

Site No.:
Site Name: Island Road

Prepared By:

J. Scott Sims, Esquire
Sirote & Permutt, P.C.
2311 Highland Avenue South
Birmingham, AL 35205

After recording return to:

Southern Tower Antenna Rental II, L.L.C.
119 Veterinarian Rd
Lafayette, LA 70507


20130117000024820 1/8 \$271.00
Shelby Cnty Judge of Probate, AL
01/17/2013 02:03:07 PM FILED/CERT

STATE OF ALABAMA

SHELBY COUNTY

The Above Space for Recorder's Use Only

MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE ("Memorandum") is executed as of the 18th day of September, 2012, by and between **THE WESTERVELT COMPANY, INC.** ("Landlord"), whose mailing address is 1400 Jack Warner Parkway, Tuscaloosa, AL 35404, and **SOUTHERN TOWER ANTENNA RENTAL II, L.L.C.**, a Louisiana limited liability company ("Tenant"), whose mailing address is 119 Veterinarian Rd Lafayette, LA 70507.

WHEREAS, Landlord and Tenant executed and entered into an Option and Lease Agreement (the "Lease") dated as of April 18, 2012, 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, Landlord and Tenant hereby agree as follows:

1. **Lease Term.** The terms of the Lease shall be **Five (5)** years commencing on December 1, 2012, (the "Commencement Date"), and terminating at midnight on the **Fifth (5th)** anniversary of the Commencement Date (the "Initial Term"). Tenant has the option under the terms of the Lease to extend the Lease for **Four (4)** additional **Five (5)** year terms (the "Renewal Terms").

2. **Property.** Subject to the terms of the Lease, as may be amended from time to time, Landlord has leased to Tenant the real property described on Exhibit "A" attached hereto (the "Property") and Landlord has granted unto Tenant, 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").

Shelby County, AL 01/17/2013
State of Alabama
Deed Tax: \$238.00

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3. **Notices.** All notices, requests, demands, and other communications to Landlord or Tenant 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.

LANDLORD:

THE WESTERVELT COMPANY, INC.

By: James J. King, Jr. (SEAL)
Name: James J. King, Jr.
Title: Vice President


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TENANT:

Erin C. Cobb
Print Name: Erin C. Cobb

Matt Evans
Print Name: MATT EVANS

**SOUTHERN TOWER ANTENNA RENTAL II,
L.L.C.**

By: G. J. Sweeney Jr.
Print Name: G. J. SWEENEY JR
Its: MGR
Date: 04/19/12

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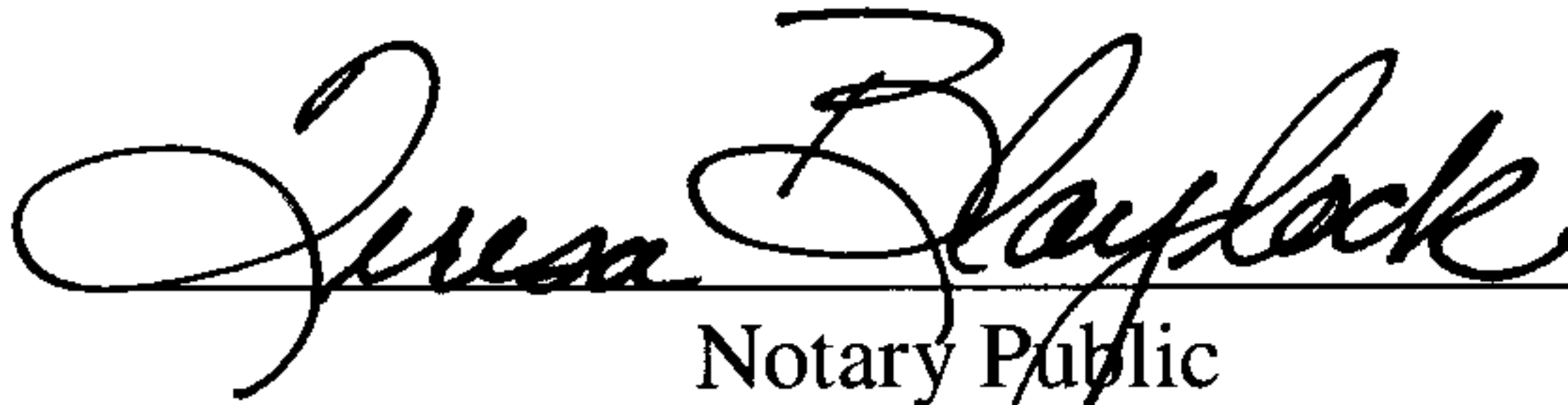

