

Property address: 390 South Main Street Brigham City, UT 84302

This instrument prepared by: Big O Development, LLC 4300 TBC Way Palm Beach Gardens, Florida 33410

Return recorded document to: Big O Development, LLC Attn: Real Estate Department 4300 TBC Way Palm Beach Gardens, Florida 33410

#### **MEMORANDUM OF OPTION AND STORE LEASE**

This Memorandum of Option and Store Lease, dated May 31, 2016 ("Memorandum"), is by and between M&A BUSINESS INVESTMENTS, LLC, a Utah Limited liability company ("Lessor"), of 390 South Main Street, Brigham City, UT, 84302, and BIG O DEVELOPMENT, LLC, a Colorado limited liability company, of 4280 Professional Center Drive, Suite 400, Palm Beach Gardens, Florida 33410 ("Lessee").

Whereas, Lessor and Lessee entered into an Option and Store Lease, dated May 31, 2016, for the premises located at 390 South Main Street, Brigham City, UT 84302, Box Elder County, more particularly described in Exhibit A attached hereto and made a part hereof; and

Whereas, Lessor and Lessee desire to provide notice and establish the priority of said Option and Store Lease by recording this Memorandum;

Now, therefore, in consideration of one dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, the parties agree that Lessee is granted the exclusive first right and option to lease the premises under certain circumstances as set forth in said Option and Shop Lease, which Option and Shop Lease and Lessee's rights thereunder are covenants running with the land and are binding upon Lessor and its successors and assigns.

(Signature pages follow)

#### (Signature page to Memorandum of Option Store Lease)

In witness whereof, the parties hereto have executed this Memorandum as of the day and year first above written.

Lessor: Lessee: **BIG O DEVELOPMENT, LLC** M&A BUSINESS INVESTMENTS, LLC By: By: Matthew Krager Peter Cooke Member Vice President By: Aaron Walker Member LESSOR NOTARY BLOCK STATE OF ) SS: COUNTY OF On this day of MAV \_\_\_\_\_, 2016, before me, a Notary Public, personally appeared MATTHEW KRAGER and AARON WALKER to me personally known and known to me to be the same persons whose names are signed to the foregoing instrument, and acknowledged the execution thereof for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

(SEAL)

ECHO YATES Notary Public • State of Utah Commission # 679863 COMM. EXP. 11-10-2018

lotary ublic 0.18 My commission expires:

(Signatures continue of the following page)

(Continued signatures to Memorandum of Option Store Lease)

### LESSEE NOTARY BLOCK

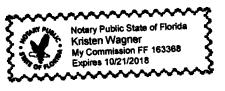
STATE OF Florida COUNTY OF Palm Beach ) SS:

On this <u>2nd</u> day of <u>JUNC</u>, 2016, before me, a Notary Public, personally appeared PETER COOKE to me personally known and known to me to be the same person whose name is signed to the foregoing instrument, and acknowledged the execution thereof for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



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Notary Aublic My commission expires: 10 21 18

## Exhibit A

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# Legal Description of the Property

Beginning at the Southeast corner of Lot 1, Block 55, Plat B, Brigham City Survey, running thence West 122.10 feet, thence North 88 feet, thence West 90 feet, thence North 5 feet, thence East 43 feet, thence North 39 feet, thence East 169.10 feet, thence South 132 feet to the point of beginning.