DELAWARE COUNTY IOWA
FILED
2001 DE 10 PM 12: 35
BOOK 2001
PAGE 4414
RECORDER
DELAWARE COUNTY IOWA
26.00

Memorandum of Lease

Prepared by Andy Anderson, Iowa Wireless 11358 AURORA AVENUE URBANDALE, IA 50322

After recording, please return to:

Benton – Linn Wireless
Attn.: Charles Eldred
122 Main Street, PO Box 475
Shellsburg, IA 52332
Phone: (319) 436-2224
Fax: (319) 436-2228

Site: 169-0025

Memorandum of Lease between Donald E. Maurer and Gail M. Maurer, husband and wife and Curtis d. Maurer and Mary A. Maurer, husband and wife, as Landlords, and Benton – Linn Wireless, LLC., as Tenant.

A Site Lease with Option between **Donald E. Maurer and Gail M. Maurer, husband and wife and Curtis d. Maurer and Mary A. Maurer, husband and wife**, as Landlord, and **Benton – Linn Wireless, LLC.,** as Tenant was made regarding the following premises:

See attached Exhibit A

The effective date of Site Lease with Option was the 9th day of December, 1998. Subject Lease is for a term of five (5) years and will commence on the 1st day of March, 2000. ("Commencement Date") and shall terminate at midnight on the last day of the month in which the 5th annual anniversary of the Commencement Date shall have occurred. Tenant shall have the right to extend this Lease for five additional five-year terms.

IN WITNESS WHEREOF, the parties hereto have respectively executed this memorandum this 1st day of March, 2000.

LANDLORD:

By: _____

Its: _____

TENANT:
Benton – Linn Wireless, LLC

By: _____
Charles W. Eldred

Its: President

ACKNOWLEDGMENT

STATE OF Iowa)
) ss:
COUNTY OF Delaware

On this 8th day of March, 2000, before me, the undersigned a Notary Public in and for said State, personally appeared CURTIS D Maurer and _____, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Christine L Hughes
NOTARY PUBLIC in and for the
State of Iowa.

My commission expires: 3/6/2001

STATE OF IOWA)
) ss:
COUNTY OF Benton)

On this 1 day of March, 2000, before me, a Notary Public personally appeared Charles W. Eldred to me personally known, who being by me duly sworn, did say that he is the President of the corporation executing the foregoing instrument, that (no seal has been procured by) the corporation; that the instrument was signed on behalf of the corporation by the authority of its President; and Benton – Linn Wireless, LLC. acknowledged the execution to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned; and on oath, stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Donna L Relf
NOTARY PUBLIC in and for the
State of Iowa.

NOTARIAL SEAL IOWA
DONNA L RELF
MY COMMISSION EXPIRES
November 13, 2001

My commission expires: November 13, 2001

EXHIBIT A
LEGAL DESCRIPTION

To the Memorandum of Lease dated the 1st day of March, 2000 between Donald E. Maurer and Gail M. Maurer, husband and wife, and Curtis D. Maurer and Mary Maurer, husband and wife as landlord, and Benton – Linn Wireless, LLC, as tenant

The property is legally described as follows:

PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 89 NORTH, RANGE 5, WEST OF THE 5TH PM, DELAWARE COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE SOUTHWEST CORNER OF THE NORTHEAST ¼ OF SAID SECTION 33.

THENCE NORTH 1 52 44 EAST 231.90 FEET ALONG THE WEST LINE OF THE NORTHEAST ¼ OF SAID SECTION 33.

THENCE NORTH 88 07 12 EAST 1373.37 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF DELHI ROAD AND THE POINT OF BEGINNING.

THENCE NORTH 03 20 04 EAST 251.25 FEET;

THENCE SOUTH 82 41 01 EAST 304.70 FEET;

THENCE SOUTH 10 09 50 WEST 276.02 FEET TO THE SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF DELHI ROAD AND TO THE POINT OF BEGINNING.

