

*Prepared by:*

TITLE & RECORDATION DEPARTMENT

Site No.: AL-0199

SpectraSite Communications, Inc.

100 Regency Forest Drive, Suite 400

Cary, North Carolina 27511

*Return to:*

✓ Smith Rosenberg, LLC  
700 Camp St.  
New Orleans, LA 70130

(Recorders Use Above this Line)

STATE OF ALABAMA

COUNTY OF SHELBY

**MEMORANDUM OF TOWER ATTACHMENT LICENSE AGREEMENT**

This Memorandum of Tower Attachment License Agreement ("Memorandum") is entered into on this 3 day of June, 2002, by and between Tower Asset Sub, Inc., a Delaware corporation, with an office located at 100 Regency Forest Drive, Suite 400, Cary, North Carolina 27511 (hereinafter referred to as "SpectraSite" or "Licensor") and BellSouth Mobility LLC, a Georgia limited liability company, d/b/a Cingular Wireless, with an office located at 6100 Atlantic Boulevard, Norcross, GA 30071 (hereinafter referred to as "User" or "Licensee").

1. Licensor is the lessee of a certain portion of real property described and/or depicted in **Attachment "B"** ("Premises") attached hereto, which is a portion of a larger parcel of real property described in **Attachment "A"** ("Land").

2. Licensor and Licensee entered into a Tower Attachment License Agreement ("Agreement") dated May 15, 2002 for the purpose of installing, operating, and maintaining telecommunications equipment and other improvements on a portion of the Premises. All of the foregoing are set forth in the Agreement.

3. The term of the Agreement is for five (5) years commencing on the earlier of (i) the date Licensee commences installation of its equipment on the tower, or (ii) thirty (30) days from the Agreement execution date, unless Licensee is continuing to diligently pursue a zoning or other governmental approval required, in which case the date may be up to one hundred eighty (180) days from the Agreement execution date, with the right to extend the Agreement for four (4) successive five (5) year periods.


4. The portion of the Premises being licensed to Licensee is described and/or depicted in **Attachment "C"** ("Site Layout Plan"), and includes certain rights of access and utilities as provided in the Agreement.

5. The purpose of this Memorandum is to give record notice of the Agreement and of the rights created thereby, all of which are hereby confirmed. In the event of a conflict between the terms of this Memorandum and the terms of the Agreement, the terms of the Agreement shall prevail.

