

Lessee Site Name: Magnolia

This Document Was Prepared By
And After Recording Return To:
Thomas J. Buchanan
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Birmingham, Alabama 35203


20130826000346820 1/10 \$84.00
Shelby Cnty Judge of Probate, AL
08/26/2013 08:55:04 AM FILED/CERT

Source of Title: Corrected Statutory Warranty Deed
recorded as instrument 1995-10853, on April 26, 1995
in the Probate Office of Shelby County, Alabama

STATE OF ALABAMA)
 .
COUNTY OF SHELBY)

MEMORANDUM OF LEASE

This Memorandum of Lease is entered into this 8 day of August, 2013, by and between **Carolyn B. Burkhalter**, with an address of 1339 Ferndale Drive, Auburn, Alabama 36830 (hereinafter referred to as "Lessor") and **Cellco Partnership, a Delaware general partnership, d/b/a Verizon Wireless**, with its principal offices located at One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey 07920 (hereinafter referred to as "Lessee").

1. Lessor and Lessee entered into a Land Lease Agreement ("Lease") on the 8 day of August, 2013, for the purpose of installing, operating and maintaining a telecommunications facility and other improvements. All of the foregoing is set forth in the Lease.
2. The initial term of the Lease is for a period of five (5) years commencing on Jan 1, 2014 ("Commencement Date"), and terminating on Dec 31, 2018. There are four (4) options to renew the Lease of five (5) years each.
3. The land which is the subject of the Lease is described in **Exhibit A** annexed hereto.

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

LESSOR:

Carolyn B. Burkhalter

Danna Long
Witness
Name: Danna Long

Kristine Parker
Witness
Name: Kristine Parker

Carolyn Burkhalter
Date: 4.15.13

LESSEE:

Cellco Partnership d/b/a Verizon Wireless

Deedre Johnson
Witness
Name: Deedre Johnson

Erin Y. Welch
Witness
Name: Erin Y. Welch

Hans F. Leutenegger
By: Hans F. Leutenegger
Name: Hans F. Leutenegger
Its: Area Vice President Network
Date: 8/8/2013

STATE OF ALABAMA)
COUNTY OF Lee)

I, the undersigned authority, a Notary Public in and for said county, in said State, hereby certify that, **Carolyn B. Burkhalter**, 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 foregoing instrument, she executed the same voluntarily for and as the act of said limited liability company on the day the same bears date.

GIVEN under my hand and seal, this 15th day of April, 2013.

[NOTARIAL SEAL]

Notary Public: Melissa L. Hodson

Print Name: Melissa L. Hodson

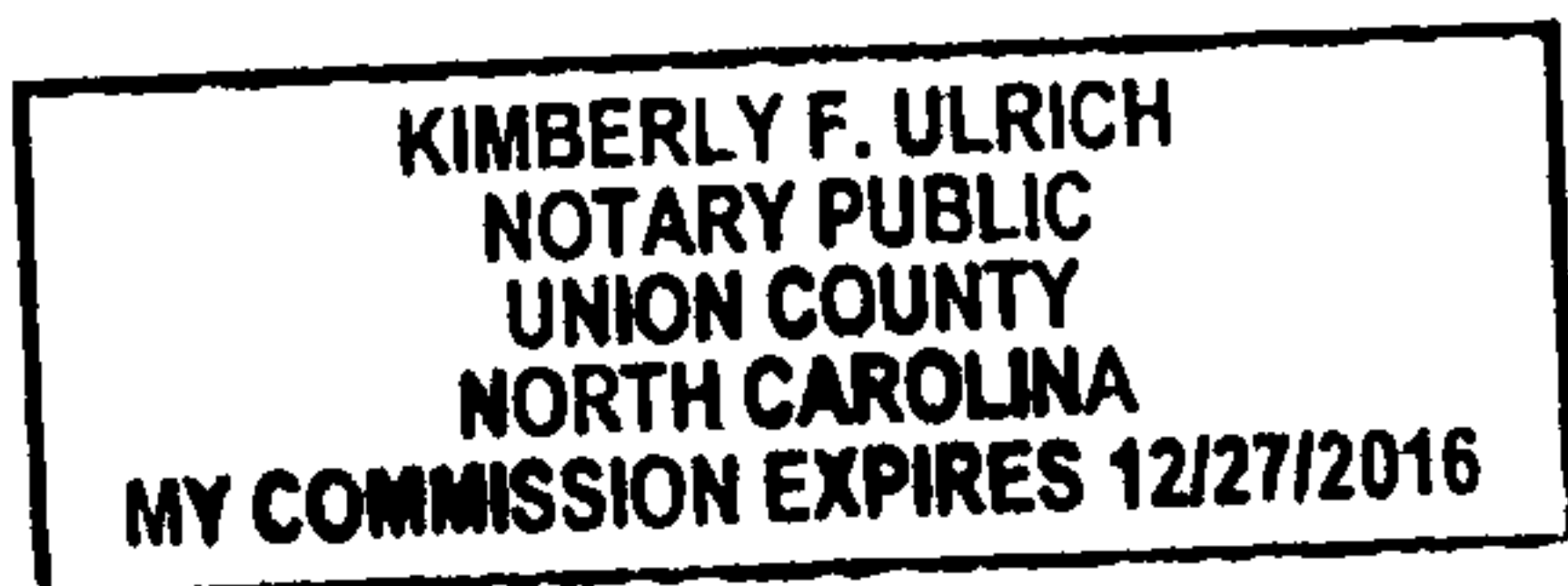
My Commission Expires: 7-7-15

STATE OF NORTH CAROLINA)
COUNTY OF MECKLENBURG)

I, the undersigned authority, a Notary Public in and for said county, in said State, hereby certify that, **Hans F. Leutenegger**, whose name as **Area Vice President Network of Celco Partnership d/b/a Verizon Wireless** 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 foregoing instrument, he in his capacity as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

GIVEN under my hand and seal this 8 day of August, 2013.

