

After recording, return to:

NTW, LLC
823 Donald Ross Road
Juno Beach, FL 33408
Attn: Leasing Administration


20100916000304760 1/5 \$1869.00
Shelby Cnty Judge of Probate, AL
09/16/2010 02:44:20 PM FILED/CERT

Shelby County, AL 09/16/2010

State of Alabama

Deed Tax : \$1845.00

MEMORANDUM OF LEASE

This Memorandum of Lease is made and entered into as of August 25, 2010, by and between BTS INVESTORS II, LLC, a Mississippi limited liability company, having an address at 772 Lake Harbour Drive, Suite 3, Ridgeland, Mississippi 39157 ("**Landlord**") and NTW, LLC, a Delaware limited liability company, having an address at 823 Donald Ross Road, Juno Beach, Florida 33408 ("**Tenant**") who agree as follows:

1. Terms and Premises. Landlord leases to Tenant and Tenant leases from Landlord that certain real property, together with all the improvements thereon and appurtenances thereunto belonging (the "**Premises**"), which legal description is attached hereto and incorporated herein as Exhibit "A," commonly known as:

Store # 851
70 Jimmy Gould Drive
Alabaster, AL 35007

for a term of TWENTY-FIVE (25) YEARS, commencing on the Commencement Date and expiring on the last day of the month twenty-five (25) years thereafter. Tenant has three (3) – five (5) year options to extend the term of the Lease. Tenant has a right of first offer pursuant to Section 26 of the Lease, and a right of first refusal pursuant to Section 27 of the Lease, in each case applicable to the Premises.

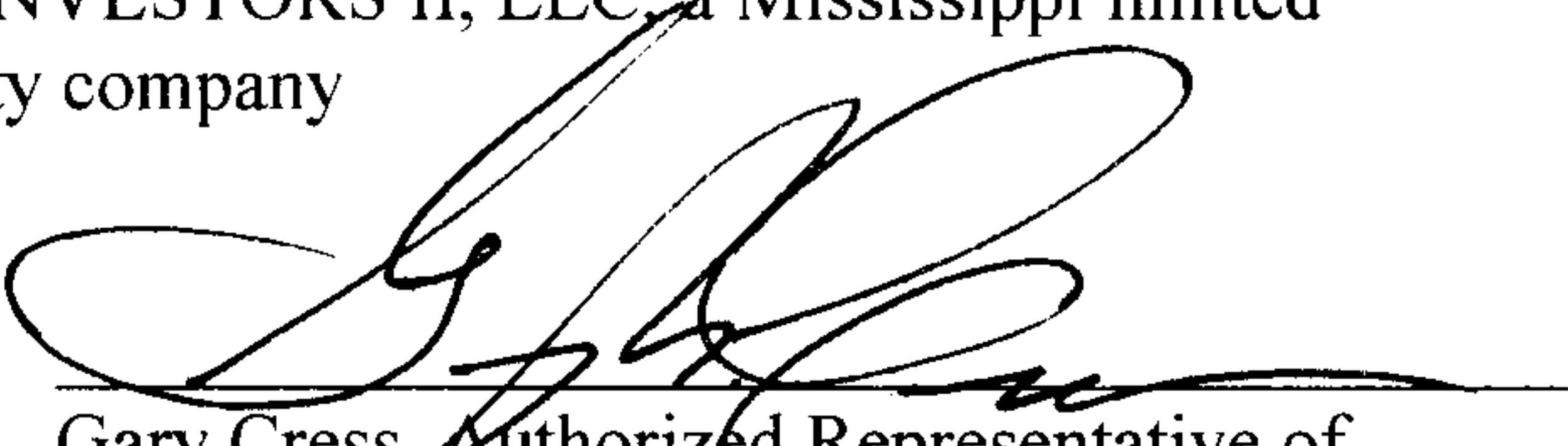
2. Purpose of Memorandum of Lease. This Memorandum of Lease is prepared for the purpose of recordation and does not modify the provisions of the lease dated August 25, 2010, and entered into by and between Landlord and Tenant (the "Lease"). The Lease is incorporated herein by reference. If there are any conflicts between the Lease and this Memorandum of Lease, the provisions of the Lease shall prevail.

[Signatures begin on following page]

IN WITNESS WHEREOF, this Memorandum of Lease has been duly executed as of the date first set forth above.

