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RASHELLE HOBBS
Recorder, Salt Lake County, UT
COTTONWOOD TITLE
BY: eCASH, DEPUTY - EF 11 P.

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

CityView Multifamily GPRV Partners 35, LLC
Caputo Orange, LLC
2323 S. Bascom Avenue, Suite 100
Campbell, California 95008

CT-150034-MCH

(Above Space for Recorder's Use Only)

APN: 16-05-407-002
and
16-05-407-020

MEMORANDUM OF
TENANCY-IN-COMMON AGREEMENT

THIS MEMORANDUM OF TENANCY-IN-COMMON AGREEMENT

("Memorandum") is made and entered into effective as of December 10, 2021, by and among CITYVIEW MULTIFAMILY GPRV PARTNERS 35, LLC ("GPRV Co-Owner") and CAPUTO ORANGE, LLC, LLC ("Caputo Co-Owner") each a "Co-Owner" and collectively, the "Co-Owners".

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, the Co-Owners hereby declare and agree as follows:

1. The Co-Owners have entered into that certain unrecorded Tenancy-In-Common Agreement of even date herewith (the "Co-Tenancy Agreement"), for the purpose of providing for, among other things, the ownership,

maintenance, repair, management and leasing of certain improved real property located in the County of Salt Lake, State of Utah, and more particularly described on Schedule "A" attached hereto (the "Property").

2. The Co-Tenancy Agreement, among other things, (i) restricts under certain limited circumstances the rights of the Co-Owners to sell, transfer, assign, or encumber their respective undivided interests in the Property; (ii) restricts under certain circumstances the rights of each Co-Owner to incur expenses or to enter into contracts or other agreements in connection therewith on behalf of the other Co-Owners; and (iii) provides that, except as otherwise provided in the Co-Tenancy Agreement, no single Co-Owner shall have any authority to act for, or assume obligations or responsibility on behalf of, the other Co-Owners.
3. This Memorandum is being made and entered into for the purpose of providing notice of the Co-Tenancy Agreement and the provisions thereof. The Co-Tenancy Agreement is incorporated herein by this reference and hereby is made a part hereof as if set forth in full herein.
4. This Memorandum may be executed in multiple counterparts, each of which shall be deemed an original and all of which, taken together, shall constitute one (1) and the same document.

IN WITNESS WHEREOF, the undersigned have executed this Memorandum of Tenancy-In-Common Agreement as of the day and year first above written.

"GPRV CO-OWNER"

CITYVIEW MULTIFAMILY GPRV PARTNERS 35, LLC
a California limited liability company

By: GPR VENTURES, LLC,
a California limited liability company,
its Manager

By: DUKE CAPITAL VENTURES, INC.
a California corporation,
its Manager

By: _____
Glen Yonekura, President

By: _____
Phillip D. Rolla, its Manager

"CAPUTO CO-OWNER"

CAPUTO ORANGE, LLC
a California limited liability company

By: _____
Phillip D. Rolla, its Manager

EXHIBIT "A"

LEGAL DESCRIPTION OF THE PROPERTY

APN: 16-05-407-002

and

16-05-407-020

Real property in the County of Salt Lake, State of Utah, described as follows:

PARCEL 1:

Beginning on the South line of Fuller Drive and the East right of way line of U.S. Highway 40, said point being North 00°00'27" East 322.0 feet and East 0.10 feet from the Southwest corner of Block 20, Plat "F", SALT LAKE CITY SURVEY; and running thence North 89°57'45" East along said South line of Fuller Drive 177.41 feet; thence South 0°01'45" West 131.65 feet; thence South 84°51'45" West 58.52 feet; thence South 75°00' West 77.71 feet to the East right of way line of said U.S. Highway 40, said point being on a curve to the right, the radius point of which is North 60°01'53" East 329.78 feet; thence Northwesterly along said Easterly right of way line and arc of said curve 164.62 feet to the point of beginning.

TOGETHER WITH the South one half of the following described property as disclosed by that certain Ordinance recorded August 11, 2010 as Entry No. 11008238 in Book 9848 at Page 2752, being described as follows:

Beginning at the Northwest corner of Lot 3, Block 20, Plat "F", SALT LAKE CITY SURVEY, and running thence North 33.0 feet; thence East 125.0 feet; thence South 41.0 feet; thence West 125.0 feet; thence North 8.0 feet to the point of beginning. LESS AND EXCEPTING THEREFROM that portion of the subject property as disclosed by that certain Special Warranty Deed recorded October 30, 2000 as Entry No. 7749414 in Book 8397 at Page 6200, being described as follows:

Beginning at a point on the East right of way line of U.S. Highway 40, said point being South 1°33'31" East 415.90 feet from the Northwest corner of Lot 5, Block 20, Plat "F", SALT LAKE CITY SURVEY; and running thence North 69°35'22" East 1.12 feet; thence Southeasterly along the arc of a 348.92 foot radius curve through a central angle of 12°33'50" 76.51 feet with a chord bearing South 26°50'01" East 76.36 feet; thence South 32°09'04" East 49.95 feet; thence Southeasterly along the arc of a 313.22 foot radius curve through a central angle of 18°53'18" 103.26

feet with a chord bearing South 43°01'50" East 102.79 feet; thence South 14°43'55" West 1.22 feet to a point on the East right of way line of said U.S. Highway 40; thence Northwesterly along the arc of a 329.78 foot radius curve through a central angle of 40°30'30" 233.16 feet along said East right of way line with a chord bearing North 35°17'55" West 228.33 feet to the point of beginning.

