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Birmingham, Alabama 35203

Source(s) of Title: Warranty Deed recorded in Real Book 309, page 267 in the Office of the Judge of Probate of Shelby County, Alabama.

STATE OF ALABAMA	)
COUNTY OF SHELBY	)

# MEMORANDUM OF TOWER ATTACHMENT COMMUNICATIONS SITE SUBLEASE AGREEMENT

This MEMORANDUM OF TOWER ATTACHMENT COMMUNICATIONS SITE SUBLEASE AGREEMENT ("Memorandum") is entered into this 2 day of <u>December</u>, 20/9, between NOVA TOWERS HOLDINGS I, LLC, a Mississippi limited liability company, with its principal offices located at 4450 Old Canton Road, Suite 200, Jackson, Mississippi 39211 ("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 ("Lessee").

- 1. Lessor and Lessee entered into a Tower Attachment Communications Site Sublease Agreement ("Agreement") dated the 2 day of 2
- 2. The initial term of the Agreement is for five (5) years commencing on <u>February</u>, 20<u>15</u> and terminating on <u>January</u> 31, 20<u>20</u>. Lessee has four (4) options to renew the Agreement for four (4) additional five (5) year periods.
- 3. The land which is the subject of the Agreement is described in **Exhibit A** attached to, and incorporated by reference in, this Memorandum.

[Remainder of Page Left Blank Intentionally - Signature Page Follows]

Shelby County, AL 12/18/2014

State of Alabama Deed Tax:\$343.50 20141218000397850 1/7 \$375.50 20141218000397850 of Probate, AL Shelby Cnty Judge of PM FILED/CERT 12/18/2014 12:24:59 PM FILED/CERT

IN WITNESS OF THIS MEMORANDUM, the parties have executed this Memorandum as of the day and year shown on its first page.

# LESSOR:

Nova Towers Holdings I, LLC

**WITNESS** 

WITNESS

Title: Vice President of Business Development

LESSEE:

Cellco Partnership d/b/a Verizon Wireless

By:\_

Name: Aparna Khurjekar Title: Area Vice President Network

Date: 11.25.2014

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STATE OF <u>Georgia</u>	
STATE OF OCCUPATION	)
COUNTY OF DeHalb	)
President of Business Development of Notinstrument, and who is known to me, acknowledge contents of the preceding instrument, he, in his the preceding instrument voluntarily on behavior preceding instrument bears date.	ertify that Bruce R. Nicholson, whose name as Vice va Towers Holdings I, LLC is signed to the preceding ledged before me on this day that, being informed of the scapacity as such officer and with full authority, executed alf of such limited liability company on the day the
GIVEN under my hand and seal, this	2 day of Nacomber 2014.
[NOTARIAL SEAL]	Notary Public W W W W W W W W W W W W W W W W W W W
N. William Store of the Control of t	Print Name: M.PANTOTA
EM NOTAR E	My Commission Expires: 8.17.18
UBLIC (0)	
STATE OF NORTH CAROLINIAN,	)
COUNTY OF MECKLENBURG	)
President Network of Cellco Partnership d/band who is known to me, acknowledged before preceding instrument, she, in her capacity as s	tify that Aparna Khurjekar, whose name as Area Vice la Verizon Wireless is signed to the preceding instrument me on this day that, being informed of the contents of the such officer and with full authority, executed the preceding ship on the day the preceding instrument bears date.
GIVEN under my hand and seal this $2$	6 day of Nounty, 20 14.
[NOTARIAL SEAL]  JODIE L. HAWTHORNE  NOTARY PUBLIC  MECKLENBURG COUNTY  NORTH CAROLINA  MY COMMISSION EXPIRES 2/28/2015	Notary Public:

## **EXHIBIT A**

## Description of Parent Tract, Leased Area, Access Easement, and Site Plan

(See Attached)

#### **Parent Tract:**

PARENT TRACT (BOOK 309 PAGE 267)

