

Prepared by and after recording return to:
Laura Clifford
Charter Communications
9335 Prototype Dr
Reno, NV 89521

20160517000167480
05/17/2016 08:34:25 AM
AGREEMENT 1/3

MEMORANDUM OF AGREEMENT

^{ALA}
Branchwater Partners, LLC ("Owner"), with offices at 2002 Richard Jones Rd. Suite C200, Nashville, TN 37215 and Marcus Cable Associates, LLC, a Delaware limited liability company ("Operator"), with offices at 12405 Powerscourt Drive, St. Louis, MO 63131-3674, are parties to that NONEXCLUSIVE INSTALLATION AND SERVICE AGREEMENT dated April 15, 2010 ("Agreement").

1. The subject of the Agreement is that certain real estate located in the City of Vestavia Hills, County of Shelby, State of AL and more particularly described on **Exhibit A** hereto.
2. The term of the Agreement expires April 15, 2018, subject however, to renewals pursuant to the terms of the Agreement.
3. The provisions of the Agreement are incorporated into this Memorandum of Agreement ("Memorandum").
4. This Memorandum is executed for the purpose of adding new units
5. This Memorandum is executed for the purpose of establishing certain terms and conditions for reimbursement of Operator's installation costs (including labor) effective 3/31/2016.

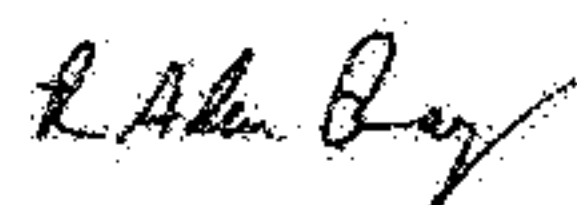
This Memorandum of Agreement shall not be deemed to modify or affect the Agreement.

IN WITNESS HEREOF, the parties have executed this Memorandum this 31st day of March, 2016.

OPERATOR:

Marcus Cable Associates, LLC

By: Charter Communications, Inc., its Manager

By: 
(Signature)

Printed Name: R. Adam Ray

Title: Vice President of Direct Sales

Date: Apr 27, 2016

OWNER:

Branchwater ALA Partners, LLC

By: Alabama Apartment Partners, LLC,

its Sole Member and managing member

By: CHHW5 Partners, LLC,
its managing member

By: 

William M. Warfield,

Managing Member

Date: 4/13/16

ACKNOWLEDGEMENT

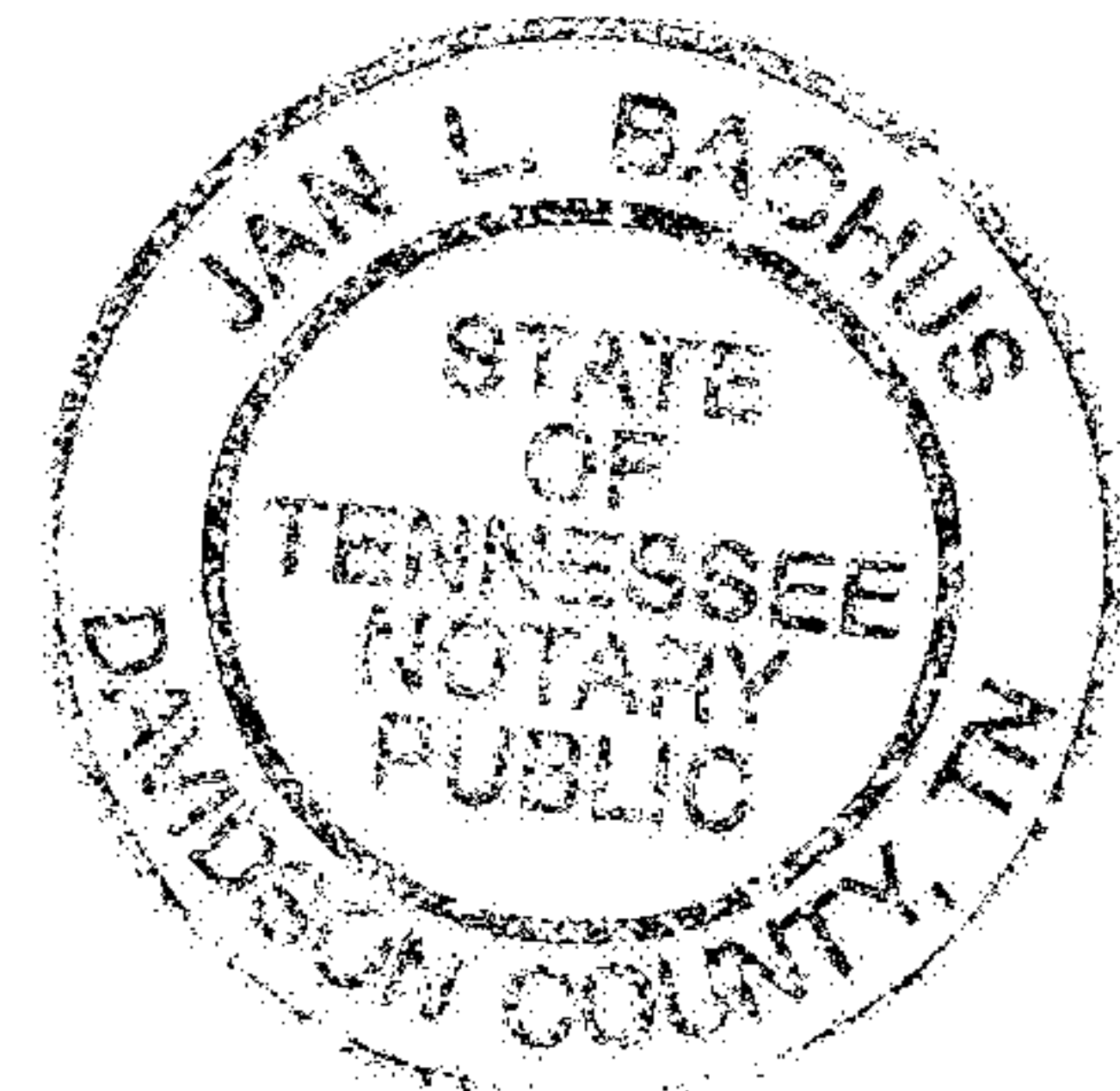
STATE OF Tennessee)

