

This document was prepared by
and after recording return to:
Thomas J. Buchanan
Baker Donelson Bearman
Caldwell & Berkowitz, PC
420 20th Street North, Suite 1600
Birmingham, Alabama 35203

Source of Title: Warranty deed recorded
February 15, 2007 as Instrument Number
20070215000069860 in the Probate Office
of Shelby County, Alabama.

STATE OF ALABAMA)
)
COUNTY OF SHELBY)

MEMORANDUM OF
LAND LEASE AGREEMENT

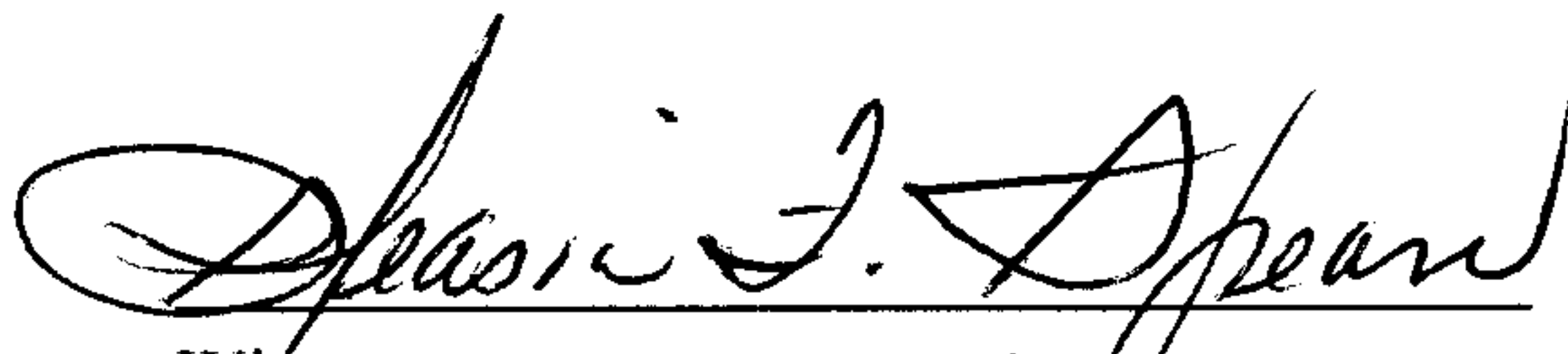
This Memorandum of Land Lease Agreement is entered into this 30 day of April, 2014, by and between **Steve Harless (a/k/a/ Richard S. Harless) and wife, Hattie Harless (a/k/a Hattie B. Harless)**, with an address of 2474 Smokey Road, Alabaster, Alabama 35007 (hereinafter referred to as "Lessor") and **Cellco 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 ("Agreement") on the 30 day of April, 2014, for the purpose of installing, operating and maintaining a telecommunications facility and other improvements. All of the foregoing is set forth in the Agreement.
2. The initial term of the Agreement is for five (5) years commencing as specified in the Agreement. The Agreement may be extended for four (4) additional terms of five (5) years each.
3. The land which is the subject of the Agreement is described in **Exhibit A** annexed hereto.

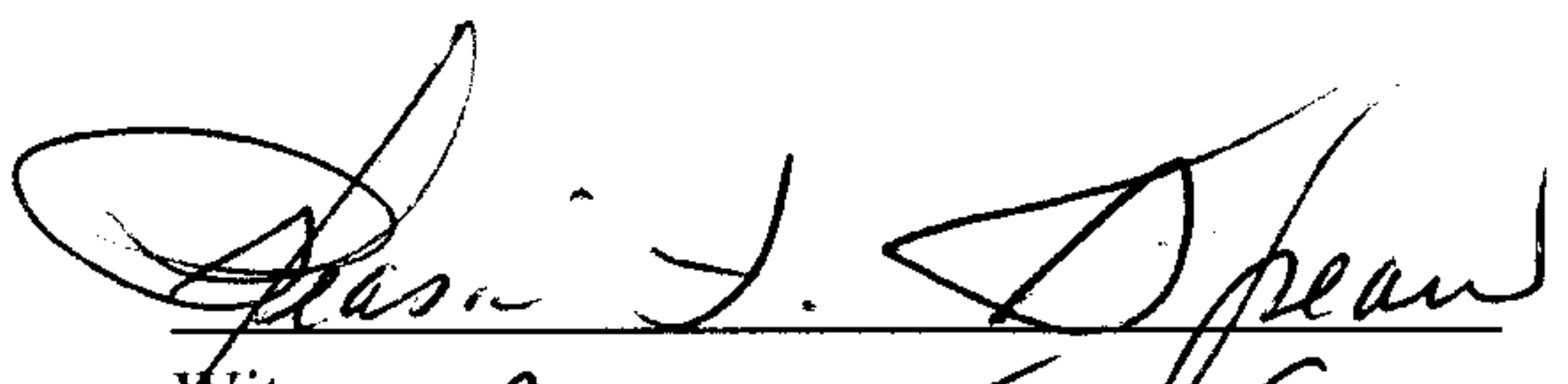
IN WITNESS WHEREOF, the parties have executed this Memorandum of Land Lease Agreement as of the day and year first above written.

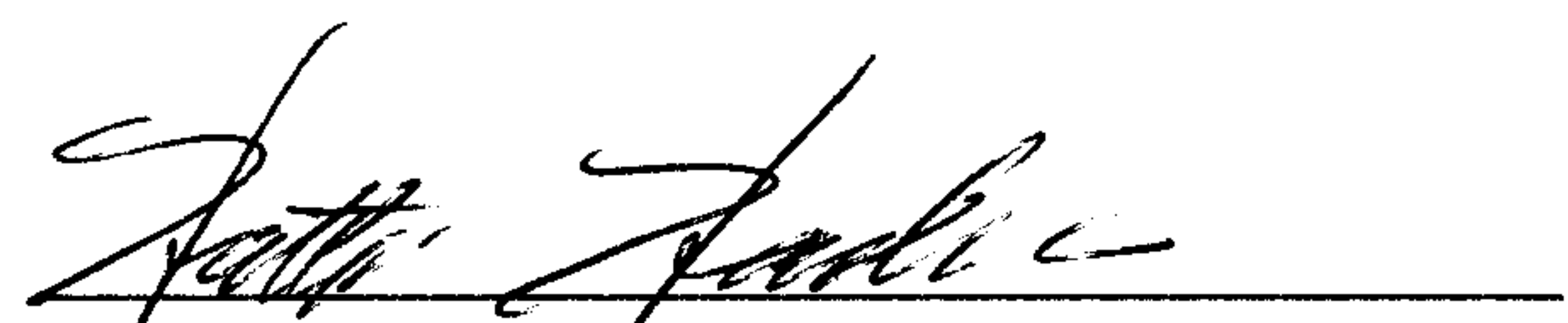
LESSOR:

**Steve Harless (A/K/A Richard S. Harless)
and wife, Hattie Harless (a/k/a Hattie B.
Harless)**


Witness
Name: Pleasia F. Spears

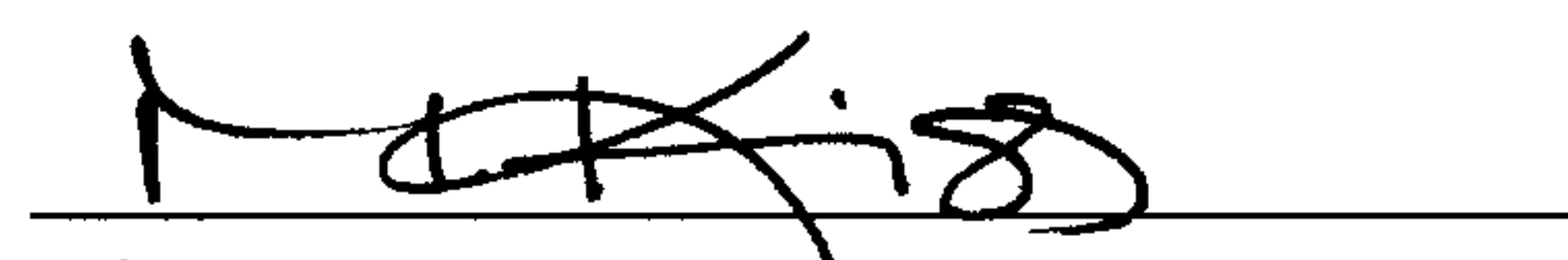

Steve Harless (a/k/a Richard S. Harless)
Date: 11-21-13

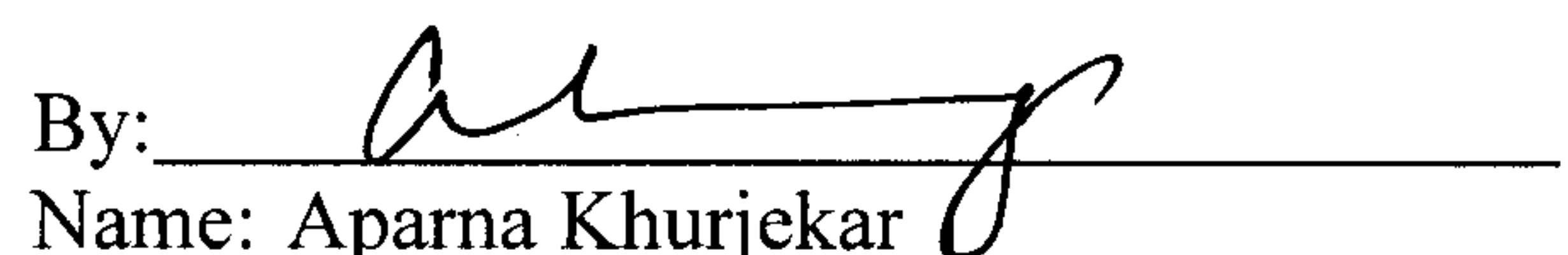

Witness
Name: Pleasia F. Spears



Hattie Harless (a/k/a Hattie B. Harless)
Date: 11-21-13

LESSEE:

Cellco Partnership d/b/a Verizon Wireless


Witness
Name: M. Kiss

By: 
Name: Aparna Khurjekar
Its: Area Vice President Network
Date: 7.30.14


20140507000137160 2/8 \$78.00
Shelby Cnty Judge of Probate, AL
05/07/2014 11:00:42 AM FILED/CERT

STATE OF ALABAMA)

COUNTY OF SHELBY)

I, the undersigned authority, a Notary Public in and for said county, in said State, hereby certify that, **Steve Harless (a/k/a Richard S. Harless)** whose name 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, he/she executed the same voluntarily on the day the same bears date.

GIVEN under my hand and seal, this 21st day of Nov., 20 13.

[NOTARIAL SEAL]

Notary Public: [Signature]

Print Name: Mitchell A. Spears

My Commission Expires: 07/31/17

STATE OF ALABAMA)

COUNTY OF SHELBY)

I, the undersigned authority, a Notary Public in and for said county, in said State, hereby certify that, **Hattie Harless (a/k/a Hattie B. Harless)** whose name 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, he/she executed the same voluntarily on the day the same bears date.


GIVEN under my hand and seal, this 21st day of Nov., 20 13.

[NOTARIAL SEAL]

Notary Public: [Signature]

Print Name: Mitchell A. Spears

My Commission Expires: 07/31/17


20140507000137160 3/8 \$78.00
Shelby Cnty Judge of Probate, AL
05/07/2014 11:00:42 AM FILED/CERT

