

Prepared by:

Craig Hey
ForeSite Towers, LLC
5809 Feldspar Way
Birmingham, AL 35244
(205) 437-3200

Source of Title:

Return to:

Rosenberg & Clark, LLC
400 Poydras Street, Suite 1680
New Orleans, LA 70130
Attn: Staci A. Rosenberg
(504) 620-5400



20130226000079990 1/6 \$133.50
Shelby Cnty Judge of Probate, AL
02/26/2013 08:33:55 AM FILED/CERT

Shelby County, AL 02/26/2013
State of Alabama
Deed Tax: \$106.50

Re: Cell Site Name: Hwy. 47
Fixed Asset Number: 10154588
State: Alabama
County: Shelby

**MEMORANDUM
OF
LEASE**

This Memorandum of Lease is entered into on this 30th day of October, 2012, by and between Southern Tower Antenna Rental II, L.L.C., a Louisiana limited liability company, having a mailing address of 119 Veterinarian Road, Lafayette, Louisiana 70507 ("**Landlord**") and New Cingular Wireless PCS, LLC, a Delaware limited liability company, having a mailing address of 12555 Cingular Way, Suite 1300, Alpharetta, GA 30004 ("**Tenant**").

1. Landlord and Tenant entered into a certain Structure Lease Agreement ("**Agreement**") on the 30th day of October, 2012, for the purpose of installing, operating and maintaining a communications facility and other improvements. All of the foregoing are set forth in the Agreement.
2. The initial lease term will be five (5) years ("**Initial Term**") commencing on the date that the Completion Notice, as defined in the Agreement, is provided, with four (4) successive five (5) year options to renew.
3. The portion of the land being leased to Tenant (the "**Premises**") is described in **Exhibit 1** annexed hereto.
4. This Memorandum of Lease is not intended to amend or modify, and shall not be deemed or construed as amending or modifying, any of the terms, conditions or provisions of the Agreement, all of which are hereby ratified and affirmed. In the event of a conflict between the provisions of this Memorandum of Lease and the provisions of the Agreement, the

provisions of the Agreement shall control. The Agreement shall be binding upon and inure to the benefit of the parties and their respective heirs, successors, and assigns, subject to the provisions of the Agreement.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Lease as of the day and year first above written.

"LANDLORD"

Southern Tower Antenna Rental II, L.L.C.,
a Louisiana limited liability company

By: _____

Print Name: G. J. Sweeney, Jr.

Its: Manager

Date: _____

[Handwritten signature of G. J. Sweeney, Jr.]
10/30/12

"TENANT"

New Cingular Wireless PCS, LLC,
a Delaware limited liability company

By: AT&T Mobility Corporation

Its: Manager

By: _____


Print Name: Karen Roth

Its: Area Manager, Construction & Engineering

Date: _____

[Handwritten signature of Karen Roth]
10/26/12

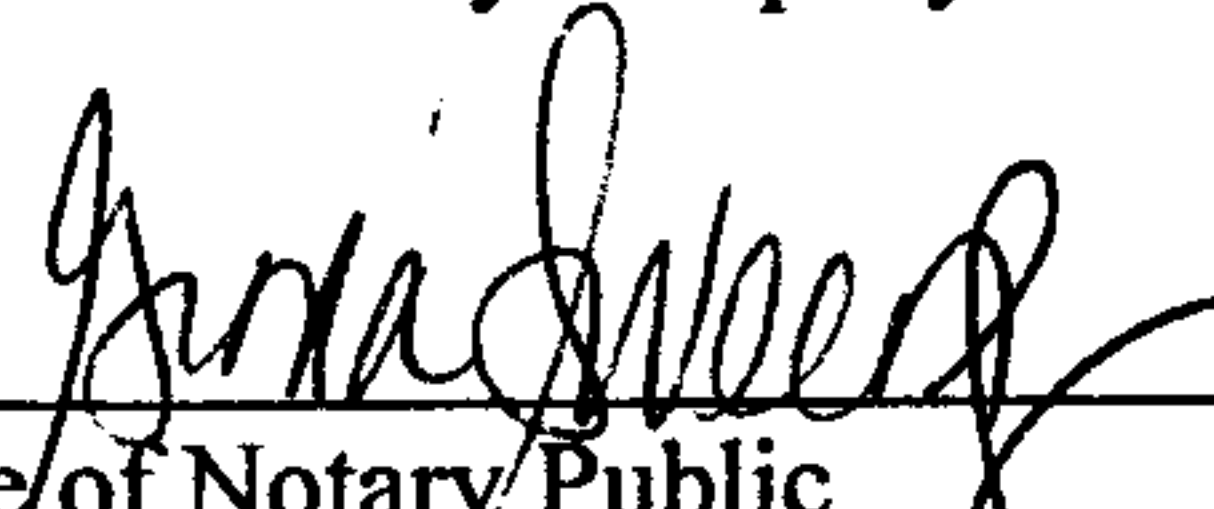
[ACKNOWLEDGMENTS APPEAR ON THE NEXT PAGE]


