

(Above 3" Space for Recorder's Use Only)

**Upon Recording Return to:**

Vertical Bridge Development, LLC  
750 Park of Commerce Drive, Suite 200  
Boca Raton, FL 33487  
Attn: Daniel Marinberg

**Site Name: Houston**

**Site Number: US-TX-5229**

**MEMORANDUM OF LEASE**

This Memorandum of Lease ("**Memorandum**") evidences a Land Lease Agreement (the "**Lease**") between **Fort Bend County**, a political subdivision of the State of Texas, by and through its Commissioners Court, whose address 301 Jackson Street, Richmond, Texas 77469 ("**Lessor**"), and **Vertical Bridge Development, LLC**, a Delaware limited liability company, whose address is 750 Park of Commerce Drive, Suite 200, Boca Raton, FL 33487 ("**Lessee**"), dated November 8, 2017 (the "**Effective Date**"), for a portion (the "**Premises**") of the real property (the "**Property**") described in Exhibit A attached hereto.

Lessor hereby ratifies, restates and confirms the Lease and leases to Lessee the Premises, subject to the terms and conditions of the Lease. The Commencement Date of the Lease is January 1, 2019. The Lease provides for the lease by Lessor to Lessee of the Premises for an initial term of five (5) years with nine (9) renewal option(s) of an additional five (5) years each, and further provides:

1. The Premises may be used by Lessee for all legal purposes permitted under the Lease, including without limitation, constructing telecommunications structure and building(s)/equipment pads for communications equipment necessary to operate such structure and any and all equipment, supplies or materials related to the foregoing;

2. Lessee is entitled to sublease and/or license the Premises, including any communications tower located thereon;

3. This Memorandum is not intended to amend or modify and shall not be deemed or construed as amending or modifying, any of the terms, conditions or provisions of the Lease. In the event of a conflict between the provisions of this Memorandum and the provisions of the Lease, the provisions of the Lease shall control. The Lease shall be binding upon and inure to the benefit of Lessor and Lessee and shall inure to the benefit of their respective heirs, successors, and assigns, subject to the provisions of the Lease.

IN WITNESS WHEREOF, the parties hereto have executed this MEMORANDUM OF LEASE as of the date last signed by a party hereto.

**WITNESSES:**

**LESSOR:**

**Fort Bend County**

a political subdivision of the State of Texas, by and through its Commissioners Court

\_\_\_\_\_  
Name: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

\_\_\_\_\_  
Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**STATE OF** \_\_\_\_\_

**COUNTY OF** \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_, before me personally appeared \_\_\_\_\_, to me known (or proved to me on the basis of satisfactory evidence) to be the person described in and who executed the foregoing instrument, and acknowledged that he/she/they executed the same as their free act and deed.

**WITNESS** my hand and Official Seal at office this \_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_.

\_\_\_\_\_  
Notary Public

Printed Name: \_\_\_\_\_

My Commission Expires:  
\_\_\_\_\_

[Lessee's Signature Page to Memorandum of Lease]

**WITNESSES:**

**LESSEE:**

**Vertical Bridge Development, LLC**  
a Delaware limited liability company

\_\_\_\_\_  
Name: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

\_\_\_\_\_  
Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**STATE OF FLORIDA**

**COUNTY OF PALM BEACH**

This instrument was acknowledged before me on \_\_\_\_\_, 2018,  
by \_\_\_\_\_ of Vertical  
Bridge Development, LLC, a Delaware limited liability company, on behalf of the limited liability  
company.

\_\_\_\_\_  
Notary Public

Printed Name: \_\_\_\_\_

My Commission Expires:  
\_\_\_\_\_

**EXHIBIT A**  
(TO MEMORANDUM OF LEASE)

The Property

(may be updated by Lessee upon receipt of final legal description from title)

An interest in land, said interest being over a portion of the following described parent parcel:

Being a tract of land containing 4.1859 acres (182,340 square feet), more or less, being all of Unrestricted Reserve "C" (Reserve "C"), a Replat of Mission Glen Section One, an Addition in Fort Bend County, Texas, according to the Map or Plat thereof, recorded in Slide No. 574/A, of the Map Records of Fort Bend County, Texas, and being situated in the I.&G.N.R.R. Company Survey No. 4, A-361, Fort Bend County, Texas; said 4.1859 acres being more particularly described by metes and bounds as follows:

Beginning at a 5/8 inch iron rod found in the East right-of-way (row) line of Addicks Clodine Road (100 feet wide), being the Southwest corner of said Reserve "C" and the herein described tract, same being the Northwest corner of Unrestricted Reserve "B" (Reserve "B"), of said Replat of Mission Glen Section One;

Thence, along said East row line of Addicks Clodine Road, in a Northerly direction along the arc of a curve to the left, having a radius of 2050.00 feet and subtending a central angle of 14 degrees 13 minutes 27 seconds a length of 508.93 feet and a chord bearing North 12 degrees 03 minutes 25 seconds West, a distance of 507.62 feet to a 5/8 inch iron rod set for the beginning of a curve to the right;

Thence, in a Northeasterly direction along the arc of said curve to the right having a radius of 25.00 feet and subtending a central angle of 88 degrees 28 minutes 10 seconds, a length of 38.60 feet and a chord bearing of North 25 degrees 04 minutes 18 seconds East a distance of 34.88 feet to a 5/8 inch iron rod set in the South row line of Wildwood Lake Drive (60 feet wide), said point being the point of tangency of said curve;

Thence, continuing along said South row line of Wildwood Lake Drive, North 69 degrees 18 minutes 44 seconds East, a distance of 125.73 feet to a 5/8 inch iron rod set marking the point of curvature of a curve to the right;

Thence, continuing along said South row line of Wildwood Lake Drive, in a Northeasterly direction along the arc of said curve to the right, having a radius of 970.00 feet and subtending a central angle of 13 degrees 20 minutes 53 seconds, a length of 225.98 feet and a chord bearing of North 75 degrees 59 minutes 11 seconds East, a distance of 225.47 feet to a 5/8 inch iron rod found for the Northeast corner of said Reserve "C" and the herein described tract, same being the Northwest corner of Block 9 of said Replat of Mission Glen Section 1;

Thence, departing said South row line of Wildwood Lake Drive and continuing along the common boundary line of said Block 9 and said Reserve "C", South 01 degree 57 minutes 35 seconds East, a distance of 288.33 feet to a fence angle point found at the common West corner of Lot 5 and Lot 6 of said Block 9;

Thence, continuing along said common boundary line, South 08 degrees 49 minutes 03 seconds East, a distance of 217.02 feet to a point for the common West corner of Lot 9 and Lot 10 of said Block 9, from which point a fence angle point found bears South 89 degrees 23 minutes East, 0.5 feet;

Thence, South 05 degrees 33 minutes 33 seconds East, a distance of 99.12 feet to a 5/8 inch iron rod found for the Southeast corner of said Reserve "C" and the herein described tract, same being the Northeast corner of said Reserve "B";

Thence, along the common boundary lines of said Reserve "C" and Reserve "B", South 85 degrees 03 minutes 18 seconds West, a distance of 298.97 feet to a the point of beginning and containing 4.1859 acres (182,340 square feet) of land, more or less.

Access and utilities serving the Premises (as defined in the Lease) includes all easements of record as well as that portion of the Property designated by Lessor and Lessee for Lessee (and Lessee's guests, agents, customers, lessees, sublessees and assigns) ingress, egress, and utility purposes to and from a public right-of-way.

**Said interest being over land more particularly described by the following description:**

**LEASE AREA (L.S.) DESCRIPTION:**

Being a 0.0456 acre (1,985 square feet) parcel of land out of a called 4.1859 acre tract of land conveyed to FORT BEND COUNTY by SPECIAL WARRANTY DEED recorded under Clerk's File No. 2014072199, Deed Records of Fort Bend County, Texas (D.R.F.B.C.T.), also being all of Unrestricted Reserve "C" (Reserve "C"), A REPLAT OF MISSION GLEN, SECTION ONE, an Addition in Fort Bend County, Texas, according to the map or plat thereof, recorded in Slide No. 574/A of the Map Records of Fort Bend County, Texas (M.R.F.B.C.T.) and being situated in the I.&G.N.R.R. COMPANY SURVEY NO. 4, A-361, Fort Bend County, Texas, said 0.0456 acre parcel being more particularly described by metes and bounds as follows with all bearings based on Texas State Plane Coordinate System, South Central Zone, North American Datum 1983:

COMMENCING, at a found 1-inch iron pipe found in a curve of the east right-of-way (R.O.W.) line of ADDICKS CLODINE ROAD, (Variable R.O.W.) for the southwest corner of said Reserve "C" and said 4.1859 acre tract;

THENCE, along the arc of said curve to the left, also being along said east R.O.W. line and the west line of said Reserve "C", with a radius of 2050.00 feet, an arc length of 159.58 feet, having a delta of 04°27'36", and a chord bearing North 09°28'51" West, 159.54 feet to a point for the southwest corner of an Access Easement;

THENCE, continuing along the arc of said curve to the left, also being along said east R.O.W. line and the west line of said Reserve "C", with a radius of 2,050.00 feet, an arc length of 20.00 feet, having a delta of 00°33'33", and a chord bearing North 11°59'25" West, 20.00 feet to a point for the northwest corner of said Access Easement;

THENCE, departing said east R.O.W. line and said west line of Reserve "C", North 78°58'41" East, 104.34 feet to a point for the north corner of said Access Easement;

THENCE, South 11°01'19" East, 42.57 feet to a point for corner, marking the southeast corner of said Access Easement, also being a point in the northwesterly line of a Lease Site and the POINT OF BEGINNING;

THENCE, North 78°58'41" East, 35.00 feet to a 5/8-inch iron rod set with orange colored cap stamped "LANDPOINT 10194172" for the northwest corner of a Utility Easement, also being the northeast corner of the herein described tract;

THENCE, South 11°01'19" East, 15.00 feet to a 5/8-inch iron rod set with orange colored cap stamped "LANDPOINT 10194172" for the east corner of the herein described parcel;

THENCE, South 78°58'41" West, 25.00 feet to a 5/8-inch iron rod set with orange colored cap stamped "LANDPOINT 10194172" for an interior corner of the herein described parcel;

THENCE, South 11°01'19" East, 31.00 feet to a 5/8-inch iron rod set with orange colored cap stamped "LANDPOINT 10194172" for the southeast corner of the herein described parcel;

THENCE, South 78°58'41" West, 35.00 feet to a 5/8-inch iron rod set with orange colored cap stamped "LANDPOINT 10194172" for the southwest corner of the herein described parcel;

THENCE, North 11°01'19" West, 46.00 feet to a point for corner, marking the northwest corner of the herein described tract;

THENCE, North 78°58'41" East, 25.00 feet to the POINT OF BEGINNING, CONTAINING 0.0456 acre (1,985 square feet) of land in Fort Bend County, Texas.

**AS-SURVEYED**

**ACCESS EASEMENT (A.E.) DESCRIPTION:**

Being a 0.0582 acre (2,535 square feet) parcel of land out of a called 4.1859 acre tract of land conveyed to FORT BEND COUNTY by SPECIAL WARRANTY DEED recorded under Clerk's File No. 2014072199, Deed Records of Fort Bend County, Texas (D.R.F.B.C.T.), also being all of Unrestricted Reserve "C" (Reserve "C"), A REPLAT OF MISSION GLEN, SECTION ONE, an Addition in Fort Bend County, Texas, according to the map or plat thereof, recorded in Slide No. 574/A of the Map Records of Fort Bend County, Texas (M.R.F.B.C.T.) and being situated in the I.&G.N.R.R. COMPANY SURVEY NO. 4, A-361, Fort Bend County, Texas, said 0.0582 acre parcel being more particularly described by metes and bounds as follows with all bearings based on Texas State Plane Coordinate System, South Central Zone, North American Datum 1983:

COMMENCING, at a found 1-inch iron pipe found in a curve of the east right-of-way (R.O.W.) line of ADDICKS CLODINE ROAD, (Variable R.O.W.) for the southwest corner of said Reserve "C" and said 4.1859 acre tract;

THENCE, along the arc of said curve to the left, also being along said east R.O.W. line and the west line of said Reserve "C", with a radius of 2050.00 feet, an arc length of 159.58 feet, having a delta of 04°27'36", and a chord bearing North 09°28'51" West, 159.54 feet to a point for the southwest corner of the herein described parcel and POINT OF BEGINNING;