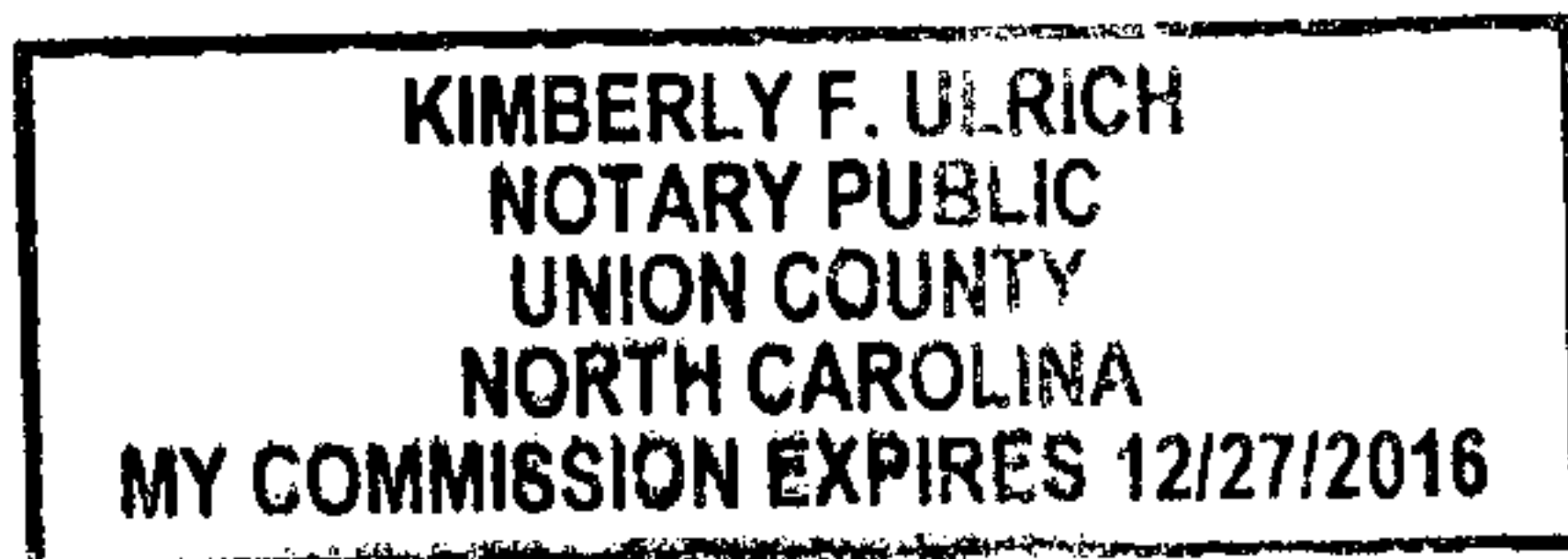
STATE OF NORTH CAROLINA)

COUNTY OF MECKLENBURG)

I, the undersigned authority, a Notary Public in and for said county, in said State, hereby certify that, **Aparna Khurjekar**, whose name as **Area Vice President Network of Cellco 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, she in her 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 30 day of April, 20 14.

[NOTARIAL SEAL]



Notary Public: Kimberly F. Ulrich

Print Name: Kimberly F. Ulrich

My Commission Expires: _____

20140507000137160 4/8 \$78.00
Shelby Cnty Judge of Probate, AL
05/07/2014 11:00:42 AM FILED/CERT

EXHIBIT A

Description of Parent Tract and Leased Area

(See Survey Attached)

Parent Tract:

A parcel of land lying and being situated in Section 25, Township 21 South, Range 3 West of the Huntsville Meridian, Shelby County, Alabama, being more particularly described as follows:

Commencing at the Northeast corner of said Section 25; thence North 86 degrees 57 minutes 07 seconds West along the North line of said section a distance of 2460.73 feet to a 1" pipe found on the West right-of-way of County Highway No. 12; thence South 06 degrees 35 minutes 43 seconds West along said right-of-way a distance of 1071.64 feet to the point of beginning; thence South 06 degrees 35 minutes 43 seconds West along said right of way a distance of 403.84 feet to a point; thence North 87 degrees 56 minutes 17 seconds West a distance of 2027.72 feet to a point in the center of Spring Creek; thence along the meanders of Spring Creek the following courses and distances: North 26 degrees 26 minutes 34 seconds East, a distance of 123.88 feet to a point; North 26 degrees 05 minutes 18 seconds East, a distance of 73.43 feet to a point; North 64 degrees 28 minutes 58 seconds East, a distance of 122.18 feet to a point; North 16 degrees 19 minutes 04 seconds East, a distance of 124.33 feet to a point; thence North 63 degrees 54 minutes 06 seconds West, a distance of 115.19 feet to a point; thence North 22 degrees 32 minutes 13 seconds West, a distance of 219.06 feet to a point; thence North 06 degrees 52 minutes 05 seconds West, a distance of 58.07 feet to a point; thence South 80 degrees 45 minutes 07 seconds East, a distance of 2061.29 feet to the point of beginning; according to the survey of Sid Wheeler, dated February 16, 2006.

Lease Area (100' x 100'):

All that tract or parcel of land lying and being in Section 25, Township 21 South and Range 3 West of Shelby County, Alabama and being more particularly described as follows:

To find the true point of beginning, COMMENCE at a ½" rebar found in the westerly right of way of County Highway 21 (also known as Smokey Road and having a 80 foot wide right-of-way) said point being the northeast corner of a parcel now or formerly owned by Steven and Hattie Harless and having a Alabama west state plane coordinate (NAD83) value of Northing: 1158243.14 and Easting: 2181130.03; thence running along said right-of-way, South 06°30'17" West, 32.56 feet to a point; thence leaving said right-of-way and running, North 80°48'37" West, 1214.01 feet to a point; thence, South 09°04'43" West, 74.82 feet to a point and the true POINT OF BEGINNING; Thence running, North 80°55'17" West, 100.00 feet to a point; Thence, North 09°04'43" East, 100.00 feet to a point; Thence, South 80°55'17" East, 100.00 feet to a point; Thence, South 09°04'43" 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 September 09, 2013, and last revised September 30, 2013.

30' Access and Utility Easement:

Together with a proposed 30 foot wide ingress-egress and utility easement lying and being in Section 25, Township 21 South and Range 3 West of Shelby County, Alabama and being more particularly described by the following centerline data:

To find the true point of beginning, COMMENCE at a ½" rebar found in the westerly right of way of County Highway 21 (also known as Smokey Road and having a 80 foot wide right-of-way) said point being the northeast corner of a parcel now or formerly owned by Steven and Hattie Harless and having a Alabama west state plane coordinate (NAD83) value of Northing: 1158243.14 and Easting: 2181130.03; thence running along said right-of-way, South 06°30'17" West, 32.56 feet to a point and the true POINT OF BEGINNING; Thence leaving said right-of-way and running, North 80°48'37" West, 1214.01 feet to the ENDING at a point.

As shown in a survey prepared for Verizon Wireless by POINT TO POINT LAND SURVEYORS, INC. dated September 09, 2013, and last revised September 30, 2013.


