

Site Name: Altadena

After recording return to:
ForeSite, LLC
22 Inverness Center Parkway
Suite 500
Birmingham, AL 35242
Attn: Lease Department

STATE OF ALABAMA

SHELBY COUNTY

The Above Space for Recorder's Use Only

MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE ("Memorandum") is executed this 2 day of DECEMBER 2002, by and between **O'Neal Metals, Inc., an Alabama corporation**, ("Lessor"), whose mailing address is 744 41st Street North, Birmingham, AL 35222, and **FORESITE, LLC, an Alabama limited liability company** ("Lessee"), whose mailing address is 22 Inverness Center Parkway, Suite 500, Birmingham, AL 35242.

WHEREAS, Lessor and Lessee executed and entered into an Option and Lease Agreement (the "Lease") dated August 20, 2002, for the purpose of installing, operating and maintaining radio communication facilities and other improvements on the Property (as hereinafter defined).

WHEREAS, the parties wish to provide a memorandum of the lease, to supplement the description of the Property (as hereinafter defined), to acknowledge Tenant's exercise of its option under the Lease and to provide for a commencement date under the Lease.

NOW, THEREFORE, in consideration of the Lease and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Lessor and Lessee hereby agree as follows:

1. **Lease Term.** The terms of the Lease shall be **Ninety -Nine (99)** years commencing on the date the Option is exercised by Lessee, (the "Commencement Date"), and terminating at midnight on the **Ninety-Ninth (99th)** anniversary of the Commencement Date (the "Initial Term").

2. **Property.** Subject to the terms of the Lease, as may be amended from time to time, Lessor has leased to Lessee the real property described on Exhibit "A" attached hereto (the "Property") and Lessor has granted unto Lessee, for the Initial Term and any Renewal Term, easements for ingress, egress and utilities over that real property also described in Exhibit "A" attached hereto (the "Easement").

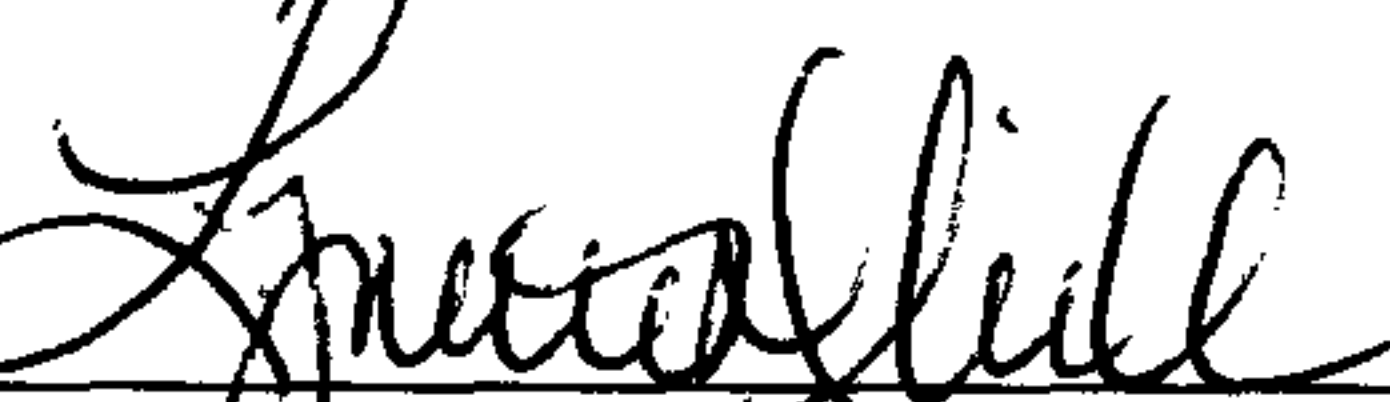
3. **Notices.** All notices, requests, demands, and other communications to Lessor or Lessee shall be made at the addresses for each as set forth above, unless otherwise notified in writing.

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IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their respective seals.