COUNTY OF Davidson)

The foregoing instrument was acknowledged before me, a Notary Public acting in the County set forth above, this 13 day of April, 2016 by William M. Warfield, the managing member of Branchwater ALA Partners, LLC, on behalf of such entity.

J. L. Bachus
Notary Public

Commission expires 3/7/17



ACKNOWLEDGEMENT

STATE OF _____)

COUNTY OF _____)

The foregoing instrument was acknowledged before me, a Notary Public acting in the County set forth above, this ____ day of _____, 2016 by R. Adam Ray, the VP of Direct Sales of en Marcus Cable Associates, LLC, on behalf of such entity.

Notary Public

Prepared by and after recording, return to:

EXHIBIT "A"

Attachment 1 to Grant of Easement
[Owner to insert legal description of Premises.]

Commence at the Southwest corner of the Southeast One-Quarter of the Northeast One-Quarter of Section 29, Township 18 South, Range 2 West; run thence in an Easterly direction along the South line of said Quarter-Quarter Section for a distance of 145.34 feet; thence turn an angle to the left of 90 degrees and run in a Northerly direction for a distance of 162.95 feet to the point of beginning of the property described; from the point of beginning thus obtained, thence turn an angle to the left of 90 degrees and run in a Westerly direction for a distance of 26.36 feet; thence turn an angle to the left of 64 degrees, 21 minutes and run in a Southwesterly direction for a distance of 35.36 feet; thence turn an angle to the right of 90 degrees, 00 minutes and run in a Northwesterly direction for a distance of 95.0 feet; thence turn an angle to the left of 27 degrees, 00 minutes and run in a Westerly direction for a distance of 342 feet; thence turn an angle to the right of 90 degrees, 00 minutes and run in a Northerly direction for a distance of 115.75 feet; thence turn an angle to the left of 88 degrees, 43 minutes and run in a Westerly direction for a distance of 528.92 feet to a point on the Southeasterly right-of-way line of Rocky Ridge Road; thence turn an angle to the right of 121 degrees, 54 minutes, 30 seconds and run in a Northeasterly direction along the Southeasterly right-of-way line of Rocky Ridge Road for a distance of 558.98 feet to the point of commencement of a curve to the left, said curve having a central angle of 0 degrees, 53 minutes, 26 seconds and a radius of 3,164.41 feet; thence run along the arc of said curve to the left, continuing along the Southeasterly right of way line of Rocky Ridge Road for a distance of 49.18 feet; thence turn an angle to the right from a tangent of last described course of 59 degrees, 00 minutes, 11 seconds and run in an easterly direction for a distance of 680.33 feet; thence turn an angle to the right of 90 degrees, 02 minutes, 45 seconds and run in a Southerly direction for a distance of 633.68 feet to the point of beginning.



Filed and Recorded
Official Public Records
Judge James W. Fuhrmeister, Probate Judge,
County Clerk
Shelby County, AL
05/17/2016 08:34:25 AM
\$20.00 DEBBIE
20160517000167480

A handwritten signature in black ink, appearing to read "J. W. Fuhrmeister", is written over the official text.