[NOTARIAL SEAL]



Notary Public: Kimberly F. Ulrich

Print Name: Kimberly F. Ulrich

My Commission Expires: _____

EXHIBIT A

Description of Parent Tract

PARCEL 3:

The NE 1/4 of NW 1/4 of Section 35, Township 21 South, Range 1 West, except the following described parcel of land: Begin at the Northwest corner of said forty acres and run along the west line thereof south, 2 degrees and 15 minutes east, 545.7 feet; thence north, 78 degrees and 15 minutes east 248.2 feet; thence north 15 minutes east, 516.3 feet to the north line of said forty acres; thence along same south, 85 degrees and 15 minutes west 286.1 feet to the beginning point.

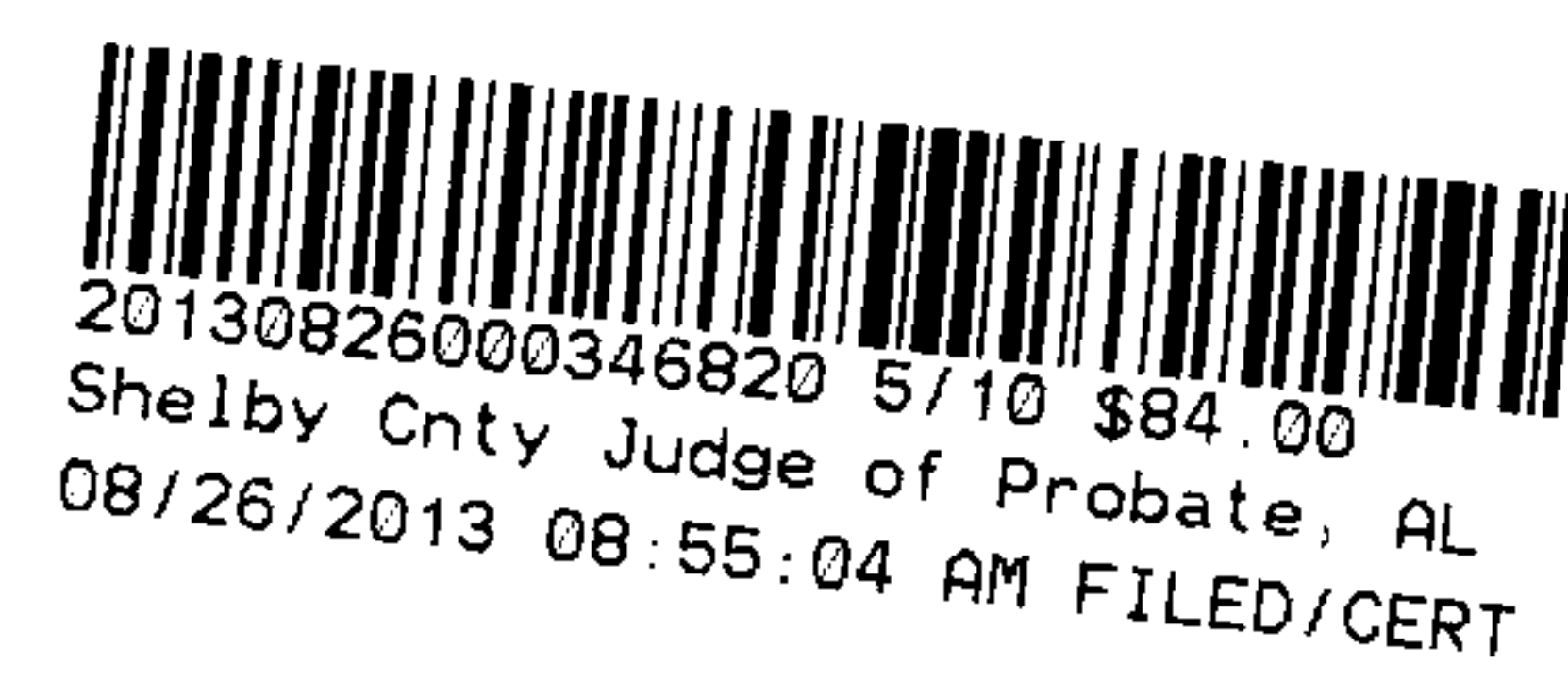
PARCEL 4:

N 1/2 of N 1/2 of SE 1/4 of NW 1/4 of Section 35, Township 21 South, Range 1 West.



Description of Leased Area

(See Attached)



PROPOSED LEASE AREA
VERIZON WIRELESS
"MAGNOLIA"

All that tract or parcel of land lying and being in Section 35, Township 21 South, Range 1 West, City of Columbiana, Shelby County, Alabama, being more particularly described as follows:

To find the point of beginning, commence at the centerline intersection of Old Highway 25 (having a 66-foot right-of-way) and Jonesboro Circle (having an 80-foot right-of-way); thence leaving said intersection and running in a southerly direction along said centerline of Jonesboro Circle, 1602.19 feet to a point; thence leaving said centerline of Jonesboro Circle and running along a tie line, North 89°52'01" West, 40.00 feet to a point on the westerly right-of-way line of Jonesboro Circle; thence leaving said westerly right-of-way line of Jonesboro Circle and running, North 82°20'03" West, 57.12 feet to a point; thence, North 89°37'33" West, 15.00 feet to a point; thence, South 00°22'27" West, 50.00 feet to a point and the true POINT OF BEGINNING; Thence running, North 89°37'33" West, 100.00 feet to a point; Thence, North 00°22'27" East, 100.00 feet to a point; Thence, South 89°37'33" East, 100.00 feet to a point; Thence, South 00°22'27" West, 100.00 feet to a point and the true POINT OF BEGINNING.

Said tract contains 0.2296 ACRES (10,000 square feet), more or less, as shown in a survey prepared for Verizon Wireless by POINT TO POINT LAND SURVEYORS, INC. dated January 8, 2013, and last revised June 27, 2013.

