

**RECORDED AT REQUEST OF, AND
WHEN RECORDED RETURN TO:**

**Bonnie Bolz Merkt, Esq.
Ginsberg Jacobs LLC
300 South Wacker Drive, Suite 2750
Chicago, Illinois 60606**

OWNER Site I.D.: Sabal Pines Park
SITE MANAGEMENT I.D. CFLCOC20-3
TENANT Site I.D. : Coconut Creek Sabal Pines Park / 69419

MEMORANDUM OF AGREEMENT

This MEMORANDUM OF AGREEMENT is entered into on _____, 2018, by the City of Coconut Creek, a municipal corporation, with an address at 4800 West Copans Road, Coconut Creek, Florida 33063 (hereinafter referred to as "**Owner**" or "**Landlord**") and Verizon Wireless Personal Communications LP d/b/a Verizon Wireless, a Delaware limited partnership, with its principal offices located at One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey 07920 (hereinafter referred to as "**Tenant**").

1. Owner and Tenant entered into a Lease Agreement ("**Agreement**") dated as of _____, 2018, effective upon full execution of the parties ("**Effective Date**") for the purpose of Tenant installing, operating and maintaining a communications facility and other improvements. All of the foregoing is set forth in the Agreement.

2. The term of Tenant's tenancy under the Agreement is for ten (10) years commencing the first day of the month immediately following the date that is one hundred twenty (120) days after full execution of this Agreement (the "**Commencement Date**") and terminating on the day immediately preceding the tenth (10th) anniversary of the Commencement Date, with two (2) successive five (5) year options to renew.

3. The Land that is the subject of the Agreement is described in Exhibit "A1" attached hereto. The portion of the Land being leased to Tenant (the "**Premises**") and all necessary access and utility easements (together with the Premises, the "**Property**") are also described in Exhibit "B1" attached hereto.

[Signatures appear on the following page.]

In witness whereof, the parties have executed this Memorandum of Agreement as of the day and year first written above.

LANDLORD:

The City of Coconut Creek, a municipal corporation

By: _____

Name: Rebecca A. Tooley

Title: Mayor

Date: _____

TENANT:

Verizon Wireless Personal Communications LP d/b/a
Verizon Wireless

By: _____

Name: Frank Wise

Title: Executive Director, Network Field Engineering

Date: _____

STATE OF _____

COUNTY OF _____

On _____, 2018, before me, _____,
Notary Public, personally appeared Rebecca A. Tooley, Mayor, for the City of Coconut Creek, a municipal corporation, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacity, and that by their signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public

My commission expires: _____

STATE OF _____

COUNTY OF _____

On _____, 2018, before me, _____,
Notary Public, personally appeared Frank Wise, Executive Director, Network Field Engineering, for Verizon Wireless Personal Communications LP d/b/a Verizon Wireless, a Delaware limited partnership, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public

My commission expires: _____

EXHIBIT A1

to the Memorandum of Agreement dated _____, 2018, by and between the City of Coconut Creek, a municipal corporation, as Landlord, and Verizon Wireless Personal Communications LP d/b/a Verizon Wireless, a Delaware limited partnership, as Tenant.

LEGAL DESCRIPTION OF LAND

The Land is described and/or depicted as follows:

ALL OF TRACT "B" AND THAT CERTAIN 100 FOOT CANAL RIGHT-OF-WAY AS SHOWN ON WINSTON PARK SECTION TWO, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 135, PAGE 1 OF SAID PUBLIC RECORDS, TOGETHER WITH ALL OF PARCEL "E" AND A PORTION OF PARCEL "C" AS SHOWN ON BANYAN TRAILS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 154, PAGE 3, OF SAID PUBLIC RECORDS, TOGETHER WITH ALL OF PARCEL "B", COCO LAKES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 155, PAGE 25 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH A PORTION OF THAT CERTAIN 15 FOOT ROAD RESERVATION AS VACATED BY OFFICIAL RECORDS BOOK 15870, PAGE 4 OF SAID PUBLIC RECORDS, TOGETHER WITH A PORTION OF THAT CERTAIN ROAD RESERVATION AS SHOWN OF THE PLAT OF PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 3, PAGES 45 THRU 54 (INCLUSIVE) OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:" SEE NOTE BELOW

