LANDLORD SITE NAME: Wilborn Lake TENANT SITE NAME: Wilborn Lake

# Prepared by and After recording, return to:

Baker Donelson Bearman Caldwell & Berkowitz PC 420 20th Street North Suite 1400 Birmingham, Alabama 35203 Attn: Mary Palmer

STATE OF ALABAMA COUNTY OF SHELBY Shelby County, AL 05/05/2016 State of Alabama Deed Tax:\$389.00

20160505000152140 1/11 \$433.00 Shelby Cnty Judge of Probate, AL 05/05/2016 02:32:11 PM FILED/CERT

# MEMORANDUM OF AGREEMENT

This Memorandum of Agreement is entered into on this day of fig., 2016, by and between FORESITE, LLC, an Alabama limited liability company, with an office at 3975 Asbury Road, Vestavia Hills, Alabama 35243; Attention: Leasing Department ("LANDLORD"), and CELLCO PARTNERSHIP d/b/a Verizon Wireless, with an office at One Verizon Way, Mail Stop 4AW100, Basking Ridge, NJ 07920 (hereinafter referred to as "TENANT").

- 2. The term of the Agreement is for five (5) years commencing as specified in the Agreement (the "Commencement Date"), and terminating on the fifth (5th) anniversary of the Commencement Date, with five (5) successive five (5) year renewal terms.
- 3. The Land owned or leased by LANDLORD is described in Exhibit A attached to this Agreement. The portion of the Land being leased to TENANT (the "Premises") under the Agreement is described in Exhibit B attached to this Agreement.
- 4. LANDLORD hereby leases the Premises to TENANT, as more particularly set forth in the Agreement.

[THE REMAINDER OF THIS PAGE HAS BEEN LEFT BLANK INTENTIONALLY - SIGNATURE PAGE FOLLOWS.]

LANDLORD SITE NAME: Wilborn Lake
TENANT SITE NAME: Wilborn Lake

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date reflected on its first page.

TENANT:	LANDLORD:
CELLCO PARTNERSHIP, a Delaware general partnership d/b/a Verizon Wireless	ForeSite, LLC, an Alabama limited liability company
By:Name: Aparna Khurjekar Title: Vice President – Field Network  Date:	By:
STATE OF NORTH CAROLINA ) : COUNTY OF MECKLENBURG )	
Partnership d/b/a Verizon Wireless, is signed to the foregoing inst	nurjekar, whose name as Vice President - Field Network of Cellco rument and who is known to me, acknowledged before me on this such officer and with full authority, executed the same voluntarily pears date.  Aday of
STATE OF ALABAMA )	
COUNTY OF JEFFERSON )	
I, the undersigned, a notary public in and for said county in said state, hereby certify that Krista M. Young whose name as CFO of ForeSite, LLC, an Alabama limited liability company, 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 instrument, she as such CFO and with full authority, 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 official seal this the day of	
(NOTARIAL SEAL)	Notary Public  My Commission expires  Notary BHIGITA D. EDMONDSON  NOTARY My Commission Expires  September 15, 2018

05/05/2016 02:32:11 PM FILED/CERT

LANDLORD SITE NAME: Wilborn Lake TENANT SITE NAME: Wilborn Lake

#### **EXHIBIT A**

#### DESCRIPTION OF LAND

The Land is described and/or depicted as follows (metes and bound description):

# LEASE AREA (AS SURVEYED):

A lease area being a portion of a certain tract of land described in Book 296, Page 721 as recorded in the Office of the Judge of Probate for Shelby County, Alabama, lying in the SW 1/4 of the NW 1/4 of Section 5, Township 20 South, Range 3 West, Shelby County, Alabama and being more particularly described as follows;