PROPOSED 30' INGRESS-EGRESS & UTILITY EASEMENT
VERIZON WIRELESS
"MAGNOLIA"

Together with a proposed 30-foot wide ingress-egress and utility easement lying and being in Section 35, Township 21 South, Range 1 West, City of Columbiana, Shelby County, Alabama, being described by the following centerline data:

To find the point of beginning, commence at the centerline intersection of Old Highway 25 (having a 66-foot right-of-way) and Jonesboro Circle (having an 80-foot right-of-way); thence leaving said intersection and running in a southerly direction along said centerline of Jonesboro Circle, 1602.19 feet to a point; thence leaving said centerline of Jonesboro Circle and running along a tie line, North 89°52'01" West, 40.00 feet to a point on the westerly right-of-way line of Jonesboro Circle and the true POINT OF BEGINNING; Thence leaving said westerly right-of-way line of Jonesboro Circle and running, North 82°20'03" West, 57.12 feet to a point; Thence, North 89°37'33" West, 15.00 feet to the ENDING at a point.

As shown in a survey prepared for Verizon Wireless by POINT TO POINT LAND SURVEYORS, INC. dated January 8, 2013, and last revised June 27, 2013.

PROPOSED 30' TURN-AROUND EASEMENT
VERIZON WIRELESS
"MAGNOLIA"

Together with a proposed 30-foot wide turn-around easement lying and being in Section 35, Township 21 South, Range 1 West, City of Columbiana, Shelby County, Alabama, being described by the following centerline data:

To find the point of beginning, commence at the centerline intersection of Old Highway 25 (having a 66-foot right-of-way) and Jonesboro Circle (having an 80-foot right-of-way); thence leaving said intersection and running in a southerly direction along said centerline of Jonesboro Circle, 1602.19 feet to a point; thence leaving said centerline of Jonesboro Circle and running along a tie line, North 89°52'01" West, 40.00 feet to a point on the westerly right-of-way line of Jonesboro Circle; thence leaving said westerly right-of-way line of Jonesboro Circle and running, North 82°20'03" West, 57.12 feet to a point and the true POINT OF BEGINNING; Thence running, North 00°22'27" East, 15.00 feet to the ENDING at a point.

As shown in a survey prepared for Verizon Wireless by POINT TO POINT LAND SURVEYORS, INC. dated January 8, 2013, and last revised June 27, 2013.



NEWMAN LAW FIRM, PC NLF FILE NO. 2012-2071 SITE NAME: MAGNOLIA CERTIFICATION DATE: OCTOBER 3, 2012

8a. POLICE REPORT FROM A. B. BROWN AND WIFE, MARY C. BROWN, TO ALABAMA POWER COMPANY, DATED OCTOBER 7, 1959, FILED FOR RECORD ON NOVEMBER, 1959, AND RECORDED IN DEED BOOK 206, PAGE 182, IN SAID PROBATE OFFICE.

THIS ITEM IS A BLANDED EASEMENT WHICH MAY AFFECT THE SUBJECT PROPERTY BUT ITS DESCRIPTION IS TOO VAGUE TO BE PLOTTED

8b. POLE LINE FROM A. B. BROWN AND WIFE, MARY C. BROWN, TO ALABAMA POWER COMPANY, DATED FEBRUARY 18, 1966, FILED FOR RECORD ON APRIL 25, 1966, AND RECORDED IN DEED BOOK 241, PAGE 878, IN SAID PROBATE OFFICE.

THIS ITEM IS A BALANCED EASEMENT WHICH MAY AFFECT THE SUBJECT PROPERTY BUT ITS DESCRIPTION IS TOO VAGUE TO BE FLOTTED.

8c. RIGHTOF WAY DEED FOR PUBLIC ROAD FROM JANET GARCEY HAINES AND JAMES D. HAINES JR. SHELBY COUNTY, ALABAMA, DATED AUGUST 29, 1968, FILED FOR RECORD ON JANUARY 6, 1969, AND RECORDED IN DEED BOOK 256, PAGE 229, IN SAID PROBATE OFFICE.

2. WARRANTY DEED FROM J. A. TUCKER AND WIFE BESSIE INEZ TUCKER, TO A. B. BROWN, DATED DECEMBER 8, 1956, FILED FOR RECORD ON DECEMBER 10, 1956, AND RECORDED IN DEED BOOK 123, PAGE 457, IN SAID PROBATE OFFICE.

DOES NOT AFFECT SUBJECT PROPERTY

6. OUTCLAIM DEED FROM SHELBY COUNTY, ALABAMA, TO A. B. BROWN, DATED NOVEMBER 22, 1971, FILED FOR RECORD ON NOVEMBER 23, 1971, AND RECORDED IN DEED BOOK 271, PAGE 194, IN SAID PROBATE OFFICE.

6. A STATUTORY PROBATE DECREE FROM MARY C. BROWN, AS EXPLAINED BY THE ESTATE OF ANDREW B. BROWN, REQUESTED TO MARY C. BROWN, DATED JULY 21, 1992, FILED FOR RECORD ON OCTOBER 2, 1992, AND RECORDED AS STRATFORD IN 1992-04963, IN SAID PROBATE OFFICE. NOTE: IT IS SUBMITTED AND RECORDED THAT THE ESTATE OF ANDREW B. BROWN, WAS PROVIDED IN "TALADEGA COUNTY, ALABAMA; HOWEVER, THE EXAMINER WAS UNABLE TO LOCATE ANY EVIDENCE OF THAT FACT IN SAID COUNTY, ALABAMA, OTHER THAN THE SELF-PROCLAIMED STATEMENT IN THE ABOVE-SAID DEED.

THIS ITEM IS PLOTTED HEREON AS PAGES 21, 7 35 2 001 002 000.

4. STATUTORY WARRANTY DEED FROM MARY C. BROWN TO CAROL M. BARNHARTER, DATED DECEMBER 30, 1992, FILED FOR RECORD ON DECEMBER 30, 1992, AND RECORDED AS INSTRUMENT NO. 1992-31694, IN SAID PROBATE OFFICE.

THIS ITEM IS PLOTTED HEREON AS PANCEL 21 7 35 2 011 002 0004

5. WARRANTY DEED FROM R. GEORGE AND WIFE K. J. GEORGE, TO RALPH ROBERTSON AND MARTHA ROBERTSON, DATED SEPTEMBER 2, _____, FILED FOR RECORD ON OCTOBER 25, 1955, AND RECORDED IN DEED BOOK 176, PAGE 42, IN SAID PROBATE OFFICE.

