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STATE OF INDIAMS
LAKE COUNTY
FILED FOR RECORD

2013 DEC -9 PM 12: 47

MICHAEL B. BROWN RECORDER

Prepared by, Record and Return to: J. Coleman Prewitt, Esq SBA Network Services, LLC 5900 Broken Sound Parkway, NW Boca Raton, FL 33487 561.226.9365 Site ID: IN46595-A

### MEMORANDUM OF ASSIGNMENT

THIS MEMORANDUM OF ASSIGNMENT ("Memorandum") is made and entered into as of the date written below and effective as of April \_\_\_\_\_, 2013, ("Effective Date") by and between SBA 2012 TC ASSETS, LLC, f/k/a TOWERCO ASSETS LLC, a Delaware limited liability company ("Assignor") and SBA STEEL LLC, a Florida limited liability company ("Assignee").

#### WITNESSETH:

WHEREAS, pursuant to that certain Master Assignment and Assumption Agreement ("Master Assignment") Assignor assigned to Assignee all its interest in, among other things, the agreement(s) described on Exhibit B-1 (the "Assigned Agreements") encumbering the real property described on Exhibit B-2, both attached hereto. Assignor and Assignee now desire to enter into this Memorandum to give notice of the assignment of the Assigned Agreements.

NOW, THEREFORE, for and in consideration of the foregoing and the consideration recited in the Master Assignment, receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

- 1. <u>Assignment and Assumption</u>. Pursuant to the Master Assignment, as of the Effective Date, Assignor has assigned, transferred, set over and delivered to Assignee and its successors and assigns all of Assignor's rights, title and interests in and to the Assigned Interests. Assignee has accepted, assumed and agreed to be bound by all of terms and conditions of the Assigned Interests arising after the Effective Date.
- 2. <u>Miscellaneous</u>. The purpose of this Memorandum is to give notice of the Master Assignment and all its terms, covenants and conditions to the same extent as if the same were fully set forth herein. To the extent that more than one (1) agreement or interest is being transferred from Assignor to Assignee as shown on <u>Exhibit B-1</u> attached hereto, it is the intention of the parties hereto that such interests shall not merge but shall remain separate and distinct interests in the underlying real property. This Memorandum shall be governed and construed in accordance with the laws of the state in which the real property subject to the Assigned Interests are located without reference to its conflicts of laws principles.

[SIGNATURES ON FOLLOWING PAGE]

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IN WITNESS WHEREOF, the parties have caused thus Memorandum to be duly executed pursuant to due and property authority as of the date indicated below.

#### **ASSIGNOR:**

SBA 2012 TC ASSETS, LLC

By:

J. Coleman Prewitt Vice President

State of Florida County of Palm Beach

The foregoing instrument was acknowledged before me this 16 day of April, 2013, by Coleman Prewitt, Vice President of SBA 2012 TC ASSETS, LLC, f/k/a TOWERCO ASSETS LLC, a Delaware limited liability company, on behalf of the company. The above-named individual is personally known to me

Notary Public

Print Name: Cathleen Cullen Rawlinson

My Commission Expires: August 20, 2016

**ASSIGNEE:** 

the Lake County Recorder!

CATHLEEN CULLEN RAWLINSON
MY COMMISSION # EE 206807
EXPIRES: August 20, 2016
Bonded Thru Notary Public Underwriters

SBA STEEL L

By:

J. Coleman Prewitt Vice President

State of Florida County of Palm Beach

The foregoing instrument was acknowledged before me this 10 day of April, 2013, by Coleman Prewitt, Vice President of SBA STEEL LLC, a Florida limited liability company, on behalf of the company. The above-named individual is personally known to pse.

CATHLEEN CULLEN RAWLINSON
MY COMMISSION # EE 206807
EXPIRES: August 20, 2016
Bonded Thru Notary Public Underwriters

Notary Public

Print Name: Cathleen Cullen Rawlinson

My Commission Expires: August 20, 2016

# Schedule B-1

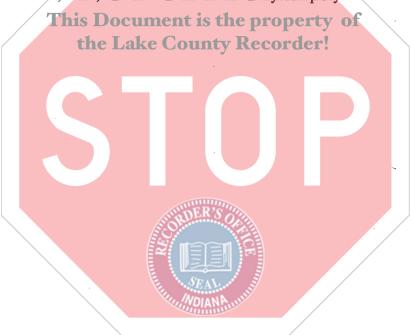
# Description of the Mortgaged Lease(s)

Communications Site Lease Agreement (Ground) dated July 18, 2000, by and between Town of Griffith, an Indiana municipal corporation, as lessor, and Nextel West Corp., a Delaware corporation, d/b/a Nextel Communications, as lessee

As evidenced by that certain Memorandum of Agreement dated July 18, 2000, by and between Town of Griffith, an Indiana municipal corporation, as lessor, and Nextel West Corp., a Delaware corporation, d/b/a Nextel Communications, as lessee, and recorded in the Lake County Recorder, Indiana, on March 20, 2001, as Instrument No. 2001-019971.

As assigned by an Assignment and Assumption of Ground Lease, dated as of September 23, 2008, by Nextel West Corp., a Delaware corporation, d/b/a Nextel Communications, as assignor, to TowerCo Assets, LLC, a Delaware limited liability company, as assignee, as evidenced and recorded in the Lake County Recorder, Indiana, on November 14, 2008, as Instrument No. 2008-077734, as may have been, or may hereafter be assigned or amended.

TowerCo Assets, LLC, a Delaware limited liability company, has changed its name to SBA 2012 TC Assets, LLC, a Delaware limited liability company.



#### Schedule B-2

# Leasehold Interest

# A portion of:

Commencing at the Northwest corner of the Northwest quarter of Section 23, as evidenced by a one-inch brass plug of record, as found in the Office of the Lake County Surveyor's Office; thence South 0°00' (assumed bearing) on the West line of Section 23 as found monumented, kkkikk feet; thence North 90°00'00" East, 152.84 feet to a point on the proposed East right-of-way line of Cline Avenue, being the point of beginning; thence North 90°00'00" East, 415.16 feet; thence North 45°00'00" East, 106.07 feet; thence North 90°00'00" East, 415.16 feet; thence North 0°00', 95.0 feet; thence North 90°00'00" West, 1061.55 feet to a noint on the proposed East right-of-way of Cline Avenue, being a curve, having a read to 13" Heat and a chord length of 41.06 feet to a point of tangency; thence on the proposed East right-of-way, 50 the 41.06 feet to a point of tangency; thence on the proposed East right-of-way, South 2°51'47" West, 129.16 feet to the point of beginning.