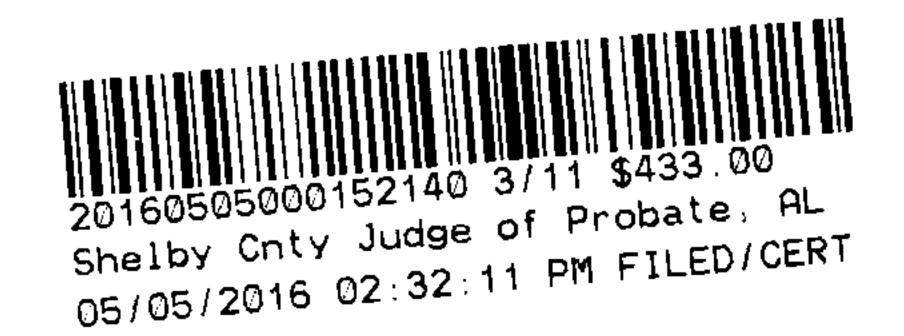
Commence at a 1/2" crimp pipe found in place at the SW corner of Lot 11, Rushing Parc Sector One as recorded in Map Book 19, Page 20 in said Probate Office; thence S 89 °04'02" E along the southerly line of said Rushing Parc Sector One and the northerly line of said certain tract a distance of 855.57 feet to a point; thence S 00 °55'57" W leaving said line a distance of 999.21 feet to a 5/8" rebar set and the Point of Beginning; thence S 42 °46'30" E a distance of 100.00 feet to a 5/8" rebar set; thence S 47 °13'30" W a distance of 100.00 feet to a 5/8" rebar set; thence N 47 °13'30" E a distance of 100.00 feet to the Point of Beginning. Said lease area contains 0.23 acres, more or less.

## 30' INGRESS/EGRESS, UTILITY, AND FIBER EASEMENT "A" (AS SURVEYED):

An easement being a portion of a certain tract of land described in Book 296, Page 721 as recorded in the Office of the Judge of Probate for Shelby County, Alabama, lying in the SW 1/4 of the NW 1/4 of Section 5, Township 20 South, Range 3 West, Shelby County, Alabama and being more particularly described as follows;

Commence at a 1/2" crimp pipe found in place at the SW corner of Lot 11, Rushing Parc Sector One as recorded in Map Book 19, Page 20 in said Probate Office; thence S 89 94 02" E along the southerly line of said Rushing Parc Sector One and the northerly line of said certain tract a distance of 855.57 feet; thence S 00°55'57" W leaving said line a distance of 999.21 feet to a 5/8" rebar set; thence S 42°46'30" E a distance of 100.00 feet to a 5/8" rebar set; thence S 47°13'30" W a distance of 100.00 feet to a 5/8" rebar set; thence N 42°46'30" W a distance of 50.00 feet to the Point of Beginning of an Ingress/Egress & Utility Easement being 30 feet wide and lying 15 feet each side of the following described centerline; thence S 47°13'30" W a distance of 112.70 feet to a point; thence with a curve to the right having an arc length of 26.53 feet, a radius of 25.00 feet, and a chord bearing and distance of S 77°37'34" W, 25.30 feet to a point; thence N 71 °58'22" W a distance of 307.46 feet to a point; thence N 67 °47'42" W a distance of 85.01 feet to a point; thence N 60°45'13" W a distance of 53.72 feet to a point; thence with a curve to the left having an arc length of 28.71 feet, a radius of 20.00 feet, and a chord bearing and distance of S 78°07'03" W, 26.31 feet to a point; thence S 36°59'19" W a distance of 32.38 feet to a point; thence S 65°23'35" W a distance of 60.44 feet to a point; thence with a curve to the right having an arc length of 49.35 feet, a radius of 25.03 feet, and a chord bearing and distance of N 58 95'13" W, 41.74 feet to a point; thence N 04°12'05" W a distance of 52.20 feet to a point; thence N 01°10'13" W a distance of 107.30 feet to a point; thence N 12 38'49" E a distance of 48.26 feet to a point; thence N 02 99'26" W a distance of 114.70 feet to a point; thence N 08°42'39" W a distance of 47.18 feet to a point; thence N 01°40'32" W a distance of 144.50 feet to a point; thence N 07°37'51" W a distance of 58.98 feet to a point; thence N 12°18'23" W a distance of 106.35 feet to a point; thence N 40°40'31" W a distance of 20.10 feet to a point; thence N 27°43'39" W a distance of 34.31 feet to a point; thence N 22°12'22" W a distance of 178.22 feet to a point; thence with a curve to the right having an arc length of 54.88 feet, a radius of 160.00 feet, and a chord bearing and distance of N 12°22'49" W, 54.61 feet,; thence N 02°33'16" W a distance of 142.76 feet, more or less to a point on northerly line of said certain tract and the Point of Ending.