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

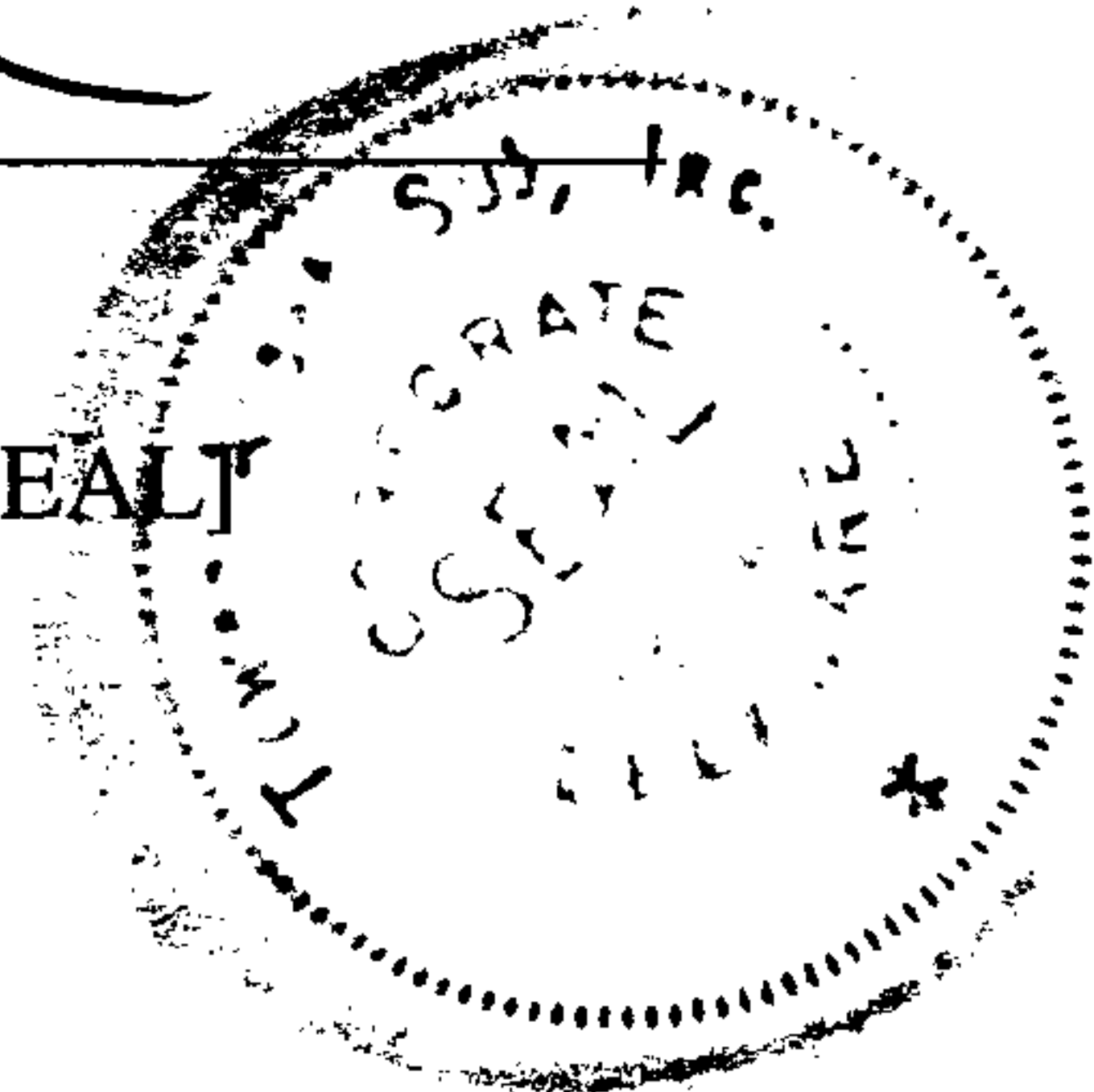
**LICENSOR:**

Tower Asset Sub, Inc., a Delaware corporation

 (Seal)  
Daniel E. Rebeor  
Director, Real Estate Operations,  
a Duly Authorized Individual

**ATTEST:**

  
Elizabeth C. Rives  
Assistant Secretary  
[AFFIX CORPORATE SEAL]




State of North Carolina

County of Wake

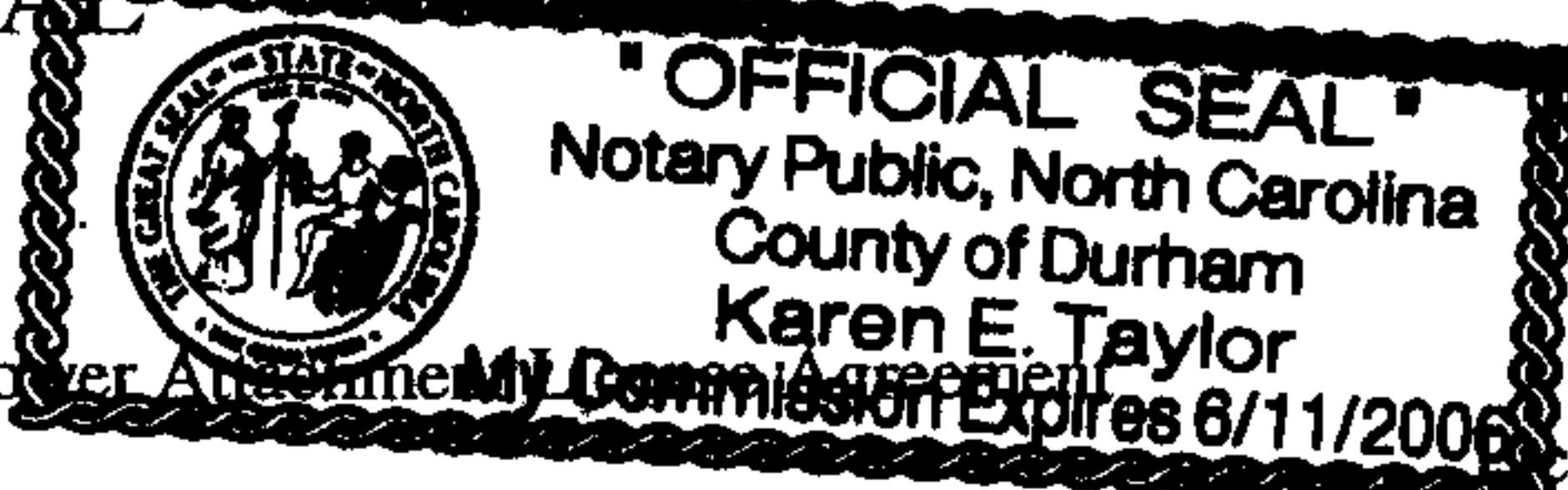
This instrument was acknowledged before me by Daniel E. Rebeor, who is the Director, Real Estate Operations, a Duly Authorized Individual of Tower Asset Sub, Inc., personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument, the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal, this 20th day of May, 2002.

