
Above for recorders use only

TITLE: Memorandum of Agreement

DATE: 06/20/2024

GRANTOR (S): The Kenzie RE, LLC

GRANTOR'S MAILING ADDRESS:

The Kenzie RE, LLC
382 NE 191st Street, PMB 23501
Miami, FL 33179

GRANTEE(S): Spectrum Southeast, LLC

GRANTEE'S MAILING ADDRESS:

Spectrum Southeast, LLC
c/o Charter Communications
Attn: Corporate Operations
9 Commerce Rd
Newtown CT 06470

LEGAL DESCRIPTION: Please see Exhibit "A"

DOCUMENT TRANSFER TAX = \$0

This document was prepared by Sue E. Weiske

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Charter Communications
Corporate Operations: Attn: Vera-Saccuzzo-Hribar
9 Commerce Rd Newtown CT 06470

MEMORANDUM OF AGREEMENT

THE KENZIE RE, LLC, a Delaware limited liability company ("Owner"), with offices at **382 NE 191st Street, PMB 23501, Miami, Florida 33179** and **Spectrum Southeast, LLC as successor-in-interest to Marcus Cable of Alabama, L.L.C., I/k/a Charter Communication** ("Operator"), with offices at **12405 Powerscourt Drive, St. Louis, MO 63131-3674**, are parties to that **NONEXCLUSIVE INSTALLATION AND SERVICE AGREEMENT (Existing Property/Charter Prewire)** agreement dated **August 1, 2009** ("Agreement").


1. The subject of the Agreement is that certain real estate located in the **City of Birmingham, County of Shelby, State of Alabama** and more particularly described on **Exhibit A** hereto.
2. The term of the Agreement expires **July 31, 2027**, 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 solely for the purpose of giving notice of the change in ownership effective **May 14, 2024**.

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

IN WITNESS HEREOF, the parties have executed this Memorandum this ____ day of _____.

OPERATOR:**Spectrum Southeast, LLC**

By: Charter Communications, Inc., its Manager

By: 
DocuSigned by: (Signature)

Printed Name: Joe Varello

Title: Vice President, Sales
Spectrum Community Solutions

Date: 6/10/2024

OWNER:**THE KENZIE RE, LLC**

a Delaware limited liability company

By: 
(Signature)