LANDLORD:

BTS INVESTORS II, LLC, a Mississippi limited liability company

By: 
Gary Cress, Authorized Representative of Management Committee

Date: _____

~~**TENANT:**~~

~~NTW, LLC, a Delaware limited liability company~~

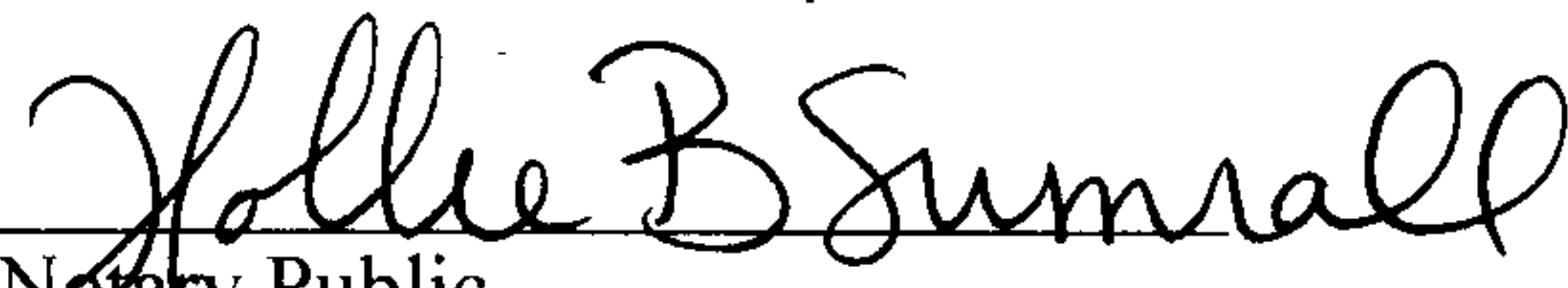
~~By: _____
Name: _____
Title: _____
Date: _____~~

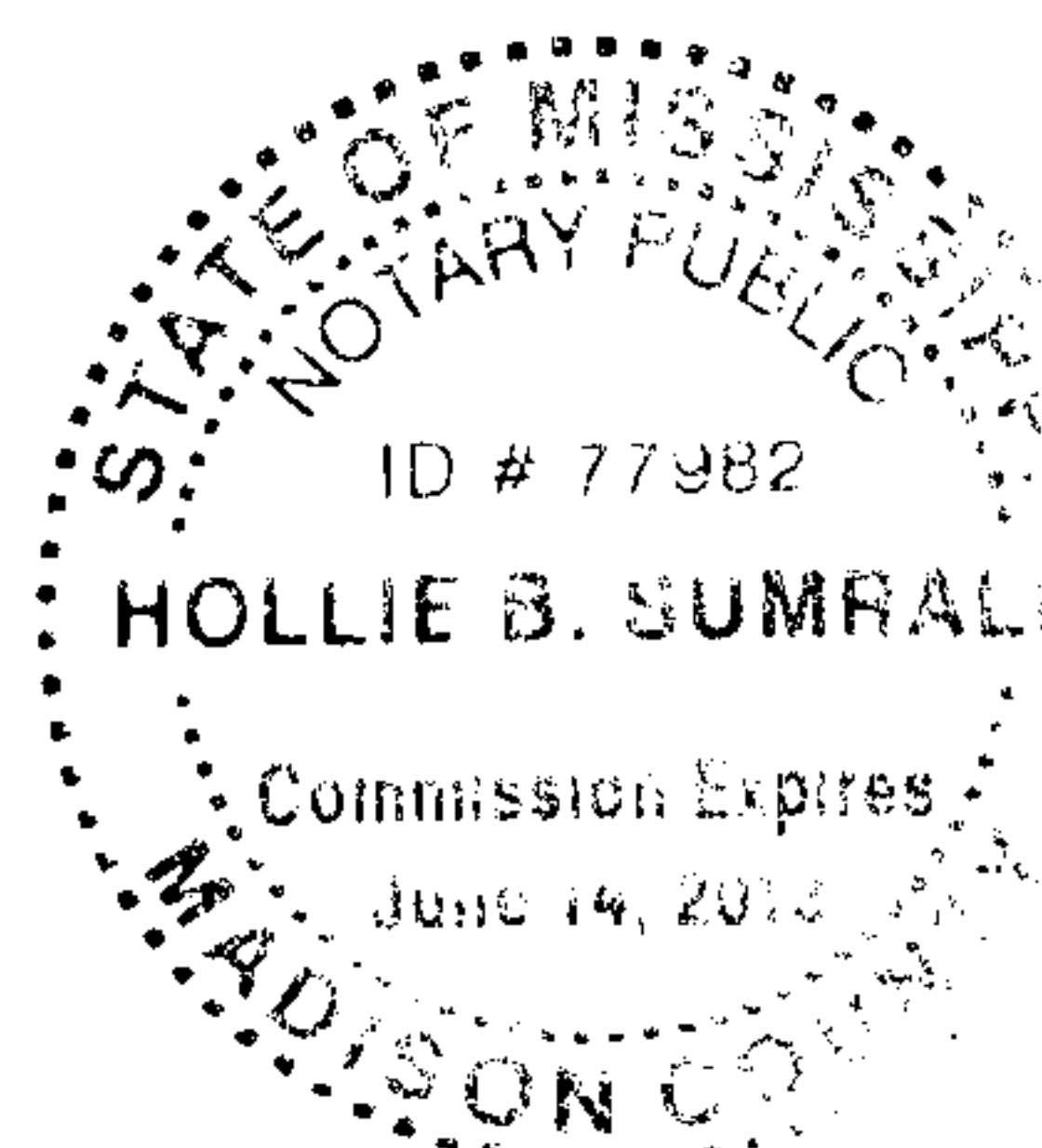
STATE OF MISSISSIPPI)