Commence at the Southwest corner of the NE 1/4 of the SE 1/4 of Section 27, Township 20 South, Range 3 West, run thence in a northerly direction along the west line of said 1/4-1/4 for a distance of 1,225.66 feet; thence turn an angle to the right of 90 deg. and run in an Easterly direction for a distance of 150 feet; thence turn an angle to the right of 52 deg. 25 min. 53 sec. and run in a southeasterly direction for a distance o 82.01 feet; thence turn an angle to the left of 52 deg. 25 min. 53 sec. and run in an Easterly direction for a distance of 323.80 feet; thence turn an angle to the left of 38 deg. 42 min. 36 sec. and run in a Northeasterly direction for a distance of 74.26 feet; thence turn an angle to the right of 11 deg, 44 min. 27 sec. and run in a Northeasterly direction for a distance of 131.01 feet to the point of beginning; from the point of beginning thus obtained, thence continue along last described course for a distance of 78.99 feet; thence turn an angle to the right of 20 deg. 34 min. 11 sec. and run in a Northeasterly direction for a distance of 178.20 feet to a point on the westerly right-of-way line of County Road No. 95; thence turn an angle to the left of 115 deg. 44 min. 02 sec. and run in a Northwesterly direction along the Southwesterly right-of-way line of County Road No. 95 for a distance of 59.96 feet; thence turn an angle to the right of 31 des. 08 min. 09 sec. to the tangent of the following described course, said course being situated on a curve to the right having a central angle of 9 deg. 52 min, 41 sec. and a radius of 1,502.69 feet; thence run along the arc of said curve to the right in a Northerly direction along the Westerly right-of-way line of County Road No. 95 for a distance of 259.07 feet; thence turn an angle to the right of 34 deg. 54 min. 09 sec. from the tangent of last described course and run in a Northeasterly direction for a distance of 52.43 feet along the Northwesterly right-of-way line of County Road No. 95; thence turn an angle to the left of 80 deg. 09 min. 53 sec. and run in a Northwesterly direction along the Southwesterly right-of-way line of County Road No. 95 for a distance of 99.54 feet to a point of the south line of Shelby County Road No. 58; thence turn an angle to the left of 45 deg. 47 min. 16 sec. and run in a Westerly direction along the South line of said County Road 58 for a distance of 142.90 feet; thence turn an angle to the left of 90 deg. and run in a Southerly direction for a distance of 506.78 feet to the point of begriming. Subject to easements and sanitary sewer pumping station being conveyed to the City of Alabaster.

Commence at the Southwest corner of the Northeast Quarter to the Southeast Quarter of Section 27, Township 20 South, Range 3 West, run thence in a Northerly direction along the west line of said Quarter-quarter Section for a distance of 1,225.66 feet; thence turn an angle to the right of 90 deg. and run in an Easterly direction for a distance of 150 feet; thence turn an angle to the right of 52 deg. 25 min. 53 sec. and run in a Southeasterly direction for a distance of 82.01 feet; thence turn and angle to the left of 52 deg. 25 min. 53 sec. and run in an Easterly direction fro a distance of 323.80 feet to the point of beginning; from the point of beginning thus obtained, thence turn an angle to the left of 38 deg. 42 min. 36 sec. and run in a Northeasterly direction for a distance of 74.26 feet; thence turn an angle to the right of 11 deg. 44 min. 27 sec. and run in a Northeasterly direction for a distance of 131.01 feet; thence turn an angle to the left of 55 deg. 12 min. 01 sec. and run in a Northerly direction for a distance of 506.78 feet to a point on the South right-of-way line of Shelby County road No. 58; thence turn an angle to the left of 90 deg. and run in a Westerly direction along the South right-of-way line of said County Road 58 for a distance of 55 feet; thence turn an angle to the left of 30 deg. 57 min. 50 sec. and run in a Southwesterly direction along the Southeasterly right-of-way line of Shelby County Road 58 for a distance of 58.31 feet; thence turn an angle to the right of 30 deg. 57 mine. 50 sec. and run in a Westerly direction along the South line of Shelby County road No. 58 for a distance of 53.66 feet; thence turn and angle to the left of 90 deg. and run in a Southerly direction for a distance of 605.45 feet to the point of beginning.