1. WARRANTY DEED FROM RALPH V. ROBERTSON AND WIFE, MARTHA D. ROBERTSON, 10 HARRIS M. GORDON, DATED MARCH 16, 1967, FILED FOR RECORD ON MARCH 22, 1967, AND RECORDED IN DEED BOOK 185, PAGE 394, IN SAID PROBATE OFFICE.

2. WARRANTY DEED FROM HARRIS M. GORDON AND WIFE, RUTH L. GORDON, TO JANET BARCEY HAINES, DATED JUNE 2, 1965, FILED FOR RECORD ON JUNE 8, 1965, AND RECORDED IN DEED BOOK 202, PAGE 88 IN SAID PROBATE OFFICE.

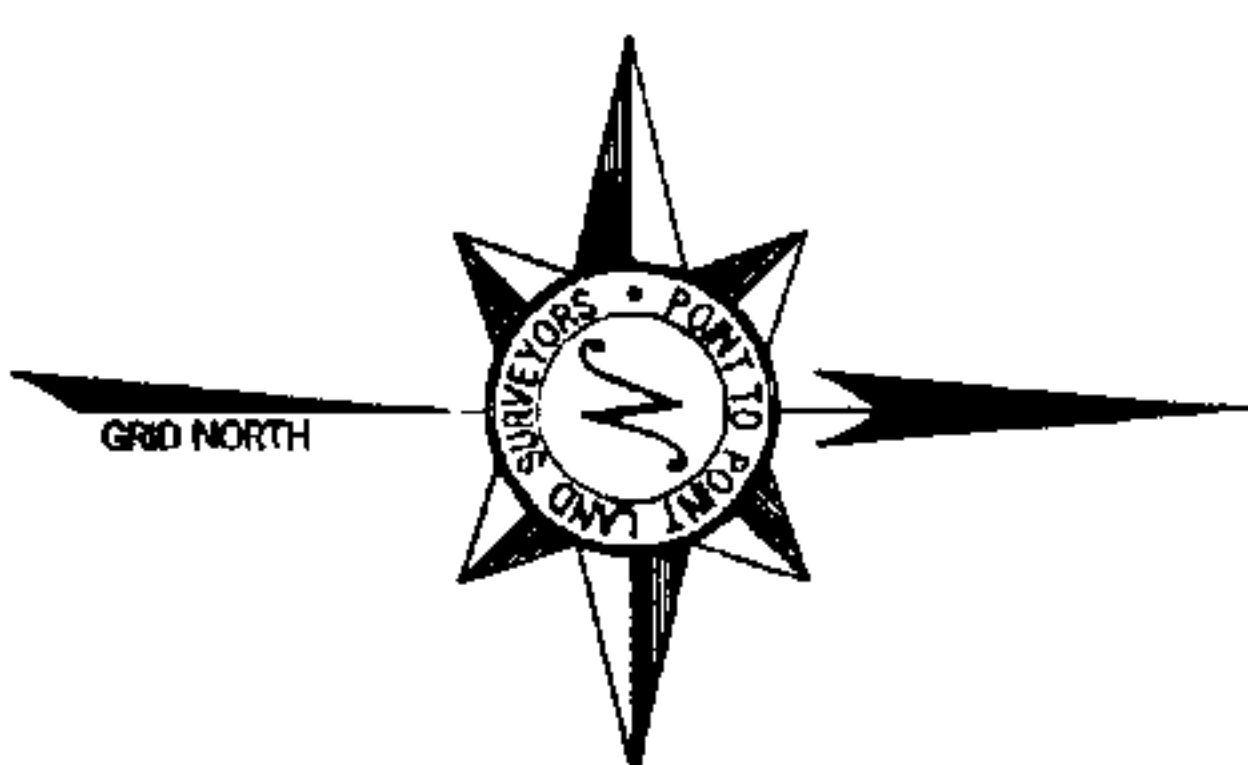
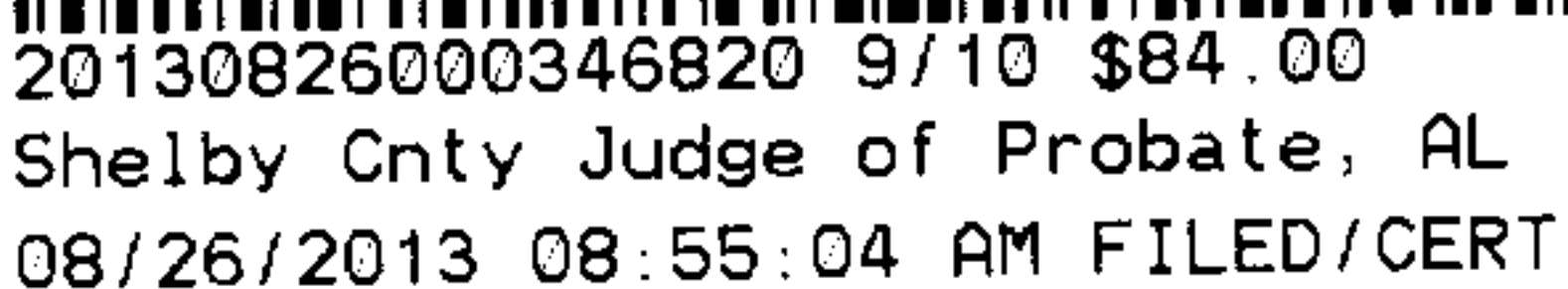
DOES NOT AFFECT SUBJECT PROPERTY

A WARRANTY DEED FROM JANE D. HAINES AND HUSBAND, JAMES D. HAINES, TO A. B. BROWN, DATED JANUARY 11, 1973, FILED FOR RECORD ON JANUARY 18, 1973, AND RECORDED IN DEED BOOK 278, PAGE 291, IN SAID PROBATE OFFICE.

DOES NOT AFFECT SUBJECT PROPERTY.

