

MEMORANDUM OF LEASE

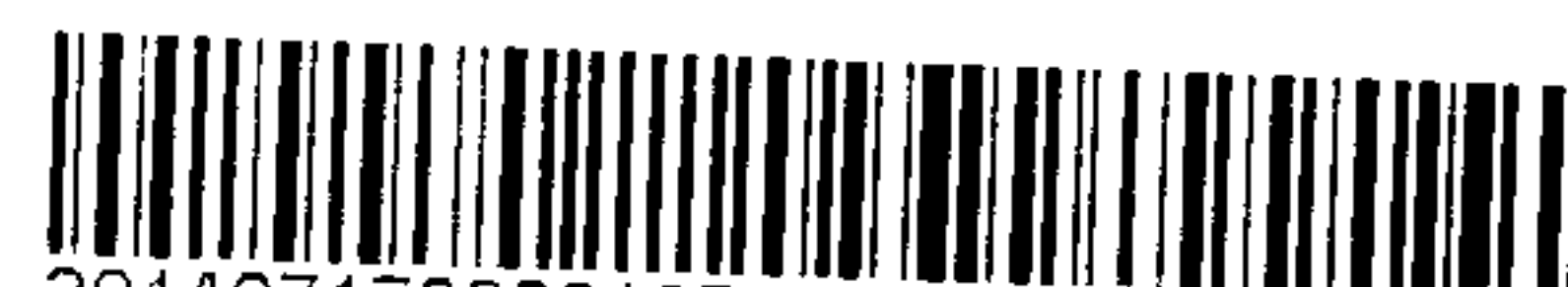
Prepared by:

SAC NAME: Matt Swann

SAC FIRM: Foresite Services, LLC

FIRM ADDRESS: 3975 Asbury Road

CITY, STATE ZIP: Birmingham, AL 35243



20140717000218510 1/6 \$442.50
Shelby Cnty Judge of Probate, AL
07/17/2014 12:08:29 PM FILED/CERT

Return to:

Rosenberg & Clark, LLC

Attn: Staci A. Rosenberg, Esq

400 Poydras St., Suite 1680

New Orleans, La. 70130

Re: Cell Site # _____; Cell Site Name: Hargis

Fixed Asset #12677970

State: Alabama

County: Shelby

MEMORANDUM
OF
LEASE

E 1/2 of Section 15, Township
19 South, Range 1 West

This Memorandum of Lease is entered into on this 16 day of June, 2014, by and between Parks Gettys and Faye Gettys, having a mailing address of 2816 Bear Creek Road, Sterrett, Alabama 35147 (hereinafter referred to as "**Landlord**") and New Cingular Wireless PCS, LLC, a Delaware limited liability company, having a mailing address of 575 Morosgo Drive, 13-F West Tower, Atlanta, GA 30324 (hereinafter referred to as "**Tenant**").

1. Landlord and Tenant entered into a certain Option and Lease Agreement ("**Agreement**") on the 16th day of June, 2014, for the purpose of installing, operating and maintaining a communications facility and other improvements. All of the foregoing is set forth in the Agreement.
2. The initial lease term will be five (5) years commencing on the effective date of written notification by Tenant to Landlord of Tenant's exercise of its option, with four (4) successive five (5) year options to renew.
3. The portion of the land being leased to Tenant and associated easements are 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"

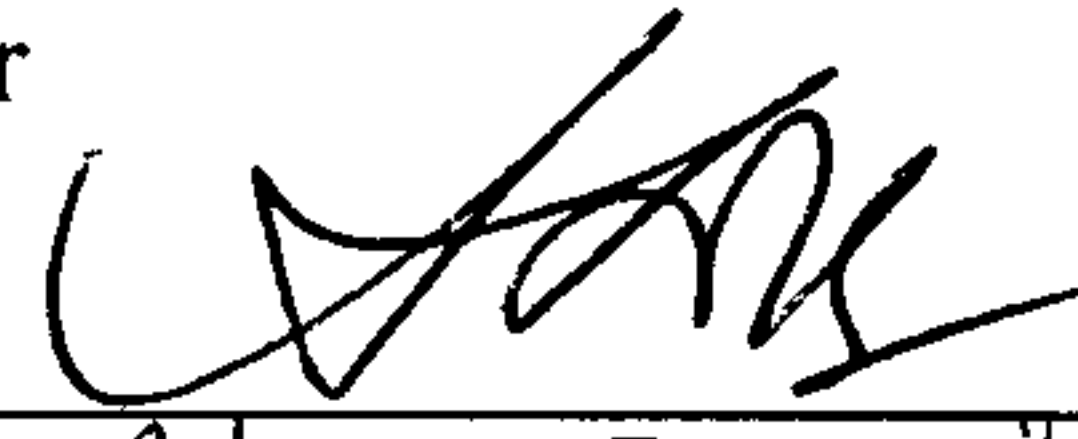

Parks Gettys


Faye Gettys

Date: 6/10/14

"TENANT"