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LANDLORD ACKNOWLEDGMENT

STATE OF LOUISIANA
PARISH OF Lafayette

On the 30th day of October, 2012, before me personally appeared G.J. Sweeney, Jr., and acknowledged under oath that he is the Manager of Southern Tower Antenna Rental II, L.L.C., the Louisiana limited liability company named in the attached instrument, and as such was authorized to execute this instrument on behalf of the limited liability company.



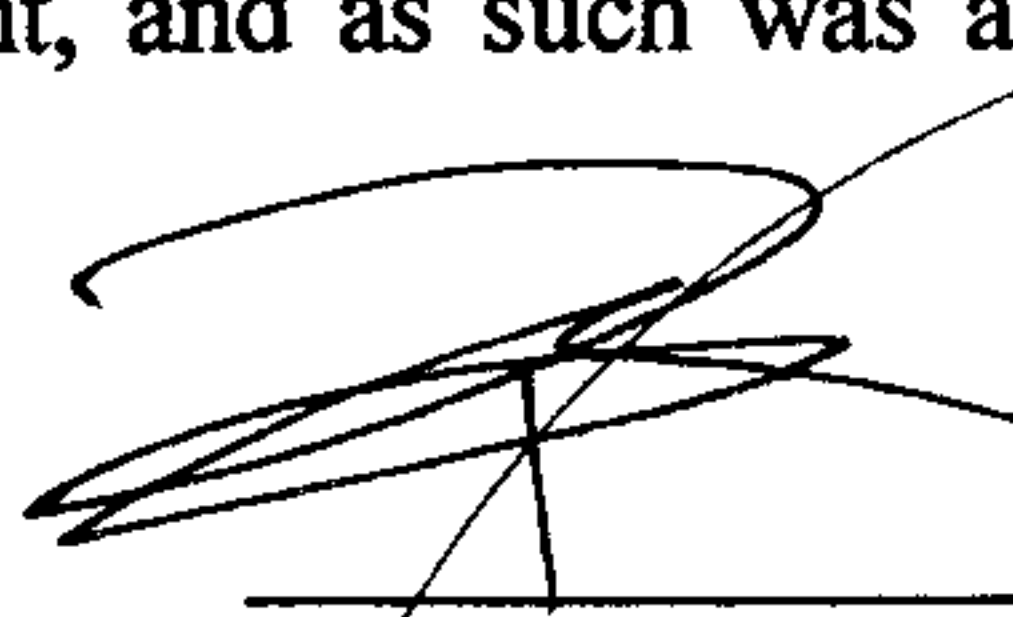
Signature of Notary Public
Print Name: GINA B. SWEENEY
Notary/Bar No.: 92122
My Commission Expires: STATE OF LOUISIANA
PARISH OF ST. LANDRY
My Commission is for Life



TENANT ACKNOWLEDGMENT

STATE OF Alabama
COUNTY/PARISH OF Shelby

On the 21st day of October, 2012, before me personally appeared Karen Roth, and acknowledged under oath that she is the Area Manager, Construction & Engineering of AT&T Mobility Corporation, Manager of New Cingular Wireless PCS, LLC, the Delaware limited liability company named in the attached instrument, and as such was authorized to execute this instrument on behalf of the limited liability company.



Signature of Notary Public
Print Name: Brigitte D. Edmondson
Notary/Bar No.: NOTARY PUBLIC STATE OF ALABAMA AT LARGE
My Commission Expires: Sept 27, 2014
BONDED THRU NOTARY PUBLIC UNDERWRITERS



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Shelby Cnty Judge of Probate, AL
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EXHIBIT 1

DESCRIPTION OF PREMISES

Page 1 of _____

to the Memorandum of Lease dated October 30th, 2012, by and between Southern Tower Antenna Rental II, L.L.C., a Louisiana limited liability company, as Landlord, and New Cingular Wireless PCS, LLC, a Delaware limited liability company, as Tenant.