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Shelby Cnty Judge of Probate, AL
05/07/2014 11:00:42 AM FILED/CERT

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00 \$78.87 \$ 8/7 0916100070507102
Shelby County Probate, TN



TITLE EXCEPTIONS

- NEWMAN LAW FIRM, PC
CERTIFICATE NO. 2289
EFFECTIVE DATE: JULY 15, 2013
7. Mortgagee: Deeds to Secure Debt, Security Deeds, Assignments of Leases and Rents, UCC Financing Statements, Trusts and Assignments of Trust, and other forms of voluntary encumbrances on or relating to the Subject Property.
8. Mortgage from Richard S. Harless (b/k/a Steve Harless) and wife, Hattie B. Harless (b/k/a Hattie Harless), dated October 26, 2011, in the amount of \$192,918.45, paid for record on October 27, 2011, and recorded as Instrument No. 2011-32236, in said Probate Office.
- (THIS ITEM CANNOT BE CERTIFIED AS BEING IN FULL AND FINAL AGREEMENT)
9. Adjudgments, Tax related Liens, Final Facies (Final), Sheriff's Liens, Governmental Assessments or other matters of a similar or the nature that may or may not affect the Subject Property.
10. None
11. Additional matters of record not otherwise and not herein and notes of further explanation or comment included for informational purposes only.
- a. None

GENERAL NOTES

* THIS SPECIFIC PURPOSE EASEMENT SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF VARIOUS INTERESTS AND EXCLUSIONS FOR THE TRANSFER OF THE EASEMENT AND THE RIGHTS OF EASEMENT FROM THE LAND AND SHALL NOT BE USED AS AN EVIDENCE OF THE EASEMENT OR THE RIGHTS OF EASEMENT OF THE SUBJECT PROPERTY NOR ANY PORTION OR PORTIONS THEREOF. NO BOUNDARY SURVEY WAS PERFORMED.

EQUIPMENT USED FOR ANGULAR & LINEAR MEASUREMENTS: LEICA TCA1103 ROBOTIC

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 7' CONTIGUOUS AND SPOT ELEVATIONS SHOWN ON THIS SPECIFIC PURPOSE EASEMENT SURVEY ARE ADJUSTED TO NAVD 83 DATUM AND HAVE A VERTICAL ACCURACY OF $\pm 1'$. CONTIGUOUS OUTSIDE THE IMMEDIATE SITE AREA ARE APPROXIMATE.

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

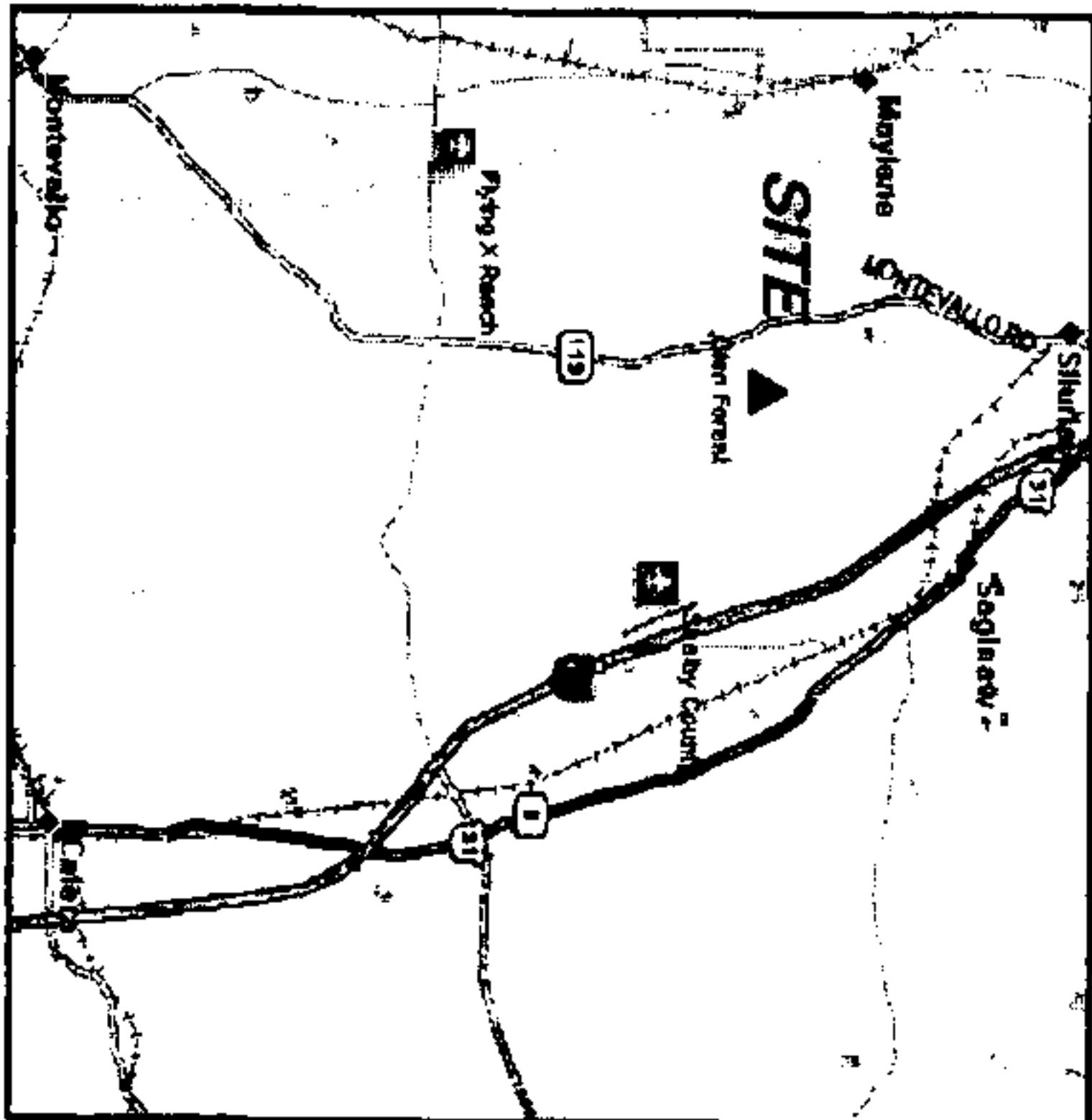
A PORTION OF THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD AREA (ZONE A WITH NO BASE FLOOD ELEVATION AS PER FIRM, COMMUNITY PANEL NO. 011100398, DATED FEBRUARY 20, 2013).

