

STIAUt 74882jt

When recorded return to:
Attn: Tiffany DeJarnatt
Utah Certified Development Company
2404 Washington Blvd. #1000
Ogden, Utah 84401

File Name: Wasatch Energy, LLC
Loan #: CDC 698 839 4003 UT

E 2030639 B 3663 P 459-461
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
11/10/2004 02:23 PM
FEE \$14.00 Pgs: 3
DEP MT REC'D FOR SECURITY TITLE IN
SURANCE AGENC

Property Tax ID: 06-095-0190

MEMORANDUM OF LEASE

This Memorandum of Lease dated this **9th day of November, 2004**, is between **Nine Mile Holdings, LLC** (herein called "Lessor") and **Wasatch Energy, LLC** (herein called "Lessee").

1. Premises. Lessor hereby leases to Lessee upon the terms and conditions of that certain lease dated **October 1, 2004** between the parties (herein called the "Lease") the terms and conditions of which Lease are incorporated by this reference. The premises consist of the land described on Exhibit "A" attached hereto and by reference is included herein.
2. Term. The term of the Lease shall be **twenty-one (21) years** commencing on **October 8, 2004** and ending on **October 8, 2025**, subject to renewal or extension periods as follows: **NONE**
3. Purpose of Memorandum of Lease. This Memorandum of Lease is prepared for the purpose of recordation and it in no way modifies the Lease.

Lessor: Nine Mile Holdings, LLC

By: Todd D. Cusick
Todd D. Cusick, Manager

By: Brian J. Watts
Brian J. Watts, Manager

By: Mark C. Smoot
Mark C. Smoot, Manager

Lessee: Wasatch Energy, LLC

By: Todd D. Cusick
Todd D. Cusick, Manager

By: Brian J. Watts
Brian J. Watts, Manager

By: Mark C. Smoot
Mark C. Smoot, Manager

BK 3663 PG 460

000460

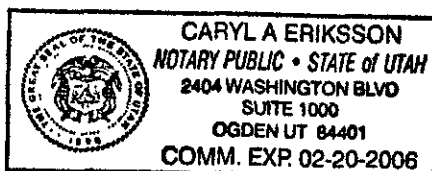
ACKNOWLEDGEMENT

STATE OF UTAH)

§

COUNTY OF DAVIS)

On this 9th day of November, 2004, personally appeared before me Todd D. Cusick, Brian J. Watts and Mark C. Smoot, who being by me duly sworn, did say that they are Managers of Nine Mile Holdings, LLC, a limited liability company, and that the foregoing instrument was signed in behalf of said limited liability company with full authority.

Caryl A Eriksson
NOTARY PUBLICResiding at: Ogden, Utah

ACKNOWLEDGEMENT

STATE OF UTAH)

§

COUNTY OF DAVIS)

On this 9th day of November, 2004, personally appeared before me Todd D. Cusick, Brian J. Watts and Mark C. Smoot, who being by me duly sworn, did say that they are Managers of Wasatch Energy LLC, a limited liability company, and that the foregoing instrument was signed in behalf of said limited liability company with full authority.

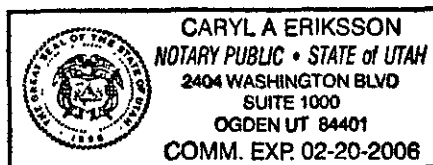
Caryl A Eriksson
NOTARY PUBLICResiding at: Ogden, Utah

EXHIBIT "A"

Debtor and Trustor: Nine Mile Holdings, LLC
to assist, Wasatch Energy LLC

Secured Party and Beneficiary: Utah Certified Development Company and
The U. S. Small Business Administration

Real Property Description

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BEGINNING AT A POINT 45.12 FEET NORTH FROM THE SOUTH LINE OF LOT 4, SECTION 36, AT A POINT NORTH 0°09' WEST 1314 FEET ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 2 NORTH, RANGE 1 WEST, AND RUNNING THENCE NORTH 89°56' EAST 203 FEET AND SOUTH 0°40' WEST 123 FEET AND NORTH 89°40' EAST 365.51 FEET AND NORTH 45.12 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 36; THENCE NORTH 197.88 FEET ALONG THE EAST LINE OF A STREET; THENCE EAST 314.56 FEET TO A POINT WHICH IS SOUTH 47°28'41" WEST 669.29 FEET FROM THE MONUMENT MARKING THE INTERSECTION OF 2600 SOUTH AND HIGHWAY 89 (BASIS OF BEARING IS SOUTH 89°58' EAST BETWEEN THE MONUMENT AT HIGHWAY 89 AND THE MONUMENT AT 500 WEST ALONG 2600 SOUTH STREET); THENCE SOUTH 26°47'26" WEST 11.29 FEET; THENCE SOUTH 60°18'38" WEST 4.58 FEET; THENCE SOUTH 25°12'11" WEST 3.24 FEET; THENCE SOUTH 01°35'39" WEST 11.93 FEET; THENCE SOUTH 04°38'18" EAST 5.65 FEET; THENCE SOUTH 49°19'47" WEST 13.92 FEET; THENCE SOUTH 25°07'40" WEST 8.17 FEET; THENCE SOUTH 15°04'00" EAST 30.38 FEET; THENCE SOUTH 28°28'41" WEST 157.05 FEET ALONG A LINE 1.00 FOOT WESTERLY FROM AN EXISTING FENCE TO THE NORTH LINE OF A STREET; THENCE SOUTH 89°40' WEST 203.10 FEET; THENCE WESTERLY 31.53 FEET ALONG THE ARC OF A 20.00-FOOT RADIUS CURVE TO THE RIGHT AND THE POINT OF BEGINNING.

06-095-0190

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The address of such property is: 1010 North 500 East, North Salt Lake, UT 84054

The owner of such real property is: Nine Mile Holdings, LLC