

MKT: SOUTHEAST
SITE #: AL 1427
SITE NAME: CHANDALAR SOUTH

MEMORANDUM OF AGREEMENT

20040714000388220 Pg 1/4 193.50
Shelby Cnty Judge of Probate, AL
07/14/2004 09:48:00 FILED/CERTIFIED

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 24th day of April, 2000, by and between Patterson & Wilder Construction Co., Inc, with an office at 2794 Pelham Parkway, Pelham, AL. 35124, (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 24th day of April 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 five (5) 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:

Patterson & Wilder Construction

By: [Signature]

Name: Frank L. Patterson

Title: President

Date: April 17, 2000

LESSEE:

Nextel South Corp., a Georgia corporation
d/b/a Nextel Communications

By: [Signature]

Name: John Cafaro

Title: Vice President

Date: 4-24-00, 2000

STATE OF ALABAMA

COUNTY OF Shelby

On April 17, 2000 before me, CAROLYN H. ADAMS, Notary Public, personally appeared Frank L. Patterson, 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.

[Signature]
Notary Public

(SEAL)

My commission expires: 01-19-02

MKT: SOUTHEAST
SITE #: AL 1427
SITE NAME: CHANDALAR SOUTH

STATE OF GEORGIA

COUNTY OF GWENETTE

On April 24 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
Notary Public

(SEAL)

