### STATE OF NORTH CAROLINA **COUNTY OF MACON**

Presented for registration and recorded in the office of the Register of Deeds for Macon County, North Carolina, in Book <u>M-31</u>, page (s) 1865 - 1872 9th day of July, 20 07 

**TODD RABY, REGISTER OF DEEDS** 

This Document Prepared By: PEGASUS TOWER COMPANY, LTD.

P. O. Box 233, Richlands, Virginia 24641

### MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE is made and entered into on this the Auday of of. \, 2007 by and between SILER SLAGLE AND CLYDIE O. SLAGLE, whose address is 151 Slade Farm Rd., Franklin, North Carolina 28734, herein the Grantor; and RATLIFF TOWERS, LLC, a Virginia Limited Liability Company, whose address is P. O. Box 448, Richlands, Virginia 24641, herein the Grantee.

### WITNESSETH:

WHEREAS, the Grantor has leased to the Grantee pursuant to the terms of a written lease agreement between the parties of even date herewith (herein the "Lease") certain of the Grantor's real estate in Macon County, North Carolina, which specific real estate is a part of that certain parcel conveyed to the Grantor by Deed dated April 30, 1948 and recorded in the land records of said jurisdiction in Will Book 6, Page 124, the source of which real estate is designated on Tax Map No. 0800973, all of which is more particularly described in Schedule "A" attached hereto and which real estate is herein referred to as the "Property"; and,

WHEREAS, the parties desire to execute this Memorandum of Lease to memorialize certain of the provisions of the Lease.

NOW THEREFORE, for and in consideration of the premises herein, the receipt and sufficiency of which is hereby acknowledged, the parties obligate and bind one another, their heirs, successors and assigns as follows:

- 1. Grant of Lease. The Grantor hereby leases to the Grantee, its successors and assigns, all of the Property upon the terms and conditions set forth in the Lease.
- 2. Term. The initial term of the lease is for five (5) years from (Apr. 124, 200) (herein the "Commencement Date"). The maximum term during which the Grantee may lease the Property if it exercises its renewal rights in the Lease is ninety-five (95) years from the Commencement Date. FORTY-FIVE (45)

Initials of Grantor: USS Initials of Grantee: Apr-07

Page 1 of 4 MOL to Slagle-Dobson Mtn GLA%FF 04.07 3. Incorporation of Lease. All other terms and conditions of the Lease are incorporated herein by reference. In the event of a conflict between the terms hereof and the terms of the Lease, the terms of the Lease shall govern.

WITNESS the following signatures and seals:

Siler Slagle

RATLIFF TOWERS, LLC A Virginia Limited Liability Company

By: TOWER MANAGEMENT COMPANY, LLC

Manager

ACKNOWLEDGEMENT PAGE FOLLOWS

Initials of Grantor: <u>C55</u> Initials of Grantee: <u>UK</u>

STATE OF North Carolina COUNTY OF			
I, Maska H. Keeney, a no SILER SLAGLE personally appeared before m instrument.	otary public for said county te this day and acknowledg	and state, of	do hereby certify that tion of the foregoing
Witness my hand and official stamp or sea	l, this 27 day of Opr	, 20	<u>07</u> .
My commission expires:	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	1111	
8/14/08	Notary Public		MARTHA H KEENER
STATE OF North Carolina COUNTY OF Wacon			Notern (Public) Macon County State of North Carolina
I, Martha H. Keeney, a no CLYDIE O. SLAGLE personally appeared before instrument.	otary public for said county re me this day and acknowle	and state, odged the exec	do hereby certify that cution of the foregoing
Witness my hand and official stamp or sea	al, this <u><b>27</b></u> day of <u>Qp</u>	, 20	07.
My commission expires:	Marta	1)(e	ener
STATE OF VIRGINIA COUNTY OF TAZEWELL	Notary Public	N M	THA H KEENERS(al) otary Public acon County of North Carolina
I, Deborah C. Fields do hereby certify that C. R. Bolling, as Mana COMPANY, LLC, as Manager of and for and on the Company, personally appeared before me this day	behalf of RATLIFF TOWER and acknowledged the execut	half of TOW S, LLC, a Vir tion of the for	ER MANAGEMENT ginia Limited Liability
Witness my hand and official stamp or sea	al, this <u>a 44</u> day of <u>Ap</u>	<u>lil</u> , 20	07.
My Commission Expires:	David Notary Public	C J	Oldo
		HIIIIIIIIIII	OF THE TOTAL OF TH

Initials of Grantor: LST Apr-07

Initials of Grantee:

Page 3 of 4 MOL to Slagle-Dobson Mtn GLA%FF 04.07

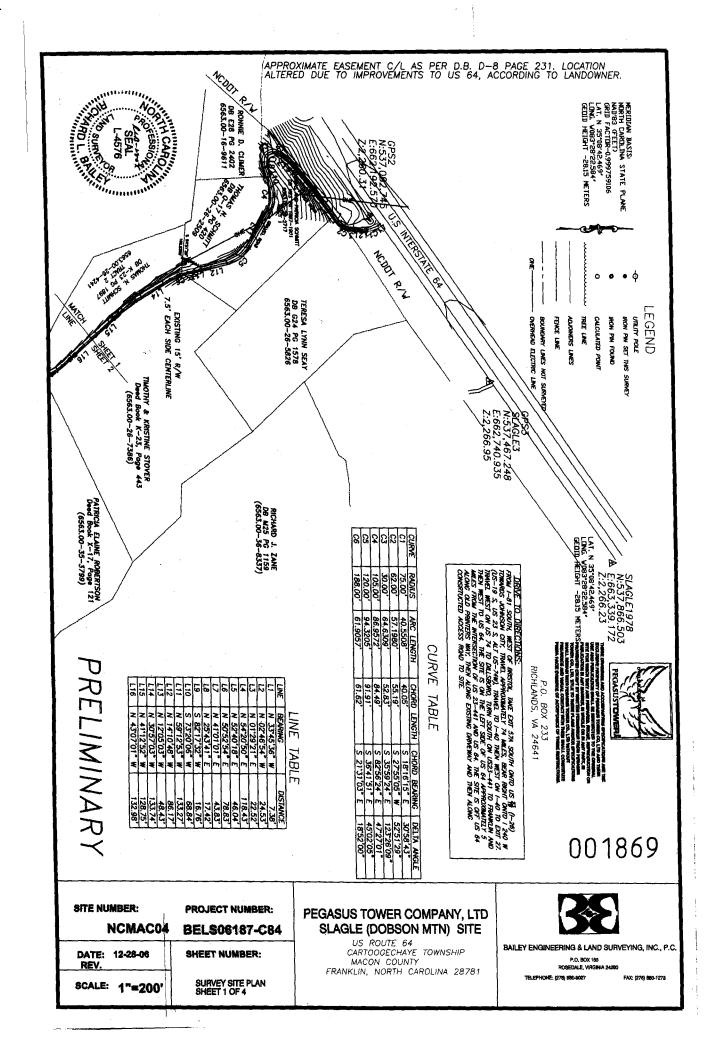
### **SCHEDULE "A"** to Memorandum of Lease SILER AND CLYDIE O. SLAGLE and RATLIFF TOWERS, LLC A Virginia Limited Liability Company

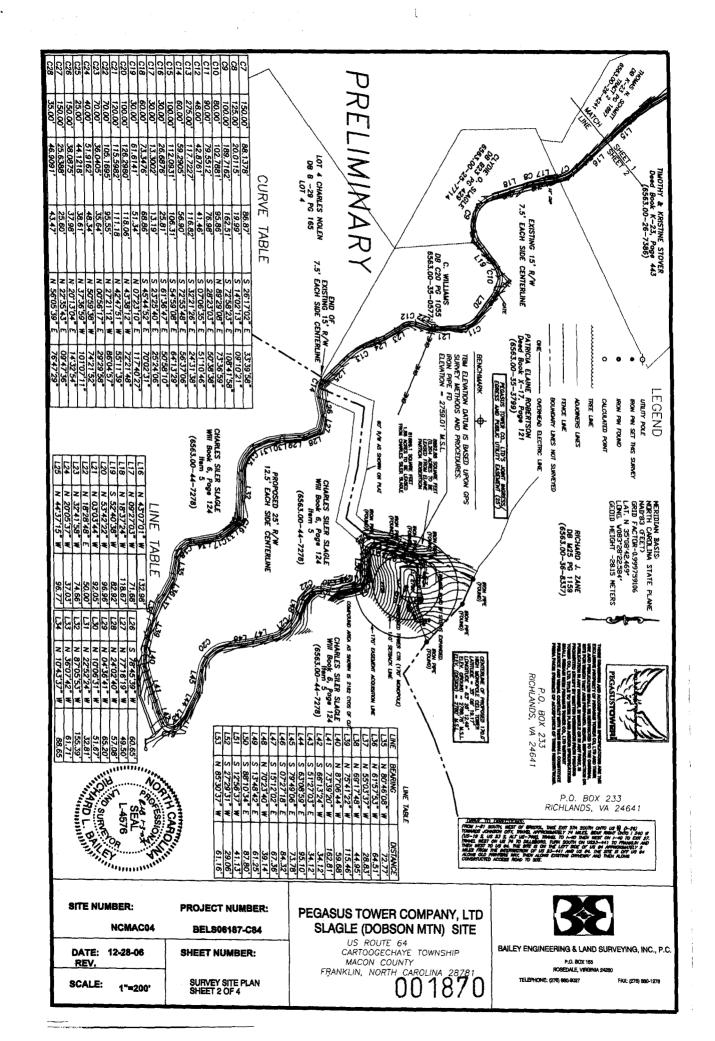
**Description of Leased Property** 

SEE ATTACHED SURVEY SITE PLAN

Initials of Grantor: LSS Initials of Grantee: WE Apr-07







## UTILITY NOTE:

THE LOCATION OF OPERAGO AND/OR UNDERGROUND UTILITIES OR FACILITIES THAT ARE BASED ON OBSERVABLE ARONE GROUND STRUCTURES. NO EXCHANDANS MERE PERFORMED TO RELD LOCATE BURED UTILITIES/FACULITIES. PROOR TO ANY SITE CONSTRUCTION OR SITE EXCHANTIONS, CONFICT THE APPROPRIATE STATE UTILITY MOTHERIAN SERVICE/ACENCY FOR METHERICATION OF UTILITY TYPE AND VERHECATION OF ALL FIELD LOCATIONS OF ANY AND ALL UTILITY LINES.

THE SUMPETOR WALES NO GLAGANITE THAT THE UNDERGROUND UTILITIES SYOM COMPRISE ALL SUCH UTILITIES IN THE ARCA, ETHER IN SERVICE OF AGAMDONED. THE SUMPETOR FURTHER DOES NOT MARRAIT THAT THE UNDERGROUND UTILITIES ARE IN THE EVACT LOCATION MICHOLITED, THEREFORE, RELIMACE OFFINE THE EVAC COLOTION OF TUTILITIES SHOWN SHOULD BE DONE SO UPON THE THESE ZETE AND LOCATION OF DETULITIES SHOWN SHOULD BE DONE SO WITH THIS CHOLUSTIANCE CONSIDERED, DETULIED VERPECTION OF EXTENDE. DECIMED WITH THE CHOCUMENT ALSO BE MADE FRIEND ON THE TOWN DESIGN RELITIVE CONSIDERATION OF EXTENDED WITH THE LOCATION OF SERVICE SHOULD BE CONFIRMED WITH THE APPROPRIATE THE TOTAL CHARACTER.

ERIFY THAT THE PLAT WAS DOWN UNDER MY SUPPRISON FROM AN ACTUM, SIRRY MADE IN SUPPRISON FROM AN ACTUM, SIRRY MADE IN SUPPRISON FROM WHICH BOOK IP AND THAT THE BUTD OF PRECISON AS OCCURN FROM BUTCHED AS DOWN FROM WHOMANDAY RETIRM FREE BUTCHED AS OLIVINATION FOR THAT THE PLAT BUTCHED AS DEPOMED IN 17 DEPOMED WHOMANDAY REPRESENTED AS OCCURNITION OF THAT THE PLAT BUTCHED AND SOLIVINATION OF THE BUTCHED WHOMANDAY OF THE BUTCHED WHOMANDAY OF THE BUTCHED WHOMANDAY OF THE BUTCHED WHOMANDAY OF THE BUTCHED WHO SOLIVINATION OF THE BUTCHED WHOMANDAY OF THE BUTCHED WHO SOLIVINATION TION FOUND IN (SEE

### GENERAL NOTES:

- TOPOGRAPHIC ELEVATIONS SHOWN WERE DERVED FROM GRID CROSS-SECTIONS, USING A TOTAL STATION FOR HORIZONTAL AND VERTICAL CONTROL. ALL DISTANCES ARE HORIZONTAL AND HAVE BEEN ADJUSTED FOR TEMPERATURE.

  NUMBERS SHOWN THUS (00-00), REFER TO TAX MAP NO, AND PARCEL NO. OF THE OFFICE OF THE MACON COUNTY REGISTRY OF NORTH CAROLINA.
- BEARINGS SHOWN ARE REFERENCED FROM A GLOBALLY POSITIONED SATELLITE MONUMENT (SLAGLE1978) AS ESTABLISHED FOR THIS SURVEY.
- LAND USE CLASSIFICATION -- RESIDENTIAL
- TOWER SETBACK REQUIREMENTS: 1/2 TOWER HEIGTH + 25.00 FEET
- PROPERTY INFORMATION TAKEN FROM DEEDS OF RECORD IN MICON COUNTY, NO SEVERAL IRON PRINS WERE RECOVERED AND UTILIZED FOR PROPERTY ORIENTATION
- THIS SURVEY IS AN EXCEPTION TO THE DEFINITION OF A SUBDINISION & FURTHER DOES NOT REPRESENT A BOUNDARY SURVEY.

THE PROPOSED TOWER IS NOT SUBJECT TO ZONING APPROVAL

- PROPERTY OWNER THE AREA TO BE LEASED WAS DERIVED BY COORDINATE CALCULATION
- CHARLES SILER SLAGLE 433 CARL SLAGLE RD FRANKLIN, NC 28734 828-524-3353
- ELECTRIC UTILITY CONTACT: DUKE POWER

TELEPHONE CONTACT:

TITLE OPINION-ADDRESS THE FOLLOWING

SCHEDULE B-II-EXCEPTIONS

- 1. N/A TO SURVEY
  2. EXISTENTS AS MOTED ON PLAT. NO RESTRICTIONS
  NOTED IN TITLE COMMITMENT.
  3. AREAS SHOWN FOR LEASESHOLD COMPUTED BY SURVEY

4. EXISTING ACCESS, LOCATED BY SURVEY AND IS AT A MINIUMUM 15' IN WIDTH 7.5' EACH SIDE OF CENTERLINE.

# PRELIMINARY



BAILEY ENGINEERING & LAND SURVEYING, INC., P.C.

P.O. BOX 195 ROSEDALE, VERGINA 24280

P.O. BOX 233 RICHLANDS, VA 24641 PEGASUS TOWER COMPANY,

SLAGLE (DOBSON MTN)

FRANKLIN, NORTH CAROLINA 2. US ROUTE 64 CARTOOGECHAYE TOWNSHII MACON COUNTY

SCALE.	DATE: 12-28-06 REV.	SITE NUMBER:		
SCALE: 1"=200"	2-28-06	NCMAC04		
SURVEY SITE PLAN	SHEET NUMBER:	PROJECT NUMBER		

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001871

with a curve turning to the left with an arc length of \$3.27 of \$13.74ft.;

with a curve turning to the left, with a radius of \$18.00';

with a delta angle of \$18.52'0';

with a delta engle of \$18.52'0';

with a clare turning to the left, with a radius of \$18.00';

with a clare turning to the left, with a radius of \$18.00';

with a delta engle of \$18.52'0';

with a clare engle of \$18.52'0';

with a clare engle of \$3.51'2';

with a delta engle of \$3.51'2';

with a clare turning to the left

with a set engle of \$3.51'2';

with a set engle of \$3.51'2';

whence \$4.712'52'' E a \*5''

thence \$4.707'0'' In eag.

If way of US highway

If hence with a curve turning to the right

with a delta angle of 325.38.43, a radius of 75.00;

with a radius angle of 43.53.4th a radius of 75.00;

thence S 074834 E a distance of 24.53ft.;

thence S 074834 E a distance of 22.52ft.;

If hence S 072821 W a distance of 22.52ft.;

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If hence S 072821 W a dist with an arc length of 64.63 with a radius of 30.00'; thence N 82'17'32' E a distance of 16.76ft.; thence with a curve turning to the right with a delta angle of 47'27'0'; with an arc length of 68.65 with a radius of 105.00'; thence with a curve turning to the right with a delta angle of 47'27'0'; with a radius of 133.28ft.; thence with a curve turning to the right with a delta angle of 45'20'5." with a radius of 120.00'; whence is a radius of 120.00'; whence i ngle of 52'51'29", mith a radius of 62:00';, night of 57:20', with a radius of 62:00'; along side curve entering onto the Thomas Schning olong said curve entering onto the Thomas Schning B97 & DB Q-17 PG 420 and continuing along PG 1897 & DB Q-17 PG 420 and continuing along of 33.739.758, of 33.730.750.00; of 88.14, with a radius of 150.00; of 88.14, with a radius of 150.00; of 23.750, of 23.750, of 23.750, of 23.750, of 27.050, of 27.0 stance of 118.43ft.

W a distance of 46.05ft.

W a distance of 78.84ft.

W a distance of 43.83ft.

W a distance of 43.83ft.

W a distance of 17.43ft. BAILEY ENGINEERING & LAND SURVEYING, INC., P.C. thence S 18728'48" E a distance of 92.001.; thence with a curve turning to the left thence S 2743'18" E a distance of 92.001.; thence with a curve turning to the left with a deta angle of 51.016.; thence S 3741'58" E a distance of 74.671.; thence S 2703'37" E a distance of 74.671.; thence S 2703'37" E a distance of 73.031.; omas Schmitt Tracts as thence with a curve turning to the left with a delta angle of 24'31'33", with a radius of 275.00'; with a radius of 275.00'; with a radius of 275.00'; thence S 44'37'15" with a radius of 275.00'; TABLE TO LIGHTANIA.

TABLE TO LIGHTANIA.

THE CONTRIBUTE OF BESTEL THE EXIST STANDARD GROUD IS \$\frac{1}{2}\triangle And 1 of \$\frac{1}{2}\triangle And 1 o with an are length of 73.35," with a radius of 60.00", thence \$ 807.4508" E a distance of 72.7711. thence \$ 817.53." E a distance of 72.7711. thence \$ 817.53." E a distance of 64.2511. thence \$ 85703.37" E a distance of 26.8411. thence \$ 877.412" E a distance of 115.4611. thence \$ 877.412" E a distance of 115.4611. thence \$ 876.412" E a distance of 62.8211. thence \$ 173.92" E a distance of 62.8211. thence \$ 173.92" E a distance of 63.8311. thence \$ 187.32" E a distance of 64.1311. thence with a curve turning to the left thence CHANGING TO A 25' R/W the following collinence N 78'45'39' E a distance of 60.65ft., thence S 77'16'19' E a distance of 49.51ft. thence S 24'02'40' E a distance of 57.09ft.; thence S 04'35'4' E a distance of 52.21ft. thence S 04'35'4' E a distance of 51.67ft., thence S 02'32'4' E a distance of 51.67ft., thence S 12'32'4' E a distance of 32.82ft.; thence with a curve turning to the left thence with a curve turning to the left with a delta angle of \$47.122°, with a radius of 100.00°; with an arc length of 112.09°, with a radius of 100.00°; thence \$8705.53° E a distance of 155.36°L; thence with a curve turning to the right with a delta angle of 5058°10°, with a radius of 50.00°; with an arc length of 26.05°, with a radius of 50.00°; thence \$360742° E a distance of 51.71°L; thence with a curve turning to the left with a delta angle of 56°37'76", with an arc length of 59°29 with a radius of 60.00';; with a curve turning to the right with a delta angle of 25/2/06, with a radius of 30 with a radius of 30 whence \$10'43'37" E a distance of 88.66ft.; hence with a curve turning to the left with a delta angle of 70'02'31, with an arc length of 73.35", with a radius of 80. 715' E a distance of 96.77ft.; through the Siler Stogle Tract identified 3.00-44-7278 the following courses to d area: P.O. BOX 233 RICHLANDS, VA 24641 PEGASUS TOWER COMPANY, LTD SLAGLE (DOBSON MTN) SITE courses; 30.00 US ROUTE 64
CARTOOGECHAYE TOWNSHIP
MACON COUNTY FRANKLIN, NORTH CAROLINA 28781 thence N 512703" W a distance of 34.13h.; thence N 63708'59" W a distance of 95.10h.; thence N 73.78h.; thence N 73.78h.; thence with a curve turning to the right with a delta angle of 7221'48", with an arc length of 126.50', with a radius of 100 thence N 0722'18" W a distance of 64.33h.; thence N 1512'02" W a distance of 67.37h.; thence with a curve turning to the left with a delta angle of 55'11'39", with an arc length of 115.60', with a radius of 121 thence N 70'23'40" W a distance of 33.15h.; with an arc length of 46.91', with a radius of 35.00'; thence S 85'30'37" E a distance of 61.16'ft.; which is a point at the compound area. The above description is the centerline of an existing 15' road which is 7.5' wide an each side of centerline and 25' wide the standard area. with an are length of 25.64°, with a radius of 150.00°; thence N 1741'55" E a distance of 4.92°K; thence with a curve turning to the right with a delta angle of 76'47'29°, rith an arc length of 38.09', with a radius of 150.00';; thence with a curve turning to the right with a delta angle of 1010711," with a delta angle of 1010711, with a radius of 25.00; with an arc length of 44.12; with a radius of 25.00; bence N 1275637" E a distance of 41.13ft, entering back with a delta angle of 74°21'52",
with an arc length of 51.92", with a radius of 40.00";
thence N 88°10'34" W a distance of 87.80 ft. exiting the hence with a curve turning to the right ith a delta angle of 14:32'54". PEGASUS TOWER CO., LTD'S LEASEHOLD AREA-6,000 SF 3'48'42" W a distance of 61.25 ft. entering the leasehold a curve turning to the left t" E a distance of 29.07ft.; we turning to the left of 9.47.36", SCALE: SITE NUMBER: with a radius of 120.00';; nce of 39.15ft.; the right NCMAC04 1"=200 SEAL L4578 BELS06187-C84 SHEET NUMBER: PROJECT NUMBER: the leasehold area; SURVEY SITE PLAN SHEET 4 OF 4 001872

SITUATED IN CAPTOOSECHAYE TOWNSHIP,
MACON COUNTY, MORTH CAPOLINA AT THE INTERSECTION OF INTERSATE
64 WITH OLD PANTER LANE, AND BEING THE CENTERLINE OF A 15'
MORESS & EGRESS EASEMENT AND MORE PARTICULARLY DESCRIBED AS

inning at the intersection of the povement of US Highway 64 with edge of povement of Old Printers Way Lane thence through the right

thence N. 52:40.78". E a distance of 82.92ft.; thence with a curve turning to the right with a delta angle of 73:36.59", with an arc length of 102.79', with a radius of 80.00", thence S. 53:42'22". E a distance of 96.97ft.;

with a radius of 100.00', ce of 82.92ft.;

100.00';

thence S 1837'24" E a distance of 118.68th. Thence with a curve turning to the left with a delta angle of 108'41'58 with an arc length of 189.72, with a radius of thence N 52'40'38" E a distance of 82.92th.

INGRESS & EGRESS EASEMENT DESCRIPTION