ALSO LESS AND EXCEPTING THEREFROM that portion of the subject property as disclosed by that certain Special Warranty Deed recorded July 6, 2001 as Entry No. 7941537 in Book 8476 at Page 6018, being described as follows:

Beginning at a point on the East right of way line of U.S. Highway 40, said point being 280.09 feet North 00°00'30" West from the Southwest corner of Block 20, Plat "F", SALT LAKE CITY SURVEY, along the West line of said Block 20 and 3.90 feet North 89°59'30" East, said point also being 351.69 feet North 11°19'10" East from the Salt Lake City Street Monument at 1000 East Street and 500 South Street; and running thence Southeasterly along the arc of a 309.58 foot radius curve through a central angle of 02°52'39" 15.55 feet with a chord bearing South 15°07'50" East 15.55 feet; thence Southeasterly along the arc of a 328.28 foot radius curve through a central angle of 03°49'56" 21.96 feet with a chord bearing South 13°21'44" East 21.95 feet; thence Southeasterly along the arc of a 311.58 foot radius curve through a central angle 03°12'35" 17.45 feet with a chord bearing South 22°12'28" East 17.45 feet; thence Southeasterly along the arc of a 347.45 foot radius curve through a central angle of 09°16'17" 56.22 feet with a chord bearing South 27°55'35" East 56.16 feet; thence South 32°33'40" East 31.96 feet; thence Southeasterly along the arc of a 371.55 foot radius curve through a central angle of 12°59'54" 84.29 feet with a chord bearing South 38°05'19" East 84.11 feet; thence Southeasterly along the arc of a 307.94 foot radius curve through a central angle of 06°41'40" 35.98 feet with a chord bearing South 48°27'03" East 35.96 feet; thence Southeasterly along the arc of a 328.28 foot radius curve through a central angle of 06°27'54" 37.04 feet with a chord bearing South 58°20'30" East 37.02 feet; thence Southeasterly along the arc of a 305.94 foot radius curve through a central angle of 06°34'08" 35.08 feet with a chord bearing South 61°59'15" East 35.06 feet to a point on the East right of way line of said U.S. Highway 40; thence Northwesterly along the arc of a 329.78 foot radius curve through a central angle of 58°55'25" 339.15 feet along said East right of way line with a chord bearing North 38°10'22" West 324.40 feet to the point of beginning.

ALSO LESS AND EXCEPTING such portions of the above previously deeded to UTA and described as follows:

Beginning at a point on the East right of way line of U.S. Highway 40, said point being South 1°33'31" East 415.90 feet from the Northwest corner of Lot 5, Block 20, Plat "F", SALT LAKE CITY SURVEY; and running thence North 69°35'22" East 1.12 feet; thence Southeasterly along the arc of a 348.92 foot radius curve through a central angle of 12°33'50" 76.51 feet with a chord bearing South 26°50'01" East 76.36 feet; thence South 32°09'04" East 49.95 feet; thence Southeasterly along the arc of a 313.22 foot radius curve through a central angle of 18°53'18" 103.26 feet with a chord bearing South 43°01'50" East 102.79 feet; thence South 14°43'55" West 1.22 feet to a point on the East right of way line of said U.S. Highway 40; thence Northwesterly along the arc of a 329.78 foot radius curve through a central angle of 40°30'30" 233.16 feet along said East right of way line with a chord bearing North 35°17'55" West 228.33 feet to the point of beginning.

PARCEL 1A:

A Parking Lot Easement as disclosed by that certain Warranty Deed recorded January 13, 1972 as Entry No. 2431789 in Book 3033 at Page 418, on the following described property with a right of ingress and egress thereto:

Beginning at a point South 00°00'07" West 8.00 feet from the Northeast corner of Lot 3, Block 20, Plat "F", SALT LAKE CITY SURVEY; and running thence South 00°00'07" West 20.45 feet; thence North 89°51' West 136.05 feet; thence North 0°02' West 20.00 feet; thence North 89°57'45" East 136.06 feet to the point of beginning.

