

ENT 78120:2024 PG 1 of 4  
**ANDREA ALLEN**  
**UTAH COUNTY RECORDER**  
2024 Nov 06 02:32 PM FEE 40.00 BY AS  
RECORDED FOR First American Title Insura  
ELECTRONICALLY RECORDED

Recording Requested By and Mail to:

Land Reserve, Inc.  
Attn: Ryan Bull  
51 S. Main Street, Suite 301  
Salt Lake City, Utah 84111

Tax Parcel Nos.: 35:840:0260, 35:840:0261, 35:840:0262, 35:840:0263

NCS-1122439DPB-j7

(space above for recorder's use only)

### **MEMORANDUM OF RIGHT OF FIRST REFUSAL**

This MEMORANDUM OF RIGHT OF FIRST REFUSAL (this "Memorandum") is made as of the 4 day of Nov, 2024 (the "Effective Date"), by DESTINATION CONSTRUCTION, LLC, a Utah limited liability company ("Grantor"), and LAND RESERVE, INC., a Utah corporation, fka Suburban Land Reserve, Inc., a Utah corporation ("Grantee").

#### **RECITALS**

A. Grantor is the owner of certain real property in Saratoga Springs, Utah County, Utah, as more fully described in Exhibit A attached hereto (the "Property").

B. Grantor and Grantee have entered into that certain Purchase and Sale Agreement with an Effective Date of November 21, 2023, as amended from time to time (collectively, the "Agreement"), by which Grantor has granted to Grantee certain rights to purchase the Property as more fully set forth in the Agreement (the "Purchase Rights").

C. The parties have agreed to record this Memorandum to provide record notice of the Purchase Rights.

#### **MEMORANDUM AND NOTICES**

1. **Notice of Rights.** The parties hereby provide record notice of Grantee's Purchase Rights. The Purchase Rights include a Right of First Refusal given by Grantor to Grantee commencing on the Effective Date of this Memorandum. This Memorandum, and Grantee's Purchase Rights described in the Agreement, shall automatically terminate upon the issuance of a certificate of occupancy for the Property by the City of Saratoga Springs, or other municipality having jurisdiction over the Property. All terms, provisions and conditions of Grantor's Purchase Rights are more fully set forth in the Agreement. This Memorandum is neither intended to, nor shall alter, modify, or otherwise change the Purchase Rights set forth in the Agreement. In the event of any conflict between the terms of this Memorandum and the Agreement, the Agreement shall control.

[SIGNATURES TO FOLLOW]

IN WITNESS WHEREOF, the parties hereto have executed this to be effective as of the date of its recording.

**GRANTEE:**

LAND RESERVE, INC.,  
a Utah corporation

By: 

Name: Tyler L. Buswell *PLB*  
Its: President

**GRANTOR:**

DESTINATION CONSTRUCTION, LLC,  
a Utah limited liability company

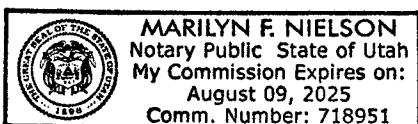
**EXECUTED IN COUNTERPART**

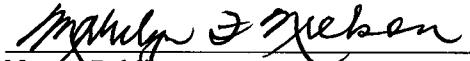
By: \_\_\_\_\_

Name: \_\_\_\_\_  
Its: \_\_\_\_\_

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

On this 4 day of Nov., 2024, before me personally appeared Tyler L. Buswell, whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being duly sworn (or affirmed), did say that he is the President of LAND RESERVE, INC., a Utah corporation, and that the foregoing document was signed by him on behalf of said corporation in his capacity as President.



  
Notary Public

STATE OF \_\_\_\_\_ )  
: ss.  
COUNTY OF \_\_\_\_\_ )

On this    day of       , 2024, before me personally appeared                   , whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being duly sworn (or affirmed), did say that he is the                    of DESTINATION CONSTRUCTION, LLC, a Utah limited liability company, and that the foregoing document was signed by him on behalf of said company in his capacity as                   .

\_\_\_\_\_  
Notary Public

IN WITNESS WHEREOF, the parties hereto have executed this to be effective as of the date of its recording.

**GRANTEE:**

LAND RESERVE, INC.,  
a Utah corporation

**EXECUTED IN COUNTERPART**

By: \_\_\_\_\_

Name: Tyler L. Buswell

Its: President

**GRANTOR:**

DESTINATION CONSTRUCTION, LLC,  
a Utah limited liability company

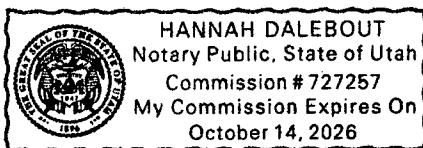
By: Kristy Crabtree  
Name: Kristy Crabtree  
Its: Controller

STATE OF UTAH )

: ss.

COUNTY OF SALT LAKE )

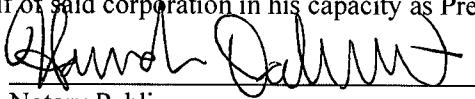
On this 4 day of November, 2024, before me personally appeared Tyler L. Buswell, whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being duly sworn (or affirmed), did say that he is the President of LAND RESERVE, INC., a Utah corporation, and that the foregoing document was signed by him on behalf of said corporation in his capacity as President.



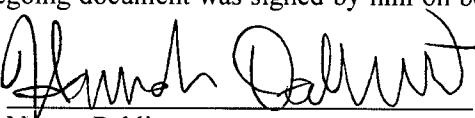
STATE OF Utah )

: ss.

COUNTY OF Salt Lake )

  
Notary Public

On this 4 day of November, 2024, before me personally appeared Kristy Crabtree, whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being duly sworn (or affirmed), did say that he is the Controller of DESTINATION CONSTRUCTION, LLC, a Utah limited liability company, and that the foregoing document was signed by him on behalf of said company in his capacity as Controller.

  
Notary Public

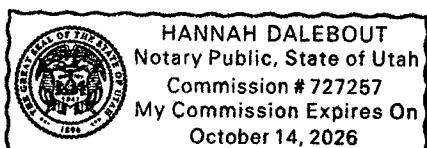


Exhibit A

(Real Property)

Lots 260, 261, 262, and 263 of Beacon Pointe Village 2 Subdivision recorded on December 21, 2023, as Entry No. 82644:2023, Map 16979, in the Official Records of the Utah County Recorder's Office.