



MISC 2006035397



MAR 30 2006 14:43 P 3

Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
3/30/2006 14:43:44.34



2006035397

**MEMORANDUM OF SITE LEASE ACKNOWLEDGMENT ("SLA")**

TC6068715

Site I.D.: OM60XC455-B

This Memorandum evidences that an SLA was made and entered into on August 18 2005 between HORVATH COMMUNICATIONS TOWERS, LLC., an Indiana limited liability company ("Company") and Sprint Spectrum L.P., a Delaware limited partnership ("Sprint PCS"), the terms and conditions of which are incorporated herein by reference.

Such agreement provides in part that Company subleases to Sprint PCS a portion of a certain site ("Site") located at 4383 IZARD ST., Omaha Nebraska, County of Douglas within the property of Eugene A Govig and Robin D. Govig ("Ground Lessor") which is described in Exhibit "1" attached hereto, with grant of easement for rights of access thereto and to electric and telephone facilities for a term of 5 (five) years commencing on Aug. 18, 2005 which term may be subject to 4 (four) additional 5-year extension periods by Sprint PCS.

Such agreement provides in part that Sprint enjoys a right of first refusal upon additional tower space located upon the Site, as more particularly described in the Agreement.

The parties have executed the Memorandum as of the day and year first above written.

**COMPANY:**

HORVATH COMMUNICATIONS TOWERS, LLC, an Indiana limited liability company

**SPRINT PCS:**

Sprint Spectrum L.P., a Delaware limited partnership

By: [Signature]  
Name: William E. Orgel  
Title: Chief Manager  
Address: 4091 Viscount Ave., Memphis, TN 38118

By: [Signature]  
Name: James G. Meyers  
Title: AVP-Site Delivery  
Address: 6550 Sprint Parkway Overland Park, KS 66251

nationalwide Appraisal  
380 Southpointe Blvd # 300  
DM #127342  
Canonsburg, PA  
15317-9928 87138

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BKP \_\_\_\_\_ COMP CC  
DEL \_\_\_\_\_ FV \_\_\_\_\_

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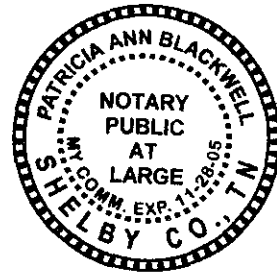
[Signature]

STATE OF Tennessee )  
 ) ss.  
COUNTY OF Shelby )

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of July, 2005  
by William E Orgel, on behalf of Horvath Communications Towers, LLC.

Patricia Ann Blackwell

Notary Public  
My Commission Expires:  
11-28-05



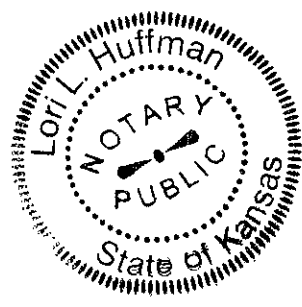
STATE OF Kansas)  
 ) ss.  
COUNTY OF Johnson)

On this 18 day of August, 2005, before me appeared  
James G. Meyers, to me personally know, who, being by me duly sworn, did  
say s/he is the Asst Svt Deliv of Sprint Spectrum L.P., a Delaware limited partnership.

In testimony whereof, I have hereunto set my hand and affixed my official seal at the  
office in the county and state above and on the day and year last written above.

Lori L Huffman

Notary Public  
My Commission Expires:  
My Commission Expires  
July 2, 2008



[Signature]

## Legal Description

All the following described real estate (as defined in Neb. Rev. Stat. 76-201):

All of Lots 9, 10 and 11, in Block 4, in Walnut Hill, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas county, Nebraska; together with the North half (N 1/2) of the vacated alley adjacent thereto on the South;

AND

That part of Lots 12, 13 and 14, in Block 4, in Walnut Hill, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska, lying Westerly of the Westerly line of the abandoned Missouri Pacific Railroad right of way, together with the South half (S 1/2) of the vacated alley adjacent thereto on the North, except the South 13.00 feet of said Lot 12 taken for Cuming Street right of way;

AND

That part of the abandoned Missouri Pacific Railroad right of way lying within Lots 6, 7, 8, 12, 13, 14 and 15, in Block 4, in Walnut Hill, an Addition to the city of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska, described as follows:

Commencing at the Northeast corner of Lot 4, in said Block 4; thence West (assumed bearing) 115.00 feet, on the North line of said Block 4, to the point of beginning; thence South 27° 24' 09" West, 177.94 feet, to the centerline of the vacated alley running through said Block 4; thence South 36° 06' 24" West, 179.49 feet to the North line of Cuming Street, said North line being 13.00 feet North of said Block 4; thence South 89° 58' 41" West, 59.74 feet, on the north line of Cuming Street and on a line 13.00 feet North of and parallel to the South line of said Block 4, to the Westerly line of said abandoned railroad; thence North 37° 12' 33" East, 102.99 feet, on the West line of said abandoned railroad, to the West line of Lot 14, in said Block 4; thence South 00° 04' 47" West, 7.50 feet, on the West line of said abandoned railroad and on the West line of Lot 14, in said Block 4; thence Northeasterly on the Westerly line of said abandoned railroad, on a 1,382.39 feet radius curve to the left, chord bearing North 32° 40' 25" East, chord distance 74.25 feet, an arc distance of 74.26, to a point on the North line of Lot 14, in said Block 4, said point being 10.00 feet West of the Northeast corner of said Lot 14; thence North 00° 00' 38" West, 8.00 feet to the centerline of the vacated alley running through said Block 4; thence North 89° 59' 22" East, 10.01 feet, on the centerline of said vacated alley, to a point on the Southerly extension of the West line of Lot 8, in said Block 4; thence North 00° 04' 12" East, 157.98 feet, on the West line of said Lot 8, to the Northwest corner of said Lot 8; thence East, 134.85 feet, on the North line of said Block 4, to the point of beginning.