

WHEN RECORDED RETRUN TO:
Gardner West Jordan, L.C.
201 South Main Street, Suite 2000
Salt Lake City, Utah 84111
Attention: Christian K. Gardner

14093755 B: 11412 P: 7321 Total Pages: 5
04/14/2023 10:28 AM By: mpalmer Fees: \$40.00
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: GARDNER WEST JORDAN, LC
201 SOUTH MAIN STREET SUITE 2000 CHRISTIAN K GARDNER SALT LAKE CI 11

PARTIAL TERMINATION OF MEMORANDUM OF OPTION AGREEMENT

This PARTIAL ASSIGNMENT OF MEMORANDUM OF OPTION AGREEMENT (this "**Termination**") is made and entered into as of March **30**, 2023, by GARDNER WEST JORDAN, L.C., a Utah limited liability company ("**Buyer**"), and M H JONES FAMILY, LLC, a Utah limited liability company ("**Seller**").

WITNESSETH:

A. Pursuant to that certain Option Agreement dated June 1, 2020, (as amended, the "**Agreement**"), between Buyer and Seller (as amended, modified or assigned, the "**Option Agreement**"), Seller granted to Buyer an option to purchase certain real property (the "**Real Property**") located in West Jordan, Utah (the "**Option**"), as more particularly described in the Option Agreement. All capitalized terms used but not otherwise defined herein shall have the same meanings given to them in the Option Agreement.

B. The Option Agreement is evidenced by that certain Memorandum of Option Agreement, executed by Buyer and Seller and recorded in the Salt Lake County Recorder's Office as Instrument Number 13287511 (the "**Memorandum**").

C. Buyer and Seller desire to terminate the Memorandum with respect to a portion of Real Property described on Exhibit "A" attached hereto (the "**Specific Acreage**").

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing premises and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties agree as follows:

1. **Partial Termination of Memorandum.** Buyer and Seller hereby agree that the Memorandum is hereby terminated only with respect to the Specific Acreage. Notwithstanding the foregoing to the contrary, the Memorandum is not being terminated, and will continue in full force and effect, with respect to all of the Real Property which is not comprised of the Specific Acreage. In addition, the obligations of Buyer and Seller with respect to the entire Real Property shall continue on the terms provided in the Option Agreement.

2. **Counterparts.** This Termination may be executed in counterparts, each of which shall be deemed an original, but all of which, taken together, shall constitute one and the same instrument.

3. **Captions.** Captions used in this Termination are for convenience of reference only and are not intended to govern, limit, or aide in the construction of any term or provision hereof.

LEGAL DESCRIPTION NOT ATTACHED
- CO RECORDER -

4. Governing Law. This Termination shall be governed by the laws of the State of Utah.

[Signatures on following page]

IN WITNESS WHEREOF, the Buyer and Seller have caused this Termination to be executed as of the date first written above.

“SELLER”:

M H
JONES FAMILY, LLC, a Utah limited liability
company

By *Michael Jones*
Name:
Its: *Michael Jones*

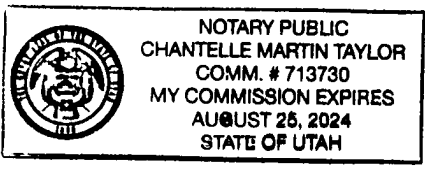
State of Utah)
) ss.
County of Salt Lake)

The foregoing instrument was acknowledged before me this 30th day of March,
2023, by Michael Jones, the Manager of M H JONES FAMILY, LLC, a
Utah limited liability company, who executed said instrument on behalf of said company.

Chantelle Martin Taylor
Notary Public

My Commission Expires:
08-25-2024

Residing at:
Utah County



[SIGNATURES CONTINUE ON NEXT PAGE]

“BUYER”:

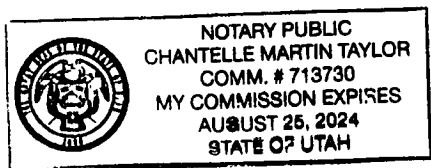
GARDNER WEST JORDAN, L.C., a Utah limited liability company, by its manager

Gardner-Plumb, L.C., a Utah limited liability company

By 
Name: Christina Gardner
Its: Manager

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

This instrument was acknowledged before me on March 30, 2023, by Christina Gardner, a manager of Gardner-Plumb, L.C., a Utah limited liability company, the manager of GARDNER WEST JORDAN, L.C., a Utah limited liability company, who executed said instrument on behalf of said limited liability company.



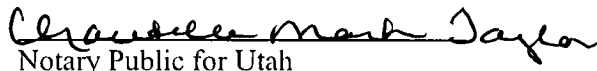

Notary Public for Utah
My commission expires: 08-25-2024

Exhibit "A"
To
Partial Termination of Memorandum of Option Agreement