Said easement to join lease area and northerly line of said certain tract contiguously and contains 1.28 acres, more or less



#### **EXHIBIT A (continued)**

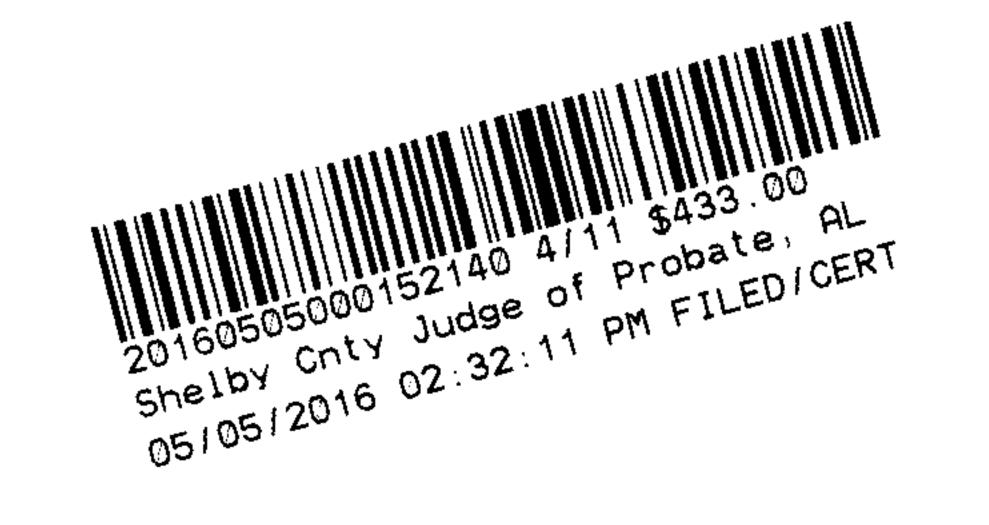
#### **DESCRIPTION OF LAND**

# 30' INGRESS/EGRESS, UTILITY, AND FIBER EASEMENT "B" (AS SURVEYED):

An easement being a portion of a certain tract of land described in Instrument No.20080205000046290 as recorded in the Office of the Judge of Probate for Shelby County, Alabama, lying in the NW 1/4 of the NW 1/4 of Section 5, Township 20 South, Range 3 West, Shelby County, Alabama and being more particularly described as follows;

Commence at a 1/2" crimp pipe found in place at the SW corner of Lot 11, Rushing Parc Sector One as recorded in Map Book 19, Page 20 in said Probate Office; thence S 89 94'02" E along the southerly line of said Rushing Parc Sector One and the northerly line of said certain tract a distance of 855.57 feet; thence S 00°55'57" W leaving said line a distance of 999.21 feet to a 5/8" rebar set; thence S 42°46'30" E a distance of 100.00 feet to a 5/8" rebar set; thence S 47°13'30" W a distance of 100.00 feet to a 5/8" rebar set; thence N 42°46'30" W a distance of 50.00 feet to a point; thence S 47°13'30" W a distance of 112.70 feet to a point; thence with a curve to the right having an arc length of 26.53 feet, a radius of 25.00 feet, and a chord bearing and distance of S 77°37'34" W, 25.30 feet to a point; thence N 71°58'22" W a distance of 307.46 feet to a point; thence N 67°47'42" W a distance of 85.01 feet to a point; thence N 60°45'13" W a distance of 53.72 feet to a point; thence with a curve to the left having an arc length of 28.71 feet, a radius of 20.00 feet, and a chord bearing and distance of S 78 °07'03" W, 26.31 feet to a point; thence S 36°59'19" W a distance of 32.38 feet to a point; thence S 65°23'35" W a distance of 60.44 feet to a point; thence with a curve to the right having an arc length of 49.35 feet, a radius of 25.03 feet, and a chord bearing and distance of N 58 905 13" W, 41.74 feet to a point; thence N 04 912 05" W a distance of 52.20 feet to a point; thence N 01°10'13" W a distance of 107.30 feet to a point; thence N 12°38'49" E a distance of 48.26 feet to a point; thence N 02°09'26" W a distance of 114.70 feet to a point; thence N 08°42'39" W a distance of 47.18 feet to a point; thence N 01°40'32" W a distance of 144.50 feet to a point; thence N 07°37'51" W a distance of 58.98 feet to a point; thence N 12°18'23" W a distance of 106.35 feet to a point; thence N 40°40'31" W a distance of 20.10 feet to a point; thence N 27°43'39" W a distance of 34.31 feet to a point; thence N 22°12'22" W a distance of 178.22 feet to a point; thence with a curve to the right having an arc length of 54.88 feet, a radius of 160.00 feet, and a chord bearing and distance of N 12°22'49" W, 54.61 feet,; thence N 02°33'16" W a distance of 142.76 feet, more or less to a point on northerly line of said certain tract and the Point of Beginning of an Ingress/Egress & Utility Easement being 30 feet wide and lying 15 feet each side of the following described centerline; thence N 04°30'41" W a distance of 78.54 feet to a point; thence N 01°27'04" W a distance of 93.43 feet to a point; thence N 04 °20'59" W a distance of 82.59 feet to a point; thence N 00 °37'37" W a distance of 347.13 feet to the Point of Ending.

