

WHEN RECORDED, MAIL TO:

John R. Barlow
Mitchell Barlow & Mansfield
Nine Exchange Place, Suite 600
Salt Lake City, Utah 84111

ENT 126611:2020 PG 1 of 3
Jeffery Smith
Utah County Recorder
2020 Aug 24 04:04 PM FEE 40.00 BY IP
RECORDED FOR Mitchell Barlow & Mansfield, P.C.
ELECTRONICALLY RECORDED

**MEMORANDUM OF ACKNOWLEDGMENT, WAIVER, AND CONSENT
AGREEMENT**

THIS MEMORANDUM OF ACKNOWLEDGMENT, WAIVER, AND CONSENT AGREEMENT ("**Memorandum**") is entered into as of the 24th day of August, 2020, by GT Medical Holdings, LLC a Utah limited liability company ("**Borrower**").

RECITALS

A. Borrower owns certain real property in Utah County described in **Exhibit A**, attached hereto (the "**Property**").

B. The Property is subject to that certain Deed of Trust, Security Agreement, and Assignment of Rents dated January 17, 2020 (the "**First Deed of Trust**") and executed by Borrower, as trustor, in favor of LKED-NCOM LLC, an Idaho limited liability company, as beneficiary ("**Lender**"), and recorded in the records of the Utah County Recorder as Entry No. 6540:2020.

C. The Property is subject to that certain Deed of Trust, Security Agreement, and Assignment of Rents dated June 17, 2020 (the "**Second Deed of Trust**," and with the First Deed of Trust, the "**Deeds of Trust**"), and executed by Borrower, as trustor, in favor of Lender, as beneficiary, and recorded in the records of the Utah County Recorder as Entry No. 105677:2020.

D. Provo City, Utah (the "**City**") created a public infrastructure district (the "**District**") pursuant to Title 17B, including Chapter 1 and Chapter 2a, Part 12, Utah Code Annotated 1953, as amended (collectively, the "**Act**"), for purposes of financing infrastructure and other improvements in connection with the Noorda College of Osteopathic Medicine and related facilities on a portion of the Property.

NOTICE

Notice is given that on August 14, 2020, Lender executed that certain Acknowledgment, Waiver, and Consent Agreement ("**Acknowledgment**"), for the benefit of the District, wherein Lender acknowledged, waived and consented to certain matters regarding the Declaration, all as specifically set forth in the Acknowledgment, a copy of which may be requested from the District.

[Signature page and acknowledgments follow]

IN WITNESS WHEREOF, Borrower has executed this Memorandum of Acknowledgment, Waiver, and Consent Agreement as of the date set forth above.

BORROWER:

GT Medical Holdings, LLC

By: 

Name: Greg Stuart

Title: Manager

STATE OF UTAH)
)
COUNTY OF SALT LAKE)

On this August 24, 2020, before me, a notary public in and for the State of Utah, personally appeared Greg Stuart, duly acknowledged to me that he executed the foregoing instrument as Manager of GT Medical, LLC.


Notary Public

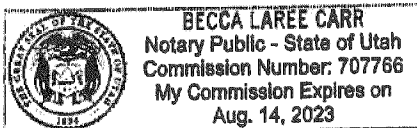


EXHIBIT A
(LEGAL DESCRIPTION)

A portion of the SE1/4 of Section 13, Township 7 South, Range 2 East, and the SW1/4 of Section 18, Township 7 South, Range 3 East, Salt Lake Base & Meridian, located in Provo, Utah, more particularly described as follows:

Beginning at a point on the southerly line of EAST BAY PUD Plat "S", according to the Official Plat thereof on file in the Office of the Utah County Recorder, located N89°38'00"W along said Plat 25.97 feet from the southeast corner of said Plat, said point is also located East 1,175.43 feet and South 3,132.60 feet from the Northwest Corner of Section 18, T7S, R3E, S.L.B. & M.; thence S0°44'20"W 660.18 feet; thence along the arc of a 400.00 foot radius curve to the right 419.31 feet through a central angle of 60°03'40" (chord: S30°46'10"W 400.37 feet); thence S60°48'00"W 552.48 feet; thence S25°41'25"W 520.30 feet to the easterly right-of-way line of Interstate 15; thence along said right-of-way the following 2 (two) courses and distances: N31°45'05"W 974.32 feet; thence N29°39'31"W 373.15 feet to the southwest corner of that Real Property described in Deed Book 4217 Page 269 of the Official Records of Utah County; thence S89°38'00"E 863.60 feet along said deed and also along that Real Property described in Deed Book 4480 Page 460 of the Official Records of Utah County to the westerly line of that Real Property described in an Exchange of Real Property described in Deed Entry No. 85550:2010 of the Official Records of Utah County; thence along the parcels described in said deed the following 7 (seven) courses and distances: S1°05'17"W 26.91 feet; thence S89°37'45"E 672.62 feet; thence N1°05'23"E 301.55 feet; thence N1°09'48"W 95.18 feet; thence N1°05'23"E 187.52 feet; thence N45°01'19"W 40.44 feet; thence N0°22'15"E 14.50 feet to the southerly line of said Plat; thence S89°38'00"E along said Plat 104.00 feet to the point of beginning.

Parcel No. 22:052:0051.