

Prepared by and return to:  
Christopher M. Gill, Esq.  
Hand Arendall Harrison Sale LLC  
Post Office Box 123  
Mobile, AL 36601

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STATE OF ALABAMA  
COUNTY OF SHELBY

**Memorandum of Agreement**  
**(Fox Run)**

**This Memorandum of Agreement** (this "Memorandum") is made and entered into by and between **D.R. Horton, Inc. – Birmingham**, an Alabama corporation ("Buyer"), and **YP Chelsea LLC**, an Alabama limited liability company ("Seller").

Buyer and Seller have entered into that certain Land Purchase Contract dated as of May 20, 2024 (the "Agreement"), and relating to that certain real property located in Shelby County, Alabama and more particularly described on the attached Exhibit A (the "Property").

Buyer and Seller are executing and recording this Memorandum in the public records of Shelby County, Alabama (the "Public Records") to provide public notice of their respective obligations under the Agreement. The Property is owned by Seller and is subject to all terms of the Agreement, including, without limitation, Seller's obligation to sell and convey the Property to Buyer.

Upon conveyance of the Property by Seller to Buyer pursuant to a written deed recorded in the Public Records, this Memorandum shall automatically be deemed to have terminated. Except as is provided in the foregoing sentence to the contrary, this Memorandum may be terminated only by a written notice of termination executed by Buyer and Seller and recorded in the Public Records.

*{ Remainder of Page Intentionally Left Blank—Signatures Commence on Following Page }*

**In Witness Whereof**, Buyer and Seller have caused this Memorandum to be executed by and through their respective duly authorized representatives.

**BUYER:**

**D.R. Horton, Inc. –Birmingham**, an Alabama corporation

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

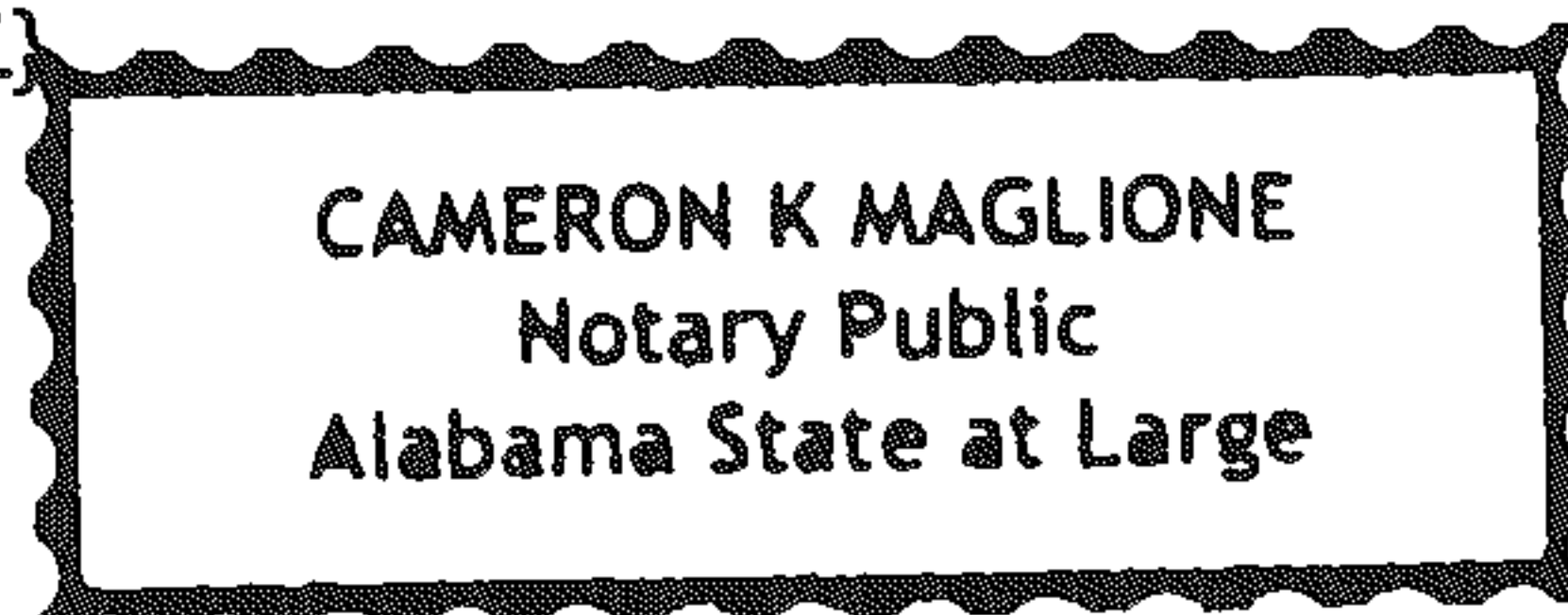
Crain Rogers  
As Its City Manager

STATE OF ALABAMA  
COUNTY OF BALDWIN

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Crain Rogers, whose name as City Manager of D.R. Horton, Inc. – Birmingham, an Alabama corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of such instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 3 day of June, 2024.