Said easement to join southerly line of said certain tract and the southeasterly right-of-way line of South Shades Crest Road contiguously and contains 0.42 acres, more of less



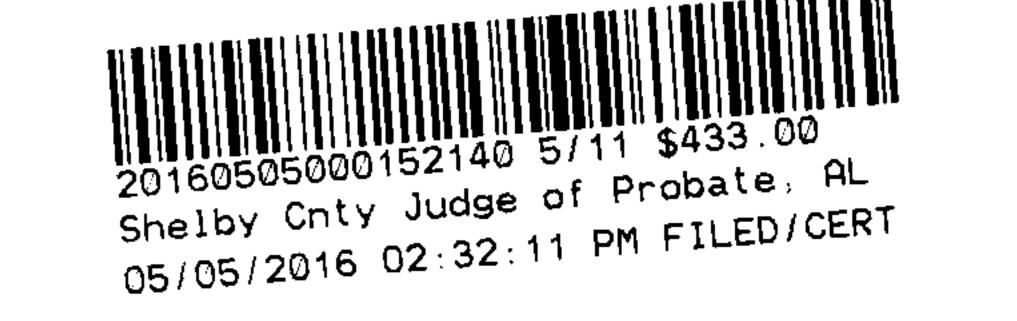
LANDLORD SITE NAME: Wilborn Lake
TENANT SITE NAME: Wilborn Lake

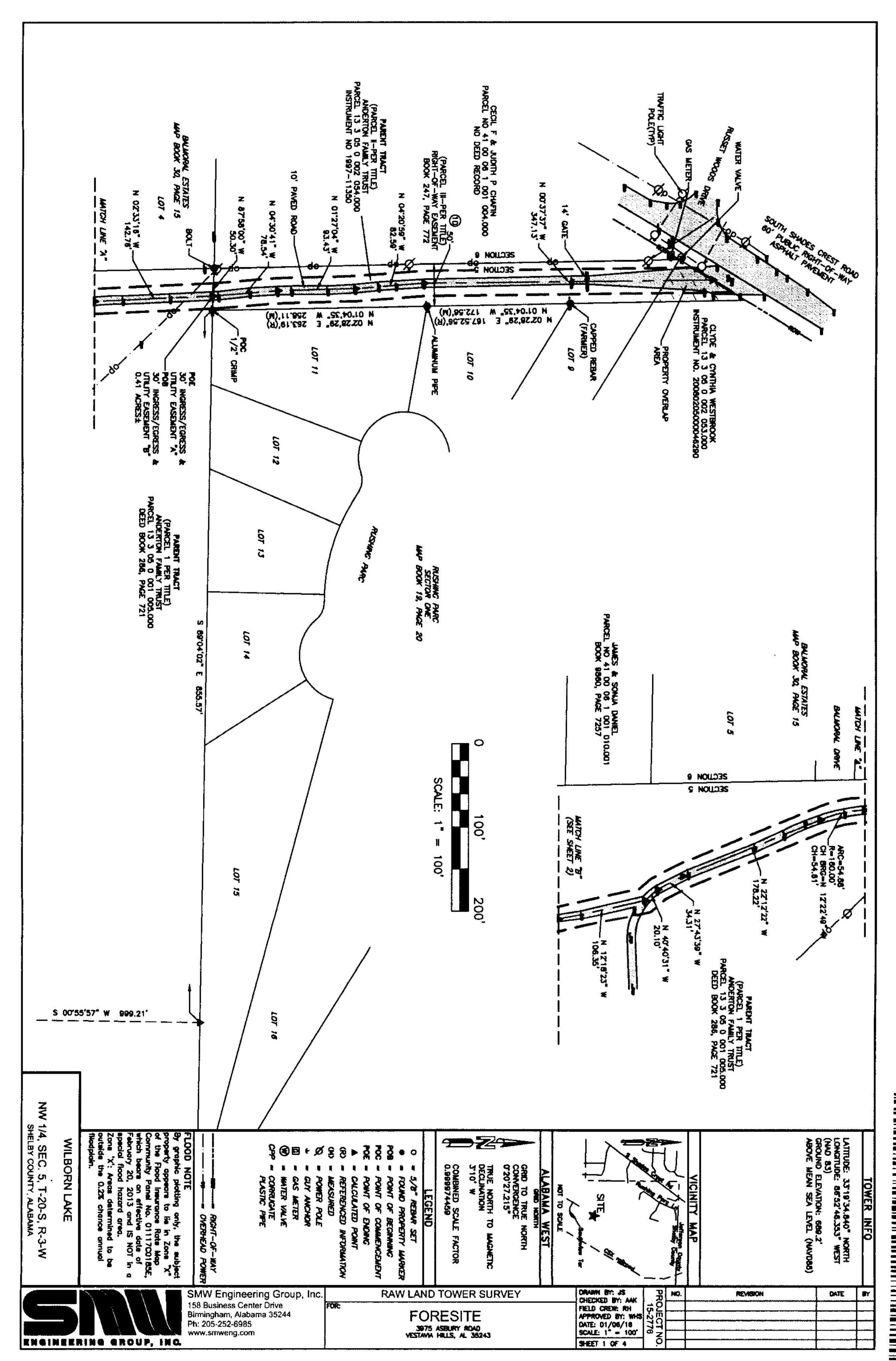
# EXHIBIT A (continued)