The Premises are a 740 square foot portion of a 10,000 area leased by Landlord from ground lessor which is described and/or depicted as follows:

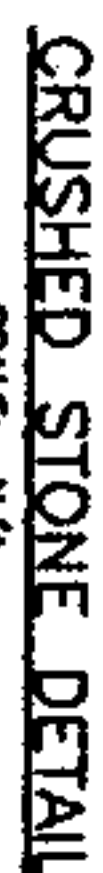
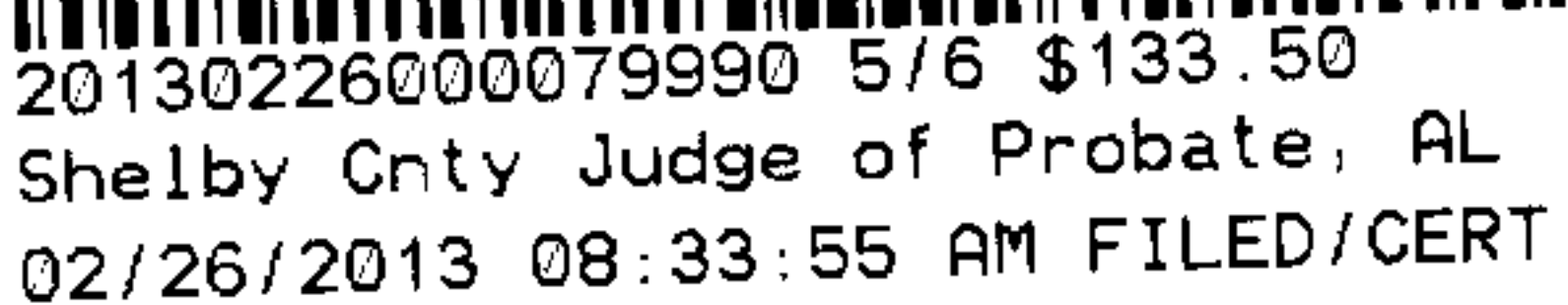
A CERTAIN PIECE OR PARCEL OF LAND LOCATED IN SECTION 12, TOWNSHIP 22 SOUTH, RANGE 1 WEST, COUNTY OF SHELBY, STATE OF ALABAMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE APPARENT SOUTHEAST CORNER OF THE PARENT TRACT, MARKED BY A 4" PIPE FOUND; THENCE N06°13'57"E A DISTANCE OF 849.98 FEET TO A MAG NAIL SET AT THE WESTERN EDGE OF PAVEMENT OF COUNTY ROAD 47; THENCE ALONG THE CENTERLINE OF A GRAVEL ROAD S70°53'13"W A DISTANCE OF 215.36 FEET TO A POINT; THENCE S64°42'29"W A DISTANCE OF 170.78 FEET TO A 600 NAIL SET; THENCE S58°58'18"W A DISTANCE OF 169.80 FEET TO A 600 NAIL SET AT THE END OF THE GRAVEL ROAD; THENCE S47°42'17"W A DISTANCE OF 170.75 FEET TO A 600 NAIL SET; THENCE S05°49'26"E A DISTANCE OF 51.64 FEET TO A 600 NAIL SET; THENCE S45°22'44"E A DISTANCE OF 88.09 FEET TO A 600 NAIL SET; THENCE S61°31'50"E A DISTANCE OF 251.14 FEET TO A 600 NAIL SET; THENCE S12°27'27"E A DISTANCE OF 171.68 FEET TO A 600 NAIL SET ON THE NORTH LINE OF THE PROPOSED LEASE AREA; THENCE N89°01'38"E A DISTANCE OF 79.00 FEET TO A 1/2" IRON ROD SET AND THE POINT OF BEGINNING; THENCE S00°58'22"E A DISTANCE OF 100.00 FEET TO A 1/2" IRON ROD SET; THENCE S89°01'38"W A DISTANCE OF 100.00 FEET TO A 1/2" IRON ROD SET; THENCE N00°58'22"W A DISTANCE OF 100.00 FEET TO A 1/2" IRON ROD SET; THENCE N89°01'38"E A DISTANCE OF 100.00 FEET BACK TO THE POINT OF BEGINNING; CONTAINING 0.230 ACRE (10,000 SQUARE FEET), AND IS SUBJECT TO ALL SERVITUDES AND RESTRICTIONS THAT MAY BE OF RECORD.

