

Site ID: AL12656-B-02
Site Name: Caldwell Mill Rd

Tenant Site ID:
Tenant Site Name: Camp Home
Tenant Fixed Asset #: 12919735



20140224000049790 1/4 \$683.00
Shelby Cnty Judge of Probate, AL
02/24/2014 11:57:53 AM FILED/CERT

After recording return to:

Rosenberg & Clark LLC
400 Poydras Street, Suite 1680
New Orleans, LA 70130
504-620-5400 Phone

~~504-527-5456 Fax~~ F: (504) 684-1438

STATE OF ALABAMA

COUNTY OF SHELBY

MEMORANDUM OF ANTENNA SITE AGREEMENT

This Memorandum of lease ("MEMORANDUM") dated as of December 20, 2013 is between **SBA TOWERS II LLC**, a Florida limited liability company ("OWNER") and **NEW CINGULAR WIRELESS PCS, LLC**, a Delaware limited liability company ("TENANT").

RECITALS

Whereas, Owner and Tenant have executed that certain Antenna Site Agreement ("Agreement") dated as of December 20, 2013, covering certain premises, more specifically a ground space area described in Exhibit "A" attached hereto consisting of approximately 264 (22' x 12') square feet (the "Premises") situated at that certain site "Site", on a portion of that certain real property located in the County of Shelby, State of Alabama ; and

Whereas, Owner and Tenant desire to record notice of the Agreement in the Official Records of Shelby County, State of Alabama.

NOW THEREFORE, in consideration of the foregoing, Owner and Tenant hereby declare as follows:

1. Demise. Owner has leased the Premises to Tenant (together with access rights), and Tenant has hired the Premises from Owner, subject to the terms, covenants and conditions contained in the Agreement.
2. Expiration Date. The term of the Agreement ("Term") is scheduled to commence on or before Feb 1, 2014, and shall expire five (5) years thereafter, subject to Tenant's option to extend the Term pursuant to Section 2 of the Agreement for four (4) additional terms of five (5) years each.
3. Agreement Controlling. This Memorandum is solely for the purpose of giving constructive notice of the Agreement. In the event of conflict between terms of the Agreement and this Memorandum, the terms of the Agreement shall control.

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

OWNER: SBA TOWERS II LLC,
a Florida limited liability company

TENANT: NEW CINGULAR WIRELESS PCS, LLC,
a Delaware limited liability company
By: AT&T Mobility Corporation
Its: Manager

By: Jason Silberstein
Title: Senior Vice President, Property Management
Date: 12-20-13

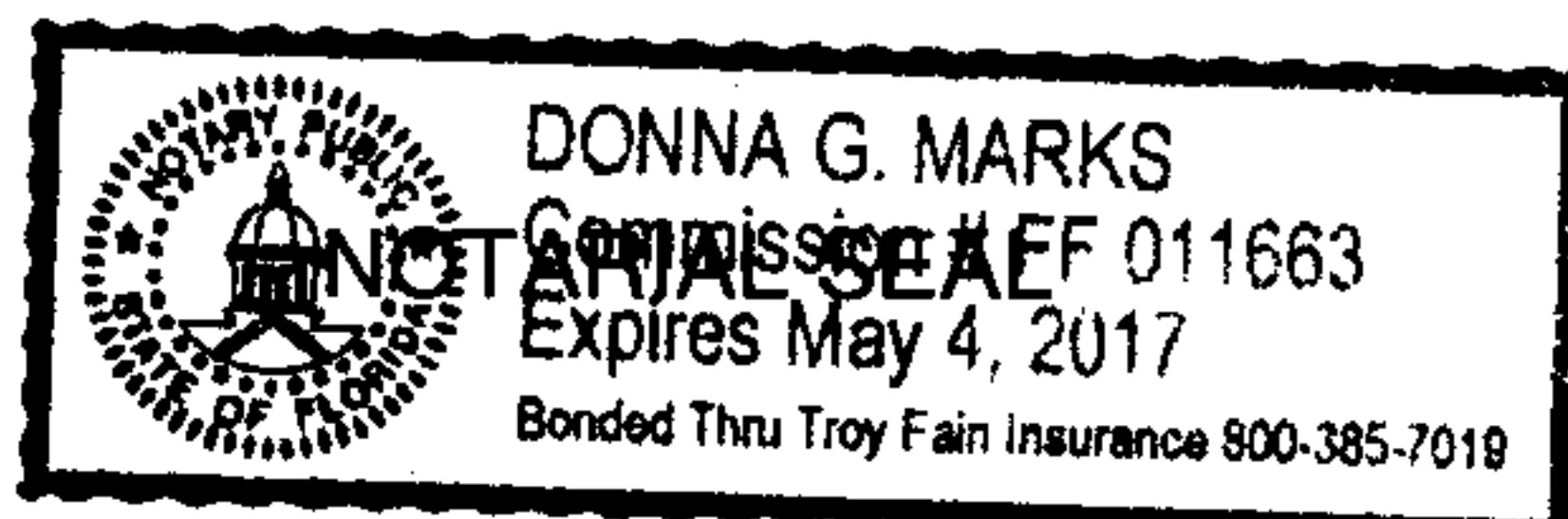
By: June Palozzola
Title: Area Manager, Construction and Engineering
Date: 12/18/13