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM ABOVE GROUND FIELD SURVEY INFORMATION. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPREHENSIVE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER 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 PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

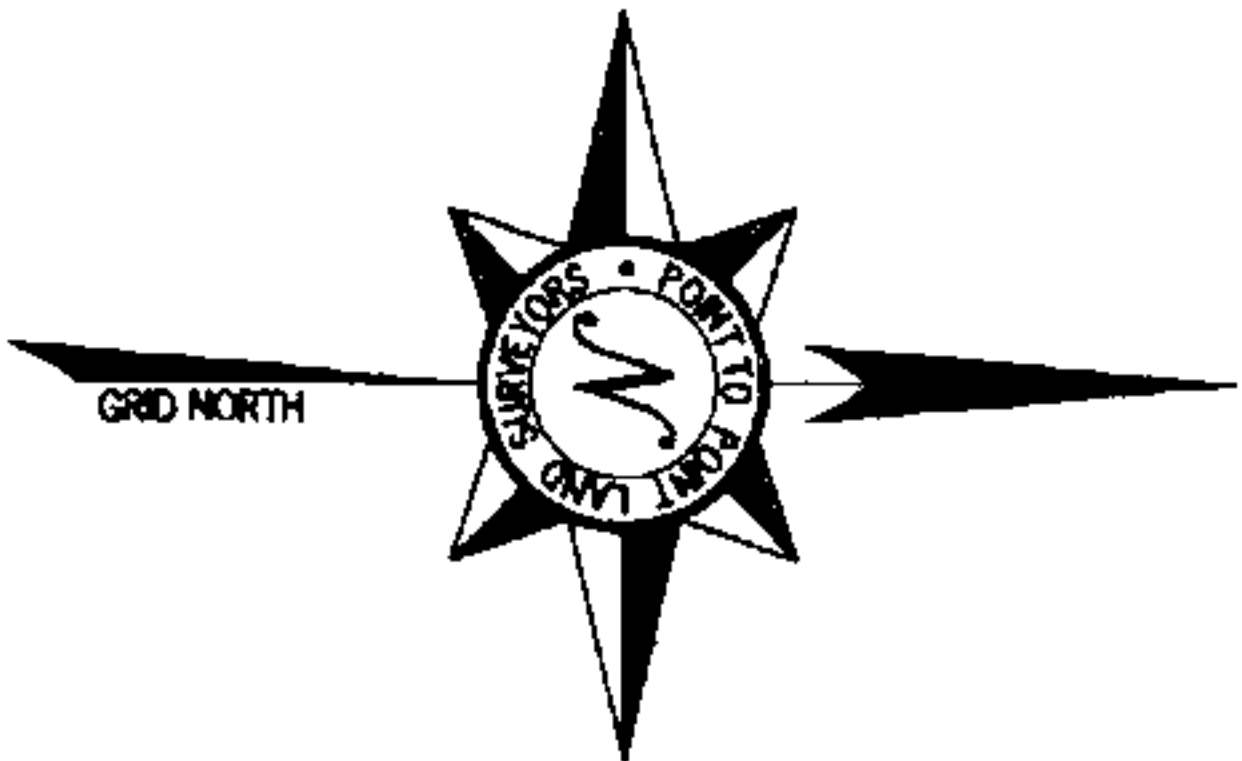
ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA, CERTIFICATE OF AUTHORIZATION NO. CA58115

SUBJECT PROPERTY

OWNER: STEVE HARLESS AND HATTIE HARLESS
SITE ADDRESS: 2474 SMOKEY ROAD ALABASTER, AL 35007
PARCEL ID: 237-25-2-001-021.000
AREA: 23.6+/- ACRES
ZONED: R-1 SINGLE FAMILY DISTRICT
REFERENCE: DOC. NUMBER 2007021500069860