PARCEL 2:

Beginning at a point 8.0 feet South and 0.10 feet East from the Northwest corner of Lot 3, Block 20, Plat "F", SALT LAKE CITY SURVEY; and running thence East 329.9 feet to a point on the East line of said Lot 3, which said point is 8.0 feet South of the Northeast corner of said Lot; thence South 322.0 feet to the Southeast corner of Lot 2, in aforesaid Block 20, Plat "F", thence on the arc of a curve to the right having a radius of 329.78 feet, a distance of 510.24 feet to the point of beginning.

EXCEPTING THEREFROM that portion of said tract of land shown as Parcel 1 above: Beginning on the South line of Fuller Drive and the East right of way line of U.S. Highway 40, said point being North 00°00'27" East 322.0 feet and East 0.10 feet from the Southwest corner of Block 20, Plat "F", SALT LAKE CITY SURVEY; and running thence North 89°57'45" East along said South line of Fuller Drive 177.41 feet; thence South 0°01'45" West 131.65 feet; thence South 84°51'45" West 58.52 feet; thence South 75°00' West 77.71 feet to the East right of way line of said U.S. Highway 40, said point being on a curve to the right, the radius point of which is North 60°01'53" East 329.78 feet; thence Northwesterly along said Easterly right of way line and arc of said curve 164.62 feet to the point of beginning.

ALSO LESS AND EXCEPTING THEREFROM that portion of the subject property as disclosed by that certain Special Warranty Deed recorded October 30, 2000 as Entry No. 7749414 in Book 8397 at Page 6200, being described as follows: Beginning at a point on the East right of way line of U.S. Highway 40, said point being South 1°33'31" East 415.90 feet from the Northwest corner of Lot 5, Block 20, Plat "F", SALT LAKE CITY SURVEY; and running thence North 69°35'22" East 1.12 feet; thence Southeasterly along the arc of a 348.92 foot radius curve through a central angle of 12°33'50" 76.51 feet with a chord bearing South 26°50'01" East 76.36 feet; thence South 32°09'04" East 49.95 feet; thence Southeasterly along the arc of a 313.22 foot radius curve through a central angle of 18°53'18" 103.26 feet with a chord bearing South 43°01'50" East 102.79 feet; thence South 14°43'55" West 1.22 feet to a point on the East right of way line of said U.S. Highway 40; thence Northwesterly along the arc of a 329.78 foot radius curve through a central angle of 40°30'30" 233.16 feet along said East right of way line with a chord bearing North 35°17'55" West 228.33 feet to the point of beginning.

ALSO LESS AND EXCEPTING THEREFROM that portion of the subject property as disclosed by that certain Special Warranty Deed recorded July 6, 2001 as Entry No. 7941537 in Book 8476 at Page 6018, being described as follows:

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a central angle 03°12'35" 17.45 feet with a chord bearing South 22°12'28" East 17.45 feet; thence Southeasterly along the arc of a 347.45 foot radius curve through a central angle of 09°16'17" 56.22 feet with a chord bearing South 27°55'35" East 56.16 feet; thence South 32°33'40" East 31.96 feet; thence Southeasterly along the arc of a 371.55 foot radius curve through a central angle of 12°59'54" 84.29 feet with a chord bearing South 38°05'19" East 84.11 feet; thence Southeasterly along the arc of a 307.94 foot radius curve through a central angle of 06°41'40" 35.98 feet with a chord bearing South 48°27'03" East 35.96 feet; thence Southeasterly along the arc of a 328.28 foot radius curve through a central angle of 06°27'54" 37.04 feet with a chord bearing South 58°20'30" East 37.02 feet; thence Southeasterly along the arc of a 305.94 foot radius curve through a central angle of 06°34'08" 35.08 feet with a chord bearing South 61°59'15" East 35.06 feet to a point on the East right of way line of said U.S. Highway 40; thence Northwesterly along the arc of a 329.78 foot radius curve through a central angle of 58°55'25" 339.15 feet along said East right of way line with a chord bearing North 38°10'22" West 324.40 feet to the point of beginning.

ALSO LESS AND EXCEPTING such portions of the above previously deeded to UTA and described as follows;

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NOTARIZATION

ACKNOWLEDGMENT

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 santa clara

On December 9, 2021 before me, Gianna Rose SASO, Notary Public
(insert name and title of the officer)

personally appeared Phillip D. Rolla,
who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~
subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in
his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the
person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Gianna Rose SASO (Seal)



ACKNOWLEDGMENT

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 santa clara)

On December 9, 2021 before me, Gianna Rose Gaso, Notary Public,
(insert name and title of the officer)

personally appeared Phillip D. Rolla,
who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~
subscribed to the within instrument and acknowledged to me that he/~~she~~/~~they~~ executed the same in
his/~~her~~/~~their~~ authorized capacity(~~ies~~), and that by his/~~her~~/~~their~~ signature(~~s~~) on the instrument the
person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Gianna Rose Gaso (Seal)

