

This instrument was drafted by, and after recording should be returned to:  
Barna, Guzy & Steffen, Ltd. (TRW)  
200 Coon Rapids Blvd. NW, Suite 400  
Coon Rapids, MN 55433  
File No. 44222-385

## MEMORANDUM OF TENANTS IN COMMON AGREEMENT

This MEMORANDUM OF TENANTS IN COMMON AGREEMENT (“Memorandum”) is made and entered into effective as of the 29 day of January, 2020, by and between TPAF VII Trails at Cahaba, LLC, a Minnesota limited liability company and TPAF II Wyngate, LLC, a Minnesota limited liability company (collectively hereinafter referred to as the “Co-owners” or “Co-tenants”).

1. On or about the date hereof, the Co-tenants have entered into a Tenants in Common Agreement (the “Agreement”). Capitalized terms not otherwise defined in this Memorandum shall have the meanings given then in the Agreement.
2. The Agreement provides for the ownership and operation of the Property, the legal description for which is attached to this Memorandum as **Exhibit A**.
3. The Agreement contains substantial restrictions on the ability of the Co-tenants to transfer, assign, convey, sell or in any way alienate their undivided tenancy in common interests in the Property or to seek a partition of the Property.
4. This Memorandum merely references certain terms of the Agreement and is not meant to amend or modify any terms of the Agreement. In the event of any conflict between the provisions of this Memorandum and the provisions of the Agreement, the provisions of the Agreement shall prevail. This Memorandum may be executed in counterparts, each of which shall constitute an original and all of which shall constitute one document.

IN WITNESS WHEREOF, the parties have executed this Memorandum as of the date first written above.

*[Signature pages to follow]*

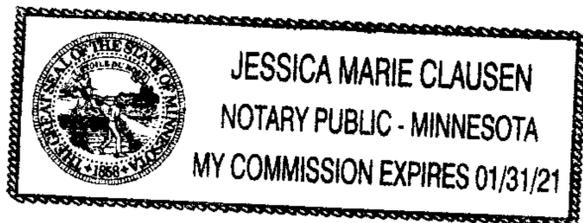
**CO-OWNER:**

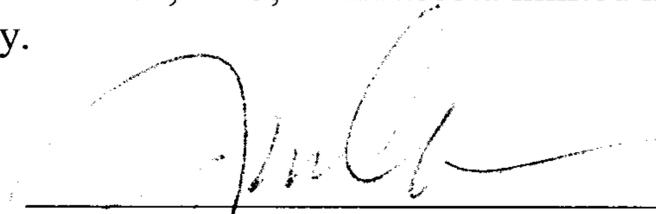
TPAF VII Trails at Cahaba, LLC,  
a Minnesota limited liability company

By:   
Name: Robert L. Fransen  
Its: Chief Manager

STATE OF MINNESOTA    )  
  ) ss.  
COUNTY OF HENNEPIN    )

This instrument was acknowledged before me this 21<sup>st</sup> day of January, 2020, by Robert L. Fransen, the Chief Manager of TPAF VII Trails at Cahaba, LLC, a Minnesota limited liability company, on behalf of the limited liability company.



  
Notary Public

*[Signature page to Tenants in Common Agreement]*



EXHIBIT A

**LEGAL DESCRIPTION**

**Parcel I:**

Lot 15, Cahaba Park South, 1st Addition as recorded in Map Book 153, Page 49, in the Probate Office of Jefferson County, Alabama; being situated in Jefferson County, Alabama.

**Parcel II:**

Lot B, Cahaba Park South, 1st Addition, Resurvey No. 1 as recorded in Map Book 159, Page 15, in the Probate Office of Jefferson County, Alabama, being situated in Jefferson County, Alabama.

**Parcel III:**

Lot A, Cahaba Park South, 1st Addition Resurvey No. 1 as recorded in Map Book 159, Page 15, in the Probate Office of Jefferson County, Alabama.

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Filed and Recorded  
Official Public Records  
Judge of Probate, Shelby County Alabama, County  
Clerk  
Shelby County, AL  
01/31/2020 08:52:11 AM  
\$31.00 CHERRY  
20200131000041220

*Allie S. Bayl*