Signature 

My commission expires: 6/11/06

NOTARY SEAL



**LICENSEE:**

BellSouth Mobility LLC, a Georgia  
limited liability company, d/b/a Cingular  
Wireless

Wendy A Bonner (Seal)  
Print Name: Wendy A Bonner  
Title: **Director - R.E./Const., Gulf States**

~~ATTEST:~~

~~Print Name: \_\_\_\_\_  
Assistant Secretary  
[AFFIX CORPORATE SEAL]~~

State of Florida

County of Palm Beach


This instrument was acknowledged before me by Wendy A. Bonner,  
who is the Director of R.E & Const. / Gulf Region of BellSouth Mobility LLC, a  
Georgia limited liability company, d/b/a Cingular Wireless, personally known to me (or  
proved to me on the basis of satisfactory evidence) to be the person whose name is  
subscribed to the within instrument and acknowledged to me that he (she) executed the  
same in his (her) authorized capacity, and that by his (her) signature on the instrument, the  
entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal, this 3 day of June, 2002.

Signature Anita E. Brommer

My commission expires: \_\_\_\_\_

NOTARY SEAL

 Anita E Brommer  
My Commission DD096392  
Expires February 28, 2006



**ATTACHMENT "A"**  
**Land**

**Site No.: AL-0199**

**Site Name: Montevallo**  
**Address: 135 Waller St., Montevallo, Alabama**  
**35115**

THE NORTH 45.2 FT. OF LOT 1 OF BLOCK "M", LOTS 4,5,6,11 AND 12 OF BLOCK "G";  
AND LOTS 1 THROUGH 6 BOTH INCLUSIVE OF BLOCK "L" ACCORDING TO  
REYNOLDS ADDITION TO SOUTH MONTEVALLO AS SHOWN BY A MAP RECORDED  
IN MAP BOOK 3, PAGE 41 IN THE PROBATE OFFICE OF SHELBY COUNTY,  
ALABAMA.

THERE IS EXCEPTED FROM LOTS 1 THROUGH 6 IN SAID BLOCK "L" ALL PORTIONS  
OF SAID LOTS HERETOFORE CONVEYED TO STATE OF ALABAMA BY THE  
GRANTORS HEREIN ON SEPTEMBER 24, 1948 AS SHOWN BY DEED BOOK 134 PAGE  
569 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SAID PORTION OF LOTS 1 THROUGH 6 INCLUSIVE OF BLOCK L BEING CONVEYED,  
AFTER EXCEPTION THAT PORTION CONVEYED TO THE STATE OF ALABAMA  
MENTIONED ABOVE, IS DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHWEST  
INTERSECTION OF WALLER AND GRAHAM STREETS AND PROCEED WESTWARD  
ALONG THE SOUTH SIDE OF LOT 6 OF BLOCK L 57.47 FEET; THENCE AT AN ANGLE  
OF 92 DEG. 21 MIN. TO THE RIGHT 300.27 FEET TO THE NORTH SIDE OF LOT 1 OF  
SAID BLOCK L, THENCE AT AN ANGLE OF 87 DEG. 39 MIN. TO THE RIGHT AND  
ALONG THE NORTH SIDE OF SAID LOT 1 14.31 FEET TO THE WEST LINE OF WALLER  
STREET; THENCE AT AN ANGLE OF 90 DEG. 00 MIN. TO THE RIGHT AND ALONG  
THE WEST SIDE OF WALLER STREET 300.00 FEET TO POINT OF BEGINNING.

**ATTACHMENT "B"**  
**Premises**

**Site No.: AL-0199**

**Site Name: Montevallo**

**Address: 135 Waller St., Montevallo, Alabama  
35115**

LEASE AREA LEGAL DESCRIPTION:

BEING PART OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 24 NORTH, RANGE 12 EAST, SHELBY COUNTY, ALABAMA. ALSO BEING A PART OF LOTS S-5, BLOCK L ACCORDING TO THE MAP OF SURVEY OF REYNOLDS ADDITION TO SOUTH MONTEVELLO AS RECORDED IN MAP BOOK 3, PAGE 41 IN THE OFFICE OF THE JUDGE OF PROBATE, SHELBY COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY MARGIN OF GRAHAM STREET AND THE WESTERLY RIGHT-OF-WAY MARGIN OF WALLER STREET, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 6 OF SAID REYNOLDS SECTION TO SOUTH MONTEVELLO, THENCE ALONG SAID MARGIN OF WALLER STREET NORTH 00 DEGREES 21 MINUTES 13 SECONDS EAST 50.00 FEET AND BEING THE TRUE POINT OF BEGINNING; THENCE FROM THE TRUE POINT OF BEGINNING NORTH 89 DEGREES 46 MINUTES 21 SECONDS WEST 55.20 FEET; THENCE NORTH 02 DEGREES 49 MINUTES 13 SECONDS EAST 135.01 FEET; THENCE SOUTH 89 DEGREES 54 MINUTES 56 SECONDS EAST 49.34 FEET TO A POINT ON SAID WEST MARGIN OF WALLER STREET; THENCE ALONG SAID MARGIN SOUTH 00 DEGREES 21 MINUTES 13 SECONDS WEST 135.00 FEET TO THE TRUE POINT OF BEGINNING.

