

This Instrument Prepared By:

Site Name: Altadena Woods

Site ID: 044-150-R2D

20021202000596360 Pg 1/7 390.00  
Shelby Cnty Judge of Probate, AL  
12/02/2002 10:54:00 FILED/CERTIFIED

**MEMORANDUM OF TOWER ATTACHMENT  
LEASE AGREEMENT**

This Memorandum evidences that a lease was made and entered into by a written Option and Tower Attachment Lease Agreement (the "Agreement") dated Oct 9, 2002, between ForeSite, LLC, a(n) Alabama limited liability company ("Lessor") and Tritel Communications, Inc., a Delaware corporation, d/b/a AT&T Wireless ("Lessee").

Such Agreement provides in part that Lessor leases and Lessor does hereby lease to Lessee and Lessee leases from Lessor certain space upon the tower as more particularly described in Exhibit "A" and the real property more particularly described or shown on Exhibit "B" which is located on the real property more particularly described in Exhibit "C" located at 2905 Hoehn Drive, City of Hoover, County of Shelby, State of Alabama, along with a grant (and Lessor does hereby grant to Lessee) a non-exclusive easement for ingress, egress and access thereto, utilities, telephone, gas and electricity, as more particularly described on Exhibit "D", and for the installation, maintenance, repair and replacement of requisite wires, cable, transmission lines, conduits and pipes for installation, operation and maintenance of a wireless communications facility as more particularly described in such Agreement such lease and easement to be for a term of five (5) years commencing on 11/1, 2002, which term is subject to four (4) additional five (5) year extension periods by Lessee.

IN WITNESS WHEREOF, Lessor and Lessee have caused this Memorandum to be executed on the dates of the acknowledgements below, to be effective the inception date set forth in the first paragraph of this Memorandum.

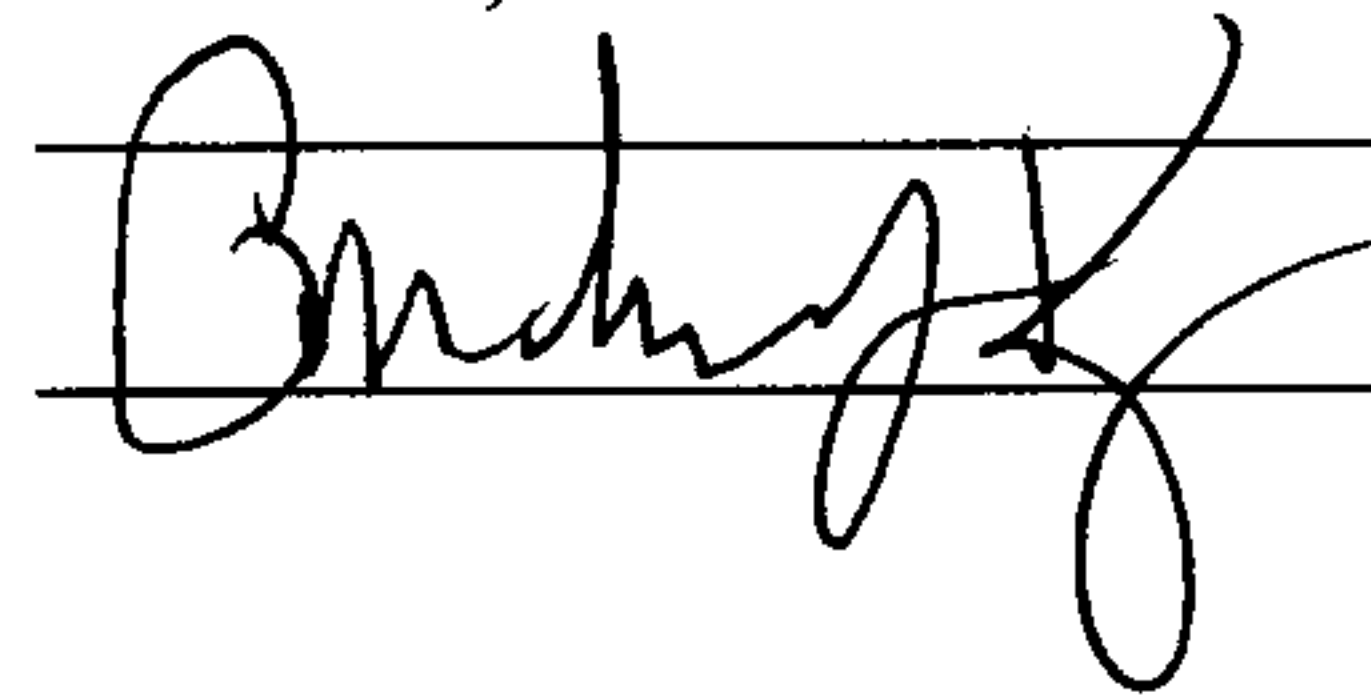
LESSEE: **Tritel Communications, Inc.**  
d/b/a AT&T Wireless

