

MKT: SOUTHEAST
SITE #: AL-1344C
SITE NAME: DUNNAVANT

MEMORANDUM OF AGREEMENT

CLERK: Please return this document to: Nextel South Corp, a Georgia corporation
d/b/a Nextel Communications
6575 The Corners Parkway
Norcross, Georgia 30094
Attn: Property Manager

This Memorandum of Agreement is entered into on this 6 day of March, 2000, by and between Seybourn E. Hopper, and wife Anita P. Hopper, with an office at 12450 Highway 41, Leeds, AL 35094, (hereinafter referred to as "Lessor") and Nextel South Corp., a Georgia corporation, d/b/a Nextel Communications, with an office at 6575 The Corners Parkway, Norcross, Georgia 30094, (hereinafter referred to as "Lessee").

1. Lessor and Lessee entered into a Communications Site Lease Agreement (Ground) ("Agreement") on the 6 day of March 2000, for the purpose of installing, operating and maintaining a radio communications facility and other improvements. All of the foregoing are set forth in the Agreement.
2. The term of the Agreement is for Five (5) years commencing on the start of construction of Lessee Facilities or July 1, 2000, whichever first occurs ("Commencement Date"), and terminating on the fifth (5th) anniversary of the Commencement Date with four (4) successive five (5) year options to renew.
3. The Land which is the subject of the Agreement is described in Exhibit A annexed hereto. The portion of the Land being leased to Lessee (the "Premises") is described in Exhibit B annexed hereto.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Agreement as of the day and year first above written.

LESSOR:

Seybourn E. Hopper and Anita P. Hopper

By: [Signature]

Name: Seybourn E. Hopper

Title: _____

Date: 3-2-2000

By: [Signature]

Name: Anita P. Hopper

Title: _____

Date: _____

LESSEE:

Nextel South Corp, a Georgia Corporation,
d/b/a Nextel Communications

By: [Signature]

Name: _____

Title: ~~John Cafaro~~ Marty Lock
~~Vice President~~

Date: 3/6/

2000

Inst # 2001-19753

STATE OF ALABAMA

COUNTY OF Shelby

On March 3, 2000 before me, Stacy M. Lucote, Notary Public, personally appeared Seybourn E. Hopper, 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 executed the same in his authorized capacity, and that by his signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Stacy M. Lucote (SEAL)
Notary Public

My commission expires: 8-5-2000

On March 3, 2000 before me, Stacy M. Lucote, Notary Public, personally appeared Anita P. Hopper, 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 executed the same in his authorized capacity, and that by his signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Stacy M. Lucote (SEAL)
Notary Public

My commission expires: 8-5-2000

STATE OF GEORGIA

COUNTY OF Gwinette

On March 6 2000 before me, Mary Dodd Smith, Notary Public, personally appeared John Cafaro, 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 executed the same in his authorized capacity, and that by his signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Mary Dodd Smith (SEAL)
Notary Public