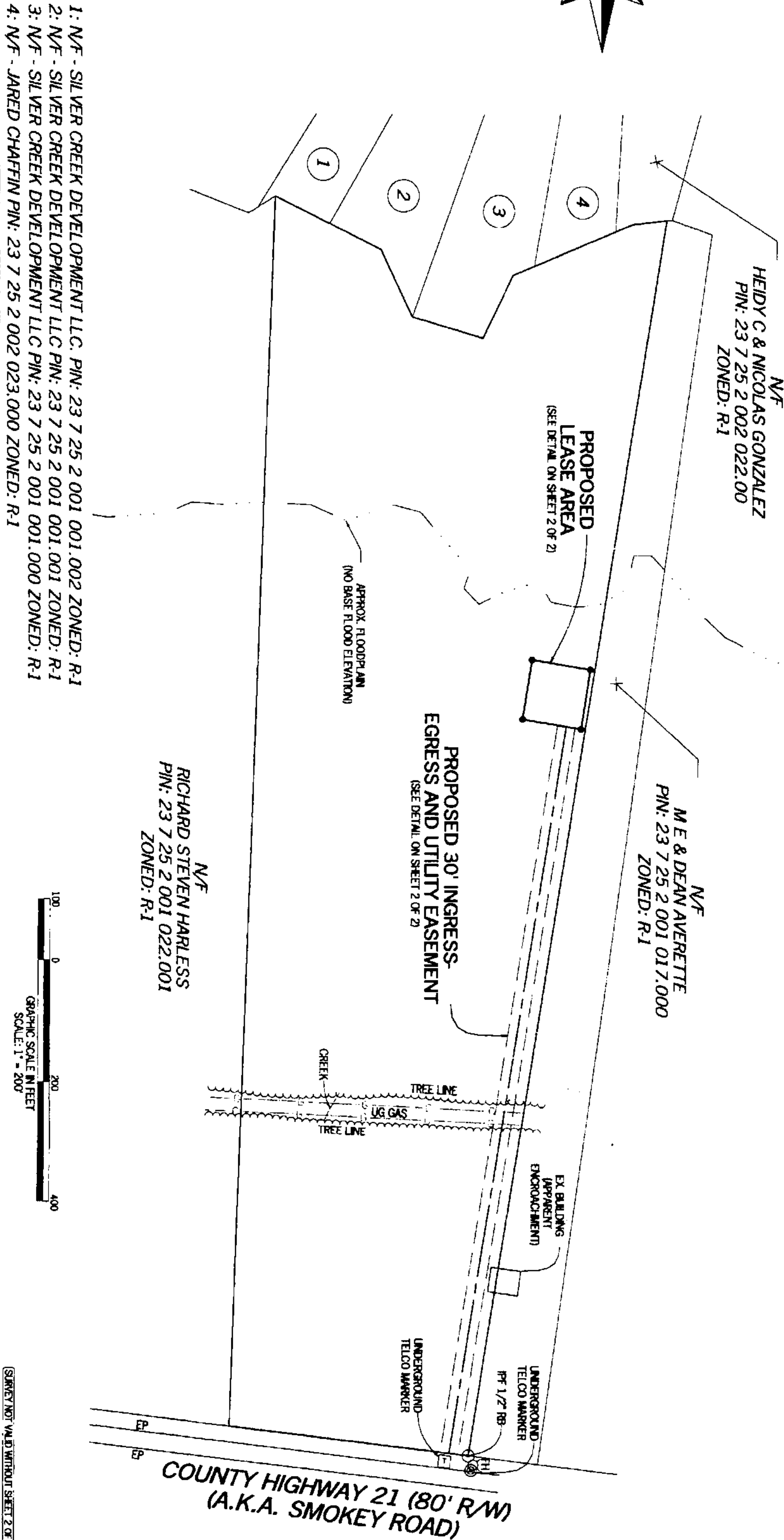


VICINITY MAP
NOT TO SCALE



LEGEND

- PROPOSED LEASE AREA
PROPOSED 30' INGRESS-EGRESS AND UTILITY EASEMENT
APPROX. FLOODPLAIN (NO BASE FLOOD ELEVATION)
TREE LINE
UG GAS
EX. BUILDING (APPROXIMATE ENCROACHMENT)
UNDERGROUND TELCO MARKER
IF 1/2" RB
COUNTY HIGHWAY 21 (80' R/W) (A.K.A. SMOKEY ROAD)



EASEMENT SURVEY PREPARED BY:

POINT TO POINT
LAND SURVEYORS

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



EASEMENT SURVEY PREPARED FOR:



10300 OLD ALABAMA ROAD CONNECTOR
ALABASTER, AL 35022

"SMOKEY ROAD"

TOWNSHIP 21 SOUTH,
RANGE 3 WEST, SECTION 25 OF
SHELBY COUNTY, ALABAMA

DRAWN BY: WAW

CHECKED BY: CJC

APPROVED: C. MER

DATE: SEPTEMBER 09, 2013

P2P JOB #: 2013.740

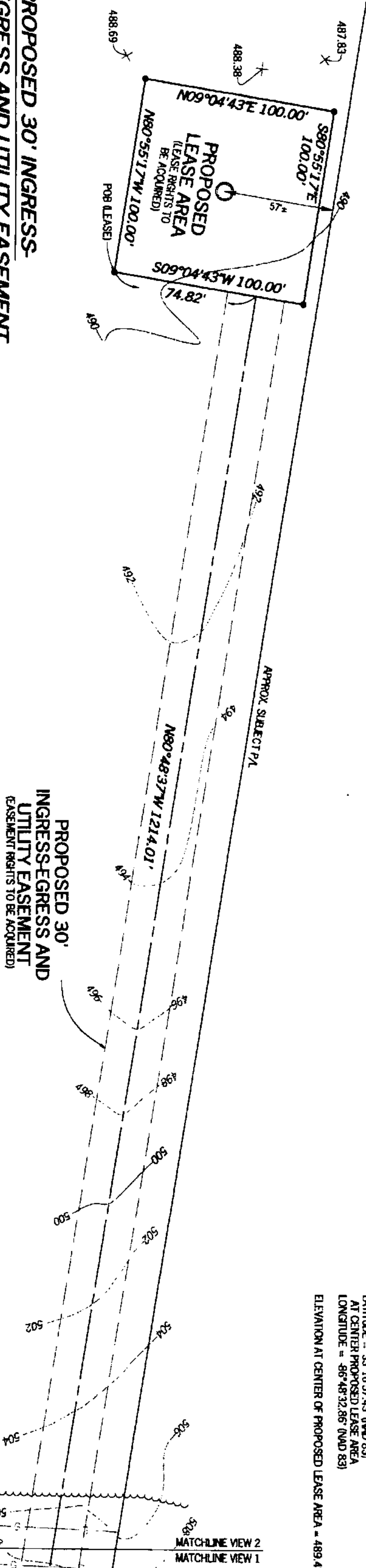
SHEET:

1

VIEW 2

SITE INFORMATION

PROPOSED LEASE AREA = 10,000 SQUARE FEET (0.2296 ACRES)
 LATITUDE = 33°10'57.43" (NAD 83)
 AT CENTER PROPOSED LEASE AREA
 LONGITUDE = -86°48'32.86" (NAD 83)
 ELEVATION AT CENTER OF PROPOSED LEASE AREA = 489.4' A.M.S.L.



**PROPOSED 30' INGRESS-
EGRESS AND UTILITY EASEMENT**

TOGETHER WITH A PROPOSED 30 FOOT WIDE EGRESS/EGRESS AND UTILITY EASEMENT LYING AND BEING IN SECTION 25, TOWNSHIP 21 SOUTH AND RANGE 3 WEST OF SHELBY COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED BY THE FOLLOWING CENTRAL LINE DATA:

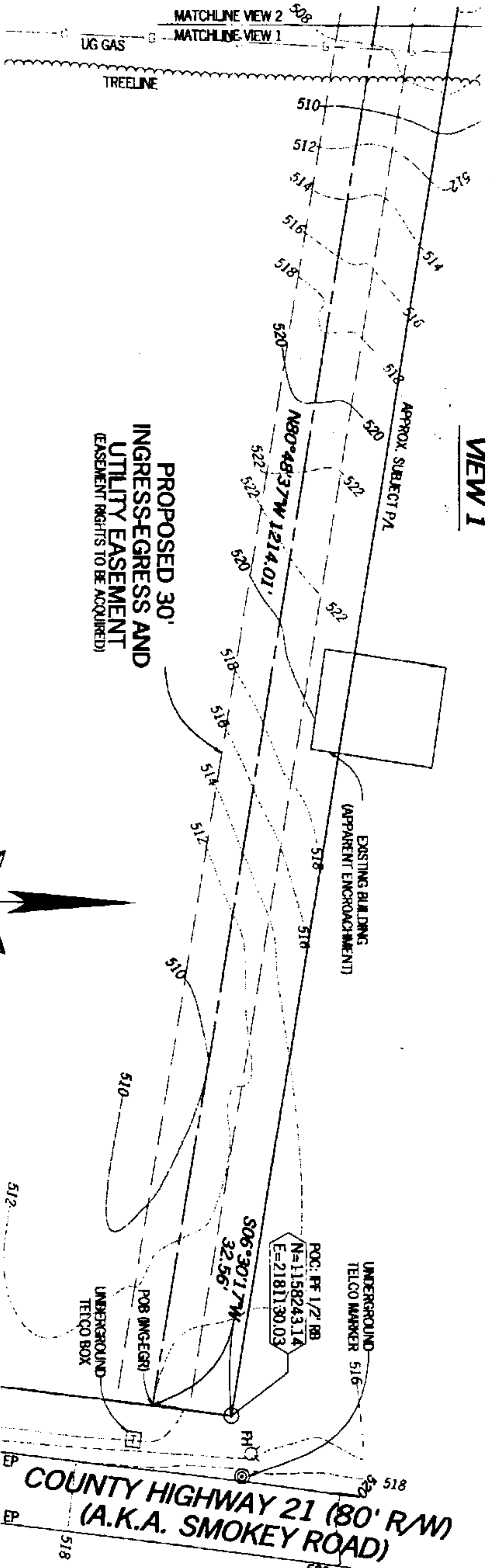
TO FIND THE TRUE POINT OF BEGINNING, COMMENCE AT A 1/2 REBAR FOUND IN THE WESTERLY RIGHT-OF-WAY OF COUNTY HIGHWAY 21, ALSO KNOWN AS SMOKEY ROAD, AND HAVING A 80 FOOT WIDE RIGHT-OF-WAY SAID POINT BEING THE NORTHEAST CORNER OF A PARCEL, NOW OR FORMERLY OWNED BY STEVEN AND HATTIE HALESS AND HAVING A ALABAMA WEST STATE PLANE COORDINATE (XA083) VALUE OF NORTING: 1158243.14 AND EASTING: 2181130.03; THENCE RUNNING ALONG SAID RIGHT-OF-WAY, SOUTH 06°30'17" WEST, 32.56 FEET TO A POINT AND THE TRUE POINT OF BEGINNING, THENCE LEAVING SAID RIGHT-OF-WAY AND RUNNING, NORTH 80°48'37" WEST, 12214.01 FEET TO THE ENDING AT A POINT.

PROPOSED LEASE AREA

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN SECTION 25, TOWNSHIP 21 SOUTH AND RANGE 3 WEST OF SHELBY COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

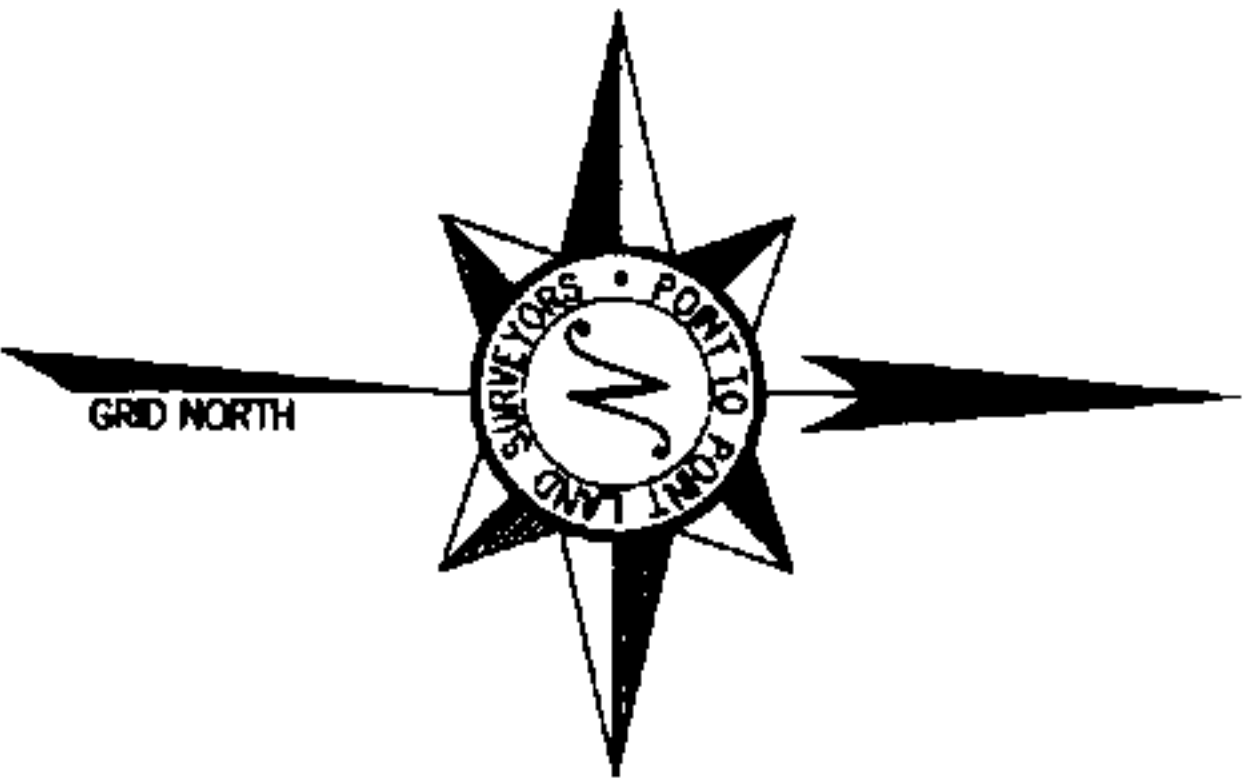
TO FIND THE TRUE POINT OF BEGINNING, COMMENCE AT A 1/4- REBAR FOUND IN THE WESTERLY RIGHT OF WAY OF COUNTY HIGHWAY 21 (ALSO KNOWN AS SMOKEY ROAD AND HAVING A 80 FOOT WIDE RIGHT-OF-WAY) SAID POINT BEING THE NORTH-EAST CORNER OF A PARCEL NOW OR FORMERLY OWNED BY STEVEN AND LUTHER HARLESS AND HAVING A ALABAMA WEST STATE PLANE COORDINATE (NAD83) VALUE OF: NORTHING: 11158283.14 AND EASTING: 21811130.03; THENCE, RUNNING ALONG SAID RIGHT-OF-WAY, SOUTH 06°30'17" WEST, 32.56 FEET TO A POINT; THENCE, LEAVING SAID RIGHT-OF-WAY AND RUNNING, NORTH 80°48'37" WEST, 1214.01 FEET TO A POINT; THENCE, SOUTH 09°04'43" WEST, 74.87 FEET TO A POINT AND THE TRUE POINT OF BEGINNING; THENCE, RUNNING, NORTH 80°55'17" WEST, 100.00 FEET TO A POINT; THENCE, NORTH 09°04'43" EAST, 100.00 FEET TO A POINT; THENCE, SOUTH 80°55'17" EAST, 100.00 FEET TO A POINT; THENCE, SOUTH 09°04'43" 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