LESSOR: **ForeSite, LLC**

By:



By:



Name:

Leslie Davis

Title:

Director, Implementation

Name:

Andrew L. Kizer

Address:

111 East Capitol Street  
Suite 500  
Jackson, MS 39201

Phone Number: 601-914-8000

Title: Managing Member

Date:

10.9.02

Address:

22 Inverness Center, Parkway, Suite 500

Birmingham, AL 35242

Phone Number: 205-437-3200

Tax ID:

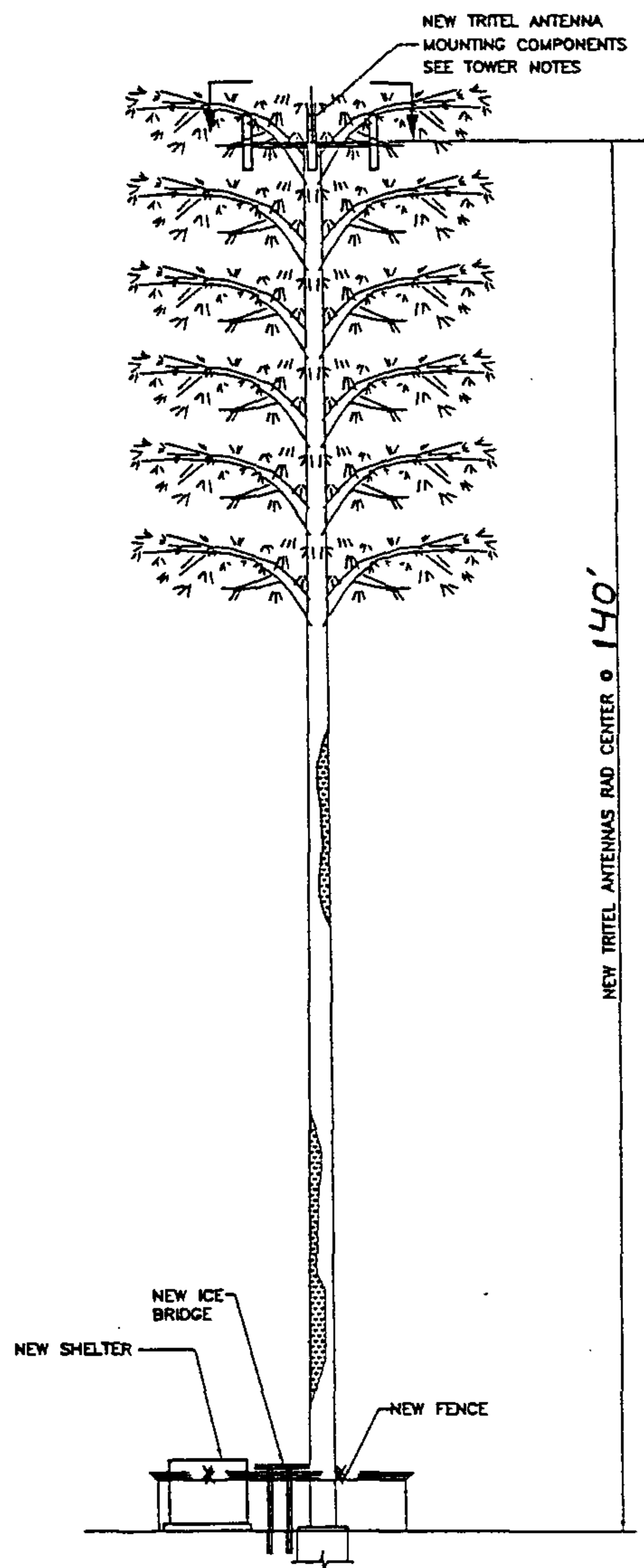
[REDACTED]

Date:

10/9/02

## EXHIBIT "A"

Attach hereto as Exhibit "A" a drawing of the Tower or a listing showing the heights and locations upon the Tower where the antennae and related Equipment is to be located.