1. STATUTORY WARRANTY DEED FROM C. BROWN, AS EXECUTOR OF THE ESTATE OF ANDREW B. BROWN, JR., DECEASED, TO MARY C. BROWN, DATED APRIL 25, 1995, FILED IN RECORD BOOK 26, 1995, AND RECORDED AS INSTRUMENT NO. 1995-10823, IN SAID PROBATE OFFICE. NOTE: IT IS ALLEGED BY THE INSTRUMENT THAT THE ESTATE OF ANDREW B. BROWN, JR. WAS PROBATED IN SHELBY COUNTY, ALABAMA, HOWEVER, THE EXAMINER WAS UNABLE TO LOCATE ANY EVIDENCE OF THAT FACT IN SHELBY COUNTY, ALABAMA, OTHER THAN THE SET-FORWARDED STATEMENT IN THE FOREGOING DEED. DOES NOT AFFECT SUBJECT PROPERTY.

1. STATUTORY WARRANTY DEED FROM MARY C. BROWN, A WIDOW, TO CORNELIUS B. BARNHARTER, DATED APRIL 25, 1995, FILED FOR RECORD APRIL 26, 1995 AND RECORDED AS INSTRUMENT No. 1995-10853, IN S&D PROBATE OFFICE.
 DOES NOT AFFECT SUBJECT PROPERTY?

[illegible]

* THIS SPECIFIC PURPOSE EASEMENT SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF THE VEEDON WHEELLESS AND EXCLUSIVELY FOR THE TRANSFEREAL OF THE LEASEHOLD AND THE RIGHTS OF EASEMENT SHOWN HEREON AND SHALL NOT BE USED AS AN EMBARR OR EVIDENCE IN THE FEE SIMPLE TRANSFERAL OF THE SUBJECT PROPERTY NOR ANY PORTION OR PORTIONS THEREOF. NO BOUNDARY SURVEY WAS PERFORMED.

EQUIPMENT USED FOR ANGULAR & LINEAR MEASUREMENTS: LEICA TOPA 1103 ROBOTIC
DATE OF FIELD VISIT: 01-03-2013

THE FIELD DATA UPON WHICH THIS SPECIFIC PURPOSE EASEMENT SURVEY IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 20,000 + FEET AND AN ANGULAR ERROR OF 5.0" PER ANGLE POINT AND WAS ADJUSTED USING LEAST SQUARES.

THE PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 100,000+ FEET.

THE 2 CONTOURS AND SPOT ELEVATIONS SHOWN ON THIS SPECIFIC PURPOSE EASEMENT SURVEY ARE ADJUSTED TO NAVD 88 DATUM AND HAVE A VERTICAL ACCURACY OF $\pm 1'$. CONTOURS OUTSIDE THE IMMEDIATE SITE AREA ARE APPROXIMATE.

BEARINGS SHOWN ON THIS SPECIFIC PURPOSE EASEMENT SURVEY ARE BASED ON GRID NORTH (NAD 83).

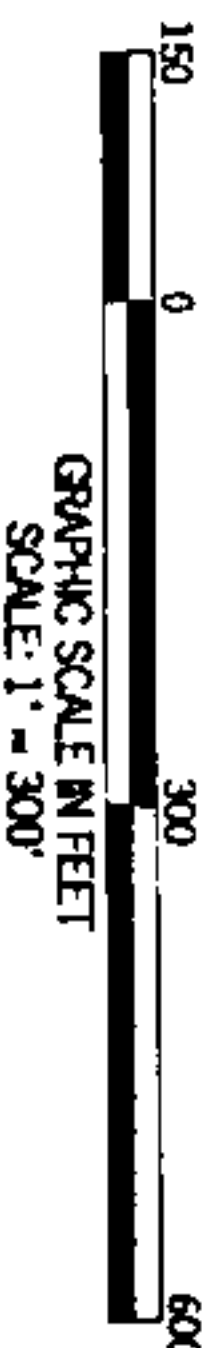
NO PORTION OF THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD AREA AS PER F.J.M. COMMUNITY PANEL NO. 01117004400 DATED 09/29/2006.

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM ABOVE GROUND FIELD SURVEY INFORMATION. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA. GIVEN INSURANCE OR ABANDONED, THE SURVEY FIRMER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT ARTIFICIALLY LOCATED THE UNDERGROUND UTILITIES.

ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA. CERTIFICATE OF AUTHORIZATION NO. CA85145

OWNER: CAROLYN B. BURROUGHS
ADDRESS: JONESBORO CIRCLE, COLUMBIANA, AL 35051
PARCEL ID: 21 7 35 2 001 001 000

AREA: 46 ACRES±
ZONED: RRMH RESIDENTIAL, DISTRICT (MOBILE HOME)
REFERENCE: INSTRUMENT# 1995-10853

A circular professional seal for Charles Lee Albam, a Professional Surveyor in the State of Alabama. The seal features the text "ALABAMA" at the top, "LICENSED" on the right, "PROFESSIONAL SURVEYOR" on the left, and "CHARLES LEE ALBAM" around the bottom. In the center, it says "No. 29413-S" and "6-21-19". There are two stars on the left and right sides of the seal.

