

MEMORANDUM OF AGREEMENT

This MEMORANDUM OF AGREEMENT is executed by Boyer Millcreek Common 1, L.C., ("Owner") whose office address is 101 S. 200 E., Suite 200, Salt Lake City, UT 84111 and Teal 2.0, LLC, ("TEAL"), whose address is 2920 Riverby Rd., Suite 500, Houston, TX 77020, to evidence that Owner and TEAL had this day entered into that certain Management Agreement ("Agreement"), which provides for TEAL to provide to Owner certain equipment (the "Teal Equipment") and for TEAL to manage the Teal Equipment, such equipment being more particularly described in the agreement, and will be delivered to the real property described in Exhibit 1 attached hereto and incorporated herein. Owner and TEAL agree that the Teal Equipment and the Proprietary Controls and spare parts (which Proprietary Controls and spare parts are not part of and are excluded from the Teal Equipment) may be installed upon and/or attached to said real property but shall remain personal property and shall not be or become part of said real property nor subject to any lien thereon or security interest therein created or suffered by Owner, that that the Teal Equipment may be removed by TEAL from the real property under the circumstances provided for in said Agreement.

This Memorandum of Agreement is executed and effective as of the Execution Date, as defined in the Agreement.

TEAL:

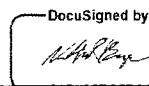
TEAL 2.0, LLC,  
a Texas limited liability company

By: Trey Willbanks  
Trey Willbanks, Manager

OWNER:

BOYER MILLCREEK COMMON 1, L.C.,  
a Utah limited liability company

By: The Boyer Company, L.C.,  
a Utah limited liability company,  
its manager

By:   
Nathan Boyer, Manager

STATE OF TEXAS

COUNTY OF Fort Bend

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This instrument was acknowledged before me on 12/18/2023,  
2023, by Trey Willbanks the manager of Teal 2.0, LLC, a Texas limited liability company.



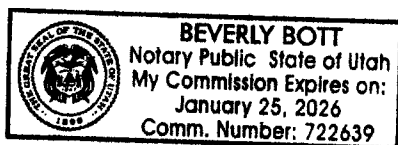
DocuSigned by  
Trey Willbanks  
Notary Public 34C1FA31685B4FE

STATE OF UTAH

COUNTY OF SALT LAKE

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This instrument was acknowledged before me on August 26,  
2023<sup>4</sup>, by Nathan Boyer, the manager of The Boyer Company, L.C., a Utah limited liability  
company, the manager of Boyer Millcreek Common 1, L.C., a Utah limited liability company.



Beverly Bott  
Notary Public

## EXHIBIT 1 TO MEMORANDUM OF AGREEMENT

### Property Address and Legal Description

ADDRESS: 1350 E. Miller Avenue, Salt Lake City, UT 84106

### LEGAL DESCRIPTION

An entire tract of land comprised of five (5) parcels identified by Salt Lake County as (1) 16-29-429-012, (2) 16-28-302-001, (3) 16-28-302-002, (4) 16-29-429-005 and (5) 16-29-429-006, located in the Southwest Quarter of Section 28 and the Southeast Quarter of Section 29, Township 1 South, Range 1 East, Salt Lake Base & Meridian, more particularly described as follows:  
Beginning at a point on the southerly line of Miller Avenue, as dedicated by the official plat of MALOUF ANNEX TO SALT LAKE CITY recorded February 28, 1980 as Entry No. 3405230 in Book 80-2 of Plats at Page 46 in the office of the Salt Lake County Recorder, located South 464.97 feet from the West 1/4 Corner of Section 28, T1S, R1E, SLB&M (Basis of Bearing: N89°48'00"E along the Monument line of 3300 South Street between two found monuments at the intersections of 1300 East Street and Highland Drive.); running thence along said southerly line S87°15'00"E 69.99 feet to the northwesterly corner of a boundary determined by that certain Warranty Deed recorded February 27, 1997 as Entry No. 6581680 in Book 7607 at Page 966 in the office of the Salt Lake County Recorder; thence along said deed the following three (3) courses: (1) South 233.09 feet; thence (2) N87°00'00"W 17.03 feet; thence (3) South 61.87 feet to the northeasterly corner of a boundary determined by the certain Warranty Deed recorded April 2, 1993 as Entry No. 5468895 in Book 6632 at Page 1674 in the office of the Salt Lake County Recorder; thence along said deed the following two (2) courses: (1) N86°24'00"W 60.32 feet; thence (2) S00°38'39"E 28.13 feet to the southeasterly corner of a boundary determined by that certain Warranty Deed recorded September 4, 2020 as Entry No. 13384562 in Book 11012 at Page 9411 in the office of the Salt Lake County Recorder; thence N86°24'00"W 125.30 feet to and along the southerly line of a boundary determined by that certain Warranty Deed recorded January 17, 1947 as Entry No. 1069758 in Book 515 at Page 38 in the office of the Salt Lake County Recorder; thence along said deed North 6.87 feet to the southeasterly corner of a boundary determined by that certain Warranty Deed (Special) recorded February 8, 1991 as Entry No. 5025925 in Book 6289 at Page 2602 in the office of the Salt Lake County Recorder; thence along said deed West 77.24 feet to the southeasterly corner of a boundary determined by that certain Special Warranty Deed recorded January 12, 2016 as Entry No. 12204361 in Book 10395 at Page 310 in the office of the Salt Lake County Recorder; thence along said deed North 317.09 feet to said southerly line of Miller Avenue; thence along said southerly line S87°15'00"E 209.52 feet to the point of beginning. Contains 86,105 square feet (1.976 acres).