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL "B", ALSO BEING THE NORTHEAST CORNER OF SAID PARCEL "E"; THENCE SOUTH $00^{\circ}59'22''$ EAST, A DISTANCE OF 1078.85 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 645.00 FEET AND A CENTRAL ANGLE OF $25^{\circ}48'49''$, A DISTANCE OF 289.84 FEET; THENCE NORTH $70^{\circ}21'00''$ WEST, NON-RADIAL TO THE LAST DESCRIBED CURVE, A DISTANCE OF 239.41 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 491.00 FEET AND A CENTRAL ANGLE OF $37^{\circ}59'06''$, A DISTANCE OF 317.09 FEET; THENCE NORTH $67^{\circ}28'30''$ WEST, NON-RADIAL TO THE LAST DESCRIBED CURVE, A DISTANCE OF 744.70 FEET; THENCE NORTH $62^{\circ}09'16''$ WEST, A DISTANCE OF 94.84 FEET; THENCE NORTH $81^{\circ}22'06''$ WEST, A DISTANCE OF 202.30 FEET; THENCE SOUTH $42^{\circ}26'10''$ WEST, A DISTANCE OF 31.48 FEET; THENCE NORTH $81^{\circ}28'40''$ WEST, A DISTANCE OF 145.88 FEET; THENCE SOUTH $25^{\circ}48'25''$ WEST, A DISTANCE OF 126.68 FEET; THENCE SOUTH $52^{\circ}59'35''$ WEST, A DISTANCE OF 226.06 FEET; THENCE SOUTH $39^{\circ}00'04''$ WEST, A DISTANCE OF 119.84 FEET; THENCE NORTH $57^{\circ}48'08''$ WEST, ALONG THE SOUTHWEST BOUNDARY OF SAID PARCEL "E" AND THE SOUTHEASTERLY PROJECTION THEREOF, A DISTANCE OF 403.56 FEET TO THE SOUTHEAST CORNER OF LOT 54 OF SAID WINSTON PARK SECTION TWO; THENCE NORTH $00^{\circ}28'54''$ WEST, ALONG THE EAST BOUNDARY OF SAID LOT 54 AND THE NORTHERLY PROJECTION THEREOF, ALSO BEING ALONG THE WEST BOUNDARY OF SAID PARCEL "E", A DISTANCE OF 674.88 FEET TO THE NORTHWEST CORNER OF SAID PARCEL "E"; THENCE NORTH $89^{\circ}27'06''$ EAST, ALONG THE NORTH BOUNDARY OF SAID PARCEL "E" AND CONTINUING ALONG THE NORTH BOUNDARY OF SAID PARCEL "D", A DISTANCE OF 1815.63 FEET TO THE INTERSECTION WITH THE INTERSECTION WITH THE SOUTHERLY PROJECTION OF THE WEST BOUNDARY OF SAID TRACT "B"; THENCE NORTH $00^{\circ}59'52''$ WEST, ALONG SAID SOUTHERLY PROJECTION, A DISTANCE OF 15.00 FEET TO THE SOUTH WEST CORNER OF SAID TRACT "B"; THENCE CONTINUE NORTH $00^{\circ}59'22''$ WEST ALONG SAID WEST BOUNDARY OF TRACT "B", A DISTANCE OF 872.34 FEET TO A POINT ON THE SOUTHEAST RIGHT-OF-WAY OF WINSTON PARK BOULEVARD AS SHOWN ON SAID WINSTON PARK SECTION TWO, THE RADIUS POINT OF THE NEXT DESCRIBED CURVE BEARS NORTH $43^{\circ}47'21''$ WEST FROM SAID POINT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, ALSO BEING ALONG SAID WINSTON PARK BOULEVARD RIGHT-OF-WAY, HAVING A RADIUS OF 630.00 FEET AND A CENTRAL ANGLE OF $00^{\circ}42'39''$, A DISTANCE OF 2.50 FEET; THENCE NORTH $60^{\circ}02'27''$ EAST, NON-TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 84.27 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE NORTHEASTERLY, EASTERLY AND SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF $69^{\circ}49'28''$, A DISTANCE OF 25.82 FEET TO A POINT OF REVERSE CURVATURE; THENCE SOUTHEASTERLY, EASTERLY AND NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 90.00 FEET AND A CENTRAL ANGLE OF $72^{\circ}52'31''$, A DISTANCE OF 114.47 FEET TO A POINT OF REVERSE CURVATURE; THENCE NORTHEASTERLY AND EASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF $38^{\circ}27'07''$, A DISTANCE OF 16.71 FEET TO THE POINT OF TANGENCY; THENCE NORTH $84^{\circ}28'31''$ EAST, A DISTANCE OF 119.16 FEET TO THE NORTHWEST CORNER OF SAID PARCEL "B", THE RADIUS POINT OF THE NEXT DESCRIBED CURVE BEARS SOUTH $08^{\circ}52'01''$ WEST FROM SAID CORNER; THENCE EASTERLY, SOUTHEASTERLY AND SOUTHERLY, ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 270.00 FEET AND A CENTRAL ANGLE OF $80^{\circ}46'37''$, A DISTANCE OF 379.87 FEET TO THE POINT OF TANGENCY; THENCE SOUTH $00^{\circ}50'22''$ EAST, A DISTANCE OF 339.96 FEET TO THE POINT OF BEGINNING, THE LAST TWO (2) DESCRIBED COURSES BEING ALONG THE WESTERLY BOUNDARY OF N.W. 39th AVENUE AS SHOWN ON SAID COCO LAKES PLAT.