POINT TO POINT LAND SURVEYORS

810 Jackson Street
Locust Grove, Georgia 30248
(p) 678.565.4440 (f) 678.565.4497
(w) pointtopointsurvey.com



- SPECIFIC PURPOSE



1000 WILLIAMS BOULEVARD
KENNER, LA 70062

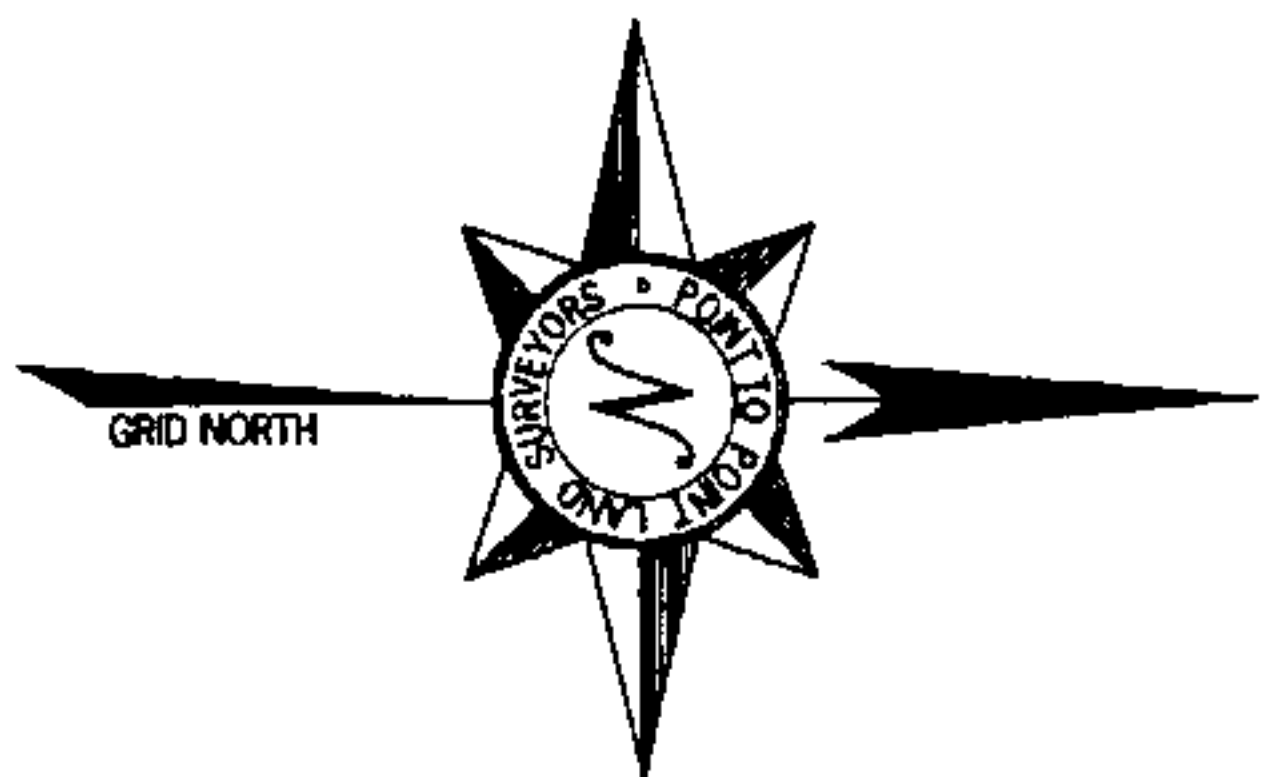
"MAGNOLIA"

SECTION 35
TOWNSHIP 21 SOUTH, RANGE 1 WEST
CITY OF COLUMBIANA
SHELBY COUNTY, ALABAMA

DRAWN BY: NRMV	SHEET:
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APPROVED: C. INER
DATE: 8 JANUARY, 2013

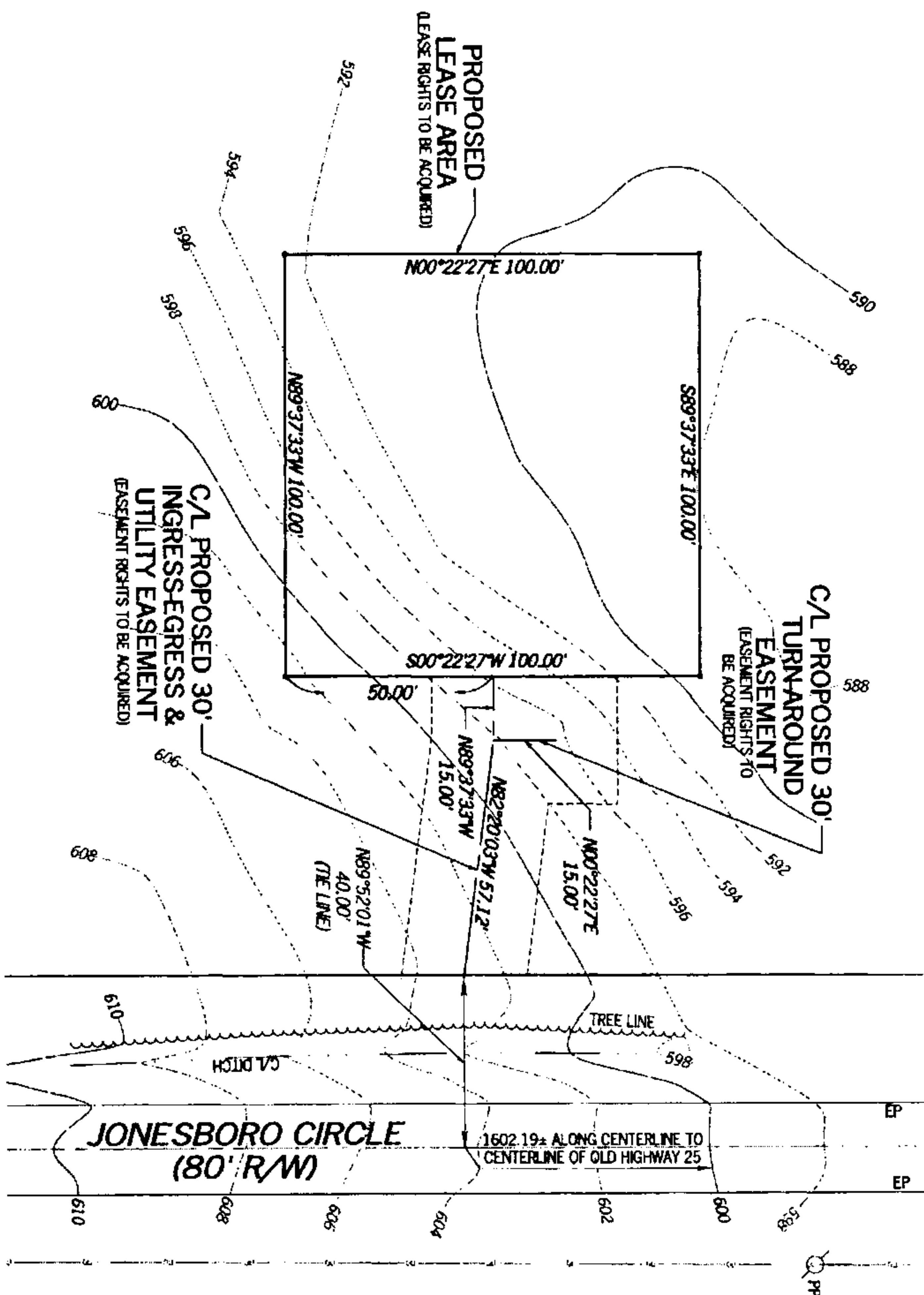
P2P JOB #: 2012.645	OF 2
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SITE INFORMATION