DESCRIPTION OF LAND

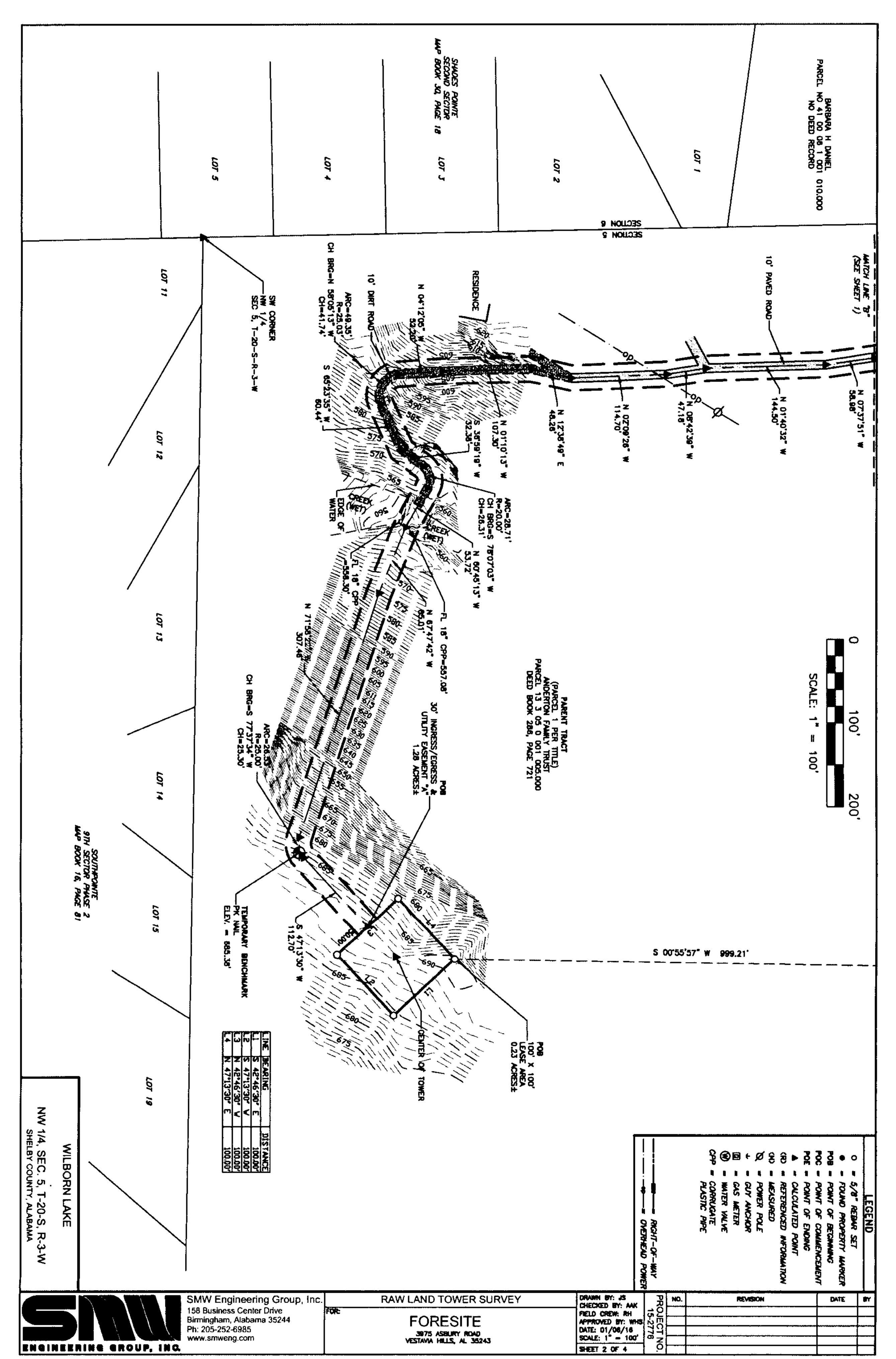
(See Survey Attached)