* NOTE: PARCEL "D", BANYAN TRAILS, PLAT BOOK 154, PAGE 3 AS RECORDED IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, WAS NOT INCLUDED IN DESCRIPTION CAPTION AND SHOULD BE.

CONTAINING 54.158 ACRES, MORE OR LESS.

EXHIBIT B1

to the Memorandum of Agreement dated _____, 2018, by and between the City of Coconut Creek, a municipal corporation, as Landlord, and Verizon Wireless Personal Communications LP d/b/a Verizon Wireless, a Delaware limited partnership, as Tenant.

DESCRIPTION OF THE PROPERTY AND DEPICTION OF THE PROPERTY AND TOWER SPACE

LEGAL DESCRIPTION FOR TENANT LEASE SITE:

DESCRIPTION OF PROPOSED VERIZON WIRELESS LEASE PARCEL

DESCRIPTION PREPARED BY THIS OFFICE

A parcel of land lying in City of Coconut Creek Sabal Pines Park and being a portion of Parcel "D", BANYAN TRAILS, according to the Plat thereof, as recorded in Plat Book 154, Page 3, of the Public Records of Broward County, Florida, said parcel more particularly described as follows:

COMMENCING at the Southwest corner of Tract "B" of the plat of WINSTON PARK SECTION TWO according to the Plat thereof, as recorded in Plat Book 136, Page 1, of the Public Records of Broward County, Florida, proceed South 00°50'22" East along the Southerly extension of the West line thereof a distance of 15.00 feet to a point on the North line of said Parcel "D" of said BANYAN TRAILS plat, said point being a change in direction of City of Coconut Creek Sabal Pines Park boundary; thence North 89°37'06" East along the North line of said Parcel "D" a distance of 263.75 feet; thence South 00°22'54" East a distance of 54.91 feet to the POINT OF BEGINNING; thence South 60°51'51" East a distance of 32.00 feet; thence South 29°09'09" West a distance of 10.00 feet; thence North 60°51'51" West a distance of 32.00 feet; thence North 29°09'09" East a distance of 10.00 feet to the POINT OF BEGINNING.

Containing an area of 320 square feet.