PROPOSED LEASE AREA = 10,000 SQUARE FEET (0.2296 ACRES)
LATITUDE = 33°09'57.46" (NAD 83)
AT CENTER OF PROPOSED LEASE AREA
LONGITUDE = 86°36'54.19" (NAD 83)
ELEVATION AT CENTER OF PROPOSED LEASE AREA = 590.3' A.M.S.L.

20130826000346820 10/10 \$84.00
Shelby Cnty Judge of Probate, AL
08/26/2013 08:55:04 AM FILED/CERT



PROPOSED 30' INGRESS-EGRESS & UTILITY EASEMENT

TOGETHER WITH A PROPOSED 30-FOOT WIDE INGRESS-EGRESS AND UTILITY EASEMENT LYING AND BEING IN SECTION 35, TOWNSHIP 21 SOUTH, RANGE 1 WEST, CITY OF COLUMBIA, ALABAMA, BEING DESCRIBED BY THE FOLLOWING CENTERLINE DATA:

TO FIND THE POINT OF BEGINNING, COMMENCE AT THE CENTERLINE INTERSECTION OF OLD HIGHWAY 25 (HAVING A 66-FOOT RIGHT-OF-WAY) AND JONESBORO CIRCLE (HAVING AN 80-FOOT RIGHT-OF-WAY); THENCE LEAVING SAID INTERSECTION AND RUNNING IN A SOUTHERLY DIRECTION ALONG SAID CENTERLINE OF JONESBORO CIRCLE, 1602.19 FEET TO A POINT; THENCE LEAVING SAID CENTERLINE OF JONESBORO CIRCLE AND RUNNING ALONG A TIE LINE, NORTH 89°52'01\"/>

PROPOSED 30' TURNAROUND EASEMENT

TOGETHER WITH A PROPOSED 30-FOOT WIDE TURNAROUND EASEMENT LYING AND BEING IN SECTION 35, TOWNSHIP 21 SOUTH, RANGE 1 WEST, CITY OF COLUMBIA, ALABAMA, BEING DESCRIBED BY THE FOLLOWING CENTERLINE DATA:

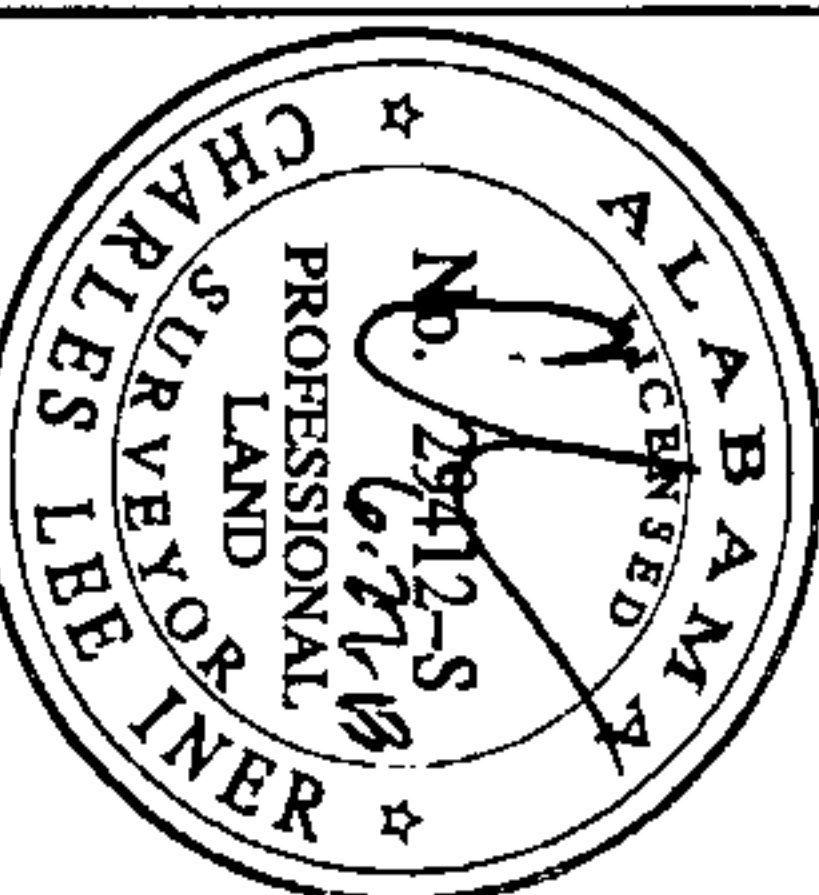
TO FIND THE POINT OF BEGINNING, COMMENCE AT THE CENTERLINE INTERSECTION OF OLD HIGHWAY 25 (HAVING A 66-FOOT RIGHT-OF-WAY) AND JONESBORO CIRCLE (HAVING AN 80-FOOT RIGHT-OF-WAY); THENCE LEAVING SAID INTERSECTION AND RUNNING IN A SOUTHERLY DIRECTION ALONG SAID CENTERLINE OF JONESBORO CIRCLE, 1602.19 FEET TO A POINT; THENCE LEAVING SAID CENTERLINE OF JONESBORO CIRCLE AND RUNNING ALONG A TIE LINE, NORTH 89°52'01\"/>

PROPOSED LEASE AREA

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN SECTION 35, TOWNSHIP 21 SOUTH, RANGE 1 WEST, CITY OF COLUMBIA, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