Printed Name: Jonathan Buckelew

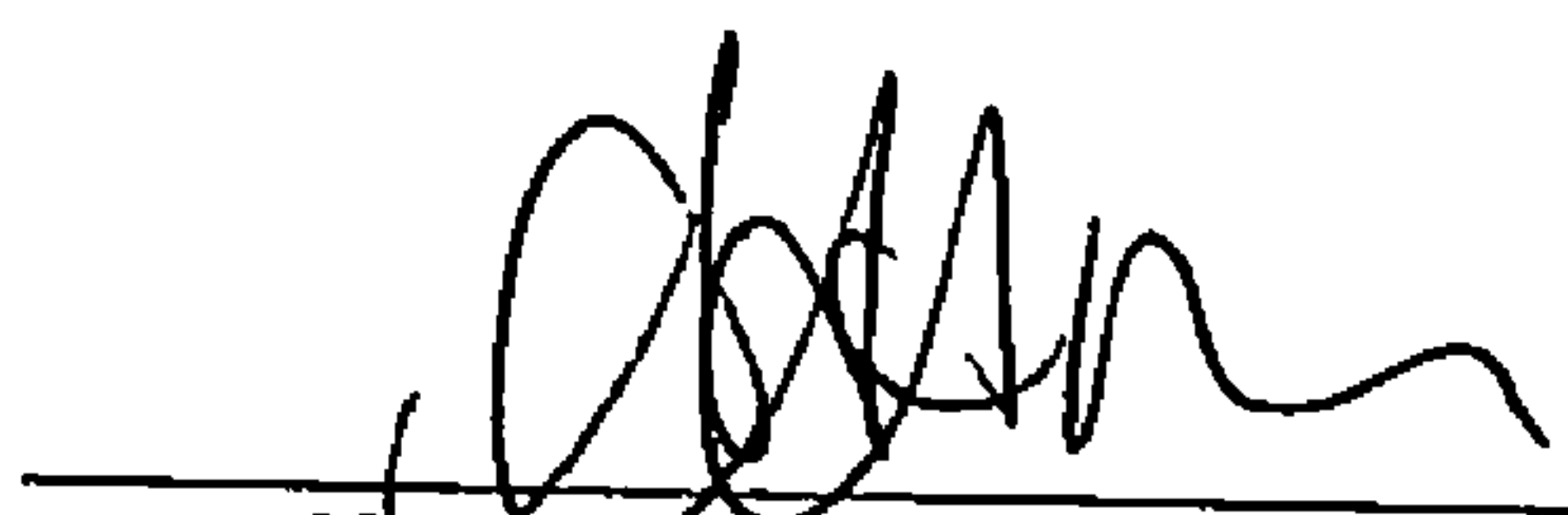
Title: VP

Date: 06/10/2024

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ACKNOWLEDGEMENTSTATE OF FloridaCOUNTY OF Brevard

The foregoing instrument was acknowledged before me, a Notary Public acting in the County set forth above, this 10th day of June, 2024 by Jonathan Buckelew, the Vice President of Carbon Real Estate Investments as Agent for Owner, on behalf of such entity.