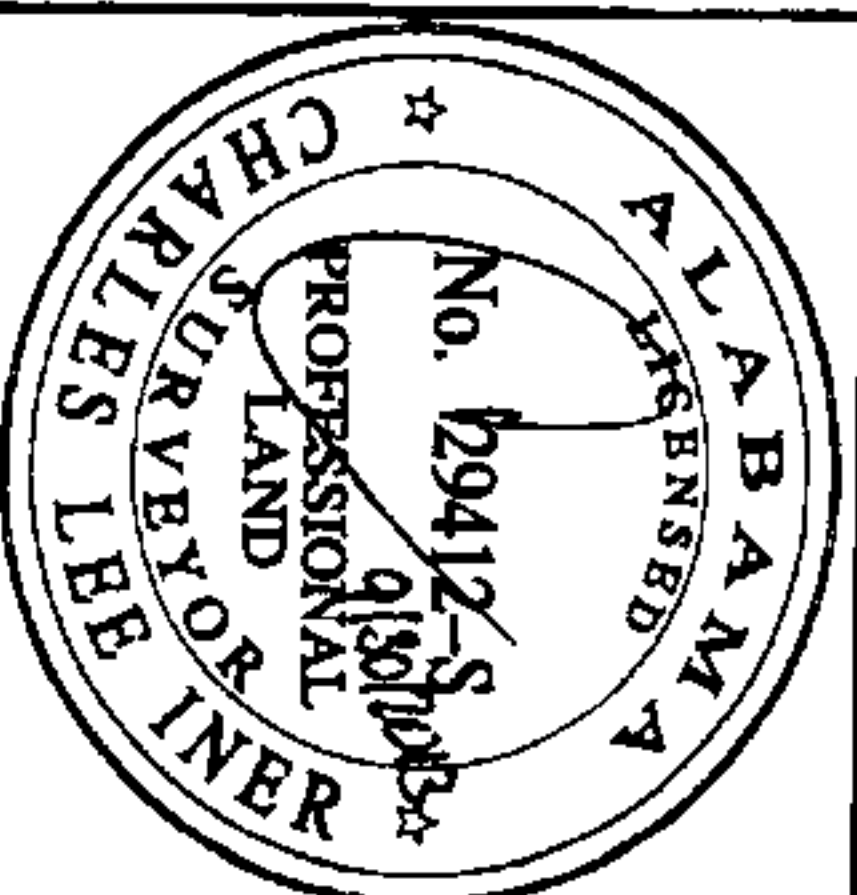


LEGEND

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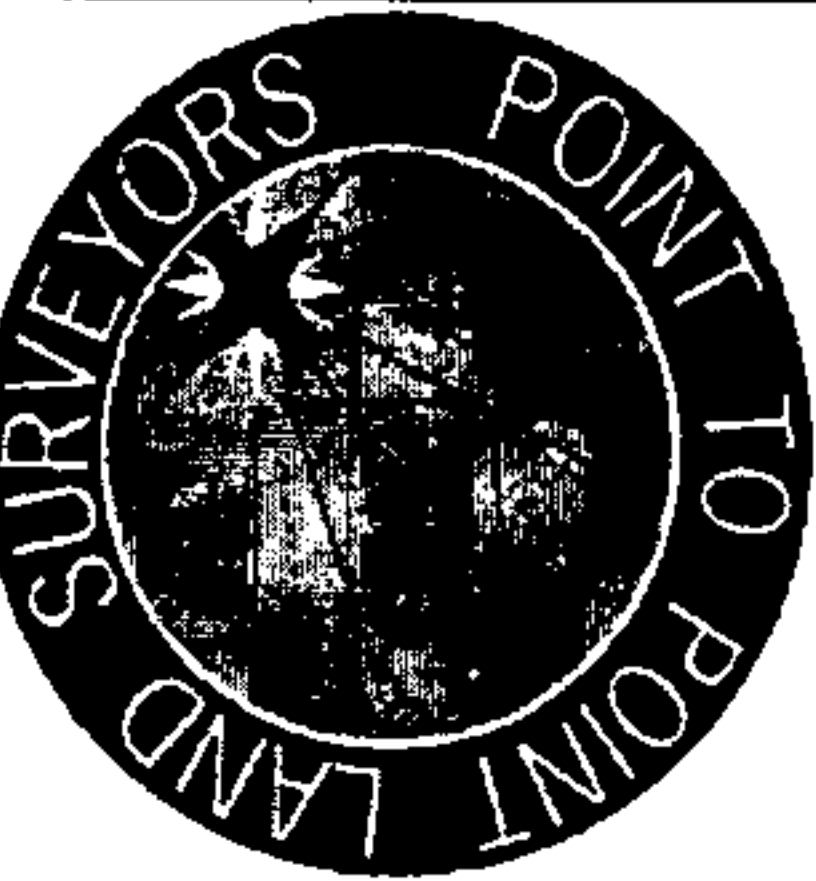
SURVEY NOT VALID WITHOUT SHEET 1 OF 2



EASEMENT SURVEY PREPARED BY:

POINT TO POINT LAND SURVEYORS

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



EASEMENT SURVEY PREPARED FOR:



10300 OLD ALABAMA ROAD CONNECTOR
ALPHARETTA, GA 30022

"SMOKEY ROAD"

TOWNSHIP 21 SOUTH,
RANGE 3 WEST, SECTION 25 OF
SHELBY COUNTY, ALABAMA

BY: WAW SHEET:

ED BY: CLC

SEPTEMBER 09, 2013

HB #: 2013.740

OF 2