

**LAWYERS TITLE**

1876733-003 2/4  
WHEN RECORDED, RETURN TO:

1876733-3-4-2--  
Garcia

City of Tempe Basket

**MEMORANDUM OF LAND AND IMPROVEMENTS LEASE**  
C2003-174C6

THIS MEMORANDUM OF LAND AND IMPROVEMENTS LEASE ("Memorandum") is made and entered into as of the 11th day of April, 2017, by and between the CITY OF TEMPE, an Arizona municipal corporation ("City"), and BOYER RIO 2100. L.C., a Utah limited liability company ("Tenant").

1. The City and Tenant have entered into that certain Land and Improvements Lease, dated April 11, 2017 ("Lease"), whereby the City leases to Tenant that real property and improvements more particularly described in Exhibit "A" attached hereto and by this reference incorporated herein ("Property").
2. This Memorandum is being recorded to give constructive notice to all persons dealing with the Property that the City leases to Tenant the Property, and that the City and Tenant consider the Lease to be a binding agreement between the City and Tenant regarding the Property.
3. This Memorandum is not a complete summary of the Lease. The provisions of this Memorandum shall not be used in interpreting the Lease. In the event of any conflict between the terms and provisions of this Memorandum and the Lease, the terms and provisions of the Lease shall govern and control.

C2003-174C6

IN WITNESS WHEREOF, this Memorandum has been executed as of the day and year first set forth above.

**CITY:**

**TENANT:**

CITY OF TEMPE, an Arizona municipal corporation

BOYER RIO 2100, L.C., a Utah limited liability company

By: Mark W. Mitchell  
Name: Mark W. Mitchell  
Title: Mayor

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

By: [Signature]  
~~Jacob Boyer, Manager~~

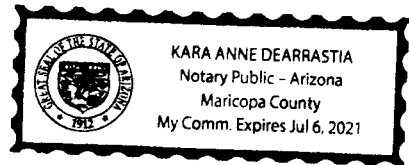
**Brian Gochnour  
Manager**

STATE of ARIZONA )  
 ) ss.  
County of Maricopa )

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of October, 2017, by Mark W. Mitchell, the Mayor of CITY OF TEMPE, an Arizona municipal corporation.

Kara Anne DeArastia  
Notary Public

My Commission Expires:  
July 6, 2021

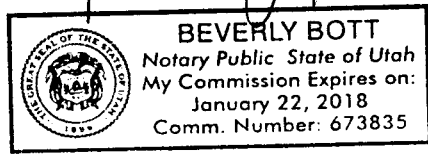


STATE of UTAH )  
 ) ss.  
County of Salt Lake )

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of October, 2017, by Brian Gochnour, the Manager of The Boyer Company, L.C., as Manager of Boyer Rio 2100, L.C.

Beverly Bott  
Notary Public

My Commission Expires:  
1/22/18



**EXHIBIT "A"**

Lot 4, 2100 RIO SALADO BUSINESS PARK, according to Book 1269 of Maps,  
Page 39, records of Maricopa County, Arizona.