OWNER'S NOTARY BLOCK

STATE OF FLORIDA

COUNTY OF PALM BEACH

On December 20, 2013, personally appeared Jason Silberstein, 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.



My commission expires: _____

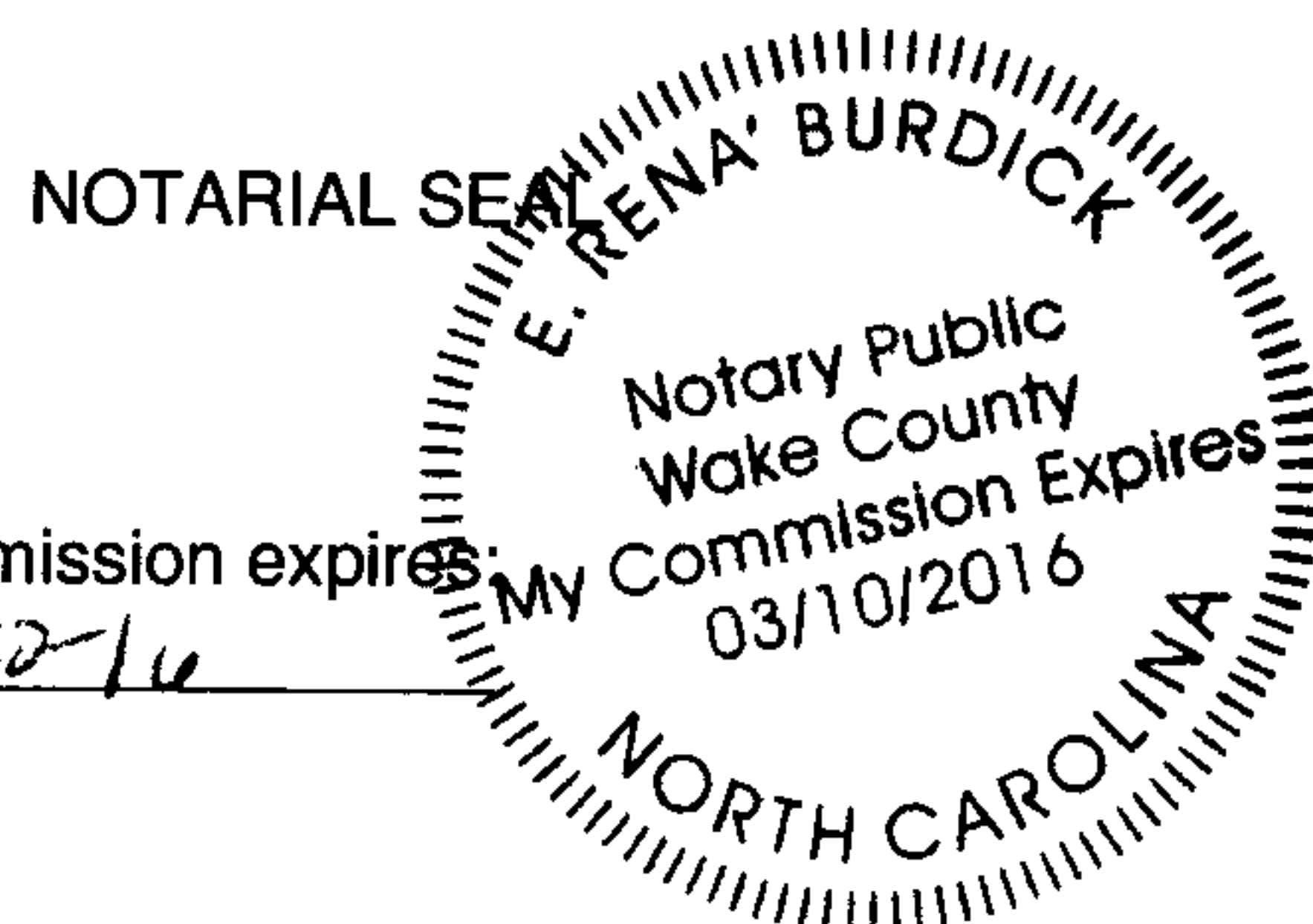
Donna G. Marks
(OFFICIAL NOTARY SIGNATURE)
NOTARY PUBLIC—STATE OF Florida
Donna G Marks
(NAME OF NOTARY)
COMMISSION NUMBER: FF 011663

TENANT'S NOTARY BLOCK

STATE OF NC

COUNTY OF Wake

On December 18th, 2013, personally appeared June Palozzola, 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 she executed the same in his authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.