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STATE OF ALABAMA)
 :
TUSCALOOSA COUNTY)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that James J. King, Jr., whose name as Vice President of **THE WESTERVELT COMPANY, 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, she, 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 this the 19th September day of April, 2012.

(NOTARIAL SEAL)


Notary Public

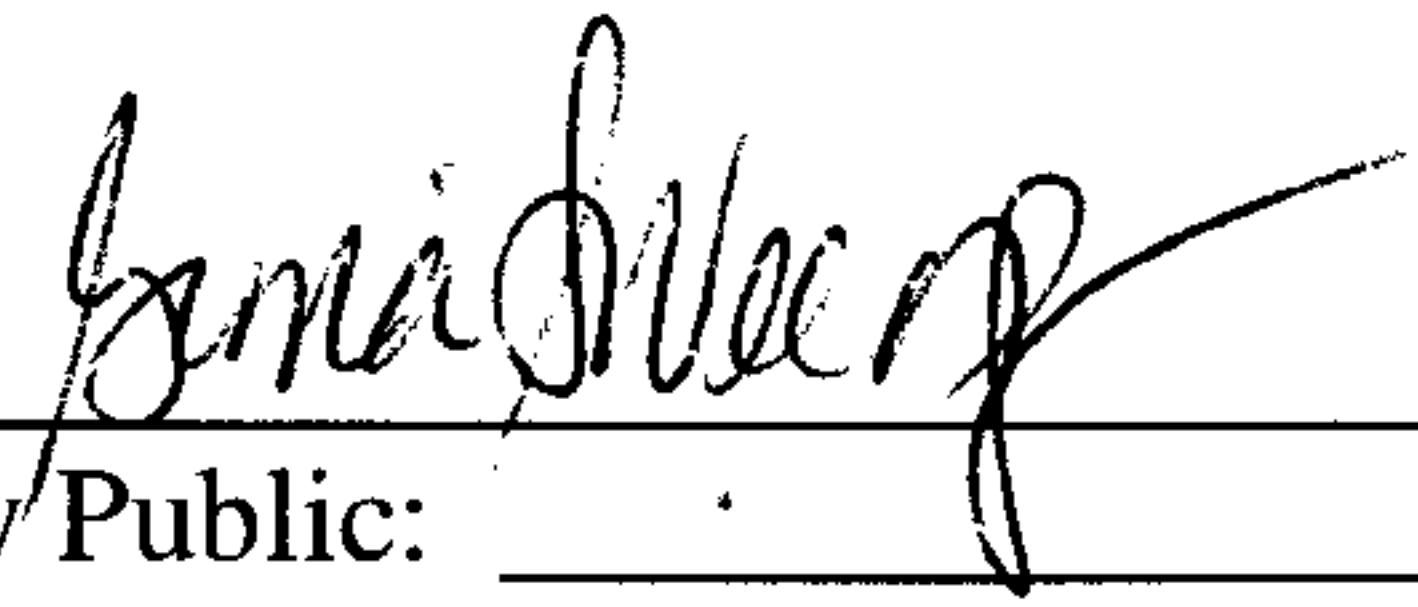
My Commission Expires: MY COMMISSION EXPIRES FEB. 16, 2014

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STATE OF LOUISIANA)
) ss:
PARISH OF LAFAYETTE)

On the 14th day of April, 2012, before me personally appeared G J SWEENEY JR, and acknowledged under oath that he is the MGR of SOUTHERN TOWER ANTENNA RENTAL II L.L.C., the tenant named in the attached instrument, and as such was authorized to execute this instrument on behalf of the company.