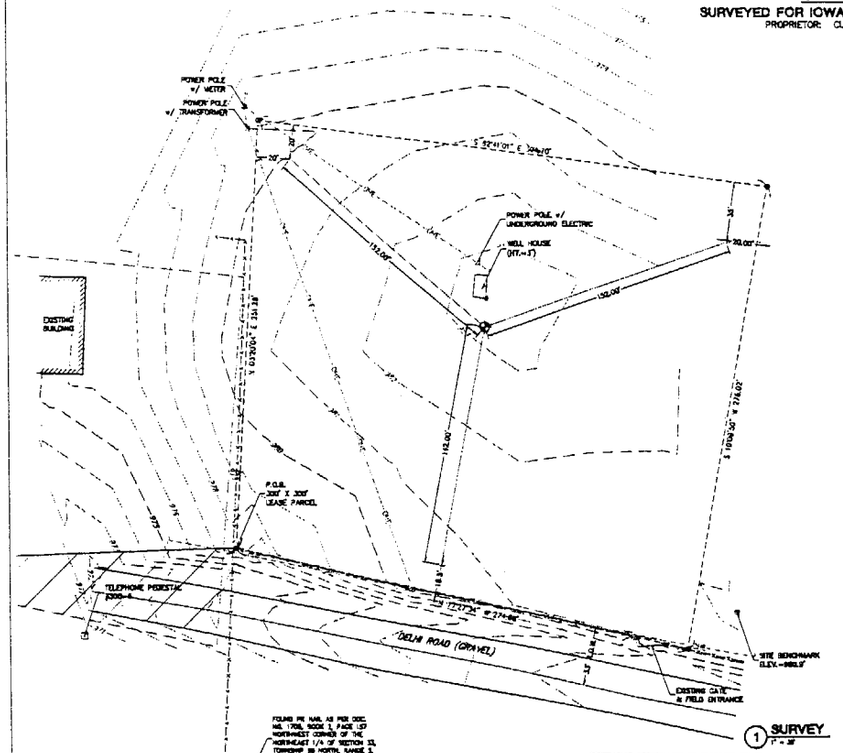
THIS PARCEL CONTAINS 75,065 SQUARE FEET, MORE OR LESS

(FOR PURPOSES OF THIS DESCRIPTION, ALL BEARINGS ARE BASED ON TRUE NORTH)

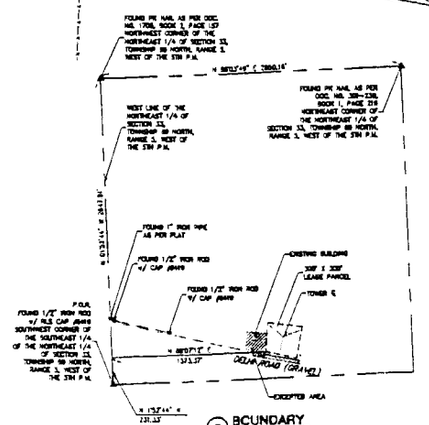
SITE SURVEY

SURVEYED FOR IOWA WIRELESS SERVICES, LP

PROPRIETOR: CURTIS & MARY MAURER



1 SURVEY



3 BOUNDARY

GEOGRAPHIC COORDINATES OF PROPOSED TOWER

LATITUDE: 42° 28' 48.3" (NAD 83)
LONGITUDE: 91° 20' 34.8" (NAD 83)
ELEVATION: 963.2 FT. MSL (NGVD 29)

DESCRIPTION OF LEASE PARCEL

PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 88 NORTH, RANGE 3, WEST OF THE 5TH P.M., DELAWARE COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 33;

THENCE NORTH 1° 52' 44" EAST 131.98 FEET ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 33;

THENCE NORTH 88° 07' 12" EAST 1373.37 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF DELHI ROAD AND THE POINT OF BEGINNING;

THENCE NORTH 03° 39' 04" EAST 139.28 FEET;

THENCE SOUTH 82° 41' 01" EAST 304.70 FEET;

THENCE SOUTH 10° 09' 50" WEST 276.02 FEET TO THE SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF DELHI ROAD;

THENCE NORTH 77° 27' 34" WEST 274.66 FEET ALONG THE SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF DELHI ROAD AND TO THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 78,088 SQUARE FEET, MORE OR LESS.

(FOR PURPOSES OF THIS DESCRIPTION, ALL BEARINGS ARE BASED ON TRUE NORTH.)

LEGEND

- TELEPHONE PEDESTAL
- GUY ANCHOR
- POWER POLE
- FOUND IRON ROD/PIPE
- SET IRON ROD
- TOWER CENTERLINE
- WIRE FENCE
- UNDERGROUND UTILITY LINES
- OVERHEAD UTILITY LINES
- CONTOURS
- P.O.B. POINT OF BEGINNING
- P.O.R. POINT OF REFERENCE

SITE BENCHMARK

A SET ROD AT THE SOUTHEAST CORNER OF THE LEASE PARCEL. ELEVATION=985.8'

TN=TRUE NORTH
MN=MAGNETIC NORTH
(MAGNETIC=0.0 IOWA 1973)

SCALE IN FEET

UTILITY NOTE:

THE LOCATIONS OF UTILITY MAINS, STRUCTURES, AND SERVICE CONNECTIONS PLOTTED ON THIS DRAWING ARE APPROXIMATE ONLY AND WERE OBTAINED FROM RECORDS MADE AVAILABLE TO SHIVE-HATTERY, INC. THERE MAY BE OTHER EXISTING UTILITY MAINS, STRUCTURES AND SERVICE CONNECTIONS NOT KNOWN TO SHIVE-HATTERY, INC. AND NOT SHOWN ON THIS DRAWING.

