

WHEN RECORDED MAIL TO:
D.R. Horton, Inc.
12351 S. Gateway Park Place #D100
Draper, UT 84020

ENT 171226:2021 PG 1 of 5
Andrea Allen
Utah County Recorder
2021 Oct 05 01:48 PM FEE 188.00 BY SM
RECORDED FOR Cottonwood Title Insurance Agency, Inc.
ELECTRONICALLY RECORDED

MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT ("**Memorandum**") is made as of September 04, 2021 between JKS Partners LP, a Missouri limited partnership ("**JKS**"), and D.R. Horton, Inc., a Delaware corporation ("**Horton**"), who agree as follows:

JKS owns or has the right to purchase and acquire certain real property in Utah County, Utah, which is more particularly described in Exhibit 1 ("**Property**").


JKS and Horton have entered into that certain Agreement dated for reference September 20, 2021 (the "**Agreement**"), with respect to the sale of the Property. The Agreement is incorporated in this Memorandum by this reference.

AGREEMENT

1. JKS has agreed to sell to Horton, and Horton has agreed to purchase from JKS, the Property, upon and subject to the provisions and conditions set forth in the Agreement, as the same may be amended from time to time.
2. This Memorandum is being recorded to provide notice to any and all subsequent interests in the Property of the rights and obligations of the parties to the Agreement. All subsequent interests in the Property shall take subject to the Agreement. This Memorandum is not intended to modify or change the provisions of the Agreement. To the extent of any inconsistency between the Agreement and this Memorandum, the Agreement shall control.
3. This Memorandum may be executed in counterparts. This Memorandum shall inure to the benefit of and shall be binding upon Horton and JKS and their respective successors and assigns.

JKS:

JKS Partners, LP, a Missouri limited partnership
By: JKS Management Corporation
Its: General Partner

By: 
Michael T. Jones
Authorized Signor

HORTON:

D.R. HORTON, INC., a Delaware corporation

By: _____
Jonathan S. Thornley
Division CFO

WHEN RECORDED MAIL TO:
D.R. Horton, Inc.
12351 S. Gateway Park Place #D100
Draper, UT 84020

MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT ("**Memorandum**") is made as of September 24, 2021 between JKS Partners LP, a Missouri limited partnership ("**JKS**"), and D.R. Horton, Inc., a Delaware corporation ("**Horton**"), who agree as follows:

JKS owns or has the right to purchase and acquire certain real property in Utah County, Utah, which is more particularly described in Exhibit 1 ("**Property**").

JKS and Horton have entered into that certain Agreement dated for reference September 20, 2021 (the "**Agreement**"), with respect to the sale of the Property. The Agreement is incorporated in this Memorandum by this reference.

AGREEMENT

- 1. JKS has agreed to sell to Horton, and Horton has agreed to purchase from JKS, the Property, upon and subject to the provisions and conditions set forth in the Agreement, as the same may be amended from time to time.
- 2. This Memorandum is being recorded to provide notice to any and all subsequent interests in the Property of the rights and obligations of the parties to the Agreement. All subsequent interests in the Property shall take subject to the Agreement. This Memorandum is not intended to modify or change the provisions of the Agreement. To the extent of any inconsistency between the Agreement and this Memorandum, the Agreement shall control.
- 3. This Memorandum may be executed in counterparts. This Memorandum shall inure to the benefit of and shall be binding upon Horton and JKS and their respective successors and assigns.

JKS:

JKS Partners, LP, a Missouri limited partnership
By: JKS Management Corporation
Its: General Partner

By: _____
Michael T. Jones
Authorized Signor

HORTON:

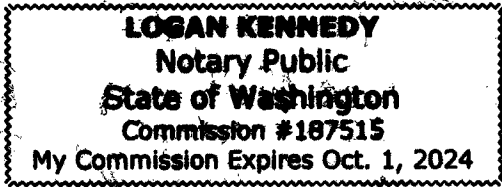
D.R. HORTON, INC., a Delaware corporation

By: _____
Jonathan S. Thornley
Division CFO

STATE OF WASHINGTON

COUNTY OF King

The foregoing instrument was acknowledged before me this 24 day of September, 2021 by Michael T. Jones in his capacity as Authorized Signer for JKS Management Corporation which entity is named as General Partner to JKS Partners, LP, a Missouri limited partnership.



Logan Kennedy

 NOTARY PUBLIC

STATE OF UTAH

COUNTY OF SALT LAKE

The foregoing instrument was acknowledged before me this _____ day of October, 2021 by Jonathan S. Thornley in his capacity as Division CFO of D.R. Horton, Inc., a Delaware corporation.

 NOTARY PUBLIC

STATE OF WASHINGTON

COUNTY OF _____


The foregoing instrument was acknowledged before me this _____ day of September, 2021 by Michael T. Jones in his capacity as Authorized Signer for JKS Management Corporation which entity is named as General Partner to JKS Partners, LP, a Missouri limited partnership.

NOTARY PUBLIC

STATE OF UTAH

COUNTY OF SALT LAKE

The foregoing instrument was acknowledged before me this 1 day of October, 2021 by Jonathan S. Thornley in his capacity as Division CFO of D.R. Horton, Inc., a Delaware corporation.



NOTARY/PUBLIC



EXHIBIT 1

TO MEMORANDUM OF AGREEMENT

Legal Description of the Property

Lots 1 through 47, inclusive, HAYMAKER - PLAT "A", according to the official plat thereof, recorded September 30, 2021 as Entry No. 168748:2021 in the Utah County Recorder's office, State of Utah.

Tax Id No.: 68-031-0001, 68-031-0002, 68-031-0003, 68-031-0004, 68-031-0005, 68-031-0006, 68-031-0007, 68-031-0008, 68-031-0009, 68-031-0010, 68-031-0011, 68-031-0012, 68-031-0013, 68-031-0014, 68-031-0015, 68-031-0016, 68-031-0017, 68-031-0018, 68-031-0019, 68-031-0020, 68-031-0021, 68-031-0022, 68-031-0023, 68-031-0024, 68-031-0025, 68-031-0026, 68-031-0027, 68-031-0028, 68-031-0029, 68-031-0030, 68-031-0031, 68-031-0032, 68-031-0033, 68-031-0034, 68-031-0035, 68-031-0036, 68-031-0037, 68-031-0038, 68-031-0039, 68-031-0040, 68-031-0041, 68-031-0042, 68-031-0043, 68-031-0044, 68-031-0045, 68-031-0046 and 68-031-0047