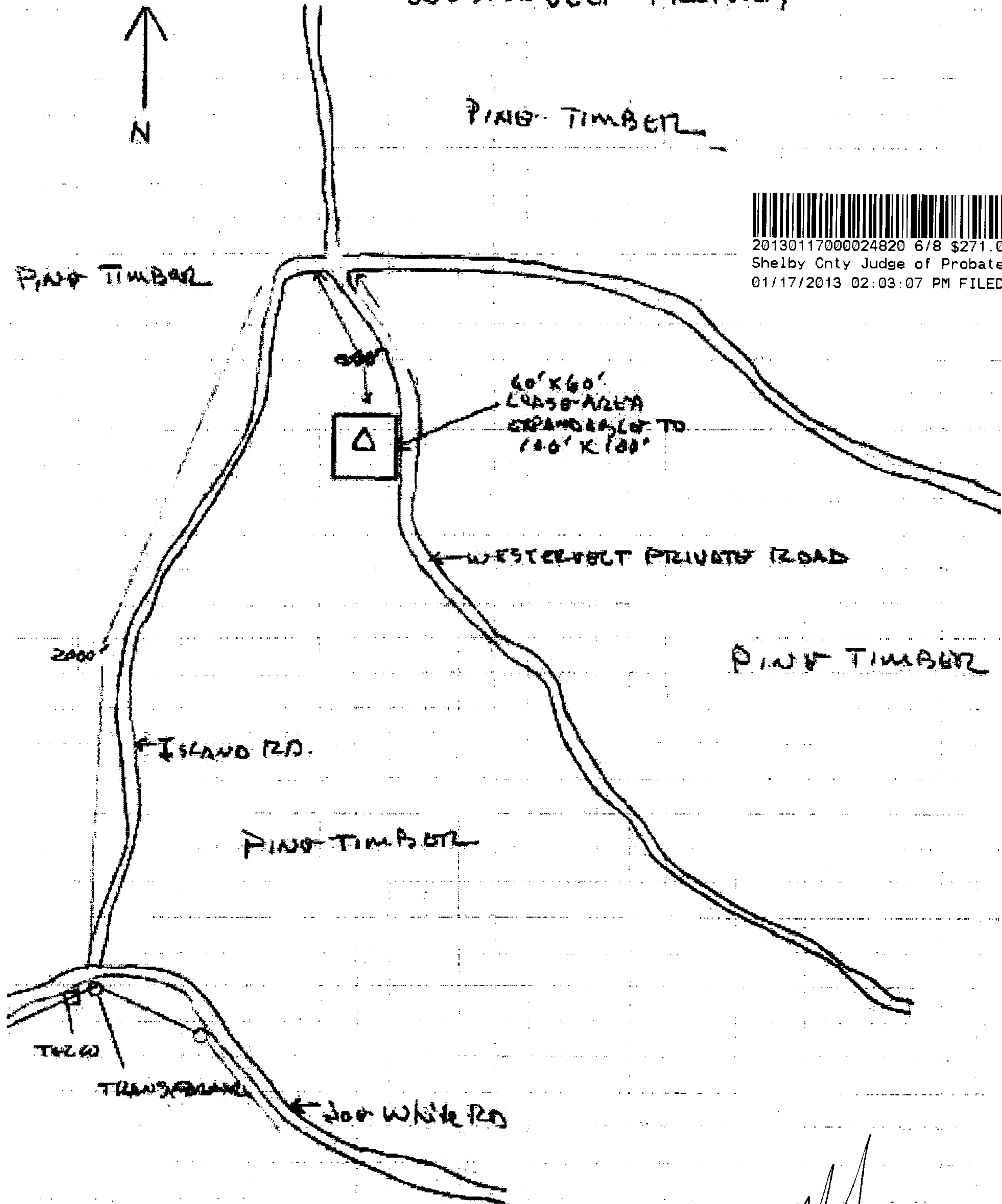


Notary Public: _____
My Commission Expires: _____

GINA B. SWEENEY
NOTARY ID # 92122
STATE OF LOUISIANA
PARISH OF ST. LANDRY
My Commission is for Life

EXHIBIT A
(Description of the Leased Property)
(Attach Site Sketch until Legal Description can be obtained)