New Cingular Wireless PCS, LLC,
a Delaware limited liability company
By: AT&T Mobility Corporation
Its: Manager

By: 
Print Name: Alina Dumitrescu
Its: Area mgr. C&E
Date: 6/16/14

[ACKNOWLEDGMENTS APPEAR ON THE NEXT PAGE]

TENANT ACKNOWLEDGMENT

STATE OF Alabama)
) SS:
COUNTY OF Shelby)

On the 16th day of June, 2014, before me personally appeared Alina Dumitrescu and acknowledged under oath that he/she is the Area Mgr. C.E of AT&T Mobility Corporation, the Manager of New Cingular Wireless PCS, LLC, the Tenant named in the attached instrument, and as such was authorized to execute this instrument on behalf of the Tenant.

Notary Public: Brigit D. Edmondson
My Commission Expires:

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
COMMISSION EXPIRES: Sept 27, 2014
NOTARY PUBLIC UNDERWRITERS

(1) **LANDLORD ACKNOWLEDGMENT**

STATE OF Alabama)
) SS:
COUNTY OF Jefferson)

On the 14th day of June, 2014 before me, personally appeared Parks Gettys and Faye Gettys, who acknowledged under oath, that he/she is the person/officer named in the within instrument, and that he/she executed the same in his/her stated capacity as the voluntary act and deed of Landlord for the purposes therein contained.

Linda Susan Turner
Notary Public: LINDA S. TURNER
My Commission Expires: 7/1/15

EXHIBIT 1

DESCRIPTION OF PREMISES

Page 1 of 3

to the Memorandum of Lease dated June 16, 2014, by and between Parks Gettys and Faye Gettys, as Landlord, and New Cingular Wireless PCS, LLC, a Delaware limited liability company, as Tenant.

The Property is legally described as follows:

All that part of the SE 1/4 of the NE 1/4 of Section 15, Township 19 South, Range 1 West, lying Southeast of center line of right of way of Shelby County Highway No. 43,

Also the Northeast diagonal half of the NE 1/4 of SE 1/4 of Section 15, Township 19 South, Range 1 West.

Also all that part of the Northeast diagonal half of the SW 1/4 of the NE 1/4 of Section 15, Township 19 South, Range 1 West, that lies Southeast of the center line of the right of way of Shelby County Highway No. 43; excepting Highway right of way; being situated in Shelby County, Alabama,

Less and except:

From the SE corner of said NE 1/4 of the SE 1/4 of Section 15, Township 19 South, Range 1 West, Shelby County, Alabama; thence Northwesterly along the diagonal line of the SW 1/2 of said NE 1/4 of the SE 1/4 a distance of 1900.67 feet to the NW corner of said NE 1/4 of the SE 1/4; thence continue NW along the diagonal line of the SW 1/4 of said SW 1/4 of the NE 1/4 231.87 feet to the SE right of way of Shelby County Highway No. 43; thence left 90°56'31" SW along said right of way for a distance of 1681.92 feet to the W 1/4 - 1/4 section line of said NW 1/4 of the SE 1/4; thence left 43°50'30" Southerly along said 1/4 - 1/4 section line for a distance of 340.17 feet to the SW corner of said NW 1/4 of the SE 1/4; thence left 91°05'18" East along the South 1/4 - 1/4 section line said NW 1/4 of the SE 1/4, and the South 1/4 - 1/4 section line of the NE 1/4 of the SE 1/4, for a distance of 2679.08 feet to the point of beginning.

Less and except:

A tract of land situated in the SE 1/4 of the NE 1/4 of Section 15, Township 19 South, Range 1 West, Shelby County, Alabama, more particularly described as follows:

Begin at the Northeast corner of the SE 1/4 of the NE 1/4 of Section 15, Township 19 South, Range 1 West, Shelby County, Alabama and run West along the North line of said 1/4 - 1/4 line for a distance of 327.68 feet to an iron marker; thence left 93°40'06" and run Southerly for a distance of 124.73 feet to an iron marker; thence left 86°08'58" and run Easterly 322.88 feet to an iron marker and a point of intersection with the East line of said 1/4 - 1/4 Section; thence left 91°32' and run North along said East 1/4 - 1/4 line for a distance of 125.54 feet to an iron marker and point of beginning.