My commission expires: _____

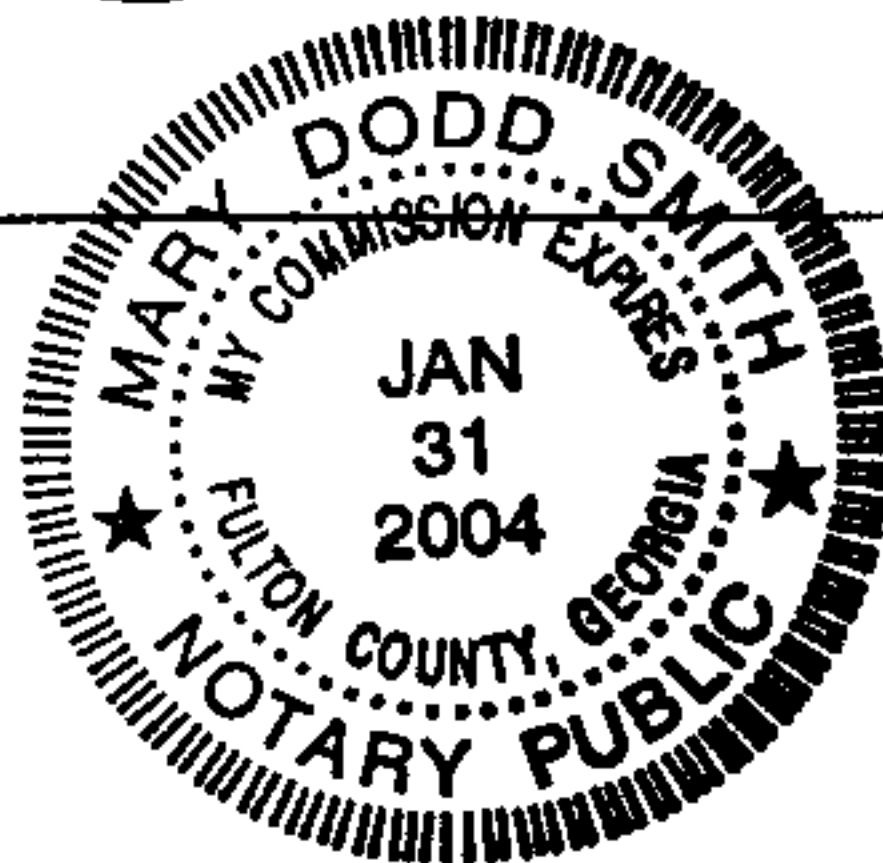


EXHIBIT A

DESCRIPTION OF LAND

to the Communications Site Lease Agreement (Ground) dated _____, 2000, by and between Seymour E. Hopper, and wife Anita P. Hopper, as Lessor, and Nextel South Corp, a Georgia corporation, d/b/a Nextel Communications, as Lessee.

The Land is described and/or depicted as follows (metes and bounds description):

LEGAL DESCRIPTION

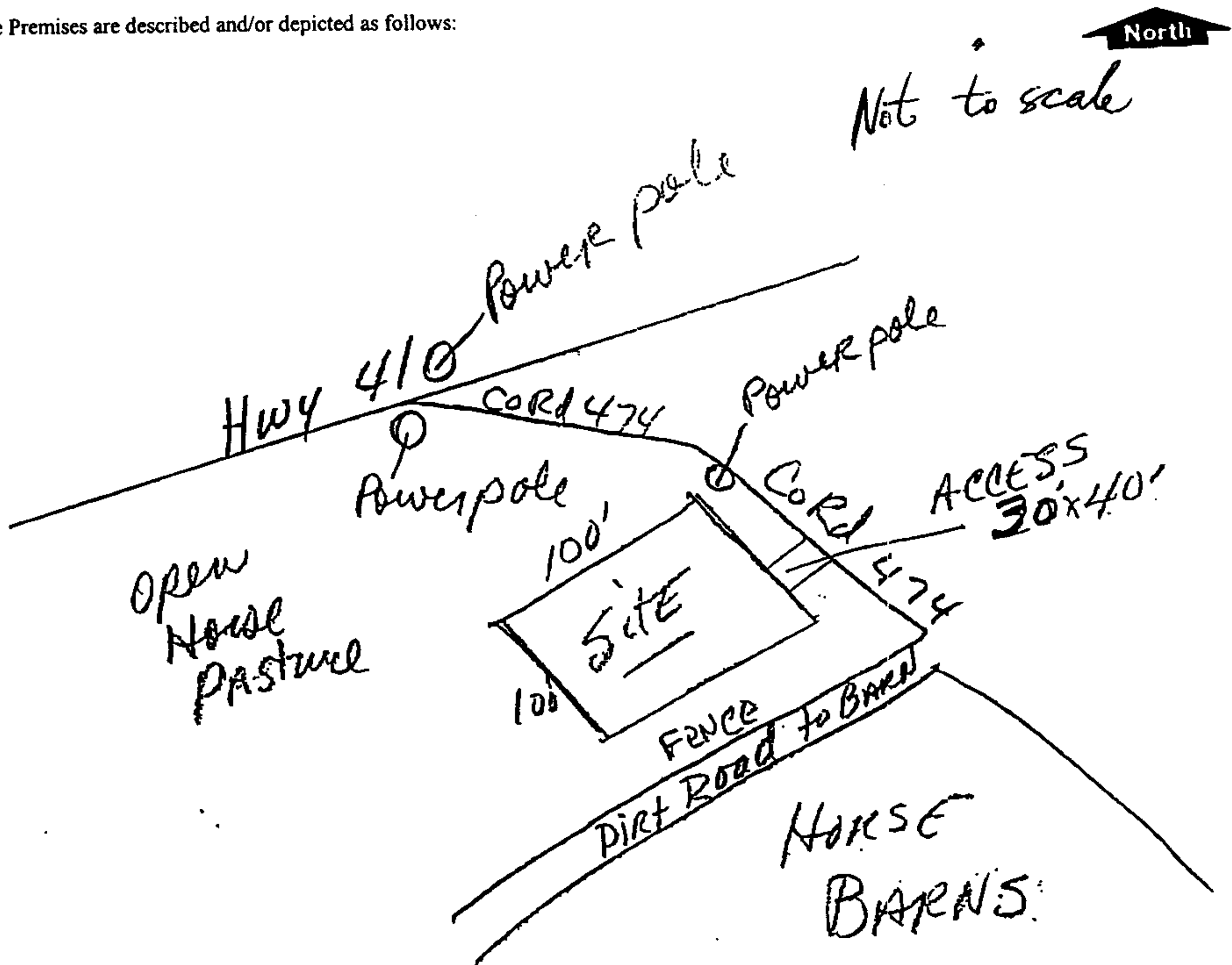
A parcel of land situated in the West ½ of the NW ¼ of Section 3, Township 18 South, Range 1 East, described as follows: Beginning at the NE corner of the W ½ of the NW ¼ of Section 3 go south 00 degrees 13 minutes 38 seconds west along the east boundary of the W ½ of the NW ¼ of said Section 3 for 630.27 feet to an existing iron pin; thence South 00 degrees 41 minutes 02 seconds west along the east boundary of the W ½ of the NW ¼ of said Section 3 for 1797.93 feet to an intersection with an existing fence; thence south 07 degrees 12 minutes 30 seconds west along said fence for 207.56 feet to the south boundary of the west ½ of the NW ¼ of said Section 3; thence North 87 degrees 58 minutes 15 seconds west along said south boundary for 641.45 feet; thence North 00 degrees 31 minutes 16 seconds east for 751.27 feet; thence