**ISLAND ROAD SITE SKETCH
(NOT TO SCALE)
WESTERVELT PROPERTY**



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LANDLORD's initials JK

TENANT's initials [Signature]

EXHIBIT A
(Description of the Leased Property)

PROPOSED 60'X60' LEASE AREA

A CERTAIN PIECE OR PARCEL OF LAND LOCATED IN SECTION 26, TOWNSHIP 24 NORTH, RANGE 15 EAST, COUNTY OF SHELBY, STATE OF ALABAMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE APPARENT SOUTHEAST CORNER OF THE WEST HALF OF THE NORTHWEST 1/4 OF SECTION 26, MARKED BY A RAILROAD RAIL FOUND; THENCE N13°01'31"E A DISTANCE OF 1464.09 FEET TO A MAG NAIL SET AT THE SOUTHERN EDGE OF ISLAND ROAD; THENCE S00°29'22"E A DISTANCE OF 15.78 FEET TO A 60D NAIL SET; THENCE S43°17'55"E A DISTANCE OF 167.21 FEET TO A 60D NAIL SET; THENCE S27°22'48"E A DISTANCE OF 61.45 FEET TO A 60D NAIL SET; THENCE S23°37'08"E A DISTANCE OF 42.74 FEET TO A 60D NAIL SET; THENCE S69°08'46"W A DISTANCE OF 46.28 FEET TO A 60D NAIL SET ON THE EASTERLY LINE OF THE PROPOSED LEASE AREA; THENCE S20°51'14"E A DISTANCE OF 30.00 FEET TO A 1/2" IRON ROD SET AND THE POINT OF BEGINNING; THENCE S69°08'46"W A DISTANCE OF 60.00 FEET TO A 1/2" IRON ROD SET; THENCE N20°51'14"W A DISTANCE OF 60.00 FEET TO A 1/2" IRON ROD SET; THENCE N69°08'46"E A DISTANCE OF 60.00 FEET TO A 1/2" IRON ROD SET; THENCE S20°51'14"E A DISTANCE OF 60.00 FEET BACK TO THE POINT OF BEGINNING; CONTAINING 0.08 ACRE (3,600 SQUARE FEET), AND IS SUBJECT TO ALL SERVITUDES AND RESTRICTIONS THAT MAY BE OF RECORD.

PROPOSED 40' WIDE ACCESS & UTILITY SERVITUDE

A CERTAIN PIECE OR PARCEL OF LAND LOCATED IN SECTION 26, TOWNSHIP 24 NORTH, RANGE 15 EAST, COUNTY OF SHELBY, STATE OF ALABAMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE APPARENT SOUTHEAST CORNER OF THE WEST HALF OF THE NORTHWEST 1/4 OF SECTION 26, MARKED BY A RAILROAD RAIL FOUND; THENCE N13°01'31"E A DISTANCE OF 1464.09 FEET TO A MAG NAIL SET AT THE SOUTHERN EDGE OF ISLAND ROAD FOR THE POINT OF BEGINNING FOR THE CENTERLINE OF THE PROPOSED 40 FOOT WIDE ACCESS AND UTILITY SERVITUDE; THENCE S00°29'22"E A DISTANCE OF 15.78 FEET TO A 60D NAIL SET; THENCE S43°17'55"E A DISTANCE OF 167.21 FEET TO A 60D NAIL SET; THENCE S27°22'48"E A DISTANCE OF 61.45 FEET TO A 60D NAIL SET; THENCE S23°37'08"E A DISTANCE OF 42.74 FEET TO A 60D NAIL SET; THENCE S69°08'46"W A DISTANCE OF 46.28 FEET TO A 60D NAIL SET ON THE EASTERLY LINE OF THE PROPOSED LEASE AREA AND THE POINT OF TERMINATION FOR THE CENTERLINE OF THE PROPOSED 40 FOOT WIDE ACCESS AND UTILITY SERVITUDE, SAID SERVITUDE IS SUBJECT TO ALL SERVITUDES AND RESTRICTIONS THAT MAY BE OF RECORD.

LANDLORD's initials JK

TENANT's initials _____



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LANDLORD's initials

JK

TENANT's initials

[Signature]



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