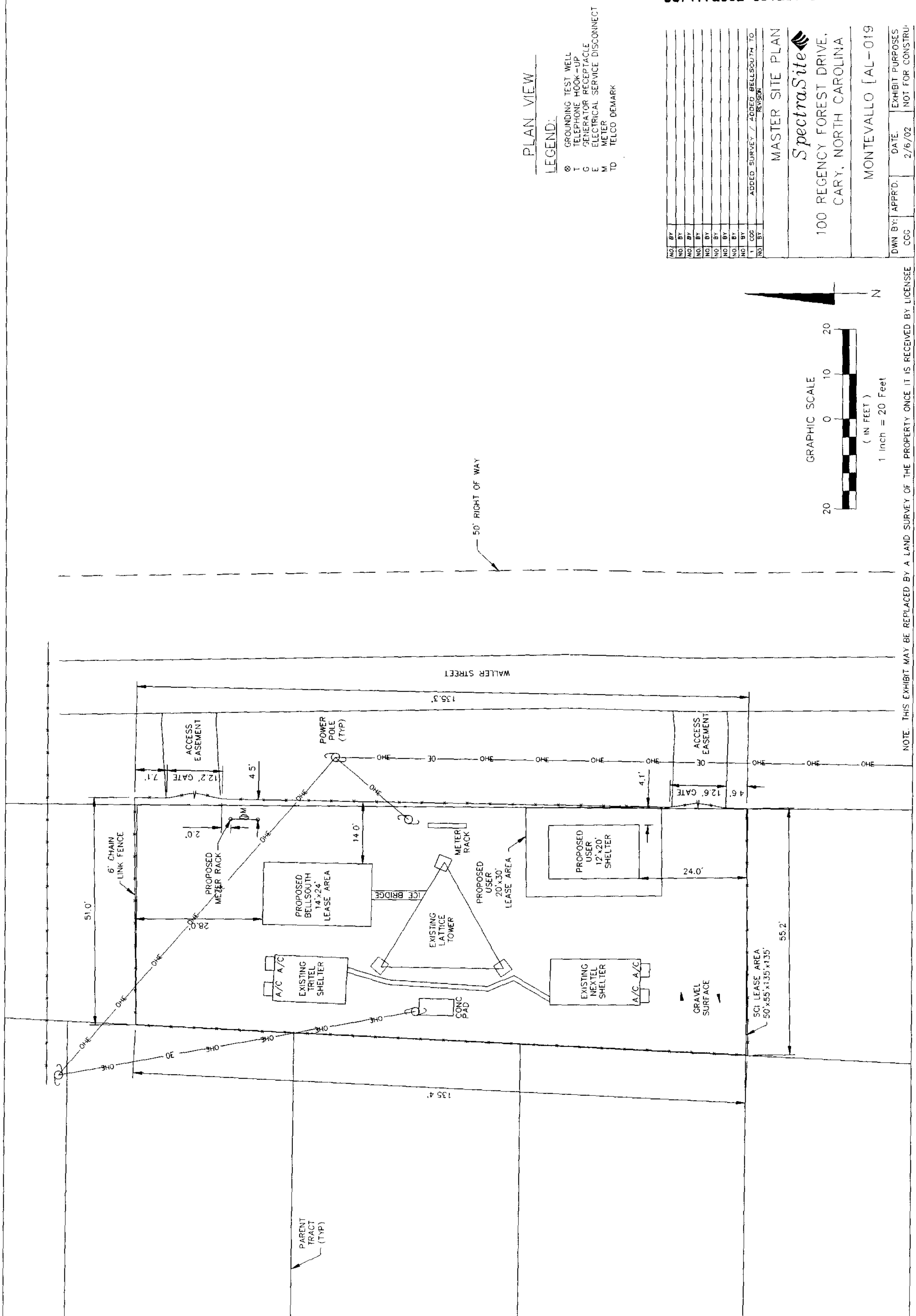
CONTAINING 3,056 SQUARE FEET OR 0.07 ACRES, MORE OR LESS.

**ATTACHMENT "C"**  
**Site Layout Plan**

**Site No.: AL-0199**

**Site Name: Montevallo**  
**Address: 135 Waller St., Montevallo, Alabama**  
**35115**

**SEE ATTACHED**



NOTE. THIS EXHIBIT MAY BE REPLACED BY A LAND SURVEY OF THE PROPERTY ONCE IT IS RECEIVED BY LICENSEE

[illegible]