

EXHIBIT A

CERTIFIED TO BE A TRUE COPY
THIS 18th DAY OF Nov, 2009

Garb Williams
EAST LYME TOWN CLERK

3588

Prepared by: Wendy Carrick
After recording return to: Debra DiBetta
SBA Network Services, Inc.
5900 Broken Sound Parkway, NW, 3rd Floor
Boca Raton, FL 33487-2797
Ph: 1-800-487-7483 ext. 9461

MEMORANDUM OF OPTION AND LAND LEASE

THIS MEMORANDUM OF OPTION AND LAND LEASE (herein "Memorandum") is made this 11th day of July, 2009, by and between **CHRISTOPHER SAMUELSEN**, an unmarried man, having an address located at 49 Brainerd Road, Niantic, Connecticut 06357 (herein "Lessor") and **SBA TOWERS II LLC**, a Florida limited liability company, having a principal office located at 5900 Broken Sound Parkway N. W., Boca Raton, FL 33487-2797 (herein "Lessee").

WHEREAS, Lessor and Lessee entered into that certain Option and Land Lease dated July 16, 2009 whereby, Lessor granted to Lessee an Option to lease the land described in Exhibit "A" attached hereto and made a part hereof. All terms used but not defined herein shall have the meaning ascribed to them in the Option and Land Lease.

WHEREAS, Lessor and Lessee desire to enter into this Memorandum to give notice of said Option and Land Lease and all of its terms, covenants and conditions to the same extent as if the same were fully set forth herein.

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration including the option, the rents reserved and the covenants and conditions more particularly set forth in the Option and Land Lease, Lessor and Lessee do hereby covenant, promise and agree as follows:

1. The Option and Land Lease provides in part that Lessor grants to Lessee an exclusive and irrevocable Option to lease approximately 10,000 (100' x 100') square feet at a certain site ("Site") located at 49 Brainerd Road, Town of East Lyme, County of New London, State of Connecticut 06357, Property Parcel ID: 07.4 21, Account #005680 within the property of or under the control of Lessor which is legally described in Exhibit "A" attached hereto and made a part hereof. The Initial Option Period expires one (1) year from date of execution and may be extended for two (2) additional periods of one (1) year each.
2. In the event Lessee exercises the Option, Lessee shall lease the Site from Lessor, together with all easements for ingress, egress and utilities as more particularly described in the Option and Land Lease, all upon the terms and conditions more particularly set forth in the Option and Land Lease for a term of five (5) years, which term is subject to ten (10) additional five (5) year extension periods.

Site Name: East Lyme 1
Site No: CT11794-S



3. The sole purpose of this instrument is to give notice of said Option and Land Lease and all its terms, covenants and conditions to the same extent as if the same were fully set forth herein. The Option and Land Lease contains certain other rights and obligations in favor of Lessor and Lessee which are more fully set forth therein.

4. Right of First Refusal. If at any time during the initial term or renewal term of this Lease, Lessor receives a bona fide written offer from a third person (the "Offer") to sell, assign, convey, lease or otherwise transfer or create any interest in the Leased Space and/or Premises, or any portion thereof, which Lessor desires to accept, Lessor shall first give Lessee written notice (including a copy of the proposed contract) of such Offer prior to becoming obligated under such Offer, with such notice giving Lessee the right to purchase the Leased Space for a pro-rata price based on the size that the Leased Space is to the portion of the Premises described in the Offer. Lessee shall have a period of thirty (30) days after receipt of Lessor's notice and terms to accept the Offer or exercise Lessee's right to purchase the Leased Space and exercise this right of first refusal by notifying Lessor in writing. If Lessee has not accepted the Offer or exercised its right to purchase the Leased Space in writing to Lessor within such thirty (30) day period, the Offer will be deemed rejected. In addition to the above, Lessor shall not, at any time during the initial term or renewal term of the Lease, grant any interest in any portion of the Leased Space or any portion of the Premises (other than the conveyance of fee simple title to the entire Premises) to any third party without the prior written consent of Lessee, in Lessee's sole and absolute discretion.