LESS AND EXCEPT all road right of way and easements of record.

The Premises are described and/or depicted as follows:

SURVEYOR'S NOTES

1. This is a Raw Land Tower Survey, made on the ground under the supervision of an Alabama Registered Land Surveyor. Date of field survey is October 8, 2013.
2. The following surveying instruments were used at time of field visit: Nikon NPL-352, Total Station, Reflectorless and Hiper + Legacy E RTK, GD 142.
3. Bearings are based on Alabama West State Plane Coordinates NAD 83 by GPS observation.
4. No underground utilities, underground encroachments or building foundations were measured or located as a part of this survey, unless otherwise shown. Trees and shrubs not located, unless otherwise shown.
5. Benchmark used is a Continuously Operating Reference Station. Elevations shown are in feet and refer to NAVD 88.
6. This survey was conducted for the purpose of a Raw Land Tower Survey only, and is not intended to delineate the regulatory jurisdiction of any federal, state, regional or local agency, board, commission or other similar entity.
7. Attention is directed to the fact that this survey may have been reduced or enlarged in size due to reproduction. This should be taken into consideration when obtaining scaled data.
8. This Survey was conducted with the benefit of an Abstract Title search by Chicago Title Insurance Company, Commitment No. 3093H-13, dated September 26, 2013.
9. Surveyor hereby states the Geodetic Coordinates and the elevation shown for the proposed centerline of the tower are accurate to within +/- 20 feet horizontally and to within +/- 3 feet vertically (FAA Accuracy Code 1A).
10. Survey shown hereon conforms to the Minimum Requirements as set forth by the State Board for a Class "A" Survey.
11. Field data upon which this map or plot is based has a closure precision of not less than one-foot in 15,000 feet (1:15,000) and an angular error that does not exceed 10 seconds times the square root of the number of angles turned. Field traverse was not adjusted.
12. This survey is not valid without the original signature and the original seal of a state licensed surveyor and mapper.
13. This survey does not constitute a boundary survey of the Parent Tract. Any parent tract property lines shown hereon are from supplied information and may not be field verified.
14. No buildings near area of site.

ZONING (provided by client)
Zoning Jurisdiction: Shelby County Zoned E-1 single family Estates District
No setback information provided.