THENCE, continuing along the arc of said curve to the left, also being along said east R.O.W. line and the west line of said Reserve "C", with a radius of 2,050.00 feet, an arc length of 20.00 feet, having a delta of 00°33'33", and a chord bearing North 11°59'25" West, 20.00 feet to a point for the northwest corner of the herein described parcel;

THENCE, departing said east R.O.W. line and said west line of Reserve "C", North 78°58'41" East, 104.34 feet to a point for the north corner of the herein described parcel;

THENCE, South 11°01'19" East, 42.57 feet to a point in the northwesterly line of a proposed Lease Site for the southeast corner of the herein described parcel;

THENCE, South 78°58'41" West, 20.00 feet along the northwesterly line of said proposed Lease Site to a point for the south corner of the herein described parcel;

THENCE, departing the northwesterly line of said proposed Lease Site, North 11°01'19" West, 22.57 feet to a point for an interior corner of the herein described parcel;

THENCE, South 78°58'41" West, 84.00 feet to the POINT OF BEGINNING, CONTAINING 0.0582 acre (2,535 square feet) of land in Fort Bend County, Texas.

**AS-SURVEYED**

**UTILITY EASEMENT (U.E.) DESCRIPTION:**

Being a 0.0368 acre (1,604 square feet) parcel of land out of a called 4.1859 acre tract of land conveyed to FORT BEND COUNTY by SPECIAL WARRANTY DEED recorded under Clerk's File No. 2014072199, Deed Records of Fort Bend County, Texas (D.R.F.B.C.T.), also being all of Unrestricted Reserve "C" (Reserve "C"), A REPLAT OF MISSION GLEN, SECTION ONE, an Addition in Fort Bend County, Texas, according to the map or plat thereof, recorded in Slide No. 574/A of the Map Records of Fort Bend County, Texas (M.R.F.B.C.T.) and being situated in the I.&G.N.R.R. COMPANY SURVEY NO. 4, A-361, Fort Bend County, Texas, said 0.0368 acre parcel being more particularly described by metes and bounds as follows with all bearings based on Texas State Plane Coordinate System, South Central Zone, North American Datum 1983:

COMMENCING, at a found 1-inch iron pipe found in a curve of the east right-of-way (R.O.W.) line of ADDICKS CLODINE ROAD, (Variable R.O.W.) for the southwest corner of said Reserve "C" and said 4.1859 acre tract;

THENCE, along the arc of said curve to the left, also being along said east R.O.W. line and the west line of said Reserve "C", with a radius of 2050.00 feet, an arc length of 159.58 feet, having a delta of 04°27'36", and a chord bearing North 09°28'51" West, 159.54 feet to a point for the southwest corner of an Access Easement;

THENCE, continuing along the arc of said curve to the left, also being along said east R.O.W. line and the west line of said Reserve "C", with a radius of 2,050.00 feet, an arc length of 20.00 feet, having a delta of 00°33'33", and a chord bearing North 11°59'25" West, 20.00 feet to a point for the northwest corner of said Access Easement;

THENCE, departing said east R.O.W. line and said west line of Reserve "C", North 78°58'41" East, 104.34 feet to a point for the north corner of said Access Easement;

THENCE, South 11°01'19" East, 42.57 feet to a point for corner, marking the southeast corner of said Access Easement, also being a point in the northwesterly line of a Lease Site;

THENCE, North 78°58'41" East, 35.00 feet to a 5/8-inch iron rod set with orange colored cap stamped "LANDPOINT 10194172" for the northeast corner of said Lease Site, also being the northwest corner of a Utility Easement and the POINT OF BEGINNING;

**THENCE** North 78°58'41" East, a distance of 160.38 feet to a point for corner in the west line of Lot 8, Block 9, of said Replat of Mission Glen, Section 1, marking the northeast corner of the herein described tract;

**THENCE** South  $11^{\circ}07'24''$  East, a distance of 10.00 feet to a point for corner in the west line of Lot 9 of said Block 9, marking the southeast corner of the herein described tract;

**THENCE** South  $78^{\circ}58'41''$  West, a distance of 160.40 feet to a point for corner in the east line of said Lease Site, marking the southwest corner of the herein described tract;

**THENCE** North  $11^{\circ}01'19''$  West, along said west line, a distance of 10.00 feet to the **POINT OF BEGINNING** and containing a computed 0.0368 acres (1,604 square feet) of land.