North 40 degrees 16 minutes 45 seconds east for 48.99 feet; thence North 48 degrees 49 minutes 43 seconds East for 97.40 feet; thence North 38 degrees 57 minutes 25 seconds East for 34.88 feet; thence North 65 degrees 25 minutes 55 seconds East for 80.07 feet; thence North 35 degrees 14 minutes 50 seconds East for 67.63 feet; thence North 17 degrees 42 minutes 14 seconds West for 56.10 feet; thence North 35 degrees 53 minutes 10 seconds West for 76.93 feet; thence North 60 degrees 15 minutes 00 seconds West for 144.10 feet; thence North 51 degrees 08 minutes 55 seconds West for 36.56 feet; thence North 00 degrees 31 minutes 16 seconds East for 714.37 feet; thence North 19 degrees 59 minutes 00 seconds West 315.74 feet to the South boundary of Shelby County Highway No. 41; thence North 48 degrees 23 minutes 34 seconds East along said south boundary for 246.61 feet to the beginning of a curve to the left, said curve having a central angle of 10 degrees 31 minutes 21 seconds and a radius of 2062.20 feet; thence northeasterly along said curve and said south boundary for 378.73 feet to the north boundary of the W ½ of the NW ¼ of Section 3; thence South 88 degrees 08 minutes 06 seconds East along the north boundary of the W ½ of the NW ¼ of Section 3 for 339.63 feet to the point of beginning.

