

Prepared by:
Polsinelli PC
Attn: Alexia Norris
900 W 48th Pl, Suite 900
Kansas City, MO 64112

(The Above Space for Recorder's Use Only)

MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE, made as of April 1, 2025, by and between KCG AVIATION, L.L.C., a Kansas limited liability company ("**Landlord**"), and FOUNDATION BUILDING MATERIALS, LLC, a California limited liability company ("**Tenant**"), having a mailing address at 2520 Red Hill Avenue, Santa Ana, CA 92705, Attn: Real Estate Department.

1. Landlord is the fee owner of certain real property located at 9293 Helena Road, Pelham, Alabama 35124, as more particularly described on Exhibit A attached hereto, together with improvements constructed thereon (the "**Property**").

2. Landlord and Tenant (among other parties) are parties to a Lease Agreement (the "**Lease**") dated on or about the date of this Memorandum of Lease. The Lease demises the Property to Tenant.

3. The Initial Term of the Lease is from April 1, 2025 to March 31, 2028, and the Lease establishes that Tenant shall have three renewal options to extend the term by three years each.

4. The purpose of this Memorandum of Lease is to give record notice of the Lease and of the rights created thereby, all of which are hereby confirmed. The terms and conditions of the Lease, as may be amended, are incorporated herein as though set forth in full. In the event of any conflict between the provisions of this instrument and the Lease, the provisions of the Lease shall control. This Memorandum of Lease is not intended, and shall not be construed, to define, limit or modify the Lease.

[signature page(s) follows]

When recorded return to: K. Keckler
First American Title Insurance Co. - NCS
1100 Main Street #1900
Kansas City, MO 64105
File No. NCS- PolsAccom

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

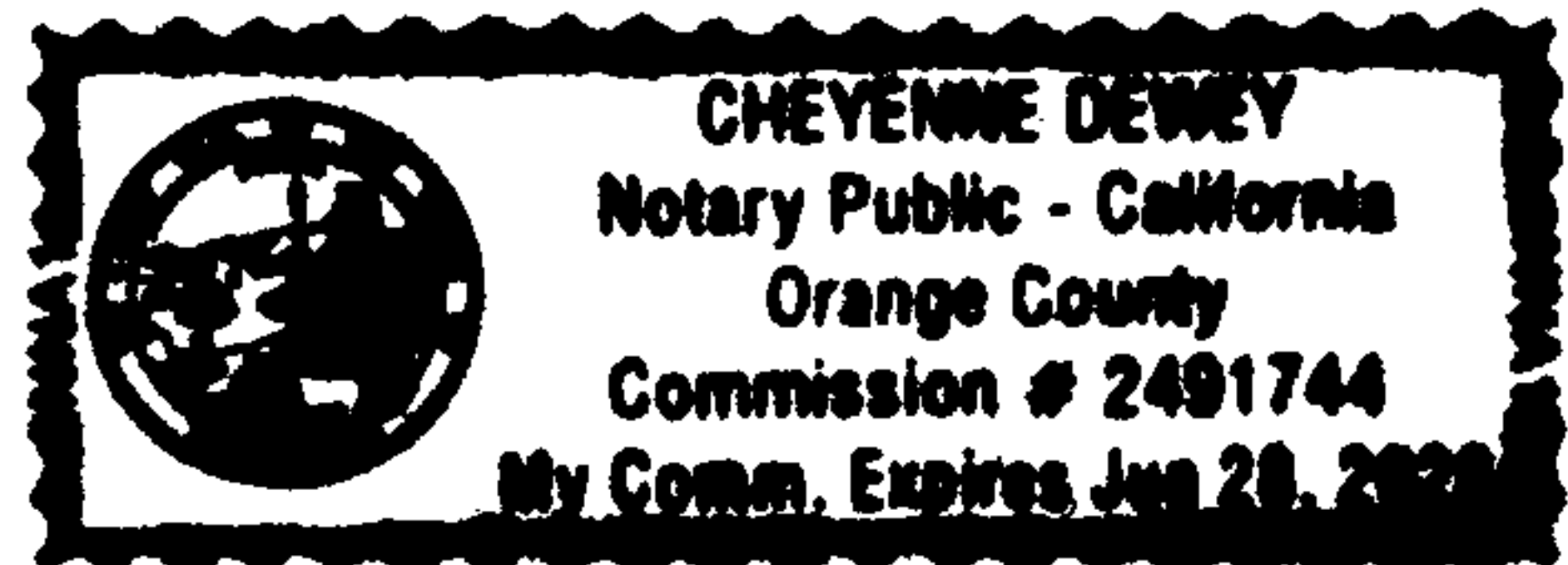
State of California
County of Orange)