My commission expires: 3-10-16

E. Rena' Burdick
(OFFICIAL NOTARY SIGNATURE)
NOTARY PUBLIC—STATE OF NC
E. Rena' Burdick
(NAME OF NOTARY)
COMMISSION NUMBER: _____

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EXHIBIT A TO THE MEMORANDUM OF LEASE

LEGAL DESCRIPTION OF OWNER'S PROPERTY

Owner's Property of which the Premises are a part is described as follows:

All that real property located in the State of Alabama, County of Shelby,

described as follows:

PARENT TRACT DESCRIPTION (INSTRUMENT 42001-1222)

PARCEL 1:

A Tract of land situated in the NW 1/4 of Section 3, Township 19 South, Range 2 West, Shelby County, Alabama, said tract being part of Block 2 of Alabama Park, as recorded in Map Book 5, Page 73, part of Lot 1 Battle Woods Ranch Addition to Allodena Valley, as recorded in Map Book 5, Page 1, all recorded in the Probate Office of Shelby County, Alabama, said tract of land more particularly described as follows:

Commence at the Southwest corner of the NE 1/4, NW 1/4 of said Section 3, and run thence Easterly along the South line thereof 89.02 feet; thence turn 89 degrees, 30 minutes, 50 seconds right and run Southeastery 95.27 feet to the point of beginning, said point being on the Northerly line of Lot 1 of said Allodena Park; thence turn 90 degrees, 00 minutes left and run Northeastery 240.0 feet to the Northern most corner of said Lot 1; thence turn 90 degrees, 58 minutes, 45 seconds right and run Southeastery 149.79 feet to the Southeast corner of said Lot 1; thence 8 degrees, 18 minutes, 15 seconds right and run Southeastery along the Easterly line of Lot 2 of said subdivision 144.94 feet to the most Easterly corner of Lot 2; thence turn 7 degrees, 01 minutes, 15 seconds right and run Southerly along the Easterly line of Lot 3 of said subdivision for 57.52 feet to a point on last said lot line; thence turn 108 degrees, 56 minutes, 15 seconds left and run Northeastery 128.13 feet; thence turn 84 degrees, 50 minutes right and run Southeastery for 185.0 feet; thence turn 20 degrees, 58 minutes, 30 seconds left and run Southeastery for 133.22 feet; thence turn 52 degrees, 39 minutes, 30 seconds left and run Easterly for 150.0 feet; thence turn 90 degrees left and run Northerly for 600.14 feet; thence turn 41 degrees, 00 minutes right and run Northeastery for 300.00 feet; thence turn 14 degrees, 00 minutes left and run Northeastery for 125.0 feet; thence turn 25 degrees, 00 minutes left and run Northerly for 170.0 feet; thence turn 87 degrees, 58 minutes, 40 seconds right and run Easterly for 137.41 feet to a point on the East line of the NE 1/4 of NW 1/4, Section 3, Township 19 South, Range 2 West; thence turn left 90 degrees and run Northerly along said 1/4-1/4 line for 270 feet, more or less, to the Westerly bank of the Cohoba River; thence run Northerly and Westerly along the Southwest bank of said river 1400 feet, more or less, to the West line of the NE 1/4 of said Section 3, said point also being on the Easterly line of Lot 1 of said Battle Woods Ranch Addition to Allodena Valley; thence run Northerly along last said 1/4-1/4 section line and said lot line for 90 feet, more or less, to the Northeastery corner of said Lot 1; thence turn left and run Westerly along the Northerly line of said Lot 1 for 240 feet, more or less, to the Northwest corner of said Lot 1; thence turn left and run Southeastery and along the Easterly right of way line of Caldwell Mill Road for 425 feet, more or less, thence turn left 31 degrees, 45 minutes and run Southeastery for 87.96 feet; thence turn left 31 degrees, 45 minutes, and run Southeastery along the new Northeastery right of way line of Old Caldwell Mill Road for 231.58 feet to the beginning of a curve to the right having a radius of 253.05 feet; thence continue Southeastery and along said right of way line and along the arc of said curve 162.13 feet to the end of said curve; thence continue Southeastery on a course tangent to said curve, and along said right of way line 245.3 feet to the point of beginning. Situated in Shelby County, Alabama.