5. The conditions, covenants and agreements contained in this instrument shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, executors, administrators, successors and assigns for the term of the Option and Land Lease and any extensions thereof. All covenants and agreements of this Option and Land Lease shall run with the land described in Exhibit "A".



BOOK 834 PAGE 633

This lease is on file in the office of SBA Towers II LLC, 5900 Broken Sound Parkway
NW, Boca Raton, Florida 33487

EXHIBIT "A"

Legal Description

The Leased Space shall consist of 10,000 (100' x 100') square feet ground space along with easement rights for access to the Leased Space by vehicle or foot from the nearest public way and for the installation of utility wires, poles, cables, conduits and pipes on the Premises in the approximate locations as depicted below:

A certain piece or parcel of land with the buildings thereon situated in the Town of East Lyme, County of New London and State of Connecticut, bounded and described as follows:

Beginning at the northwest corner of said parcel of land, at a point on Niles Creek; thence southerly by said Creek to the road at the stone arched culvert; thence easterly by and along said road to Black Point Creek; thence by and along said creek northerly to land now or formerly of Elmer W. Russell; thence a short distance westerly and then northerly around said Russell house lot 1 to land now or formerly of J. T. Cruttenden; thence westerly by and along lands now or formerly of said Cruttenden and now or formerly of John Maine to the point of beginning. Said property is subject to such reservations, restrictions and mutual rights of way as appear in a warranty deed from Sarah L. Brainerd to Addison G. Brainerd, dated May 17, 1918, and recorded in East Lyme Land Records, Vol. 22, Page 506 to which reference may be had.

Being the same premises obtained by the Grantor by virtue of a Certificate of Deed dated September 23, 1954 and recorded in Volume 55, Page 441 of the East Lyme Land Records.

EXCEPTING THEREFROM Lot 3 Assessor's Map 55 entitled: "Property Map Town of East Lyme, New London County, Connecticut, James W. Sewall Company, Old Town, Maine." Scale 1 inch = 200 Feet Revised 3-79.

EXCEPTING THEREFROM all that certain piece or parcel of land with the buildings and improvements thereon situated on the easterly side of Brainerd Road in the Town of East Lyme, County of New London and State of Connecticut, bounded and described as follows:

- NORTHERLY: By land now or formerly of Carol S. Margitan and Michael J. Margitan, 204.25 feet;
- EASTERLY: By other land of Elsie B. Raven, 200.09 feet;
- SOUTHERLY: By other land of Elsie B. Raven, 178.95 feet; and
- WESTERLY: By Brainerd Road by a broken line having an aggregate distance along said road of 203.27 feet.

Being the same premises shown on a certain map entitled "Property Survey of a portion of property now or formerly of Elsie B. Raven, Brainerd Road, E. Lyme, Conn., Scale: 1" = 20', April, 1978", certified substantially correct and in accordance with the Class A Code of the Connecticut Technical Council, Inc. by Robert L. Bucher, L.S., and filed on April 28, 1978 in the office of the Town Clerk of East Lyme in Drawer 1 as Map No. 27.

Together with and subject to easements, restrictions and rights of way as of record may appear.