LEGAL DESCRIPTION FOR TENANT ACCESS AND UTILITY EASEMENT:

DESCRIPTION OF PROPOSED VERIZON WIRELESS GROUND RING & MAINTENANCE EASEMENT

DESCRIPTION PREPARED BY THIS OFFICE

A parcel of land lying in City of Coconut Creek Sabal Pines Park and being a portion of Parcel "D", BANYAN TRAILS, according to the Plat thereof, as recorded in Plat Book 154, Page 3, of the Public Records of Broward County, Florida, said parcel more particularly described as follows:

COMMENCING at the Southwest corner of Tract "B" of the plat of WINSTON PARK SECTION TWO according to the Plat thereof, as recorded in Plat Book 136, Page 1, of the Public Records of Broward County, Florida, proceed South 00°50'22" East along the Southerly extension of the West line thereof a distance of 15.00 feet to point on the North line of said Parcel "D" of said BANYAN TRAILS plat, said point being a change in direction of City of Coconut Creek Sabal Pines Park boundary; thence North 89°37'06" East along the North line of said Parcel "D" a distance of 263.75 feet; thence South 00°22'54" East a distance of 54.91 feet; thence North 15°50'51" West a distance of 4.24 feet to the POINT OF BEGINNING; thence South 60°51'51" East a distance of 32.00 feet; thence South 29°09'09" West a distance of 13.50 feet; thence North 60°51'51" West a distance of 38.00 feet; thence North 29°09'09" East a distance of 13.50 feet to the POINT OF BEGINNING.

LESS AND EXCEPT the following described parcel:

COMMENCING at the Southwest corner of said Tract "B" of said plat of WINSTON PARK SECTION TWO, proceed South 00°50'22" East along the Southerly extension of the West line thereof a distance of 15.00 feet to a point on the North line of said Parcel "D" of said BANYAN TRAILS plat, said point being a change in direction of City of Coconut Creek Sabal Pines Park boundary; thence North 89°37'06" East along the North line of said Parcel "D" a distance of 263.75 feet; thence South 00°22'54" East a distance of 54.91 feet to the POINT OF BEGINNING; thence South 60°51'51" East a distance of 32.00 feet; thence South 29°09'09" West a distance of 10.00 feet; thence North 60°51'51" West a distance of 32.00 feet; thence North 29°09'09" East a distance of 10.00 feet to the POINT OF BEGINNING.

Containing a net area of 193 square feet.

DESCRIPTION OF METRO PCS UTILITY EASEMENT

DESCRIPTION PROVIDED BY CLIENT

A parcel of land being a portion of Parcel "D" and Parcel "E", BANYAN TRAILS, as recorded in Plat Book 154, Page 3, of the Public Records of Broward County, Florida, said parcel being more particularly described as follows:

COMMENCING at the Northeast corner of said Parcel "D": thence on a plat bearing of South 00°50'22" East along the East line of Parcel "D", a distance of 95.09 feet; thence South 89°09'38" West a distance of 4.63 feet to the POINT OF BEGINNING; thence North 29°17'35" East a distance of 12.00 feet; thence North 79°31'44" East a distance of 27.97 feet; thence South 65°44'36" East a distance of 27.15 feet; thence South 84°42'59" East a distance of 56.40 feet; thence North 74°02'04" East a distance of 86.84 feet; thence North 23°32'02" East a distance of 30.29 feet; thence North 00°14'14" West a distance of 117.42 feet; thence North 09°44'18" West a distance of 82.00 feet; thence North 37°08'16" West a distance of 29.72 feet; thence South 90°00'00" West a distance of 36.25 feet; thence North 00°00'00" East a distance of 10.00 feet; thence North 90°00'00" East a distance of 41.22 feet; thence South 37°08'16" East a distance of 37.13 feet; thence South 09°44'18" East a distance of 85.27 feet; thence South 00°14'14" East a distance of 82.22 feet; thence North 74°58'02" East a distance of 35.69 feet to a point on the West right-of-way line of N.W. 39th Avenue; thence South 00°50'22" East along said West right-of-way line a distance of 10.31 feet; thence South 74°58'22" West a distance of 35.81 feet; thence South 00°14'14" East a distance of 27.79 feet; thence South 23°32'02" West a distance of 37.11 feet; thence South 74°02'04" West a distance of 93.43 feet; thence North 84°42'59" West a distance of 59.95 feet; thence North 65°44'36" West a distance of 27.05 feet; thence South 70°31'44" West a distance of 31.40 feet to the POINT OF BEGINNING.

Said parcel of land situate within Broward County, Florida, containing 5,469.27 square feet more or less.