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LEASE AREA (AS SURVEYED)

A parcel of land being a portion of that certain tract of land as described in instrument#2001-11912 in the Judge of Probate Office, Shelby County, Alabama lying in Section 3, Township 19 South, Range 2 West and being more particularly described as follows:

Commence at a 5/8" rebar found in place at the most easterly corner of Lot 2 Butte Woods Ranch Addition to Aladens Valley, as recorded in Map Book 5, Page 1 in the Judge of Probate Office, Shelby County, Alabama, said 5/8" rebar on the westerly right-of-way line of Old Caldwell Mill Road; thence N 58°15'47" E a distance of 784.82 feet to a 5/8" capped rebar set (SMW LS 19753) and the Point of Beginning; thence N 17°42'18" W a distance of 45.00 feet to a 5/8" capped rebar set (SMW LS 19753); thence N 72°17'44" E a distance of 45.00 feet to a 5/8" capped rebar set (SMW LS 19753); thence S 17°42'18" E a distance of 45.00 feet to a 5/8" capped rebar set (SMW LS 19753); thence S 72°17'44" W a distance of 45.00 feet to the point of Beginning. Said above described parcel contains 0.05 acres, more or less.

20' INGRESS/EGRESS AND UTILITY EASEMENT (AS SURVEYED)

An easement of land being a portion of that certain tract of land as described in instrument#2001-11912 in the Judge of Probate Office, Shelby County, Alabama lying in Section 3, Township 19 South, Range 2 West and being more particularly described as follows:

Commence at a 5/8" rebar found in place at the most easterly corner of Lot 2 Butte Woods Ranch Addition to Aladens Valley, as recorded in Map Book 5, Page 1 in the Judge of Probate Office, Shelby County, Alabama, said 5/8" rebar on the westerly right-of-way line of Old Caldwell Mill Road; thence N 58°15'47" E a distance of 784.82 feet to a 5/8" capped rebar set (SMW LS 19753); thence N 17°42'18" W a distance of 20.30 feet to the Point of Beginning of an Ingress/Egress Easement being 20 feet in width and lying 10 feet on each side of the following described centerline; thence S 61°19'03" W a distance of 112.93 feet to a point; thence with a curve to the right having a radius of 20.00 feet, an arc length of 31.49 feet, and a chord bearing of N 73°34'48" W, and chord length of 28.34 feet to a point; thence N 28°28'35" W a distance of 78.00 feet to a point; thence with a curve to the left having a radius of 45.00 feet, an arc length of 81.70 feet, and a chord bearing of N 87°45'30" W, and chord length of 58.98 feet to a point; thence S 72°57'36" W a distance of 226.43 feet to a point; thence S 82°02'27" W a distance of 152.32 feet to a point; thence S 27°55'27" W a distance of 106.11 feet to a point; thence S 04°04'18" W a distance of 35.24 feet to a point; thence S 02°06'27" E a distance of 39.15 feet to a point; thence S 25°21'55" E a distance of 26.95 feet to a point; thence with a curve to the right having a radius of 30.00 feet, an arc length of 31.78 feet, and chord bearing of S 20°08'48" W, and chord length of 28.54 feet to a point; thence S 85°41'31" W a distance of 17.48 feet, more or less the easterly right-of-way of Old Caldwell Mill Road and the Point of Ending. Said above described easement contains 0.42 acres, more or less.

20' UTILITY EASEMENT (AS SURVEYED)

An easement of land being a portion of that certain tract of land as described in instrument#2001-11912 in the Judge of Probate Office, Shelby County, Alabama lying in Section 3, Township 19 South, Range 2 West and being more particularly described as follows:

Commence at a 5/8" rebar found in place at the most easterly corner of Lot 2 Butte Woods Ranch Addition to Aladens Valley, as recorded in Map Book 5, Page 1 in the Judge of Probate Office, Shelby County, Alabama, said 5/8" rebar on the westerly right-of-way line of Old Caldwell Mill Road; thence N 58°15'47" E a distance of 784.82 feet to a 5/8" capped rebar set (SMW LS 19753); thence N 17°42'18" W a distance of 10.19 feet to the Point of Beginning of a Utility Easement being 20 feet in width and lying 10 feet on each side of the following described centerline; thence S 61°19'03" W a distance of 27.44 feet to a point; thence S 17°59'28" E a distance of 78.82 feet to the Point of Ending. Said above described easement contains 0.05 acres, more or less.