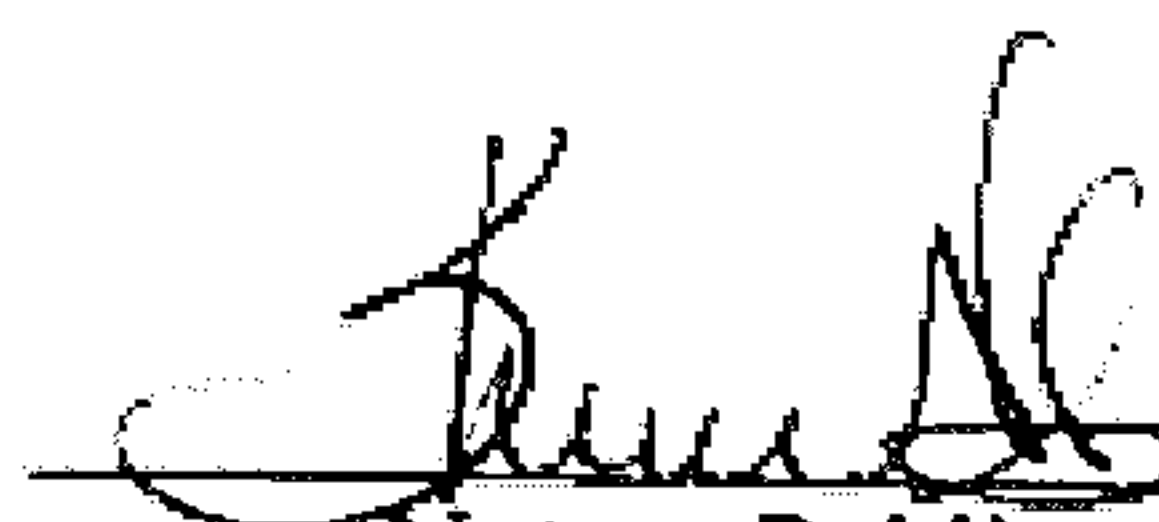

 Notary Public
 Suzanne Stork

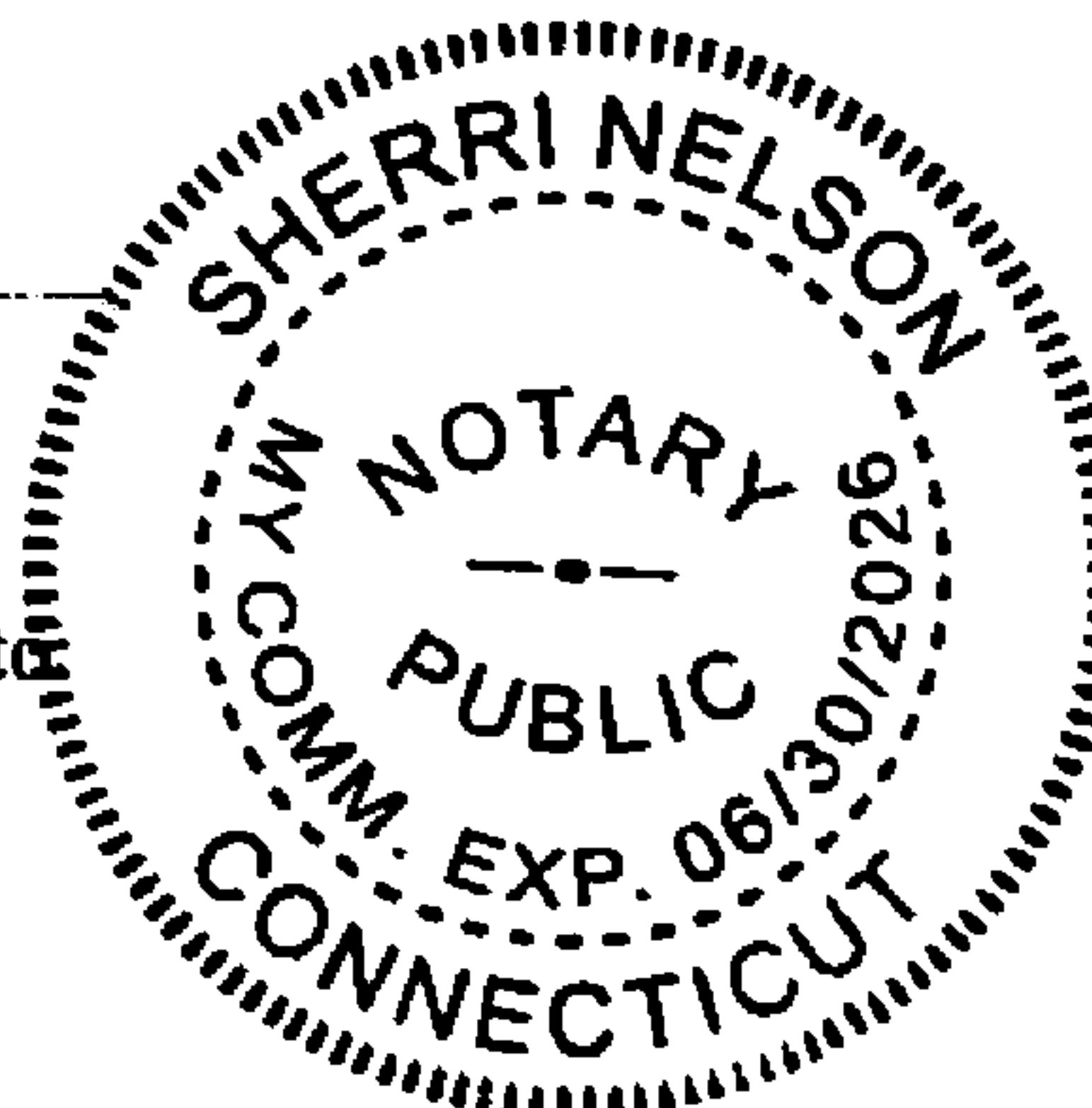


SUZANNE STORK
 Commission # HH 218185
 Expires March 26, 2026

ACKNOWLEDGEMENTSTATE OF ConnecticutCOUNTY OF Fairfield

The foregoing instrument was acknowledged before me, a Notary Public acting in the County set forth above, this 10th day of June, 2024 by Joe Varello, Vice President – Sales, Spectrum Community Solutions of Spectrum Southeast, LLC, on behalf of such entity.