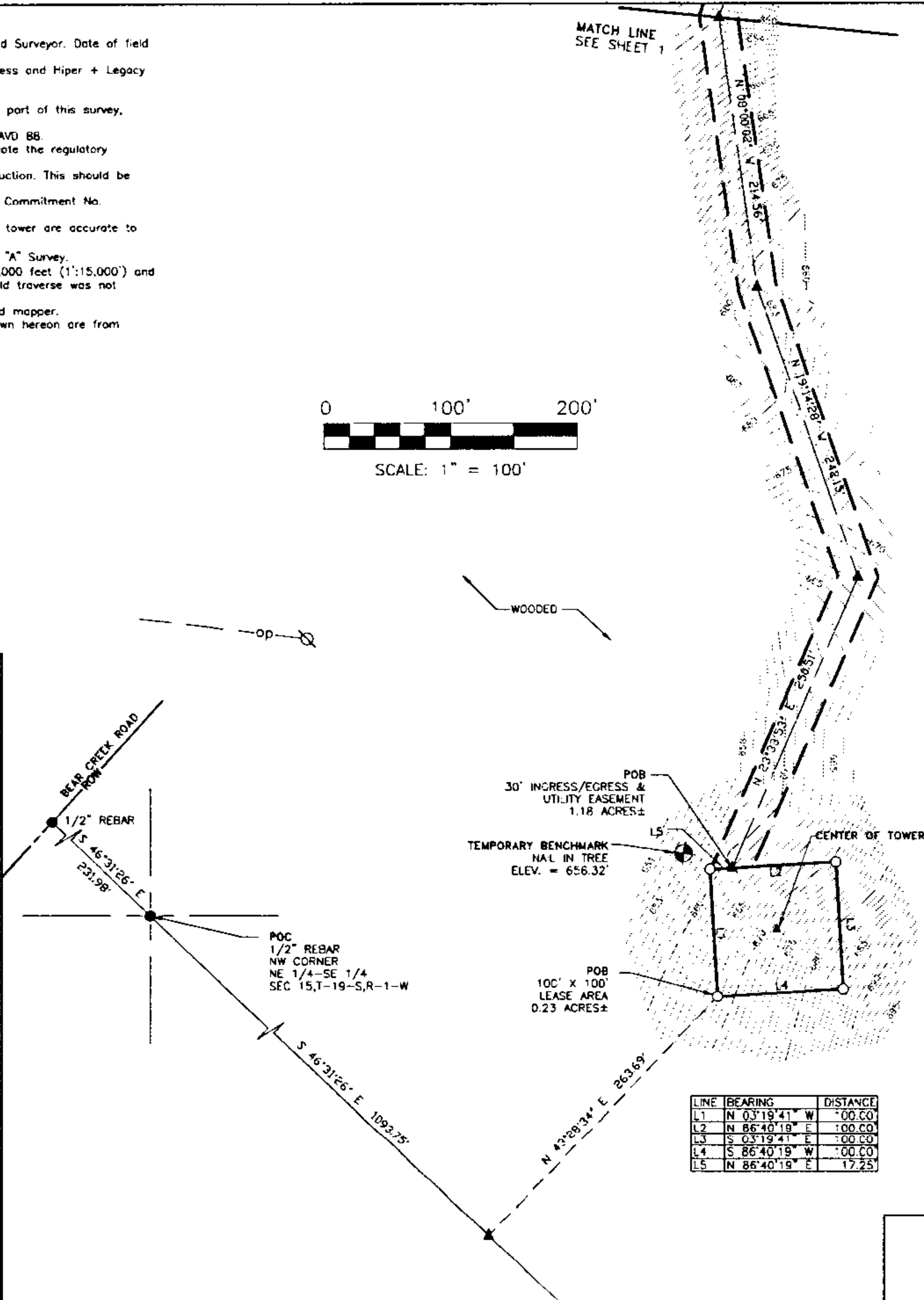
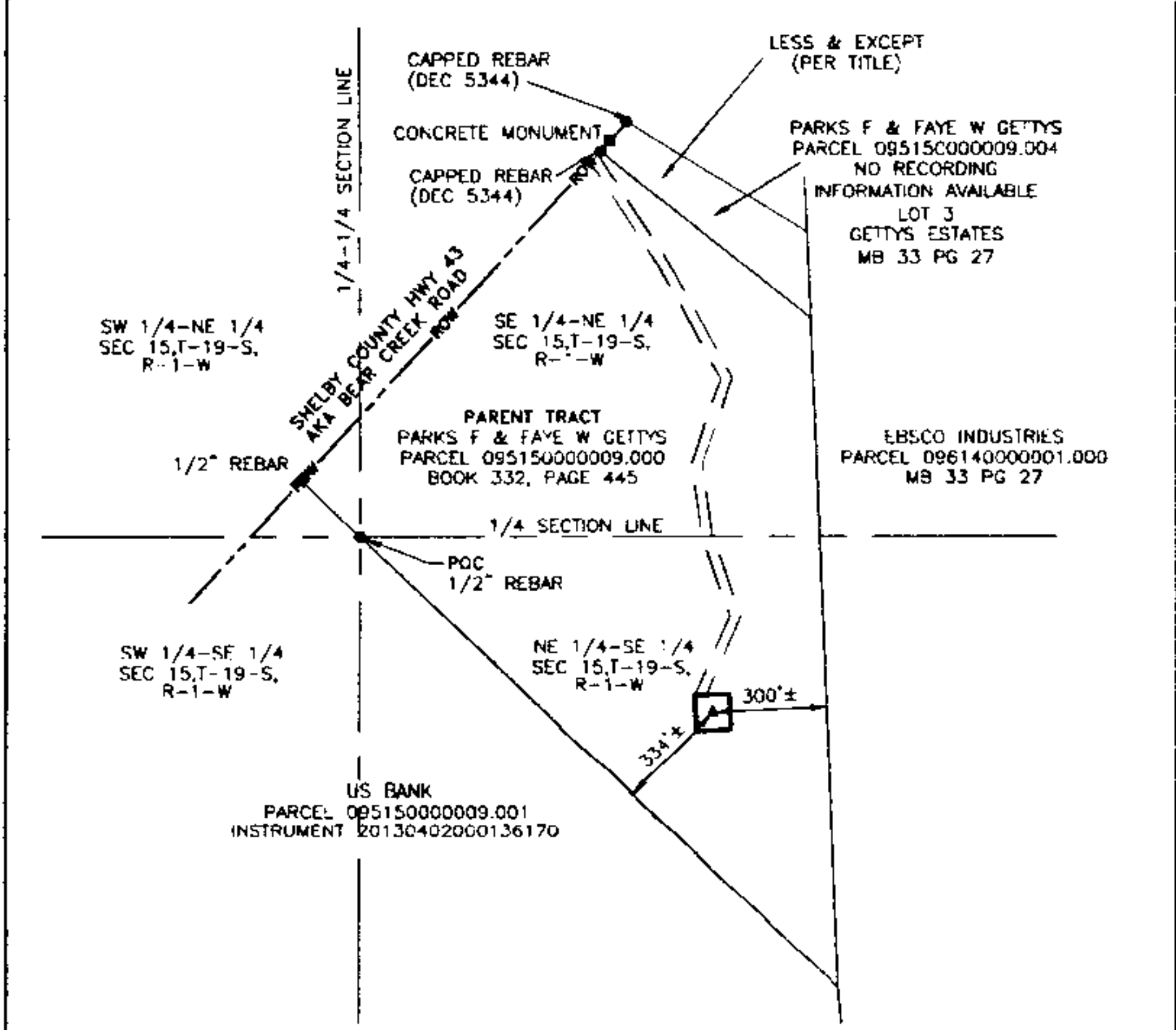
PLOTTABLE EXCEPTIONS