DESCRIPTION OF PROPERTY

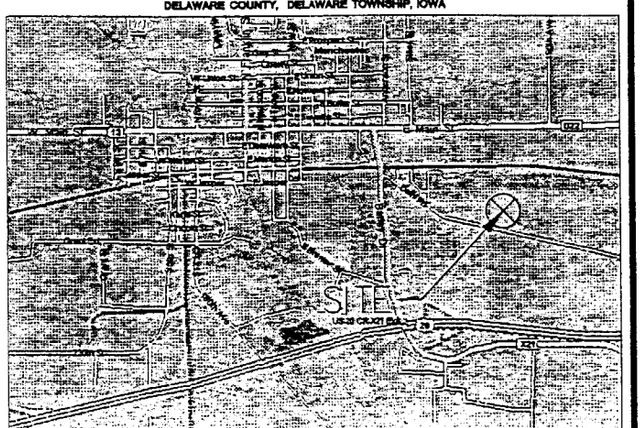
(PER PLAT BOOK 6, PAGE 146 OF THE DELAWARE COUNTY RECORDER'S OFFICE.)

ALL THAT PART OF THE NORTHEAST QUARTER OF SECTION 33 LYING NORTH OF THE CENTER OF DELHI AND WEST UNION STATE ROAD AND SOUTH OF THE DUBUQUE AND SIOUX CITY RAILROAD RIGHT-OF-WAY, EXCEPT THAT PART DESCRIBED AS COMMENCING AT THE CENTER OF SAID SECTION 33 AND RUNNING THENCE NORTH 570.7 FEET, THENCE SOUTH 53° 40' EAST 710.7 FEET, THENCE SOUTH 79° 09' EAST 1147.0 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 07° 22' WEST 53.2 FEET, THENCE SOUTH 76° 09' EAST 179.8 FEET, THENCE NORTH 09° 22' EAST 216.3 FEET, THENCE NORTH 82° 28' WEST 174.8 FEET, THENCE SOUTH 07° 22' WEST 183.6 FEET TO THE POINT OF BEGINNING, AND FURTHER EXCEPT THAT PART DESCRIBED AS PARCEL A, PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 88 NORTH, RANGE 3 WEST OF THE 5TH P.M., DELAWARE COUNTY, IOWA, CONTAINING 10.24 ACRES, ACCORDING TO PLAT RECORDED IN BOOK 8 PLATS, PAGE 146, AND ALL THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER LYING NORTH OF THE CENTER OF THE DELHI AND WEST UNION STATE ROAD, ALL IN SECTION 33, TOWNSHIP 88 NORTH, RANGE 3 WEST OF THE 5TH P.M.

GENERAL NOTES

1. PARCEL IS WITHIN THE DELAWARE COUNTY JURISDICTION.
2. SETBACKS: N/A
3. THIS PARCEL IS NOT LOCATED WITHIN FLOOD ZONE A ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY AS SHOWN ON FLOOD HAZARD BOUNDARY MAP COMMUNITY PANEL NO. 190883 0003 A DATED JULY 22, 1986. (AFTER A MORE DETAILED STUDY, THE SPECIAL FLOOD HAZARD AREAS SHOWN ON THESE MAPS MAY BE MODIFIED, AND OTHER AREAS ADDED.)
4. THIS SURVEY WAS PREPARED WITHOUT THE AID OF A TITLE COMMITMENT. REFER TO CURRENT TITLE COMMITMENT, DEED AND LOCAL CODES FOR ANY EASEMENT, BUILDING SETBACKS AND OTHER RESTRICTIONS NOT SHOWN HEREON.

DELAWARE COUNTY, DELAWARE TOWNSHIP, IOWA


Rockdale
Manchester
Delhi
Earlville
Colesburg
Ryan
Monmouth
Greeley
Hopkinton
Masonville
Oneida
Delaware
Ryan
Delhi
Earlville
Colesburg
Monmouth
Greeley
Hopkinton
Masonville
Oneida
Delaware
US-20 CR-X21 BUS
CR-X21
CR-X21
CR-X21