COUNTY OF Madison)

The undersigned, a notary public in and for said county in said state, hereby certify that Gary Cress, whose name as Authorized Representative of Management Committee of BTS INVESTORS II, LLC, a Mississippi 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 such instrument, he as such officer, and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and official seal this 8 day of Sept, 2010.


Notary Public
My Commission Expires: 6.14.13



IN WITNESS WHEREOF, this Memorandum of Lease has been duly executed as of the date first set forth above.

LANDLORD:

BTS INVESTORS, LLC, a Mississippi limited liability company

By: Gary Cress, Authorized Representative of Management Committee

Date: _____

TENANT:

NTW, LLC, a Delaware limited liability company

By: Charles Zacharias

Name: Charles Zacharias

Title: Sr VP Real Estate & Logistics

Date: 8/25/10

STATE OF MISSISSIPPI)

COUNTY OF _____)

The undersigned, a notary public in and for said county in said state, hereby certify that Gary Cress, whose name as Authorized Representative of Management Committee of BTS INVESTORS, LLC, a Mississippi 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 such instrument, he as such officer, and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and official seal this _____ day of _____, 2010.

Notary Public
My Commission Expires: _____



20100916000304760 4/5 \$1869.00
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STATE OF FLORIDA)

COUNTY OF PALM BEACH)

The undersigned, a notary public in and for said county in said state, hereby certify that Charles Zacharias, whose name as Sr VP Real Estate & Logisitics of NTW, LLC, a Delaware 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 such instrument, he/she as such officer, and with full authority, executed the same voluntarily for and as the act of said corporation, acting in its capacity as manager as aforesaid.

Given under my hand and official seal this 25th day of August, 2010.



MERRY STOYANOVICH
MY COMMISSION # DD 944688
EXPIRES: December 18, 2013
Bonded Thru Budget Notary Services

Merry Stoyanovich
Notary Public

My Commission Expires: Dec. 18, 2013

Exhibit A

A parcel of land situated in the Southeast Quarter of section 1, Township 21 South, Range 3 West, Shelby County Alabama, said parcel being more particularly described as follows;

Lot 5 according to the Final Plat of Colonial Promenade, as Recorded in Map Book 35, Page 102 in the Office of the Judge of Probate for Shelby County, Alabama; said parcel being more particularly described as follows;

BEGIN at a 5/8' Rebar Found, at the Northwest Corner of Lot 5 as shown on the Final Plat of Colonial Promenade, as Recorded in Map Book 35, Page 102 in the Office of the Judge of Probate for Shelby County, Alabama, said point also being on the Northeast Right-Of-Way of US Highway 31; thence leaving the Northeast Right-Of-Way of US Highway 31 run North 28° 21' 26" East for a distance of 133.19 feet to an Iron Pin Set; thence run South 88° 40' 15" East for a distance of 192.33 feet to an Iron Pin Set on the West Right-Of-Way of Colonial Promenade Parkway; thence run South 04° 19' 36" East along the West Right-Of-Way of Colonial Promenade Parkway for a distance of 171.71 feet to a Capped Iron Found at the Point of Curvature of a non-tangent curve to the right, having a radius of 225.00 feet, a central angle of 23° 59' 37", a chord length of 93.54 feet and a chord bearing of South 07° 31' 32" West; thence continue along the arc of said curve and the West Right-Of-Way of Colonial Promenade Parkway for a distance of 94.22 feet to a Capped Iron Found at the Point of Curvature of a non-tangent curve to the right, having a radius of 105.00 feet, a central angle of 58° 29' 22", a chord length of 102.59 feet and a chord bearing of South 48° 36' 56" West; thence continue along the arc of said curve and the West Right-Of-Way of Colonial Promenade Parkway for a distance of 107.19 feet to an Iron Pin Set at the Point of Tangency of said curve, said point also being on the Northeast Right-Of-Way of US Highway 31; thence leaving the West Right-Of-Way of Colonial Promenade Parkway run North 33° 16' 07" West along the Northeast Right-Of-Way of US Highway 31 for a distance of 190.19 feet to a 5/8' Rebar Found; thence run North 51° 18' 50" West along the Northeast Right-Of-Way of US Highway 31 for a distance of 96.00 feet and the **POINT OF BEGINNING**; said parcel containing 59,739 Square Feet (1.37 acres) more or less.