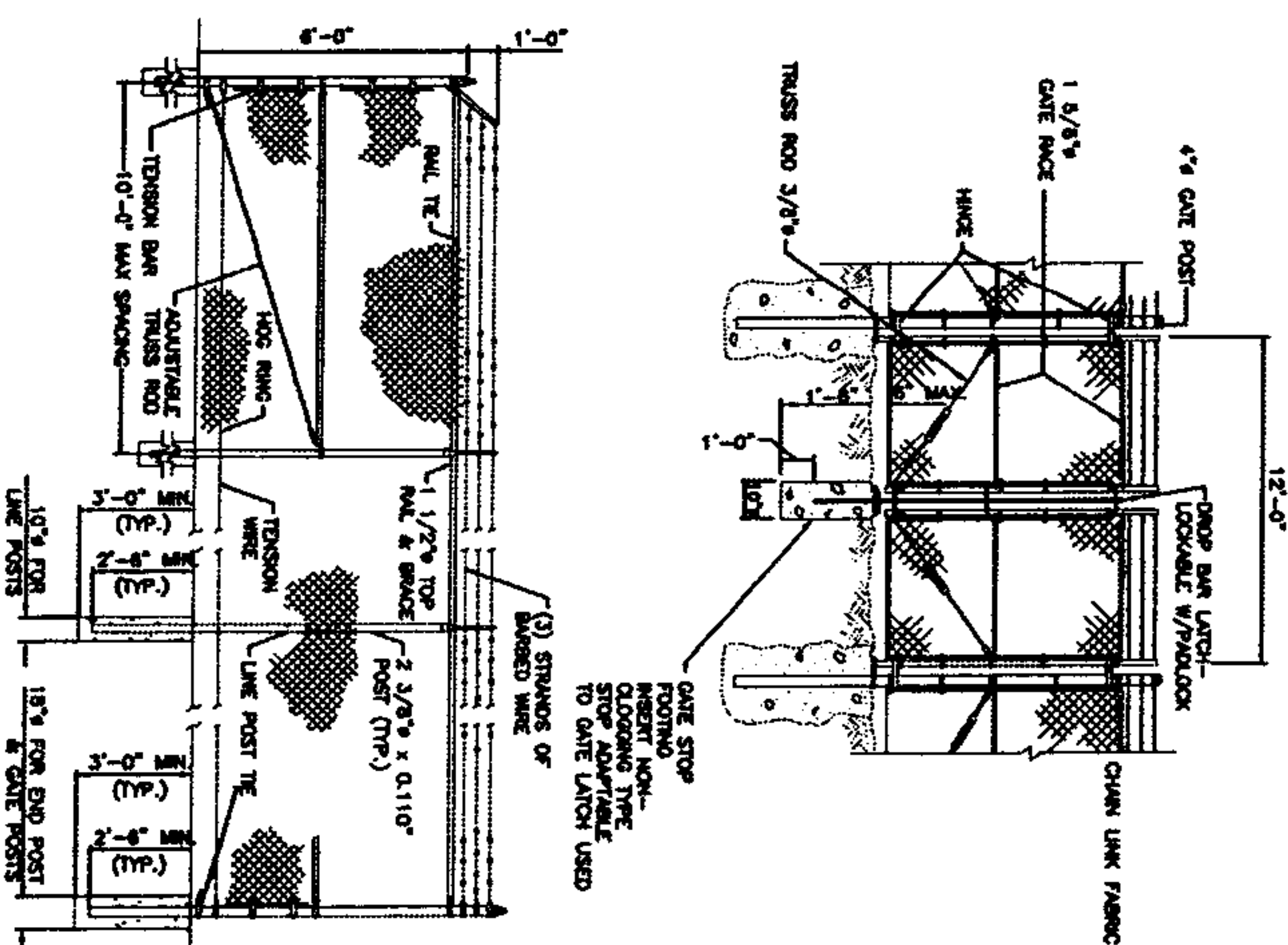
and Access and Utility Servitude

A CERTAIN PIECE OR PARCEL OF LAND LOCATED IN SECTION 1,6 & 12, TOWNSHIP 22 SOUTH, RANGE 1 WEST, COUNTY OF SHELBY, STATE OF ALABAMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE APPARENT SOUTHEAST CORNER OF THE PARENT TRACT, MARKED BY A 4" PIPE FOUND; THENCE N06°13'57"E A DISTANCE OF 849.98 FEET TO A MAG NAIL SET AT THE WESTERN EDGE OF PAVEMENT OF COUNTY ROAD 47 FOR THE POINT OF BEGINNING FOR THE CENTERLINE OF THE PROPOSED 40 FOOT WIDE ACCESS AND UTILITY SERVITUDE; THENCE ALONG THE CENTERLINE OF A GRAVEL ROAD S70°53'13"W A DISTANCE OF 215.36 FEET TO A POINT; THENCE S64°42'29"W A DISTANCE OF 170.78 FEET TO A 600 NAIL SET; THENCE S58°58'18"W A DISTANCE OF 169.80 FEET TO A 600 NAIL SET AT THE END OF THE GRAVEL ROAD; THENCE S47°42'17"W A DISTANCE OF 170.75 FEET TO A 600 NAIL SET; THENCE S05°49'26"E A DISTANCE OF 51.64 FEET TO A 600 NAIL SET; THENCE S45°22'44"E A DISTANCE OF 88.09 FEET TO A 600 NAIL SET; THENCE S61°31'50"E A DISTANCE OF 251.14 FEET TO A 600 NAIL SET; THENCE S12°27'27"E A DISTANCE OF 171.68 FEET TO A 600 NAIL SET ON THE NORTH 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.