## **EXHIBIT "B"**

Attach hereto as Exhibit "B" a Metes and Bounds Description and/or drawing of where Lessee's cabinet or shelter is to be located upon the Tower Site.





## **EXHIBIT "C"**

Attach hereto as Exhibit "C" a metes and bounds description of the Lessor's entire Tower Site/lease area.

### **PARCEL**

Part of the northeast quarter of the northwest quarter of Section 10, Township 19 South, Range 2 West, Shelby County, Alabama, and being more particularly described as follows:

Commence at a 2" iron pipe found at the southeast corner of the northeast quarter of the northwest quarter of Section 10; thence run North 89 degrees, 07 minutes, 12 seconds West and along the south line of said quarter quarter 583.14 feet; thence run North 00 degrees, 52 minutes, 48 seconds East 97.37 feet to a ½" capped rebar set at the POINT OF BEGINNING; thence run North 14 degrees, 50 minutes, 13 seconds West 100.00 feet to a ½" capped rebar set; thence run South 75 degrees, 09 minutes, 47 seconds West 100.00 feet to a ½" capped rebar set; thence run South 14 degrees, 50 minutes, 13 seconds East 100.00 feet to a ½" capped rebar set; thence run North 75 degrees, 09 minutes, 47 seconds East 100.00 feet to the POINT OF BEGINNING.

Said parcel containing 0.23 acres, more or less.

## **EXHIBIT "D"**

Attach hereto as Exhibit "D" a metes and bounds description of the easement for access, ingress, egress, utilities, telephone, gas and electricity.

### **EASEMENT**

A 30 foot access and utility easement lying in and running across part of the northeast quarter of the northwest quarter of Section 10, Township 19 South, Range 2 West, Shelby County, Alabama, and being measured 15 feet either side of the following described centerline:

Commence at a 2" iron pipe found at the southeast corner of the northeast quarter of the northwest quarter of Section 10; thence run North 89 degrees, 07 minutes, 12 seconds West and along the south line of said quarter quarter 583.14 feet; thence run North 00 degrees, 52 minutes, 48 seconds East 97.37 feet to a ½" capped rebar set; thence run North 14 degrees, 50 minutes, 13 seconds West 100.00 feet to a ½" capped rebar set; thence run South 75 degrees, 09 minutes, 47 seconds West 40.00 feet to the POINT OF BEGINNING; thence run North 25 degrees, 59 minutes, 03 seconds West 169.08 feet to the intersection of said centerline of easement and the centerline of Hoehn Drive, thence run South 51 degrees, 19 minutes, 58 seconds West 86.60 feet; thence run South 60 degrees, 26 minutes, 21 seconds West 76.03 feet; thence run South 69 degrees, 01 minutes, 34 seconds West 41.92 feet; thence run South 76 degrees, 14 minutes, 52 seconds West 91.10 feet to the Point of Ending, said point lying at the intersection of said centerline of Hoehn Drive and the centerline of Caldwell Mill Road.



**LESSOR NOTARY BLOCK FOR ALABAMA, IF PERSON ACTING IN REPRESENTATIVE CAPACITY:**

STATE OF ALABAMA

COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Andrew Kizer, whose name as Managing Member is signed to the foregoing instrument and who is known to me, acknowledged before me on \_\_\_\_\_ this day that, being informed of the contents of the foregoing instrument, he or she, in his or her capacity as such Managing Member, executed the same voluntarily on the day the same bears date.

Given under my hand this 9 day of OCTOBER, 2002.

Thel A. Highman  
Notary Public

My Commission Expires: 9-22-06

**TRITEL NOTARY BLOCK:**

STATE OF ALABAMA

COUNTY OF SHELBY

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Leslie Davis, whose name as Director of Implementation of TRITEL COMMUNICATIONS, INC., a Delaware corporation, d/b/a AT&T Wireless is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing instrument, he or she, in his or her capacity as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand this 9<sup>th</sup> day of October, 2002.

Diane White  
Notary Public

My Commission Expires: Dec. 1, 2004