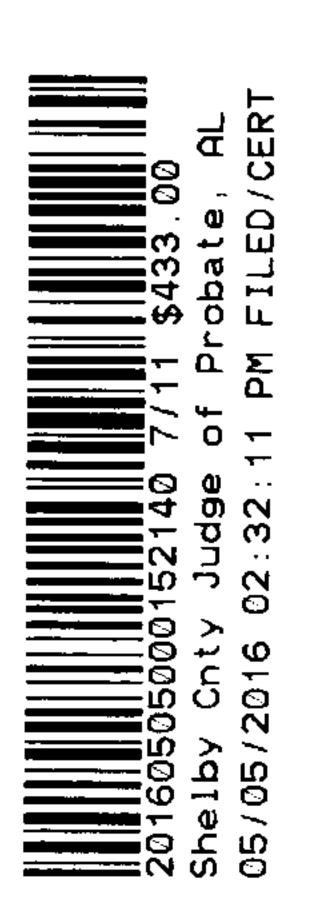
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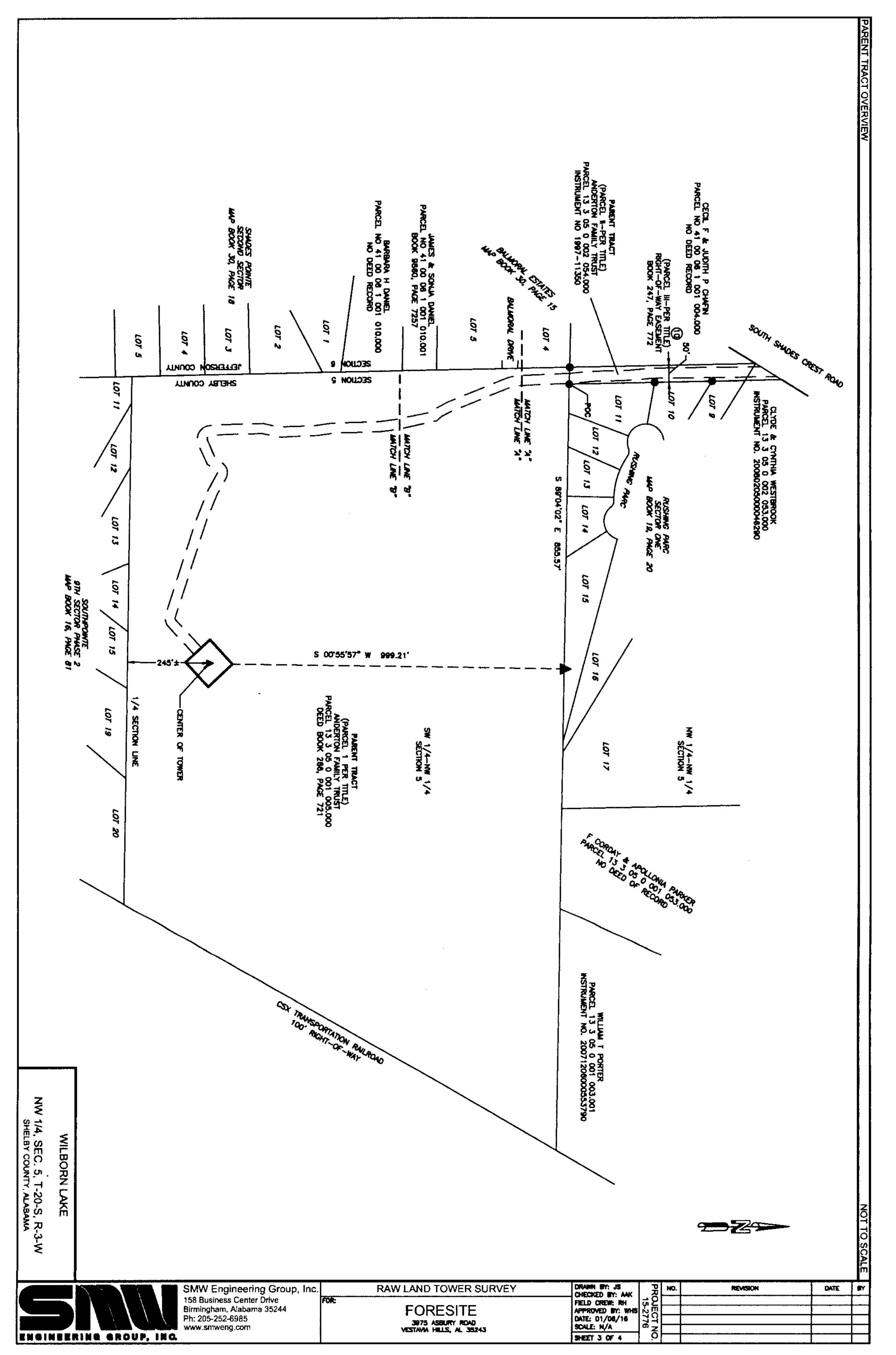