{SEAL}



NOTARY PUBLIC

My Commission Expires:

My Commission Expires

August 17, 2026

*{Remainder of Page Intentionally Left Blank—Signatures Continue on Following Page}*

**SELLER:**

YP Chelsea LLC, an Alabama limited liability company

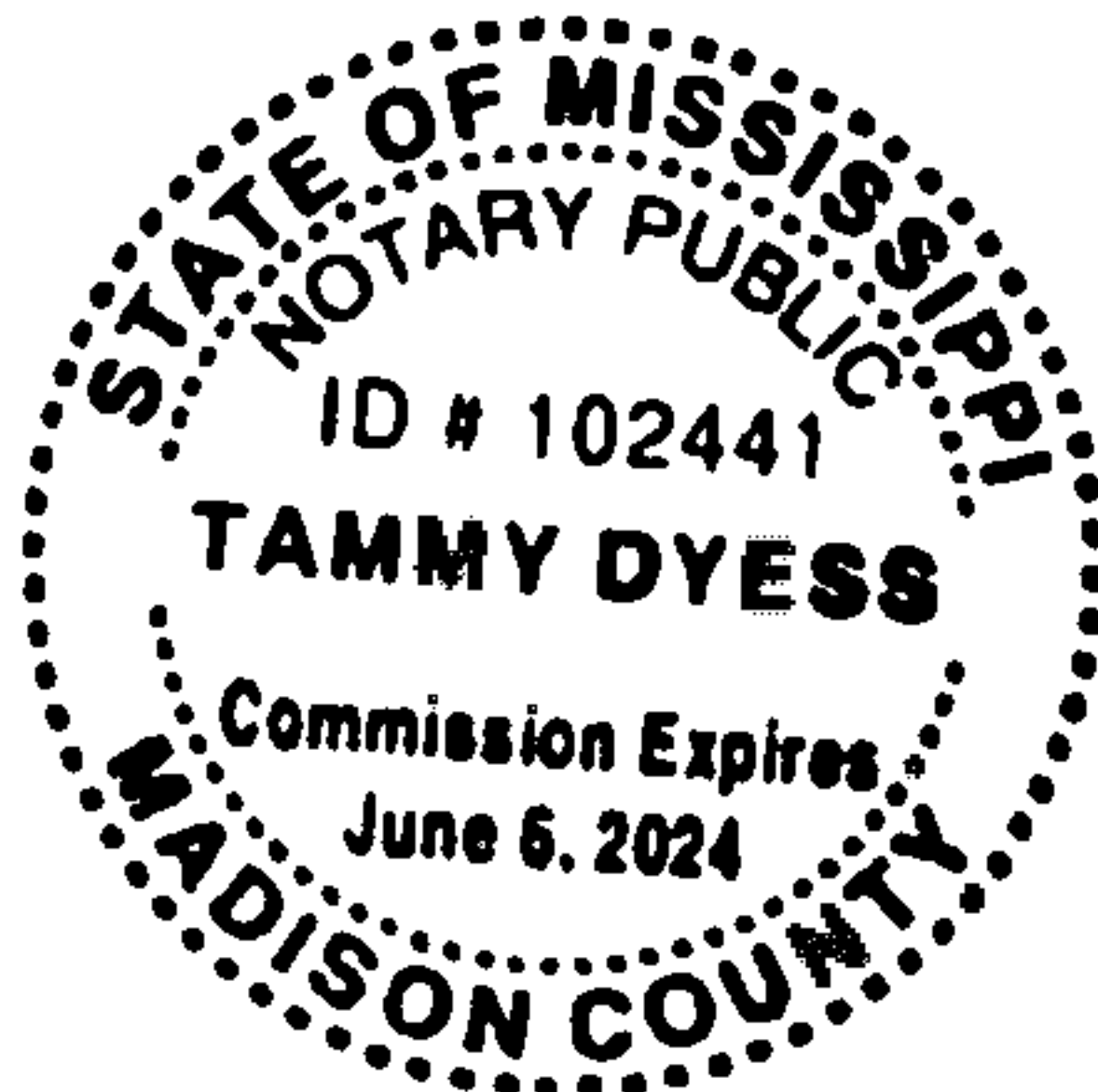
By: Rich Yerger  
Name: Richard Yerger  
As Its: Manager

STATE OF Mississippi  
COUNTY OF Madison

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Richard Yerger, whose name as Manager of YP Chelsea LLC, an Alabama limited liability company, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of such instrument, he, as such manager and with full authority, executed the same voluntarily for and as the act of said company.