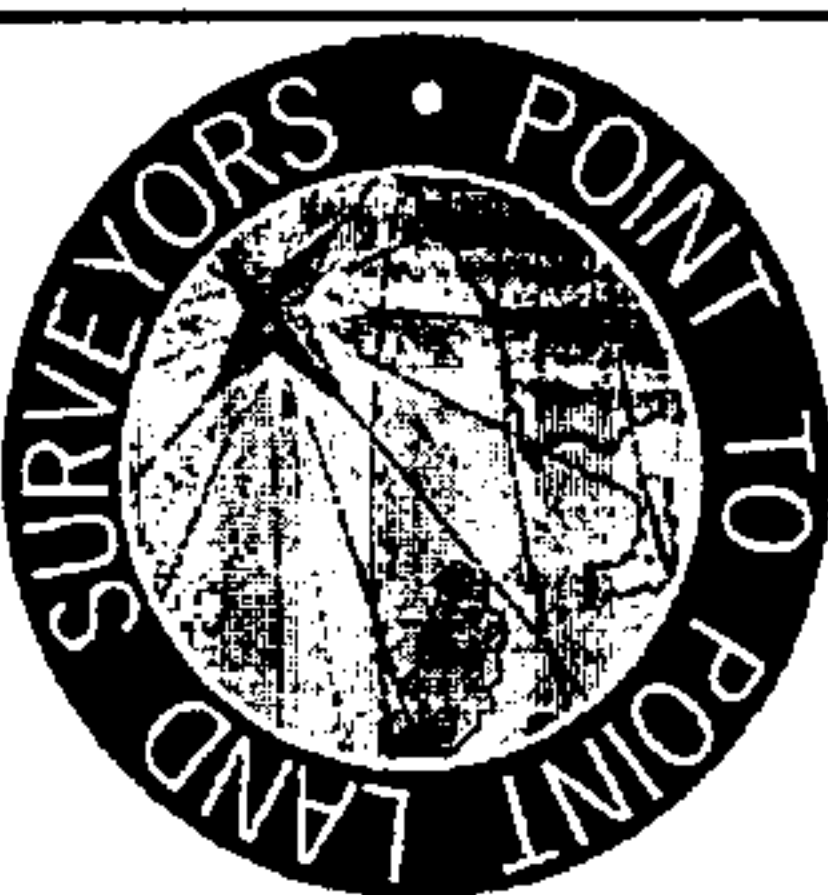
TO FIND THE POINT OF BEGINNING, COMMENCE AT THE CENTERLINE INTERSECTION OF OLD HIGHWAY 25 (HAVING A 66-FOOT RIGHT-OF-WAY) AND JONESBORO CIRCLE (HAVING AN 80-FOOT RIGHT-OF-WAY); THENCE LEAVING SAID INTERSECTION AND RUNNING IN A SOUTHERLY DIRECTION ALONG SAID CENTERLINE OF JONESBORO CIRCLE, 1602.19 FEET TO A POINT; THENCE LEAVING SAID CENTERLINE OF JONESBORO CIRCLE AND RUNNING ALONG A TIE LINE, NORTH 89°52'01\"/>

SAID TRACT CONTAINS 0.2296 ACRES (10,000 SQUARE FEET), MORE OR LESS.

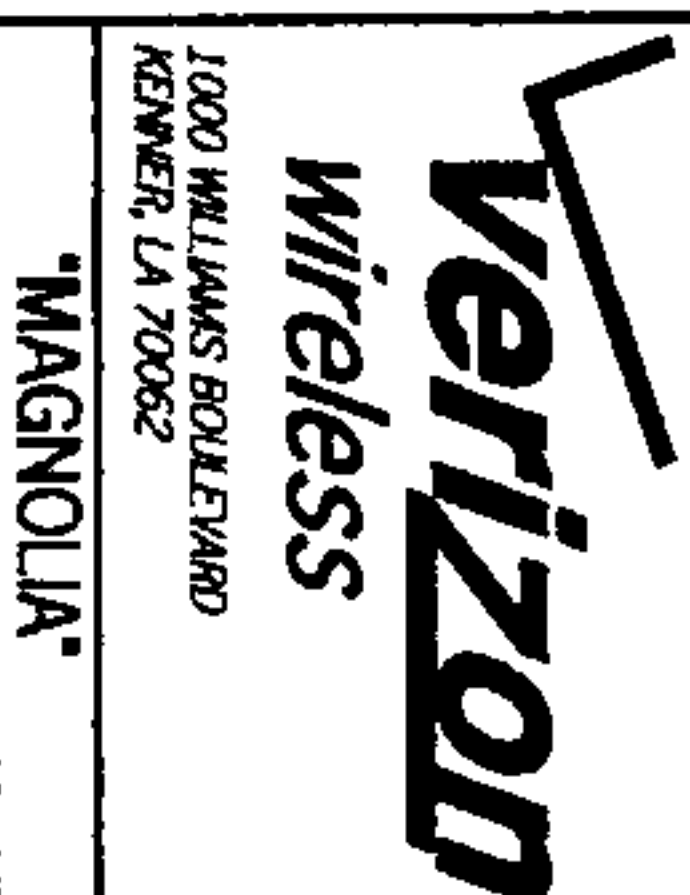


NO.	DATE	REASON
1	01/15/2013	ADDED DIMENSIONS
2	06/27/2013	ADD TITLE EXCEPTIONS

POINT TO POINT LAND SURVEYORS
810 Jackson Street
Locust Grove, Georgia 30248
(p) 678.565.4440 (f) 678.565.4497
(w) pointtopointsurvey.com



* SPECIFIC PURPOSE
EASEMENT SURVEY PREPARED FOR:



SECTION 35 TOWNSHIP 21 SOUTH, RANGE 1 WEST CITY OF COLUMBIA, SHELBY COUNTY, ALABAMA	DRAWN BY: NFW CHECKED BY: MW APPROVED: C. INER DATE: 8 JANUARY, 2013 P2P JOB #: 2012.645	SHEET: 2 OF 2
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