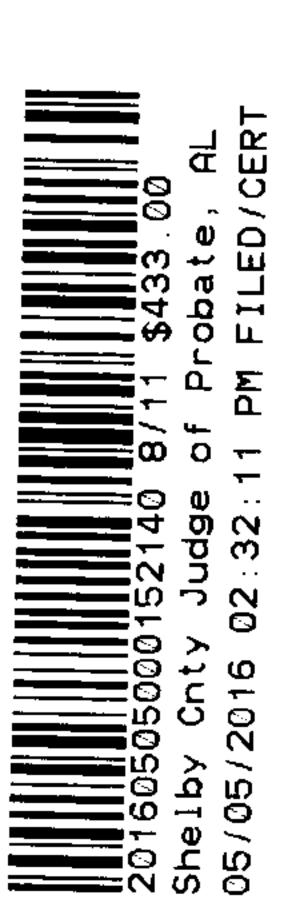


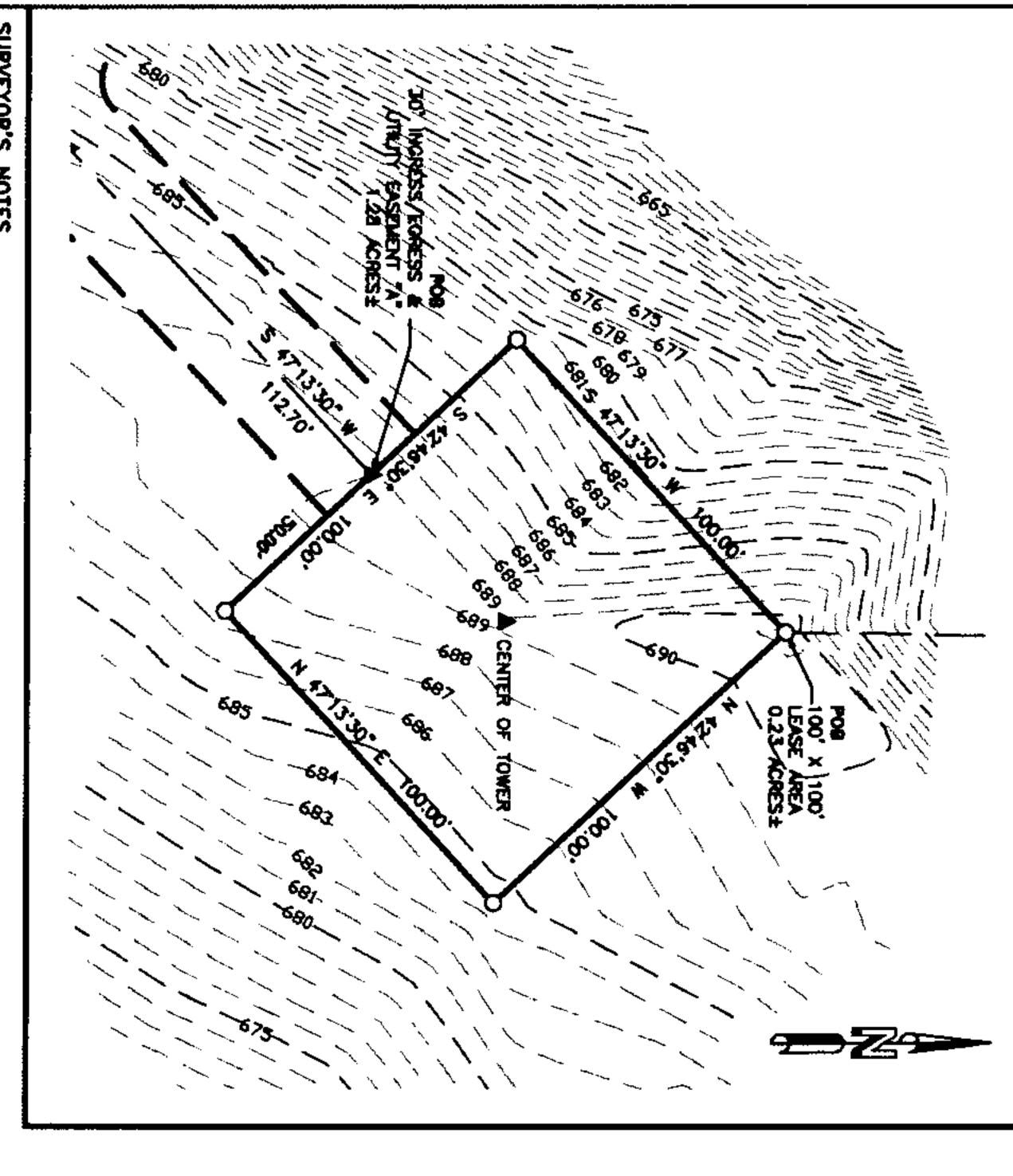












DATE

S 28

REVISION

SHELBY COUNTY. -20-S, R-3-W ALABAMA



SMW Engineering Group, Inc. 158 Business Center Drive Birmingham, Alabama 35244 Ph: 205-252-6985 www.smweng.com

RAW LAND TOWER SURVEY

**FORESITE** 3975 ASBURY ROAD VESTAMA HILLS, AL 35243

DRAWN SY: JS
CHECKED SY: AAK
FIELD CREW: RH
APPROVED BY: WHS
DATE: 01/06/16
SCALE: 1" = 50"
SHEET 4 OF 4

LANDLORD SITE NAME: Wilborn Lake TENANT SITE NAME: Wilborn Lake

### **EXHIBIT B**

DEPICTION OF PREMISES

(See Attached)

NOTE: THE TOWER/ COMPOUND HAD NOT BEEN CONSTRUCTED AT TIME THE LE WAS ISSUED. ALL FUTURE EQUIPMENT IS SHOWN PER PreCDs DATED 2-8-16 PROVIDED BY THE TOWER OWNER. TENANT 5' X 9' -TENANT 12' X 30' GENERATOR PAD LEASE AREA TENANT **UTILITY FRAME** TENANT 10' X 12' CABINET PAD WITH AWNING **TENANT** ICE BRIDGE -**FUTURE MULTI TENANT** METER/TELCO FRAME FUTURE TOWER BY OTHERS BY OTHERS **FUTURE GATE** BY OTHERS -**FUTURE FENCE** BY OTHERS 魯 SITE PLAN SCALE: 1" = 20" APPLICANT SITE NAME: PROJECT INFORMATION: PREPARED BY: WILBORN LAKE APPLICANT: VERIZON WIRELESS TOWER OWNER: FORESITE LLC. OWERSOURCE 10300 OLD ALABAMA ROAD CONN. ALPHARETTA, GA 30022 SITE ADDRESS: 1875 OLD ALABAMA ROAD 678-277-3500 SUITE 1008 ROSWELL, GA 30076 3885 SOUTH SHADES CREST RD DATE DESCRIPTION: LATITUDE: 33° 19' 34.84" TEL: 678-990-2338 HOOVER, AL 35244 FAX: 678-990-2342 LONGITUDE: 86° 52' 46.35" ISSUED FOR REVIEW