- | | |
|---|---|
| <p>ROAD CONSTRUCTION NOTES:</p> <ol style="list-style-type: none"> 1. CONTRACTOR TO ADJUSTMENT, GRAB ALL STAKE PLACEMENT AREAS FOR ROAD PLACEMENT OF THE ACCESS ROAD INSTALLATION. 2. CONTRACTOR TO POWER-ROLL WITH A REINFORCED-STEEL TIED WOVEN THE GRASSED AREA. 3. CONTRACTOR SHALL UNDOUBT ALL DISCONTINUED AREAS WHICH CONTAIN ROCK, WEEDING, OR PLANTING SOIL MATERIALS. 4. IF LARGE ANTIPODIA AREAS ARE OBSERVED, THE CONTRACTOR SHOULD CONTACT THE ENGINEER FOR ADDITIONAL ROAD INSTALLATION DETAILS. 5. CONTRACTOR TO REFER TO THE SITE GEOTECHNICAL REPORT FOR ADDITIONAL INFORMATION. | <p>FENCE DETAIL NOTES:</p> <ol style="list-style-type: none"> 1. FACING: 12 1/2 GAUGE MINIMUM. 2. FACING TIES MUST BE MINIMUM THE SAME GAUGE OF THE FENCING. 3. FACING TIES SPACING ON THE TOP RAIL FIVE TIES BETWEEN POSTS, EVENLY SPACED. 4. FACING TIES SPACING ON LINE POSTS, FIVE, EVENLY SPACED. 5. TOP RAIL SHALL BE USED. 6. POSTS SHALL BE EMBEDDED TO WITHIN 6 INCHES FROM THE BOTTOM OF THE FOUNDATION. 7. THE BOTTOM OF THE POSTS MAY NOT EXCEED THE CONTIGUOUS FENCE GROUND BY MORE THAN 3 INCHES. |
| <p>SITE TREATMENT NOTES:</p> <ol style="list-style-type: none"> 1. 6" CRUSHED STONE INSIDE PENDING LINE UNDERLAY BY GEOTECHNICAL FIRMING, SEE CRUSHED STONE DETAIL THIS SHEET. 2. THE CONTRACTOR SHALL MAINTAIN ADEQUATE SURFACE DRAINAGE AWAY FROM ALL FOUNDATIONS PRIOR TO THE INITIATION OF CONSTRUCTION. 3. GROUNDS SHALL BE SET TO ENSURING POSITIVE DRAINAGE OF WATER AWAY FROM ALL FOUNDATIONS. 4. SEE GEOTECHNICAL REPORT FOR SITE PREPARATION RECOMMENDATIONS. | |



GATE & FENCE DETAIL
SCALE: N/A



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TOWER ENGINEERING, INC.

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 (337) 896-6663 Fax
 2100 Pauline Dr
 Orléans, LA 70053
 (504) 373-5516 Tel.
 (504) 337-6392 Fax

NO.	DESCRIPTION BY	DATE
1	PAYROLL ISSUE	07/20/12
2		
3		
4		
5		
6		
7		
8		
9		
10		

SITE NUMBER:
10154588

SITE NAME:
HWY 47

SITE ADDRESS:
COSA COVE RD
COLUMBIANA, AL 35051

STAMP HERE:

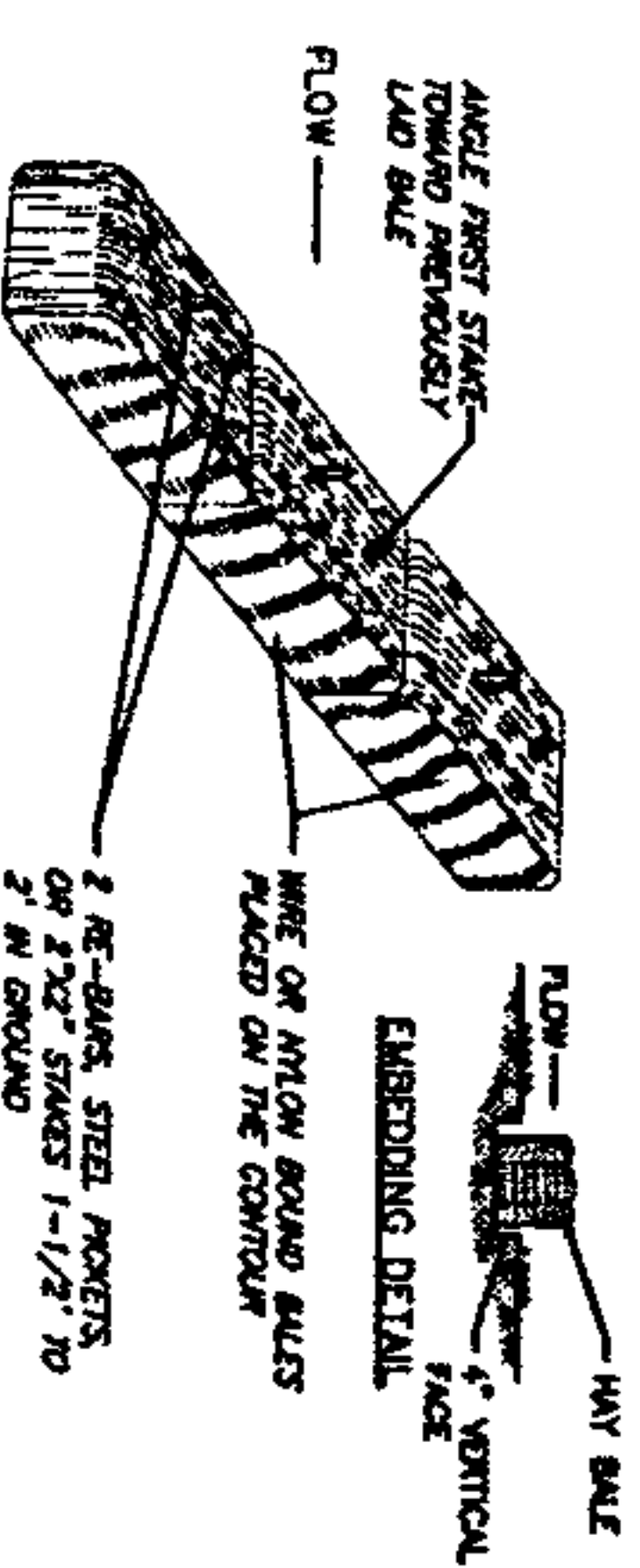
DRAWN BY:	VI
CHECKED BY:	DMA
DATE DRAWN:	07/20/12
TEL JOB NO:	2112-100-1148
SHEET TITLE	

ENLARGED SITE PLAN

REV. 1

GRADING NOTES:

1. THE CONTRACTOR SHALL INSTALL PRIOR TO THE START AND MAINTAIN DURING THE CONSTRUCTION ALL SEDIMENT AND EROSION CONTROL MEASURES AS REQUIRED TO RETAIN ALL SEDIMENTS ON THE SITE.
2. EXCAVATION AND FILL SLOPE SHALL BE 2:1 UNLESS OTHERWISE NOTED OTHERWISE ON THE PLANS OR AS DIRECTED BY THE ENGINEER.
3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH LOCAL CODES AND REGULATIONS.
4. AS SOON AS PRACTICAL AFTER COMPLETION OF THE GRADING, THE SLOPES SHALL BE COVERED OR OTHERWISE STABILIZED TO MINIMIZE EROSION.
5. THE CONTRACTOR SHALL CONTROL ALL STORM WATER RUNOFF DURING ALL PHASES OF CONSTRUCTION.
6. UPON COMPLETION OF WORK, THE CONTRACTOR SHALL REPAIR AND STABILIZE ALL DISTURBED AREAS IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS. ALL DISTURBED AREAS SHALL HAVE BEEN STABILIZED PRIOR TO REQUEST FOR INSPECTIONS.
7. THE OWNER SHALL EMPLOY A GEOTECHNICAL ENGINEER TO DETERMINE STABILITY OF EXISTING SLOPES FOR RETAINING WALLS, EROSION CONTROL, AND ANY SPECIAL REQUIREMENTS TO COMPLETE THE GRADING AS SHOWN.
8. THE GEOTECHNICAL ENGINEER MAY DIRECT THE CONTRACTOR REGARDING TO STORMWATER ASSESS. THE GEOTECHNICAL ENGINEER SHALL IMMEDIATELY NOTIFY THE OWNER OF ANY CHANGES.
9. NO DEVIATIONS OR REVISIONS FROM THESE PLANS BY THE CONTRACTOR SHALL BE ALLOWED WITHOUT PRIOR APPROVAL FROM THE CIVIL AND/OR GEOTECHNICAL ENGINEER.

