

STATE OF ALABAMA

COUNTY OF BALDWIN

ADDENDUM TO PURCHASE AGREEMENT

WHEREAS, the City of Foley, Alabama, an Alabama municipal corporation (“Seller” or the “City”), and OP Zone1, LLC (“Purchaser”), previously executed a Purchase Agreement dated March 8, 2023 (“Purchase Agreement”); and

WHEREAS, the parties wish to execute this Addendum to Purchase Agreement (“Addendum”) to amend Exhibit “A” to the Purchase Agreement to more particularly describe the Property and to make clear that the Property to be conveyed by the Purchase Agreement is one and the same as the property described on Schedule A of the Title Commitment issued by Gulf Shores Title Company, Inc. on April 12, 2023.

NOW THEREFORE, in consideration of the mutual covenants, representations, warranties, rights, and benefits conferred below and in the Purchase Agreement between the parties, Seller and Purchaser hereby agree to amend Exhibit “A” to the Purchase Agreement as follows:

EXHIBIT “A”

LOT 3, OF FOLEY BEACH EXPRESS INDUSTRIAL PARK,
UNIT 7, AS RECORDED ON SLIDE 2445-B OF THE PROBATE
RECORDS, BALDWIN COUNTY, ALABAMA.

Unless herein revised all existing dates, obligations, definitions and provisions set forth in the original Purchase Agreement dated March 8, 2023, shall remain in full force and effect.

Seller and Purchaser acknowledge that they are freely entering into this Addendum and have been advised to seek legal counsel in connection with the review and execution of this Addendum.

[SIGNATURES COMMENCE ON THE NEXT PAGE]

IN WITNESS WHEREOF, the parties hereto have executed this Addendum on the date shown below the signature of each.

SELLER:

THE CITY OF FOLEY, ALABAMA,
an Alabama municipal corporation

By: Ralph Hellmich

As its: Mayor

Date: _____

PURCHASER:

OP Zone1, LLC

By: David Darby

As its: Member

Date: _____