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### Leased Area:

## LEASE AREA (AS SURVEYED)

A lease area being a portion of that certain tract of land as described in Book 309, Page 267 as recorded in the Office of the Judge of Probate for Shelby county, Alabama, lying in the East half of Section 27, Township 20 South, Range 3 West, Shelby County, Alabama and being more particularly described as follows:

Commence at a 1" crimp found in place at the Northeast corner of Lot 12 Cherokee Crest as described in Map Book 9, Page 152 as recorded in the Office of the Judge of Probate for Shelby county, Alabama; thence S 07°53'27" W along the easterly line of said Lot 12 a distance of 67.11 feet to a 1" crimp found at the Southeast corner of said Lot 12, said crimp also being the Southwest corner of said certain tract of land as described in Book 309, Page 267; thence N 51°22'37" E along the southerly line of said certain tract a distance of 58.34 feet to a 5/8" capped rebar (SMW 19753) set at the Point of Beginning; thence N 07°56'37" E leaving said southerly line a distance of 120.15 feet to a 5/8" capped rebar (SMW 19753) set; thence S 88°31'56" E a distance of 99.69 feet to a 5/8" capped rebar (SMW 19753) set; thence S 07°56'37" W a distance of 58.55 feet to a 5/8" capped rebar (SMW 19753) set on the southerly line of said certain tract; thence S 63°07'54" W along the southerly line of said certain tract a distance of 107.27 feet to a 1" crimp found; thence S 51°22'37" W continuing along the southerly line of said certain tract a distance of 15.97 feet to the Point of Beginning. Above described lease area contains 0.20 acres, more or less.