 Notary Public



Prepared by and after recording, return to
Charter Communications

9 Commerce Rd.

Newtown, CT 06470

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EXHIBIT A
Legal Description of the Real Estate

Legal Description of the Property

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF SHELBY, STATE OF ALABAMA, AND IS DESCRIBED AS FOLLOWS:

A Tract of land situated in the NW 1/4 of Section 3, Township 19 South, Range 2 West, Shelby County, Alabama, said tract being part of Block 2 of Altadena Park, as recorded in Map Book 5, Page 73, part of Lot 1 Butte Woods Ranch Addition to Altadena Valley, as recorded in Map Book 5, Page 1, all recorded in the Probate Office of Shelby County, Alabama, said tract of land more particularly described as follows:

Commence at the Southwest corner of the NE 1/4, NW 1/4 of said Section 3, and run thence Easterly along the South line thereof 69.02 feet; thence turn 69°30'50" right and run Southeasterly 96.27 feet to the point of beginning, said point being on the Northerly line of Lot 1 of said Altadena Park; thence turn 90°00' left and run Northeasterly 240.0 feet to the Northern most corner of said Lot 1; thence turn 90°58'45" right and run Southeasterly 149.79 feet to the Southeast corner of said Lot 1; thence 6°16'15" right and run Southeasterly along the Easterly line of Lot 2 of said subdivision 144.94 feet to the most Easterly corner of Lot 2; thence turn 7°01'15" right and run Southerly along the Easterly line of Lot 3 of said subdivision for 57.52 feet to a point on last said lot line; thence turn 106°56'15" left and run Northeasterly 128.13 feet; thence turn 84°50' right and run Southeasterly for 195.0 feet; thence turn 20°59'30" left and run Southeasterly for 333.22 feet; thence turn 52°39'30" left and run Easterly for 150.0 feet; thence turn 90° left and run Northerly for 600.14 feet; thence turn 41°00' right and run Northeasterly for 300.00 feet; thence turn 14°00' left and run Northeasterly for 125.0 feet; thence turn 25°00' left and run Northerly for 170.0 feet; thence turn 87°58'40" right and run Easterly for 137.41 feet to a point on the East line of the NE 1/4 of NW 1/4, Section 3, Township 19 South, Range 2 West; thence turn left 90° and run Northerly along said 1/4-1/4 line for 270 feet, more or less, to the Westerly bank of the Cahaba River; thence run Northerly and Westerly along the Southwest bank of said river 1400 feet, more or less, to the West line of the NE 1/4 of the NW 1/4 of said Section 3, said point also being on the Easterly line of Lot 1 of said Butte Woods Ranch Addition to Altadena Valley; thence run Northerly along last said 1/4-1/4 section line and said lot line for 90 feet, more or less, to the Northeasterly corner of said Lot 1; thence turn left and run Westerly along the Northerly line of said Lot 1 for 240 feet, more or less, to the Northwest corner of said Lot 1; thence turn left and run Southwesterly and along the Easterly right of way line of Caldwell Mill Road for 425 feet, more or less; thence turn left 31°45' and run Southeasterly for 67.96 feet; thence turn left 31°45' and run Southeasterly along the new Northeasterly right of way line of Old Caldwell Mill Road for 231.58 feet to the beginning of a curve to the right having a radius of 263.05 feet; thence continue Southeasterly and along said right of way line and along the arc of said curve 162.13 feet to the end of said curve; thence continue Southeasterly on a course tangent to said curve, and along said right of way line 245.3 feet to the point of beginning.

Situated in Shelby County, Alabama.

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Less and Except the following property sold to Novus Utility Services, Inc. in Instrument 2001-14451, in the Probate Office of Shelby County, Alabama:

Part of the NW 1/4 of Section 3, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Beginning at an existing crimp iron pin, being the most Westerly corner of Lot 1 A, Altadena Park Resurvey, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 5, Page 111, run in a Northwesterly direction, along the Northeast right of way line of Old Caldwell Mill Road, for a distance of 245.65 feet to an existing crimp iron pin and being the point of beginning of a curve, said curve being concave in a Southwesterly direction and having a central angle of 35°18'51" and a radius of 263.05 feet; thence turn an angle to the left and run in a Northwesterly direction, along the arc of said curve and along the Northeast right of way line of said Old Caldwell Mill Road, for a distance of 162.13 feet, to the point of ending of said curve; thence continue in a Northwesterly direction, along a line tangent to the end of said curve, and along the Northeast right of way line of said Old Caldwell Mill Road, for a distance of 231.58 feet, thence turn an angle to the right of 31°45' and run in a Northwesterly direction for a distance of 67.96 feet to a point on the East right of way line of Caldwell Mill Road; thence turn an angle to the right of 31°45' and run in a Northerly direction, along the East right of way line of said Caldwell Mill Road, for a distance of 162.68 feet to a point of intersection with a curve, said curve being concave in a Northwesterly direction and having a central angle of 3°36'16" and a radius of 2005.22 feet; thence turn an angle to the right (59°20'24" to the chord of said curve) and run in a Northeasterly direction, along the arc of said curve, for a distance of 126.15 feet to a point of reverse curve, said latest curve being concave in a Southerly direction and having a central angle of 36°13'17" and a radius of 58.97 feet; thence turn an angle to the right and run in a Northeasterly and Easterly direction, along the arc of said curve, for a distance of 37.28 feet to the point of ending of said curve; thence run in an Easterly direction, along a line tangent to the end of said curve, for a distance of 102.25 feet, to the point of beginning; thence turn an angle to the right of 63°45'02" and run in a Southeasterly direction for a distance of 55.01 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of 91°51'45" and run in a Northeasterly direction for a distance of 150.88 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of 94°18'35" and run in a Northwesterly direction for a distance of 55.20 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of 82°59'55" and run in a Southwesterly direction for a distance of 144.88 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of 90°49'45" and run in a Southerly direction for a distance of 6.87 feet, more or less to the point of beginning.

Together with a 20' easement for ingress and egress lying 10' on either side of the center line of said easement and said center line being more particularly described as follows:

From an existing crimp iron pin, being the most Westerly corner of Lot 1 A, Altadena Park Resurvey, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 5, Page 111, run in a Northwesterly direction, along the Northeast right of way line of Old Caldwell Mill Road, for a distance of 245.65 feet to an existing crimp iron pin and being the point of beginning of a curve, said curve being concave in a Southwesterly direction and having a central angle of 35°18'51" and a radius of 263.05 feet, thence turn an angle to the left and run in a Northwesterly direction, along the arc of said curve and along the Northeast right of way line of said Old Caldwell Mill Road, for a distance of 162.13 feet, to the point of ending of said curve, thence continue in a Northwesterly direction, along a line tangent to the end of said curve, and along the Northeast right of way line of said Old Caldwell Mill Road, for a distance of 231.58 feet, thence turn an angle to the right of 31°45'

SPECIAL WARRANTY DEED

EXHIBIT A

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and run in a Northwesternly direction for a distance of 67.96 feet to a point on the East right of way line of Caldwell Mill Road; thence turn an angle to the right of $31^{\circ}45'$ and run in a Northerly direction, along the East right of way line of said Caldwell Mill Road, for a distance of 162.68 feet to a point of intersection with a curve, being the point of beginning, said curve being concave in a Northwesternly direction and having a central angle of $3^{\circ}36'16''$ and a radius of 2005.22 feet; thence turn an angle to the right ($59^{\circ}20'24''$ to the chord of said curve) and run in a Northeastly direction, along the arc of said curve, for a distance of 126.15 feet to a point of reverse curve, said latest curve being concave in a Southerly direction and having a central angle of $36^{\circ}13'17''$ and a radius of 58.97 feet; thence turn an angle to the right and run in a Northeastly and Easterly direction, along the arc of said curve, for a distance of 37.28 feet to the point of ending of said curve; thence run in an Easterly direction, along a line tangent to the end of said curve, for a distance of 102.25 feet, to the point of ending.

Together with an easement running along all existing sanitary sewer lines for construction, operation and maintenance of sanitary sewer.

ALSO BEING DESCRIBED AS:

A Tract of land situated in the NW 1/4 of Section 3, Township 19 South, Range 2 West, Shelby County, Alabama, said tract being part of Block 2 of Altadena Park, as recorded in Map Book 5, Page 73, part of Lot 1 Butte Woods Ranch Addition to Altadena Valley, as recorded in Map Book 5, Page 1, all recorded in the Probate Office of Shelby County, Alabama, said tract of land more particularly described as follows:

Beginning at a found iron pipe at the Northwest corner of Lot 1 of Altadena Park Resurvey, as recorded in Map Book 5, Page 111 and on the East right of way line of Old Caldwell Mill Road; thence from said Point of Beginning along said East right of way line the following four (4) courses to wit: (1) North $18^{\circ}39'04''$ West for 245.79 feet to a found iron pipe; (2) along the arc of a non-radial curve to the left having a radius of 263.05 feet, an arc length of 162.13 feet and being subtended by a chord bearing North $36^{\circ}03'36''$ West for 159.52 feet to a found iron pin with cap; (3) North $53^{\circ}43'08''$ West for 231.85 feet to a found iron pin with cap; (4) North $21^{\circ}53'41''$ West for 67.88 feet to a found iron pin with cap on the East right of way line of Caldwell Mill Road; thence with said East right of way line North $08^{\circ}43'47''$ East for 425.00 feet to a point; thence South $89^{\circ}44'56''$ East for 240.00 feet to a point in the Cahaba River; thence South $00^{\circ}15'04''$ West for 90.00 feet to a point on the South bank of the Cahaba River; thence along the South bank of the Cahaba River the following three (3) courses to wit: (1) North $86^{\circ}49'15''$ East for 855.88 feet to a point; (2) along the arc of a non-radial curve to the right having a radius of 400.00 feet, and arc length of 444.56 feet and being subtended by a chord bearing South $61^{\circ}16'05''$ East for 422.88 feet to a point; (3) South $29^{\circ}21'25''$ East for 201.71 feet to a point; thence South $01^{\circ}43'10''$ West for 158.74 feet to a set iron pin, passing a set iron pin at 13.74 feet; thence leaving said South bank North $88^{\circ}16'50''$ West for 137.41 feet to a set iron pin; thence South $03^{\circ}44'30''$ West for 170.00 feet to a set iron pin; South $28^{\circ}44'30''$ West for 125.00 feet to a set iron pin; thence South $42^{\circ}44'30''$ West for 300.00 feet to a found iron pipe; thence South $01^{\circ}44'30''$ West for 600.10 feet to a found iron pin with cap at the common corner with Riverwood Sector Seven Subdivision, as recorded in Map Book 9, Page 81; thence South $86^{\circ}16'43''$ West for 147.69 feet to a found iron pin with cap at the Easterly most corner of Riverwood Sector Two Subdivision, as recorded in Map Book 8, Page 65; thence North $34^{\circ}17'58''$ West for 332.47 feet to a found iron pin with cap on the on the East line of Riverwood Sector One, as recorded in Map Book 8, Page 49, thence with said Riverwood Sector One the following two (2) courses to wit: (1) North $16^{\circ}12'29''$ West for 195.00 feet to a set iron pin; (2) South $78^{\circ}49'30''$ West for 128.13 feet to a set

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iron pin on the East line of Altadena Park Resurvey as recorded in Map Book 5, Page 111, thence along said East line of said Altadena Park Resurvey the following four (4) courses to wit: (1) (2) North 05°44'26" East for 57.79 feet to a found iron pipe; (2) North 11°15'20" West for 144.64 feet to a found iron pipe; (3) North 17°15'54" West for 149.79 feet to a found magnetic indicator in concrete; (4) South 71°36'33" West for 240.00 feet to the Point of Beginning

LESS AND EXCEPT the following property sold to Novus Utility Services, Inc. in Instrument 2001-14451, in the Probate Office of Shelby County, Alabama.

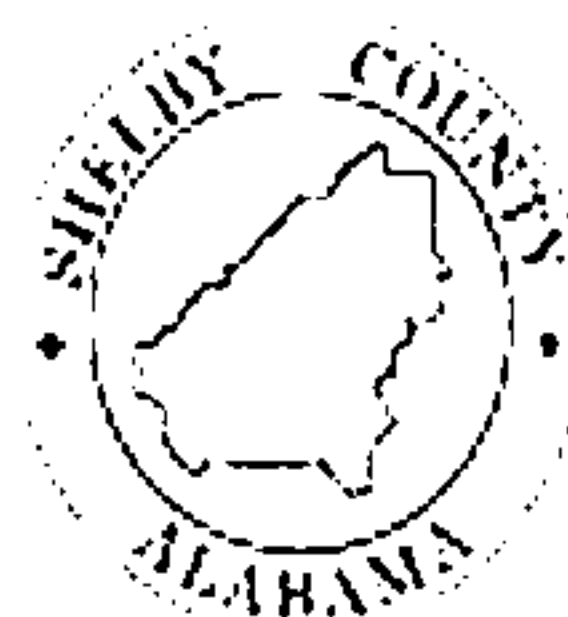
Part of the NW 1/4 of Section 3, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commencing at a found iron pipe at the Northwest corner of Lot 1 of Altadena Park Resurvey, as recorded in Map Book 5, Page 111 and on the East right of way line of Old Caldwell Mill Road; thence from said Point of Beginning along said East right of way line the following four (4) courses to wit: (1) North 18°39'04" West for 245.79 feet to a found iron pipe; (2) along the arc of a non-radial curve to the left having a radius of 263.05 feet, an arc length of 162.13 feet and being subtended by a chord bearing North 36°03'36" West for 159.52 feet to a found iron pin with cap; (3) North 53°43'08" West for 231.85 feet to a found iron pin with cap; (4) North 21°53'41" West for 67.88 feet to a found iron pin with cap on the East right of way line of Caldwell Mill Road, thence with said East right of way line North 08°43'47" East for 162.68 feet to a point; thence leaving said East right of way line along the arc of a non-radial curve to the left having a radius of 2005.22 feet, an arc length of 126.15 feet and being subtended by a chord bearing North 68°04'11" East for 126.13 feet to a point; thence along the arc of reverse curvature having a radius of 58.97 feet, an arc length of 37.28 feet and being subtended by a chord bearing North 84°22'41" East for 36.66 feet to a point; thence South 77°30'40" East for 102.25 feet to the Point of Beginning; thence South 13°45'38" East for 55.01 feet to a point; thence North 74°22'37" East for 150.88 feet to a point; thence North 19°55'58" West for 55.20 feet to a point; thence South 77°04'07" West for 144.88 feet to a point; thence South 13°45'38" East for 6.87 feet to the Point of Beginning.

Together with a 20' easement for Ingress and egress lying 10' on either side of the center line of said easement and said center line being more particularly described as follows.

Commencing at a found iron pipe at the Northwest corner of Lot 1 of Altadena Park Resurvey, as recorded in Map Book 5, Page 111 and on the East right of way line of Old Caldwell Mill Road, thence from said Point of Beginning along said East right of way line the following four (4) courses to wit: (1) North 18°39'04" West for 245.79 feet to a found iron pipe; (2) along the arc of a non-radial curve to the left having a radius of 263.05 feet, an arc length of 162.13 feet and being subtended by a chord bearing North 36°03'36" West for 159.52 feet to a found iron pin with cap; (3) North 53°43'08" West for 231.85 feet to a found iron pin with cap; (4) North 21°53'41" West for 67.88 feet to a found iron pin with cap on the East right of way line of Caldwell Mill Road, thence with said East right of way line North 08°43'47" East for 162.68 feet to the Point of Beginning, thence leaving said East right of way line along the arc of a non-radial curve to the left having a radius of 2005.22 feet, an arc length of 126.15 feet and being subtended by a chord bearing North 68°04'11" East for 126.13 feet to a point; thence along the arc of reverse curvature having a radius of 58.97 feet, an arc length of 37.28 feet and being subtended by a chord bearing North 84°22'41" East for 36.66 feet to a point; thence South 77°30'40" East for 102.25 feet to the Point of Terminus

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Filed and Recorded
 Official Public Records
 Judge of Probate, Shelby County Alabama, County **EXHIBIT A**
 Clerk
 Shelby County, AL
 06/19/2024 02:31:50 PM
 \$40.00 BRITTANI
 20240619000184400

Brittani S. Boyd