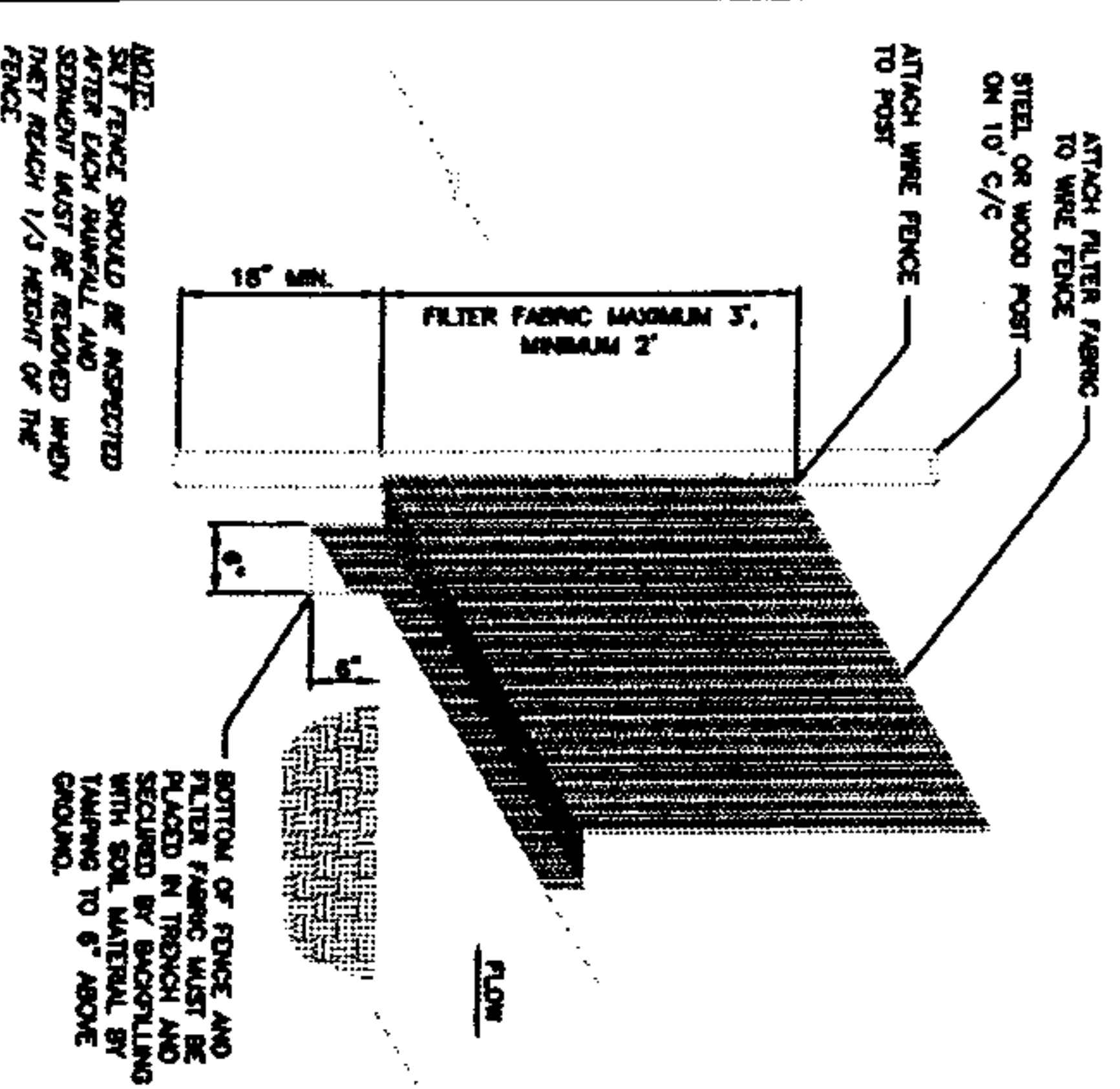


CONSTRUCTION SPECIFICATIONS

1. BALES SHALL BE PLACED IN A ROW WITH ENDS TIGHTLY ADJUTING THE ADJACENT BALES.
2. EACH BALE SHALL BE EMBEDDED IN THE SOIL A MINIMUM OF 4".
3. BALES SHALL BE SECURELY ANCHORED IN PLACE BY STAKES OR REBARS DRIVEN THROUGH THE BALES. THE FIRST STAKE IN EACH BALE SHALL BE ANGED TOWARD THE HAYWALL AND BALE TO FORCE BALES TOGETHER.
4. INSPECTIONS SHALL BE FREQUENT AND REPAIR OR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED.