EXHIBIT B

DESCRIPTION OF PREMISES

to the Communications Site Lease Agreement (Ground) dated _____, 2000, by and between Seybourn E. Hopper and wife Anita P. Hopper, as Lessor, and Nextel South Corp., a Georgia corporation, d/b/a Nextel Communications, as Lessee.

The Premises are described and/or depicted as follows:



Notes:

1. This Exhibit may be replaced by a land survey of the Premises once it is received by Lessee.
2. Setback of the Premises from the Land's boundaries shall be the distance required by the applicable governmental authorities.
3. Width of Access Road shall be the width required by the applicable governmental authorities, including police and fire departments, but in no event shall such Access Road be less than 12 feet wide.
4. The type, number and mounting positions and locations of antennas and transmission lines are illustrative only. Actual types, numbers, mounting positions may vary from what is shown above.
5. The location of the Premises, Access Road and utility easement are approximations, and are therefore subject to adjustment by Lessee.

PARCEL I:

LEASE PARCEL

A parcel of land situated in the Northwest $\frac{1}{4}$ of Section 3, Township 18 South, Range 1 East, Huntsville Principal Meridian, Shelby County, Alabama, said parcel being more particularly described by the following metes and bounds description, the bearings of which are based on "Grid North" State Plane Coordinate System for the West Zone of Alabama, to wit: Commence at the Northwest corner of the Northwest $\frac{1}{4}$ of said Section 3, run thence North 88 degrees 37 minutes 06 seconds East along the North line of said Section for a distance of 912.56 feet, to a point on the Northerly right-of-way line of Shelby County Road No. 41; thence continue along said North line of the Section North 88 degrees 37 minutes 00 seconds East for a distance of 350.47 feet; thence leaving said Section line crossing County Road 474 South 00 degrees 00 minutes 00 seconds East for a distance of 41.78 feet, to the Point of Beginning of the parcel herein described; thence continue South 00 degrees 00 minutes 00 seconds East for a distance of 100.00 feet; thence South 90 degrees 00 minutes 00 seconds West for a distance of 100.00 feet; thence North 00 degrees 00 minutes 00 seconds West for a distance of 100.00 feet; thence North 90 degrees 00 minutes 00 seconds East for a distance of 100.00 feet, to the Point of Beginning.

PARCEL II:

20-FOOT INGRESS/EGRESS ACCESS EASEMENT

A strip of land 20 feet in width, 10.00 feet each side of centerline, to be used as an easement for ingress, egress, and access, the side lines of which are to be extended or shortened at the Point of Beginning to coincide with a line bearing North 90 degrees 00 minutes 00 seconds East and are to be extended or shortened at the Point of Termination to coincide with the Southerly right-of-way line of County Road 474; said strip lying within the Northwest $\frac{1}{4}$ of Section 3, Township 18 South, Range 1 East, Huntsville Principal Meridian, Shelby County, Alabama, and more particularly described by the following centerline description, the bearings of which are based on "Grid North" State Plane Coordinate System for the West Zone of Alabama, to wit: Commence at the Northwest corner of the Northwest $\frac{1}{4}$ of said Section 3, run thence North 88 degrees 37 minutes 06 seconds East along the North line of said Section for a distance of 912.56 feet, to a point on the Northerly right-of-way line of Shelby County Road No. 41; thence continue along said North line of the Section North 88 degrees 37 minutes 00 seconds East for a distance of 350.47 feet; thence leaving said Section line and crossing County Road 474 South 00 degrees 00 minutes 00 seconds East for a distance of 41.78 feet; thence continue South 00 degrees 00 minutes 00 seconds East for a distance of 100.00 feet; thence South 90 degrees 00 minutes 00 seconds West for a distance of 14.00 feet to the Point of Beginning of the centerline herein described; thence along said centerline North 00 degrees 00 minutes 00 seconds West for a distance of 7.28 feet, to the Southerly right-of-way line of County Road 474 (40 degrees in use as right-of-way) and the Point of Termination.

PARCEL III:

30-FOOT UTILITY EASEMENT

A strip of land 30 feet in width, 15.00 feet each side of centerline, to be used as an easement for utility access, the side lines of which are to be extended or shortened at the Point of Beginning to coincide with a line bearing North 00 degrees 00 minutes 00 seconds West, are to be terminated at County Road 474 to coincide with the Southerly right-of-way thereof, and are to be extended or shortened at the Point of Termination to coincide with the Southerly right-of-way of Shelby County Road No. 41; said strip lying within the Northwest $\frac{1}{4}$ of Section 3, Township 18 South, Range 1 East, Huntsville Principal Meridian, Shelby County, Alabama, and more particularly described by the following centerline description, the bearing of which are based on "Grid North" State Plane Coordinate System for the West Zone of Alabama, to wit: Commence at the Northwest corner of the Northwest $\frac{1}{4}$ of said Section 3, run thence North 88 degrees 37 minutes 06 seconds East along the North line of said Section for a distance of 912.56 feet, to a point on the Northerly right-of-way line of Shelby County Road No. 41, thence continue along said North line of the Section North 88 degrees 37 minutes 00 seconds East for a distance of 350.47 feet; thence leaving said Section line and crossing County Road 474, South 00 degrees 00 minutes 00 seconds East for a distance of 41.78 feet; thence continue South 00 degrees 00 minutes 00 seconds East for a distance of 100.00 feet; thence South 90 degrees 00 minutes 00 seconds West for a distance of 100.00 feet; thence North 00 degrees 00 minutes 00 seconds West for a distance of 81.02 feet to the Point of Beginning of the centerline herein described; thence along said centerline North 52 degrees 13 minutes 35 seconds West for a distance of 36.10 feet; thence South 67 degrees 46 minutes 45 seconds West for a distance of 248.51 feet, to the Point of Termination.

Inst # 2001-19753

05/15/2001-19753
03:07 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
006 MEL 56.50