Chicago Title Insurance Company, Commitment No.3093H-13

Exception No.	Instrument	Comment
(10)	Deed Volume 228, Page 440	Uses "Stations"-cannot locate, therefore affects cannot be determined.
(11)	Deed Volume 139, Page 116	Uses "Stations"-cannot locate, therefore affects cannot be determined.

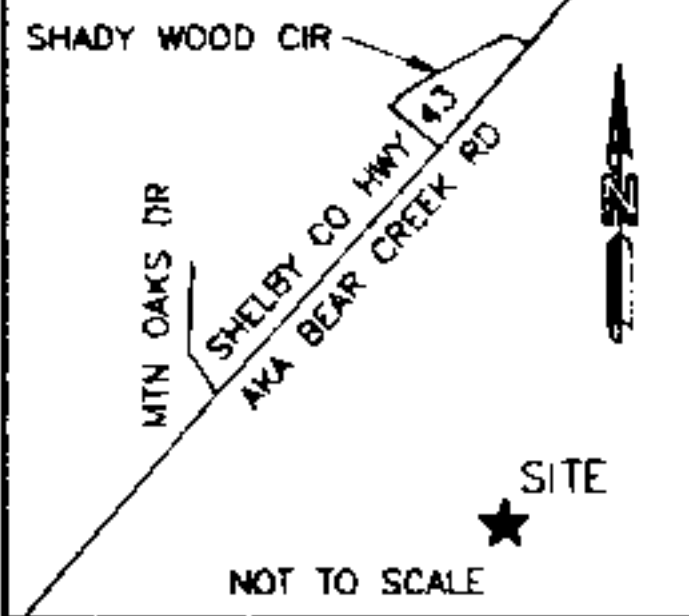
PARENT TRACT OVERVIEW

NOT TO SCALE



TOWER INFO
LATITUDE: 33°22'41.050" N
LONGITUDE: 86°37'22.382" W
(NAD 83)
GROUND ELEVATION: 671.7'
ABOVE MEAN SEA LEVEL (NAVD88)

VICINITY MAP



ALABAMA WEST
GRID TO TRUE NORTH CONVERGENCE 1'59"
TRUE NORTH TO MAGNETIC DECIATION 3'12" W
COMBINED SCALE FACTOR 1.001453968

LEGEND

- C = 5/8" CAPPED REBAR SET (SMW LS 19753)
- = FOUND PROPERTY MARKER
- = SET PK NAIL
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- POE = POINT OF ENDING
- ▲ = CALCULATED POINT
- (R) = RECORDED INFORMATION
- ⊗ = POWER POLE
- RCP = REINFORCED CONCRETE PIPE
- ⊞ = POWER BOX
- ⊞ = TELEPHONE PEDESTAL
- = RIGHT-OF-WAY
- - - = OVERHEAD POWER

FLOOD NOTE
By graphic plotting only, the subject property appears to be in Zone "X" of the Flood Insurance Rate Map Community Panel No. C1117C0115E, which bears an effective date of February 20, 2013 and IS NOT in a special flood hazard area. Zone "X": Areas determined to be outside the 0.2% chance annual flood plane.

HARGIS
E 1/2, SEC 15, T-19-S, R-1-W
SHELBY COUNTY, ALABAMA

DATE	10/17/13	BY	JS
REVISION		COMMENTS	
NO.	1	PROJECT NO.	13-1400
DRAWN BY: JS	CHECKED BY: AM	FIELD CREW: RB	DATE: 10/15/13
SCALE: 1" = 100'			SHEET 1 OF 2
RAW LAND TOWER SURVEY			
FORESITE			
WESTMAN HILLS, AL 35143			
SMW Engineering Group, Inc.			
601 East 10th Avenue, Suite 200 Birmingham, Alabama 35244 PH: 205-252-6995 www.smweng.com			

