


Recording Requested By **FIDELITY TITLE**
And When Recorded Return To **FILE # 22451**


ENT 89199:2013 PG 1 of 3
JEFFERY SMITH
UTAH COUNTY RECORDER
2013 Sep 18 10:51 am FEE 14.00 BY EO
RECORDED FOR FIDELITY LAND & TITLE

Prudential Huntoon Paige Associates, LLC
2100 Ross Avenue, Suite 2500
Dallas, TX 75201-7907

MEMORANDUM OF OPERATING LEASE

THIS MEMORANDUM OF OPERATING LEASE (this "Memorandum") gives notice of that certain OPERATING LEASE dated as of September 1, 2013 (the "Operating Lease") by and between B D & E PROPERTIES, L.C., a Utah limited liability company (the "Lessor"); and MOUNTAIN VIEW NURSING AND REHABILITATION, INC., a Utah corporation (the "Lessee"), wherein Lessor leases to Lessee the following real estate with improvements located in Payson, Utah County, State of Utah:

See Exhibit A, attached hereto and incorporated herein by reference.

The Operating Lease has a term ("Term") consisting of an initial term ("Initial Term") of ten (10) years from date of the commencement of the Operating Lease. Lessee also has the right to extend the Operating Lease for up to five (5) successive five-year extension periods, all on the terms and conditions more fully set forth in the Operating Lease.

This Memorandum is prepared for the purpose of recordation, and it in no way modifies the provisions of the Operating Lease. This Memorandum may be executed and acknowledged in counterparts.

IN WITNESS WHEREOF, the Lessor and the Lessee have caused this **Memorandum** to be executed in their respective names by their duly authorized officers, this 1st day of September, 2013.

LESSOR:

B D & E PROPERTIES, L.C.,
a Utah limited liability company

By Bryan Erickson
Bryan Erickson, Manager

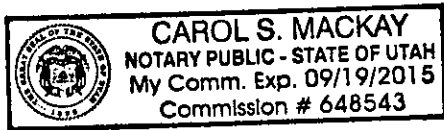
LESSEE:

**MOUNTAIN VIEW NURSING AND
REHABILITATION, INC.,**
a Utah corporation

By Todd Brammall
Todd Brammall, President

STATE OF UTAH)
COUNTY OF Salt Lake :SS

The foregoing Memorandum of Operating Lease was acknowledged before me this 10th day of September, 2013, by Bryan Erickson, a Manager of B D & E PROPERTIES, L.C. a Utah limited liability company.



Carol S. Mackay

Notary Public

Residing at Salt Lake City, UT

STATE OF UTAH)
COUNTY OF Salt Lake :SS

The foregoing Memorandum of Operating Lease was acknowledged before me this 10th day of September, 2013, by Todd Bramhall, the President of MOUNTAIN VIEW NURSING AND REHABILITATION, INC., a Utah corporation.



Carol S. Mackay

Notary Public

Residing at Salt Lake City, UT

EXHIBIT "A"

REAL PROPERTY DESCRIPTION

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PARCEL A:

A PARCEL OF LAND LYING IN THE SOUTHWEST 1/4 OF SECTION 10, AND THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 9 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, UTAH COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE BRASS CAP MONUMENTING THE SOUTHWEST CORNER OF SAID SECTION 10, THENCE N. 89°31'31" E. A DISTANCE OF 401.83 FEET ALONG THE SECTION LINE; THENCE NORTH A DISTANCE OF 499.67 FEET TO THE REAL POINT OF BEGINNING.

THENCE N. 89°39'14" W. A DISTANCE OF 353.98 FEET TO A POINT OF CURVATURE OF A 18.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY A DISTANCE OF 13.30 FEET ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 42°20'42" AND A CHORD THAT BEARS N.20°59'49" E. A DISTANCE OF 13.00 FEET; THENCE N. 00°00'01" W. A DISTANCE OF 177.22 FEET TO A POINT OF CURVATURE OF A 5.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE NORTHWESTERLY A DISTANCE OF 7.85 FEET ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 89°58'58" AND A CHORD THAT BEARS N.44°59'36" W. A DISTANCE OF 7.07 FEET; THENCE N.89°59'57" W. A DISTANCE OF 321.45 FEET; THENCE N. 00°01'56" W. A DISTANCE OF 31.00 FEET; THENCE S. 89°59'57" E. A DISTANCE OF 321.29 FEET TO A POINT OF CURVATURE OF A 5.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY A DISTANCE OF 7.85 FEET ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 89°58'58" AND A CHORD THAT BEARS N. 44°59'57" E. A DISTANCE OF 7.07 FEET; THENCE N. 00°00'00" E. A DISTANCE OF 179.69 FEET; THENCE S. 89°42'47" E. A DISTANCE OF 185.00 FEET; THENCE N. 45°00'00" E. A DISTANCE OF 236.73 FEET; THENCE S. 00°17' 13" W. A DISTANCE OF 578.66 FEET TO THE REAL POINT OF BEGINNING.

PARCEL B:

RIGHTS TO CONNECT AND USE FACILITIES OF MOUNTAIN VIEW HOUSING LIFT STATION CONTAINED IN THAT CERTAIN JOINT USE AGREEMENT DATED 19 SEPTEMBER 2007, AS AMENDED, BY AND BETWEEN MOUNTAIN VIEW HOSPITAL, INC., A UTAH CORPORATION, GRANTOR, AND BAR K. DEVELOPMENT, LLC, A UTAH LIMITED LIABILITY COMPANY AND B D & E PROPERTIES, L.C., A UTAH LIMITED LIABILITY COMPANY, WHICH JOINT USE AGREEMENT, AS AMENDED, WAS RECORDED ON 16 MAY 2008, AS INSTRUMENT NO. 58332:2008, IN THE OFFICES OF THE UTAH COUNTY RECORDER.

PARCEL C:

TOGETHER WITH AND SUBJECT TO AN EASEMENT OVER PROFESSIONAL WAY AS SHOWN ON SPECIAL WARRANTY DEED ENTRY #143812:2007.