On March 25, 2025 before me, Cheyenne Dewey, Notary Public
(insert name and title of the officer)

personally appeared Richard Tilley,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

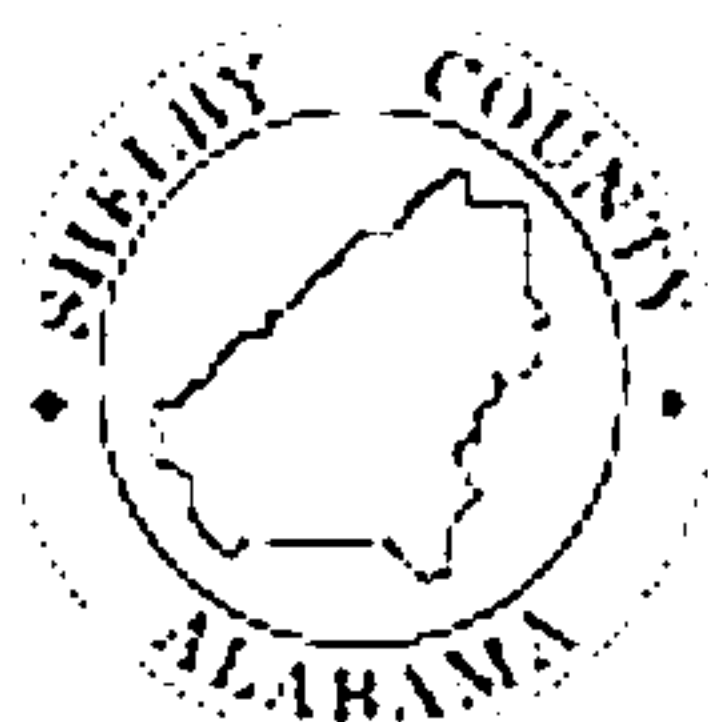


Signature *Cheyenne Dewey* (Seal)
Cheyenne Dewey

EXHIBIT A
TO MEMORANDUM OF LEASE

A part of the NE ¼ of the NE ¼ of Section 36, Township 19 South, Range 3 West, described as follows:

Commence at the Northwest corner of the NE ¼ of the NE ¼ of said Section; thence run North 88°30'00" East for 139.10 feet to a point on the Easterly right-of-way of Old Montgomery Highway, Shelby County Highway No. 275; thence run South 36°30'00" East along said Easterly right-of-way for 24.56 feet to the Point of Beginning; thence continue along same course and said Easterly right-of-way South 36°30'00" East for 315.13 feet to a point; thence South 65°43'45" East for 26.01 feet along said Easterly right-of-way to a point on the Northerly right-of-way of Alabama Highway No. 261, Helena Road; thence North 64°00'00" East for 231.10 feet along said Northerly right-of-way to a point; thence North 71°00'00" East for 131.00 feet along said Northerly right-of-way to a point; thence North 65°30'00" East for 65.58 feet along said Northerly right-of-way to a point; thence North 43°03'55" West for 166.94 feet to a point; thence South 88°41'05" West for 174.55 feet to a point; thence South 18°10'45" West for 21.23 feet to a point; thence South 88°41'05" West for 306.45 feet to the Point of Beginning.



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
04/04/2025 01:21:37 PM
\$333.00 BRITTANI
20250404000101740

Allen S. Bayl