My commission expires: _____

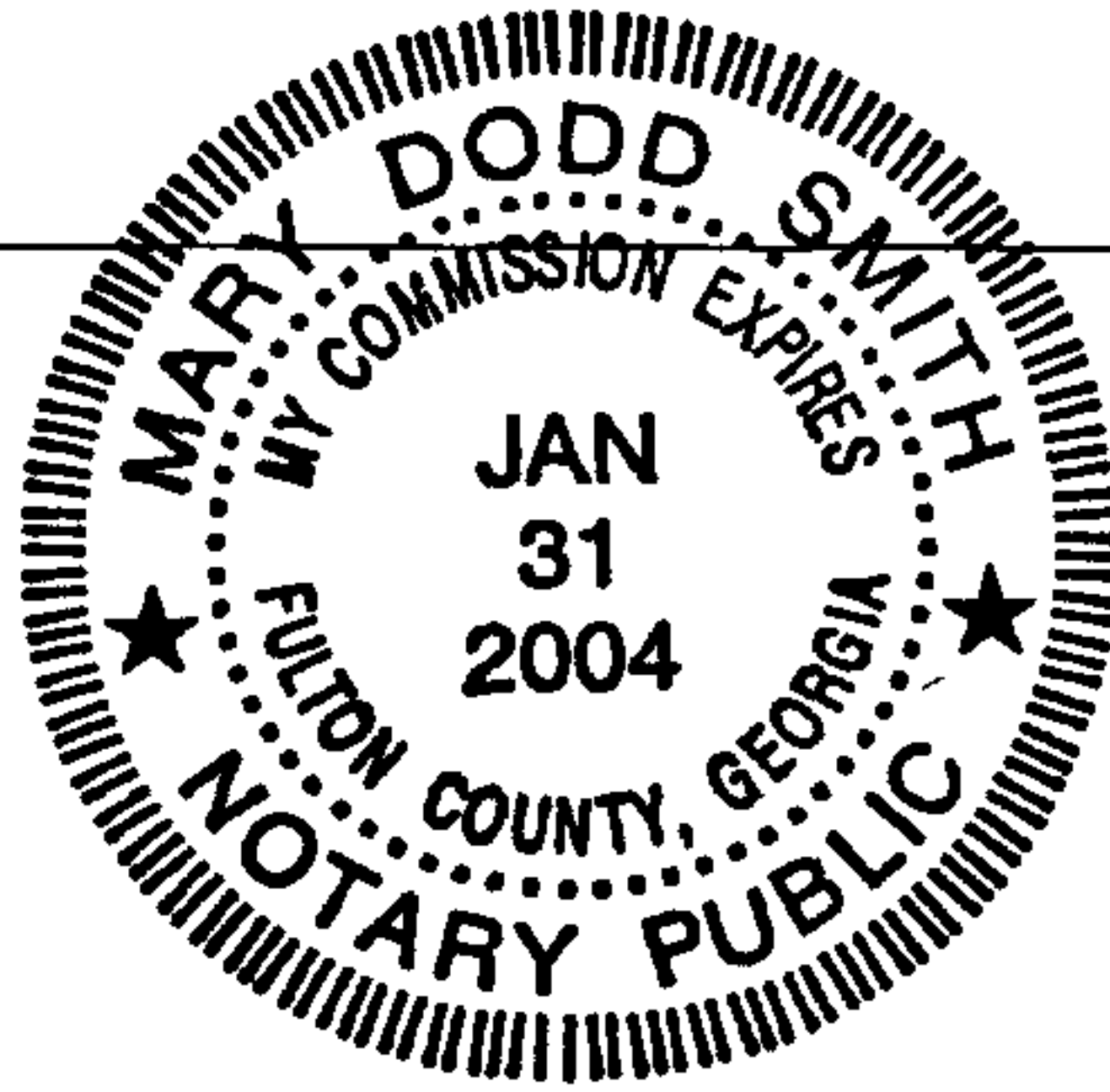


EXHIBIT "A"

Shelby

County, State of Alabama

From the Northwest corner of the NE 1/4 of the SW 1/4 of Section 12, Township 20 South, Range 3 West, run Southerly along the West boundary line of said NE 1/4 of the SW 1/4 of Section 12, Township 20 South, Range 3 West, for 300.0 feet; thence turn an angle of 88 deg. 36 min. 15 sec. to the left and run Easterly 687.69 feet to the point of beginning of the land herein described; thence turn an angle of 102 deg 43 min. 15 sec. to the right and run Southwesterly 346.40 feet; thence turn an angle of 102 deg. 43 min. 15 sec. to the left and run Easterly 603.17 feet, more or less, to a point on the West right of way line of U. S. Highway 31; thence turn an angle of 64 deg. 33 min. to the left and run Northeasterly along the West right of way line of U. S. Highway 31 374.21 feet; thence turn an angle of 115 deg. 27 min. to the left and run Westerly 687.69 feet to the point of beginning. This land being a part of NE 1/4 of SW 1/4 of Section 12, Township 20 South, Range 3 West, Shelby County, Alabama.

ALSO, From the Northwest corner of the NE 1/4 of the SW 1/4 of Section 12, Township 20 South, Range 3 West, run Southerly along the West boundary line of said NE 1/4 of SW 1/4 of Section 12, Township 20 South Range 3 West, for 300 feet to the point of beginning of the land herein described; thence continue Southerly along the West boundary line of the NE 1/4 of the SW 1/4 of Section 12, Township 20 South, Range 3 West for 338.0 feet; thence turn an angle of 88 deg. 36 min. 15 sec. to the left and run Easterly 603.17 feet; thence turn an angle of 77 deg. 16 min. 45 sec. to the left and run Northeasterly 346.40 feet; thence turn an angle of 102 deg. 43 min. 15 sec. to the left and run Westerly 687.69 feet to the point of beginning. This land being a part of NE 1/4 of SW 1/4 of Section 12, Township 20 South, Range 3 West, Shelby County, Alabama.

LESS AND EXCEPT: Part of the NE 1/4 of SW 1/4 and part of the NW 1/4 of SE 1/4 of Section 12, Township 20 South, Range 3 West, Shelby County, Alabama, more particularly described as follows: From the Northwest corner of the NE 1/4 of SW 1/4 of said Section 12, run in a Southerly direction along the West line of said 1/4 1/4 Section for a distance of 300.0 feet; thence turn an angle to the left of 88 deg. 36 min. 15 sec. and run in an Easterly direction for a distance of 990.18 feet to an existing iron pin being the point of beginning; thence continue along last mentioned course for a distance of 385.20 feet to an existing iron pin being on the West right of way line of U. S. Highway 31; thence turn an angle to the right of 115 deg. 27 min. and run in a Southwesterly direction along said West right of way line for a distance of 374.21 feet to an existing iron pin; thence turn an angle to the right of 64 deg. 33 min. and run in a Westerly direction for a distance of 353.22 feet; thence turn an angle to the right of 110 deg. 52 min. 15 sec. and run in a Northeasterly direction for a distance of 361.62 feet, more or less, to the point of beginning; being situated in Shelby County, Alabama.

LESS AND EXCEPT any part of subject property lying within a public road right of way.