Given under my hand and official seal this 20<sup>th</sup> day of May, 2024.

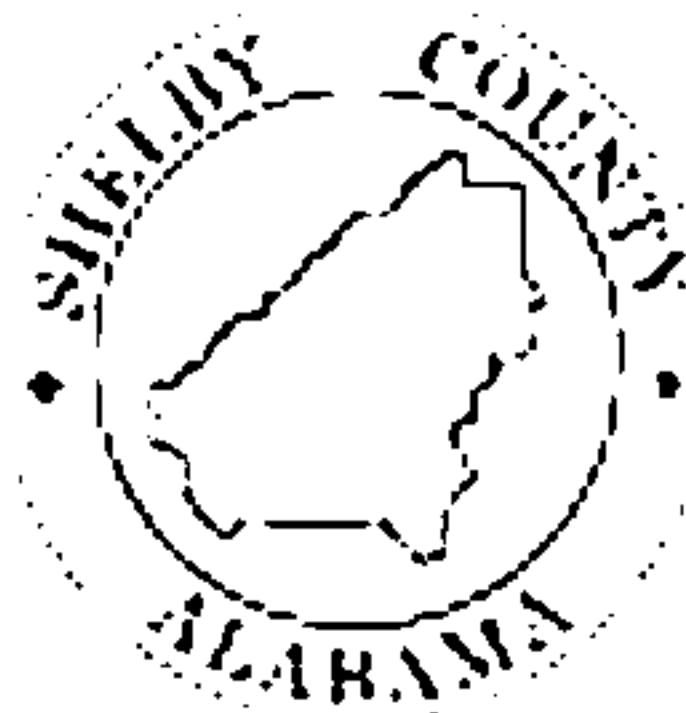
{SEAL}



Tammy Dyess  
NOTARY PUBLIC  
My Commission Expires: 6.6.2024

**Exhibit A****Legal Description of the Property**

All of that part of the SW 1/4 of the SE 1/4 and the NW 1/4 of the SE 1/4 of Section 29, Township 19 South, Range 1 West, which lies South and Southeast of Shelby County Highway No. 11, situated in Shelby County, Alabama, and being more particularly described as follows: From a 1/2-inch crimped pipe at the Southwest corner of the Southwest Quarter of the Southeast Quarter of Section 29, Township 19 South, Range 1 West, being the point of beginning of the herein described parcel of land; run thence East along the South boundary of said Southwest Quarter of the Southeast Quarter for a distance of 1,331.15 feet to a 1-inch pipe at the Southeast corner of said Southwest Quarter of the Southeast Quarter; thence turn 88 degrees 29 minutes 16 seconds left for a distance of 1,328.13 feet to a 1/2-inch crimped pipe at the Northeast corner of said Southwest Quarter of the Southeast Quarter; thence continue along said course for a distance of 155.71 feet to a 1/2-inch rebar on the Southerly boundary of Shelby County Highway #11 (80-foot right of way); thence turn 121 degrees 17 minutes 24 seconds left and run along said highway boundary for a distance of 312.13 feet to a 1/2-inch rebar on the North boundary of the aforementioned Southwest Quarter of the Southeast Quarter; thence continue along said course for a distance of 632.10 feet to a 1/2-inch rebar at the P.C. of a curve concave left, having a delta angle of 02 degrees 57 minutes 46 seconds and a radius of 13,193.12 feet; thence turn 00 degrees 58 minutes 55 seconds left and run a chord distance of 450.56 feet to a 1/2-inch rebar at the P.T.; thence turn 00 degrees 58 minutes 55 seconds left and run a distance of 170.27 feet to a 1-inch crimped pipe on the West boundary of the aforementioned Southwest Quarter of the Southeast Quarter; thence turn 56 degrees 42 minutes 30 seconds left and run a distance of 694.09 feet to the point of beginning of the herein described parcel of land; situated in the Northwest Quarter of the Southeast Quarter and the Southwest Quarter of the Southeast Quarter of Section 29, Township 19 South, Range 1 West, Shelby County, Alabama.



Filed and Recorded  
 Official Public Records  
 Judge of Probate, Shelby County Alabama, County  
 Clerk  
 Shelby County, AL  
 06/06/2024 10:51:44 AM  
 \$31.00 JOANN  
 20240606000168460

*Allie S. Bayl*