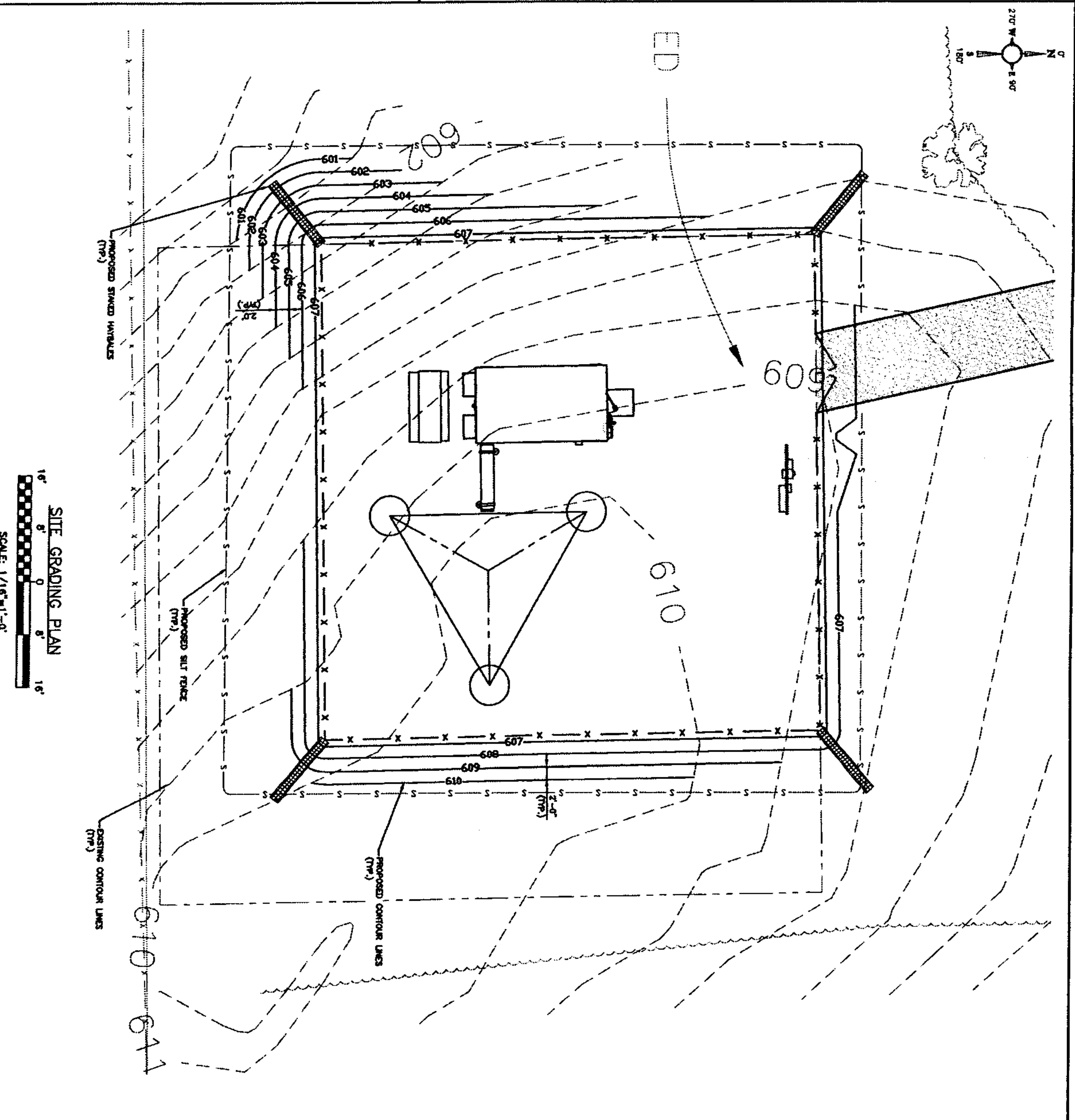
HAYBALE DETAIL

NOT TO SCALE



SILT FENCE DETAIL

NOT TO SCALE



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(604) 573-5516 Tel.
(604) 337-6382 Fax

REVISION	DATE
NO. 1	02/26/2013
DESCRIPTION BY	DATE
1. INITIAL ISSUE	02/26/2013

SITE NUMBER:
10154588
SITE NAME:
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COSA COVE RD
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STAMP NAME:

DRAWN BY:	VA
CHECKED BY:	DNA
DATE DRAWN:	07/20/12
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GRADING PLAN	
SHEET NUMBER	REV. #
C-2A	1

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