romney, appeared remotely using audio/video communication technology approved by the State of Utah.



STATE OF \_\_\_\_\_ )  
: ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_ day of April, 2021, before me personally appeared \_\_\_\_\_, whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being duly sworn (or affirmed), did say that he is the \_\_\_\_\_ of DESTINATION HOMES, INC., a Utah corporation, and that the foregoing document was signed by him on behalf of said company in his capacity as \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

5BA2C31D-9158-46D4-A01F-35AE126C492E -- 2021/04/20 12:59:10 -0500 --- Remote Notary



Exhibit A

(Real Property)

Lot 26 of Founders at Beacon Pointe Plat A recorded on March 3, 2020, as Entry No. 27310:2020, Map 16979, in the Official Records of the Utah County Recorder's Office.

5BA2C31D-9158-46D4-A01F-35AE126C492E --- 2021/04/20 12:59:10 -8:00 --- Remote Notary

4851-0903-7794





### ROFR - Destination Lot 26.pdf

DocVerify ID: 5BA2C31D-9158-46D4-A01F-35AE126C492E  
 Created: April 20, 2021 12:59:10 -8:00  
 Pages: 3  
 Remote Notary: Yes / State: UT

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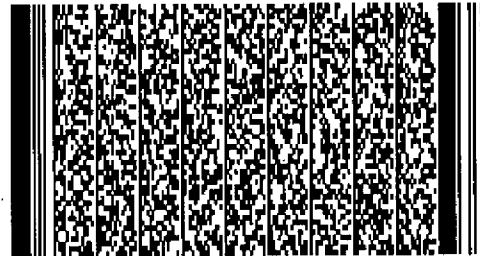
#### E-Signature Summary

**E-Signature 1: R. Steven Romney (RSR)**

April 20, 2021 13:52:12 -8:00 [BAD10FCB467D] [73.20.31.187]  
 romneyrs@slreserve.com (Principal) (Personally Known)

**E-Signature Notary: Marilyn F. Nielson (MFN)**

April 20, 2021 13:52:12 -8:00 [7BDFB4B97F82] [104.254.200.115]  
 nielsonm@slreserve.com  
 I, Marilyn F. Nielson, did witness the participants named above electronically sign this document.



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