LESSOR:

O'Neal Metals, Inc.
An Alabama corporation

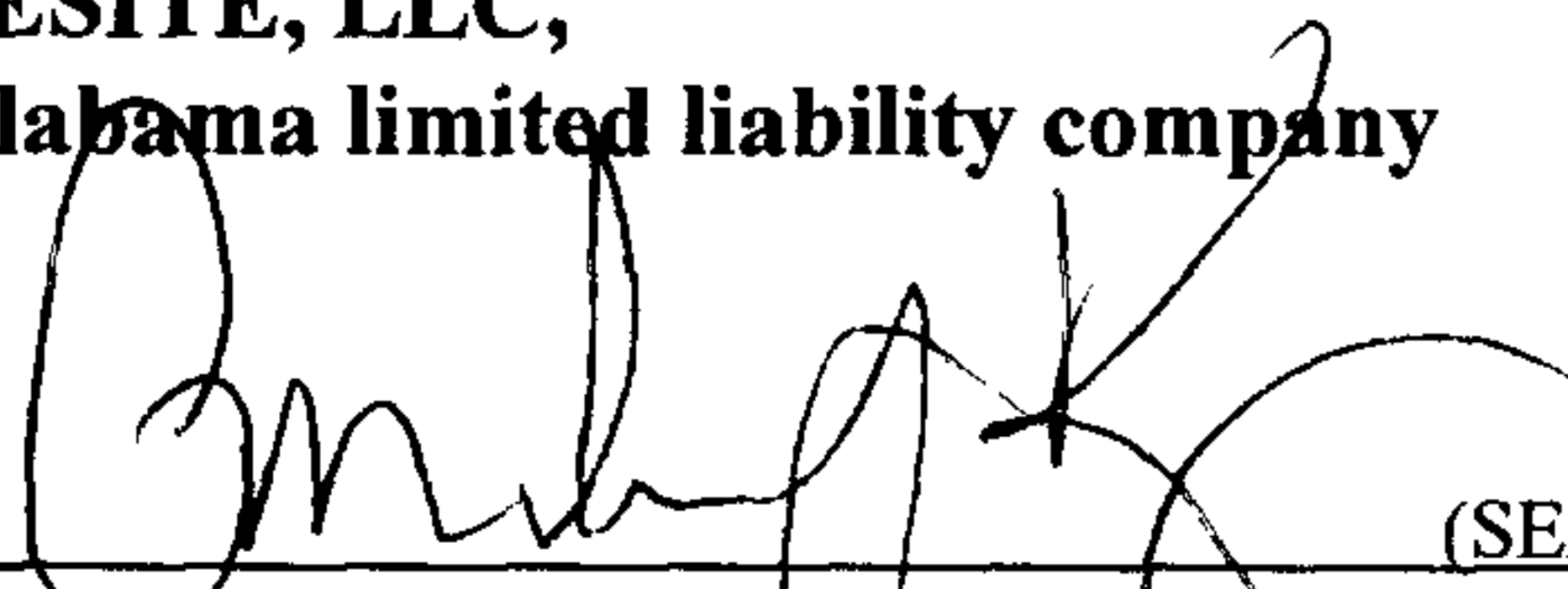
By:  (SEAL)

Name: Lynette D. Miller

Title: Treasurer

LESSEE:

FORESITE, LLC,
An Alabama limited liability company

By:  (SEAL)

Name: Andrew L. Kizer

Title: Manager

Site Name: Altadena

STATE OF ALABAMA)
 :
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that Lynette D. Miller, whose name as Assistant Treasurer of O'Neal Metals, Inc., an Alabama corporation, 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 said instrument, he or she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

GIVEN under my hand this the 25th day of November, 2002.

(NOTARIAL SEAL)

Cynthia C. Persall
Notary Public

My Commission Expires: January 7, 2003

STATE OF ALABAMA)
 :
SHELBY COUNTY)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that Andrew L. Kizer, whose name as Manager of ForeSite, LLC, an Alabama limited liability company, 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 said instrument, he, as such manager and officer and with full authority, executed the same voluntarily for and as the act of said limited liability company.

GIVEN under my hand this the 2 day of DECEMBER, 2002.

(NOTARIAL SEAL)

David A. Highman
Notary Public

My Commission Expires: 9-22-06

Site Name: Altadena

EXHIBIT A
Legal Description and Survey of the Leased Property

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.

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 164.12 feet to the edge of pavement of Hoehn Drive (a public road), and the end of said centerline of easement.

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Shelby Cnty Judge of Probate, AL
12/17/2002 16:22:00 FILED/CERTIFIED

