



BK: 2017 PG: 2211
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Fee Amount: \$22.00
Revenue Tax:
LISA SMITH RECORDER
Madison County, Iowa

MEMORANDUM OF TELECOMMUNICATION TOWER BUILD-OUT and LEASE
AGREEMENT

Preparer Information: Liz Van Zomeren, Property Manager
Iowa Wireless Services, LLC ("IWS")
7600 Office Plaza Drive South, Suite 150
West Des Moines, Iowa 50266-2328
(515) 258-7522

Return Document To: Liz Van Zomeren, Property Manager
Iowa Wireless Services, LLC
7600 Office Plaza Drive South, Suite 150
West Des Moines, Iowa 50266-2328
(515) 258-7522

Site Identification: IA-0181 Robinson

Site Address: 2197 Elmwood Avenue, Winterset, Iowa
A/k/a 1301 State Hwy 92, Winterset, Iowa

County: Madison

Grantor:

Iowa Wireless Services, LLC
A Delaware limited liability company

Grantee:

Central Iowa Wireless, Co.
An Iowa Corporation

Parent Parcel Tax Identification Number: 290053488011000

Prepared by and return to: T. F. Olt III, Lane & Waterman, 220 N. Main, Ste. 600, Davenport, (563) 324-3246

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement is entered into this 1st day of January, 2006, by and between Central Iowa Wireless Co., an Iowa corporation ("ITC"), and Iowa Wireless Services, LLC, a Delaware limited liability company d/b/a i wireless (IWS).

1. ITC and IWS entered into a Telecommunication Tower Build-Out and Lease Agreement ("Agreement") on the 1st day of January, 2006, for the purpose of installing, operating and maintaining a radio communications facility and other improvements on the property located at :

That part of the Southeast Quarter of the Southeast Quarter of Section 34, Township 76 North, Range 29 West of the 5th P.M., Madison County, Iowa, described as follows:

Commencing at the Southeast corner of said Southeast Quarter of the Southeast Quarter of Section 34;

Thence North 00°10'27" West (assumed bearings) for 278.99 feet along the east line of said Southeast Quarter of the Southeast Quarter of Section 34;

Thence South 89°49'34" West for 52.95 feet to the west right of way line of Elmwood Road and the True Point of Beginning:

Thence South 89°49'34" West for 280.05 feet;

Thence North 00°10'26" West for 300.00 feet;

Thence North 89°49'34" East for 300.00 feet;

Thence along the said west right of way line of Elmwood Road for the following 4 courses:

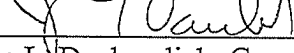
- (1) Thence South 00°11'56" West for 80.63 feet;
- (2) Thence South 04°32'42" West for 102.22 feet;
- (3) Thence South 03°52'22" West for 99.35 feet;
- (4) Thence South 12°06'35" West for 18.83 feet to the Point of Beginning.

Contains 2.019 acres.

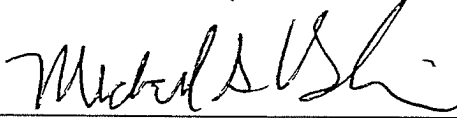
2. The term of the Agreement is for ten (10) years commencing on the earlier to occur of the following: (i) commencement of construction; or (ii) January 1, 2006, ("Lease Commencement Date"), and ending on the tenth (10th) anniversary of the Lease Commencement Date, with four (4) additional five (5) year options to renew.
3. The property which is the subject of the Lease is described in Exhibit B annexed hereto. The portion of the Property being leased to IWS (the "Leased Space") is described in Exhibit C annexed hereto.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Agreement as of the day and year first above written.

ITC
Central Iowa Wireless Co.

By: 
James L. Daubendiek, General Manager.

IWS
Iowa Wireless Services, LLC

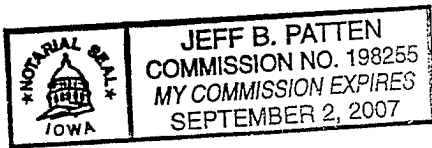
By: 
Michael S. Haskins, Chief Executive Officer

ACKNOWLEDGMENT

STATE OF IOWA)
) SS.
COUNTY OF POLK)

On this 6th day of January, 2006, before me, a Notary Public personally appeared James L. Daubendiek to me personally known, who being by me duly sworn, did say that he is the General Manager of Central Iowa Wireless Co. executing the foregoing instrument, that the instrument was signed on behalf of the corporation by the authority of its Board of Directors; and 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 she 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.



Jeff B. Patten

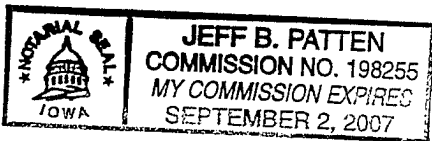
NOTARY PUBLIC in and for the
State of Iowa
My commission expires: 9-2-07

ACKNOWLEDGMENT

STATE OF IOWA)
) ss:
COUNTY OF POLK)

On this 6th day of January, 2006, before me, a Notary Public personally appeared Michael S. Haskins, to me personally known, who being by me duly sworn, did say that he is the Chief Executive Officer of Iowa Wireless Services, LLC, that he executed the foregoing instrument, that the instrument was signed on behalf of the Company, by the authority of the Company's Board of Directors and that as such officers acknowledged execution of the instrument to be the voluntary act and deed of the Company by it and by them voluntarily executed.

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



Jeff B. Patten

Notary Public in and for the
State of Iowa
My commission expires: 9-2-07