#### **Access Easement:**

# 30' INGRESS/EGRESS & UTILITY EASEMENT (AS SURVEYED)

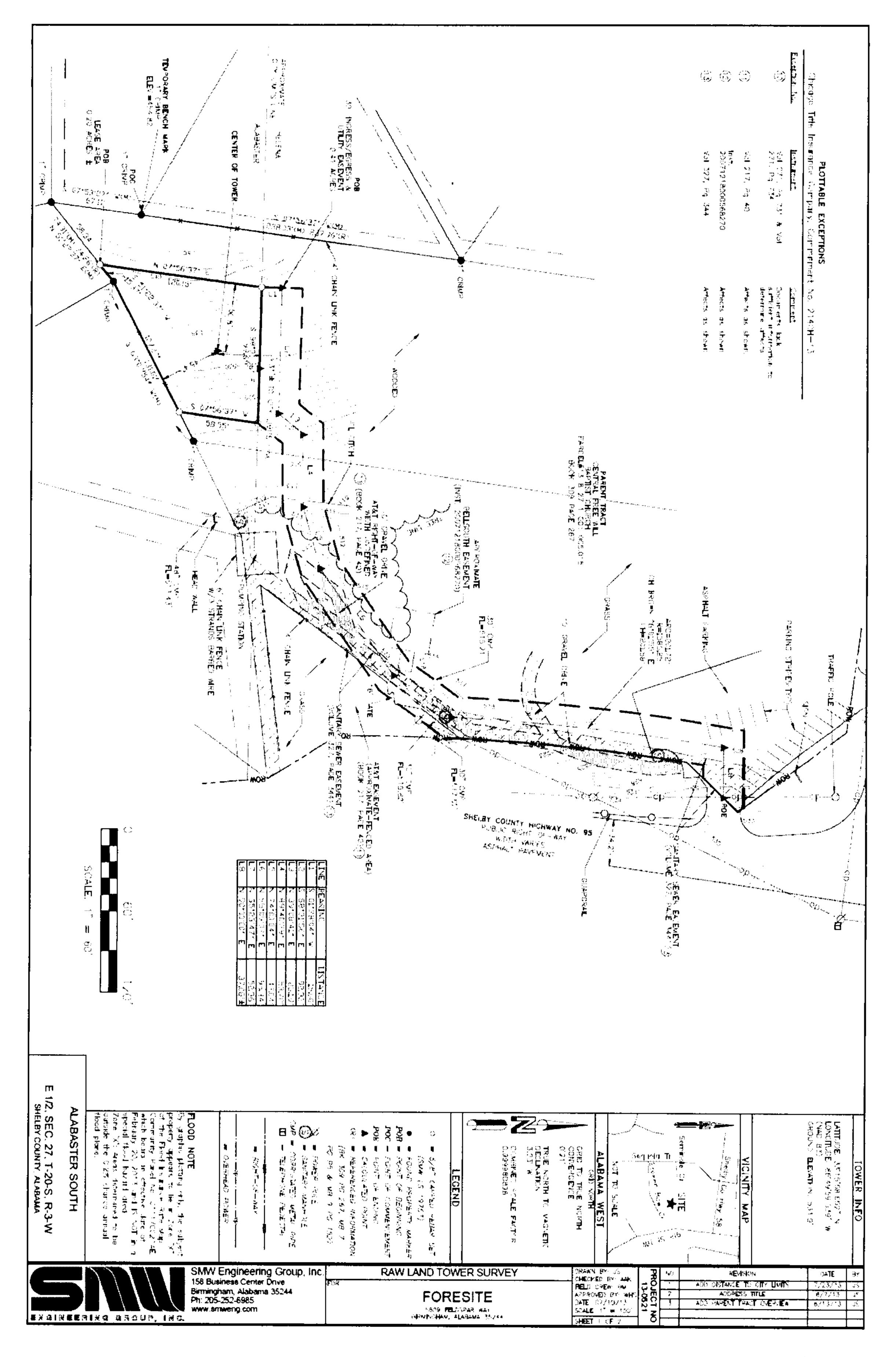
An Easement being a portion of that certain tract of land as described in Book 309, Page 267 as recorded in the Office of the Judge of Probate for Shelby county, Alabama, lying in the East half of Section 27, Township 20 South, Range 3 West, Shelby County, Alabama and being more particularly described as follows:

Commence at a 1" crimp found in place at the Northeast corner of Lot 12 Cherokee Crest as described in Map Book 9, Page 152 as recorded in the Office of the Judge of Probate for Shelby county, Alabama; thence S 07°53'27" W along the easterly line of said Lot 12 a distance of 67.11 feet to a 1" crimp found at the Southeast corner of said Lot 12, said crimp also being the Southwest corner of said certain tract of land as described in Book 309, Page 267; thence N 51°22'37" E along the southerly line of said certain tract a distance of 58.34 feet to a 5/8" capped rebar (SMW 19753) set; thence N 07°56'37" E leaving said southerly line of said certain tract a distance of 120.15 feet to a 5/8" capped rebar (SMW 19753) set; thence N 01°28'04" E a distance of 15.00 at the Point of Beginning of an Ingress/Egress & Utility Easement being 30 feet wide and lying 15 feet each side of and parallel to the following described centerline; thence S 88°31'56" E a distance of 92.32 feet to a point; thence N 39°08'41" E a distance of 23.19 feet to a point; thence N 89°40'29" E a distance of 53.70 feet to a point; thence N 74°00'04" E a distance of 47.04 feet to a point; thence N 55°09'07" E a distance of 95.34 feet to a point; thence N 35°23'47" E a distance of 52.36 feet to a curve to the right having an arc length of 201.72 feet, a radius of 1585.25 feet, a chord bearing and distance of N 06°01'55" E, 201.58 feet to a point; thence N 90°00'00" E a distance of 37.08 feet more or less to the westerly rightof-way line of Shelby County Highway No. 95 and the Point of Ending.

Said above described easement to adjoin said described Lease Area and said right-of-way contiguously and contain 0.41 acres, more or less

[See also sketch on the following page showing easement]

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## Site Plan:

