

Recorded: 4/16/2019 at 8:05:31.0 AM
County Recording Fee: \$37.00
Iowa E-Filing Fee: \$3.69
Combined Fee: \$40.69
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2019 PG: 810

CORRECTED

MEMORANDUM OF LEASE

Recorder's Cover Sheet

Refiled to correct legal description on page 1 of Exhibit A and to correct middle initial of landowner.

Preparer Information: Jennifer Hodge Burkett, 505 E Grand Avenue, Ste 200, Des Moines, IA 50309, Phone: (515) 242-8900

Taxpayer Information: Keith F. Peyton and Patsy J. Peyton, 1802 Maple Way, Coggon, IA 52218

Return Document To: Jennifer Hodge Burkett, 505 E Grand Avenue, Ste 200, Des Moines, IA 50309

Grantors: Keith F. Peyton and Patsy J. Peyton

Grantees: FTC Tower Co., LLC

Legal Description: See Exhibit A

Document or instrument number of previously recorded documents: N/A

CORRECTED**MEMORANDUM OF LEASE**

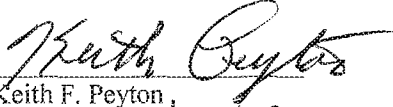
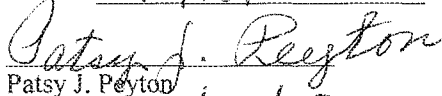
Refiled to correct legal description on page 1 of Exhibit A and to correct middle initial of landowner.

THIS MEMORANDUM OF LEASE (*"Memorandum of Lease"*) is being recorded for the purpose of giving public notice of the existence of that certain Lease Agreement (the *"Agreement"*), by and between Keith F. Peyton and Patsy ~~P.~~^{J.} Peyton, husband and wife, (collectively, *"Lessor"*), whose address is 1802 Maple Way, Coggon, IA 52218, and FTC Tower Co., LLC, a South Carolina limited liability company, (*"Lessee"*), 1101 E. Main Street, Kingstree, South Carolina, 29556.

1. The Agreement. Lessor and Lessee entered into the Agreement on the 9 day of November, 2018.
2. Term of Agreement. The initial term of the Agreement is for twenty-five (25) years commencing on December 28, 2018, and ending on December 28, 2043 unless sooner terminated pursuant to the terms of the Agreement.
3. Renewal Terms. Lessee shall have a renewal option for three (3) additional five (5) year terms.
4. Right of First Refusal. The Agreement grants Lessee a right of first refusal upon the terms and conditions set forth in the Agreement.
5. Property. The property which is the subject of the Agreement is located in in Section 34, Township 87 North, Range 6, West of the 5th P.M., in Delaware County, Iowa, as more particularly described on Exhibit A annexed hereto.
6. Exhibit A. The parties understand and acknowledge that Exhibit A may be attached to this Memorandum of Lease in preliminary form. Accordingly, the parties agree that upon the preparation of final, more complete exhibit, Exhibit A may be replaced by Lessee with such final, more complete exhibit.
7. Agreement Terms. This Memorandum of Lease is not a complete summary of the Agreement. Provisions of this Memorandum of Lease shall not be used in interpreting the Agreement. If there is a conflict between the Memorandum of Lease and the unrecorded Agreement, the unrecorded Agreement shall control.

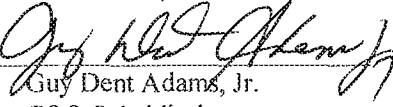
IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Lease as of the dates set forth below.

Lessor:


 Keith F. Peyton
 Date: 10/16/18

 Patsy J. Peyton
 Date: 10/16/18

Lessee:

FTC TOWER CO., LLC

By: 
 Guy Dent Adams, Jr.
 COO Subsidiaries
 Date: 11/9/18

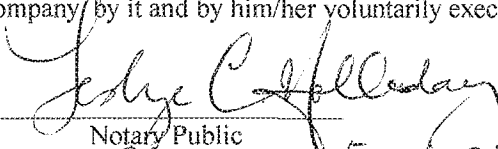
ACKNOWLEDGMENT

STATE OF SOUTH CAROLINA)
)
COUNTY OF WILLIAMSBURG)

SS:

On this 9th day of November, 2018, before me, the undersigned, a notary public in and for the State of South Carolina, personally appeared Guy Dent Adams, Jr., to me personally known, who being by me duly sworn, did say that he is the duly authorized agent with full authority to act on behalf of FTC Tower Co., LLC, a South Carolina limited liability company, that the foregoing instrument was signed on behalf of said company, and thereby binds said company to the terms set forth herein, and that he acknowledged the execution of the instrument to be the voluntary act and deed of the company by it and by him/her voluntarily executed.

(SEAL)


Notary Public
My Commission Expires 5/13/2024

STATE OF IOWA)
)
COUNTY OF ~~DELAWARE~~ WINN)

SS:

This instrument was acknowledged before me on this 16 day of October, 2018, by Keith F. Peyton and Patsy J. Peyton.

(SEAL)


Notary Public

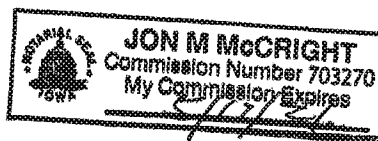


Exhibit A

LEASE PARCEL

A part of Parcel 2018-31 of Plat filed in Book 2018 Page 1192 of Delaware County Records and located in the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section Thirty-Four (34), Township Eighty-Seven (87) North, Range Six (6) West of the Fifth Principal Meridian, Delaware County, Iowa containing 250,000 square feet (5.739 acres) of land and being described by:

Commencing at the South Quarter Corner of said Section 34; thence N88°-55'-41"E 827.22 feet along the South line of the SE 1/4 of said Section 34; thence N01°-04'-19"W 97.65 feet to the point of beginning; thence N00°-55'-50"W 500.00 feet; thence N89°-04'-10"E 500.00 feet to a point on the East line of the SW 1/4 of the SE 1/4 of said Section 34; thence S00°-55'-50"E 500.00 feet along said East line; thence S89°-04'-10"W 500.00 feet to the point of beginning, being subject to any and all easements and restrictions of record.

30' WIDE INGRESS/EGRESS & UTILITY EASEMENT

A part of Parcel 2018-31 of Plat filed in Book 2018 Page 1192 of Delaware County Records and located in the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section Thirty-Four (34), Township Eighty-Seven (87) North, Range Six (6) West of the Fifth Principal Meridian, Delaware County, Iowa containing 11,672 square feet (0.268 acres) of land and being Fifteen (15) feet each side of and parallel with the following described line:

Commencing at the South Quarter Corner of said Section 34; thence N88°-55'-41"E 827.22 feet along the South line of the SE 1/4 of said Section 34; thence N01°-04'-19"W 97.65 feet; thence N00°-55'-50"W 500.00 feet; thence N89°-04'-10"E 500.00 feet to a point on the East line of the SW 1/4 of the SE 1/4 of said Section 34; thence S00°-55'-50"E 276.72 feet along said East line; thence S89°-04'-10"W 147.09 feet to the point of beginning; thence S59°-04'-10"W 63.00 feet to a point herein after referred to as "Point A"; thence S30°-55'-50"E 134.56 feet; thence S01°-15'-25"E 139.01 feet to a point on the North Right of Way line of Linn-Delaware Road and the point of termination. Also, beginning at said "Point A", thence S59°-04'-10"W 27.00 feet; thence N30°-55'-50"W 52.50 feet to the point of termination. The side lot lines of said easement are to be shortened or lengthened to terminate on the North Right of Way line of Linn-Delaware Road.

Edge
Consulting Engineers, Inc.
501 West Street
P.O. Box 611
608-644-1461 voice
608-644-1464 fax
www.edgeconsult.com

FTC
Tower Co.
1101 E. MAIN STREET
KINGSTREE, SC 29556

MERIDIAN
SURVEYING, LLC
8001 PLYMOUTH DRIVE
KINGSTREE, SC 29556
853-983-0087
853-273-6037

SITE NAME:
COGCON

SITE NUMBER:
XX

SITE ADDRESS:
1700 LINN-DELAWARE ROAD
RYAN, IOWA 52230

PROPERTY OWNER:
KEITH & PATSY PEYTON
1802 MAPLE WAY
COGCON, IOWA 52218

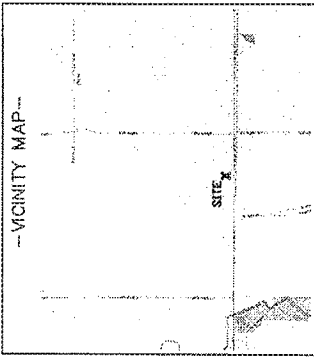
PARCEL NO.: 320340091030

ZONED: AGRICULTURE
DEED REFERENCE: BOOK NO. 87-213
BOOK 2003 PAGE 0619

LEASE EXHIBIT
FOR
FTC TOWER CO.
A PART OF THE SE1/4
SECTION 34, T.87N. R.8W., 5TH
P.M., DELAWARE COUNTY, IOWA

NO.	DATE	DESCRIPTION	BY
1	11/13/18	Added Title Review	EB
2	7/25/18	Added Tower, Lease, & Easement	EB
3	8/14/18	Final Survey	MA

DRAWN BY	H.M.	FIELD WORK	6-8-18
CHECKED BY	C.A.K.	FIELD BOOK	M-42, PG. 45
JOB NO.	102390	SHEET	1 OF 3



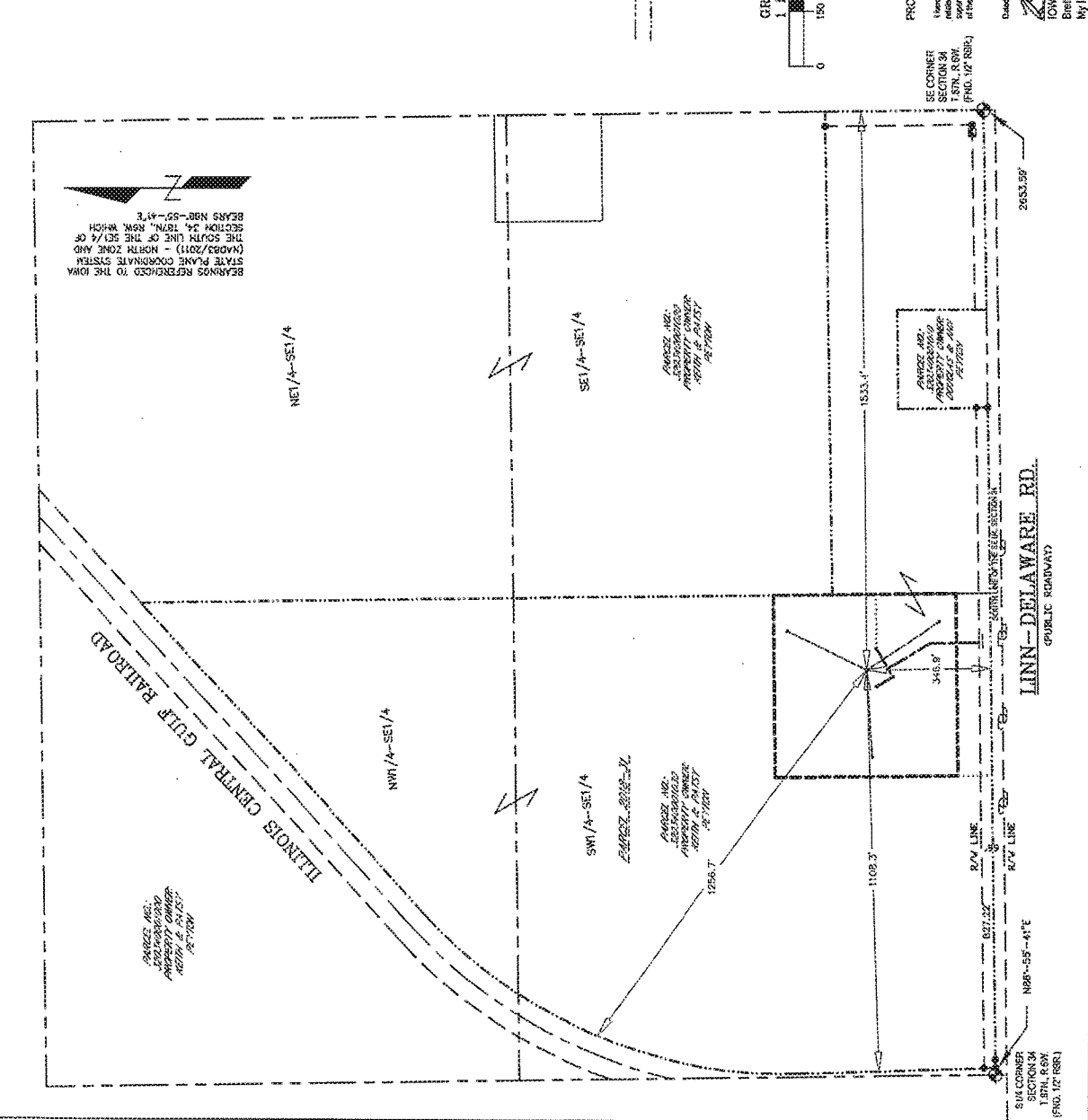
PROPOSED TOWER BASE
LATITUDE: 42°-17'-49.90"
LONGITUDE: 91°-31'-29.68"
(Per North American Datum of 83/2011)
Ground Elevation: 947.6'
(Per North American Vertical Datum of 1988)

- LEGEND**
- = 1" x 18" IRON PIPE SET
 - = REBAR WITH CAP NO. 7050 FOUND
 - = 6" NAIL SET
 - ⊕ = COUNTY MONUMENT FOUND
 - ⊙ = EXISTING POWER POLE
 - ⊕ = TELEPHONE PEDESTAL
 - ⊕ = OVERHEAD ELECTRIC
 - = PROPERTY LINE

GRAPHIC SCALE
1 inch = 300 ft



PROFESSIONAL LAND SURVEYOR'S CERTIFICATE
I hereby certify that this land surveying document was prepared and reduced to scale and that I am a duly licensed land surveyor under the laws of the State of Iowa.
Brett J. Becker
IOWA PROFESSIONAL LAND SURVEYOR
Brett J. Becker, License No. 22848
My license renewal date is December 31, 2018.



Edge
Consulting Engineers, Inc.
101 West Street
P.O. Box 500, WI 53578
608.464.1449 voice
608.464.1547 fax
www.edgeconsult.com

FTC
TOWER CO.
1101 E. MAIN STREET
MINISTREE, SC 29558

MERIDIAN
SURVEYING, LLC
101 West Street
P.O. Box 500, WI 53578
608.464.1449 voice
608.464.1547 fax
www.meridian-surveying.com

SURVEYED FOR:

SURVEYED FOR:

SITE NAME:
COGSON

SITE NUMBER:
XX

SITE ADDRESS:
1700 LINN-DELAWARE ROAD
RYAN, IOWA 52330

PROPERTY OWNER:
FTC TOWER CO.
1101 E. MAIN STREET
MINISTREE, SC 29558

PARCEL NO.: 320340001030

ZONED: AGRICULTURE

DEED REFERENCE: DOC. NO. 87-213
BOOK 2603 PAGE 5619

LEASE EXHIBIT
FOR
FTC TOWER CO.
A PART OF THE SE1/4,
SECTION 34, T.87N. R.6W., 5TH
P.M., DELAWARE COUNTY, IOWA

NO.	DATE	DESCRIPTION	BY
1	11/13/16	Added Title Review	JR
2	7/29/18	Added Tower, Lease, & Easement	JR
3	8/14/18	Preliminary Survey	MM
4	8/14/18	DESCRIPTION	BY

DRAWN BY:	M.H.	FIELD WORK DATE:	6-6-18
CHECKED BY:	C.A.K.	FIELD BOOKS:	M-17, PG. 45
APP. NO.:	103980	SHEET:	3 OF 3

BEARINGS REFERENCED TO THE IOWA
STATE PLANE COORDINATE SYSTEM
(NAD83/2011) - NORTH ZONE AND
SECTION 34, T87N, R6W, WHICH
BURNS N88°55'-41"E

LEASE PARCEL

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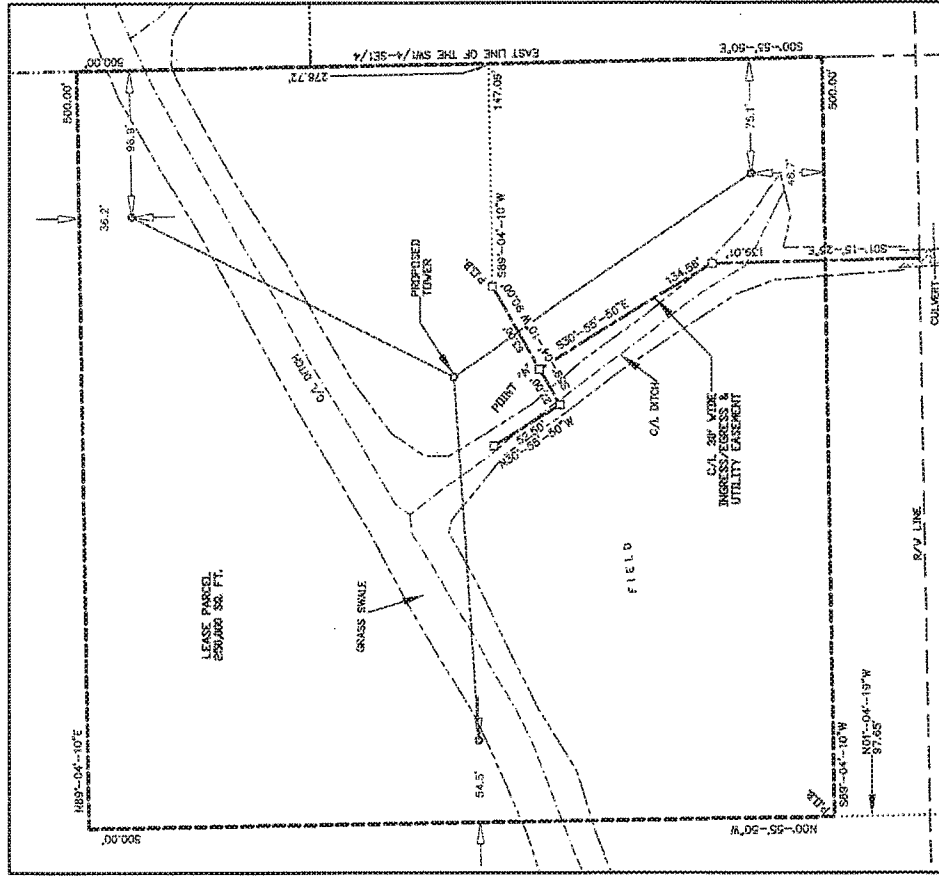
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LEGEND

- 1" x 18" IRON PIPE SET
- REBAR WITH CAP NO. 7860 FOUND
- 6" NAL SET
- COUNTY ARGUMENT FOUND
- EXISTING POWER POLE
- TELEPHONE PEDESTAL
- OVERHEAD ELECTRIC
- PROPERTY LINE



GRAPHIC SCALE
1 inch = 80 ft.

PROFESSIONAL LAND SURVEYOR'S CERTIFICATE

BRETT J. BECKER
22849

I hereby certify that this land surveying document was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.

Dated this 13th day of November, 2018.

Brett J. Becker
Brett J. Becker, License No. 22849
My license renewed date is December 31, 2019.