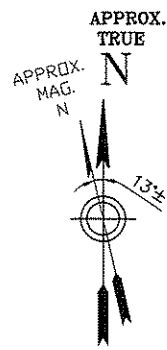
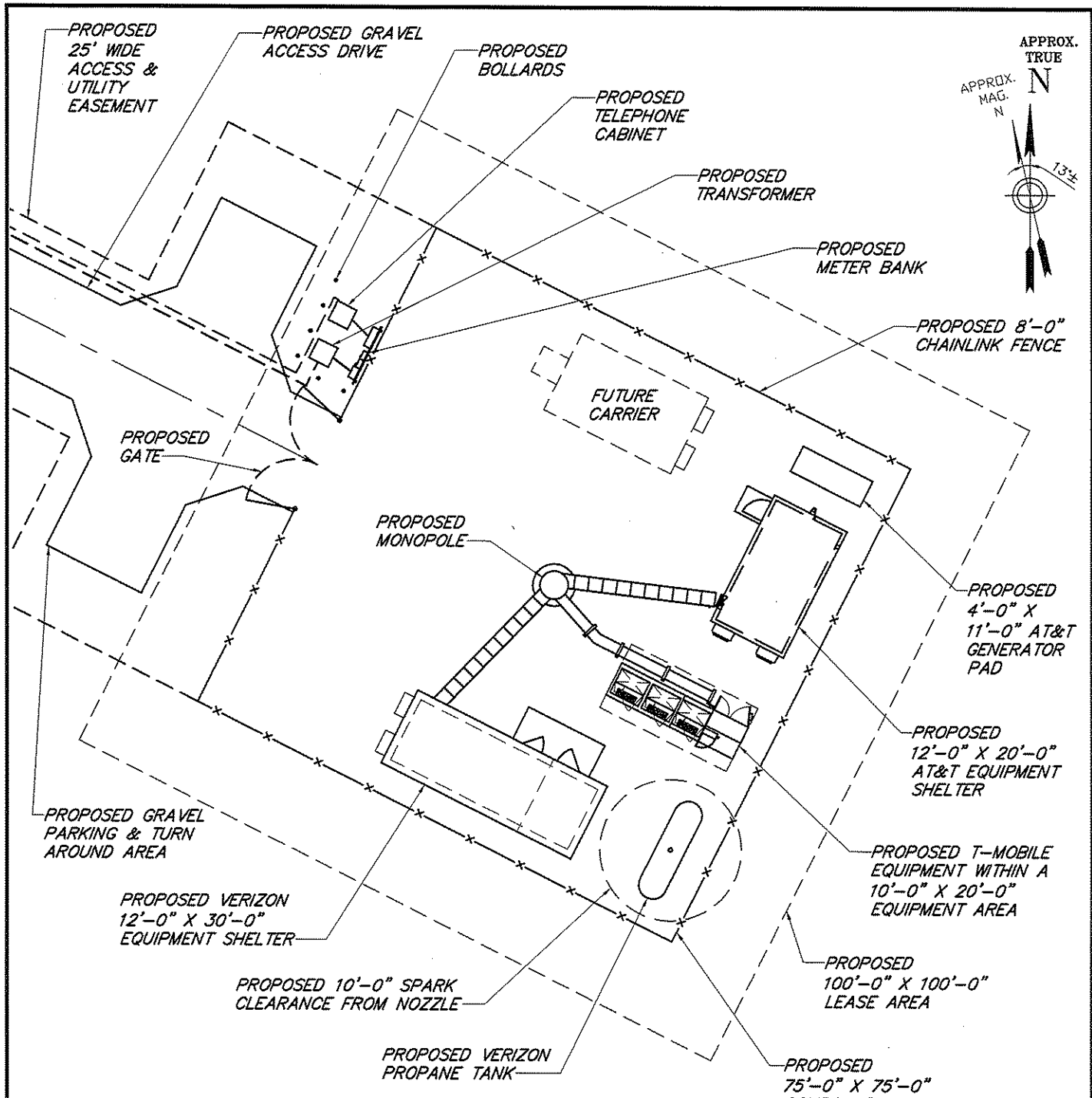
(Lessor and Lessee agree that a leased area legal description and access and utility easement can be substituted with a survey as soon as it becomes available.)

Recorded Aug 26 20 09
11:00 AM
Keth & Williams
East Lyme Town Clerk

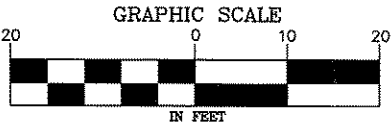
Site Name: East Lyme 1
Site No: CT11794-S



EXHIBIT B



1 COMPOUND PLAN
SCALE: 1" = 20'



BASEMAP NOTES:

1. BASEMAP INFORMATION OBTAINED FROM A SURVEY PERFORMED BY CLOUGH HARBOUR & ASSOCIATES LLP IN AUGUST 2009.

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2130 Silas Deane Highway, Suite 212 • Rocky Hill, CT 06067-2238
 Main: (860) 257-4337 • www.chacompanies.com

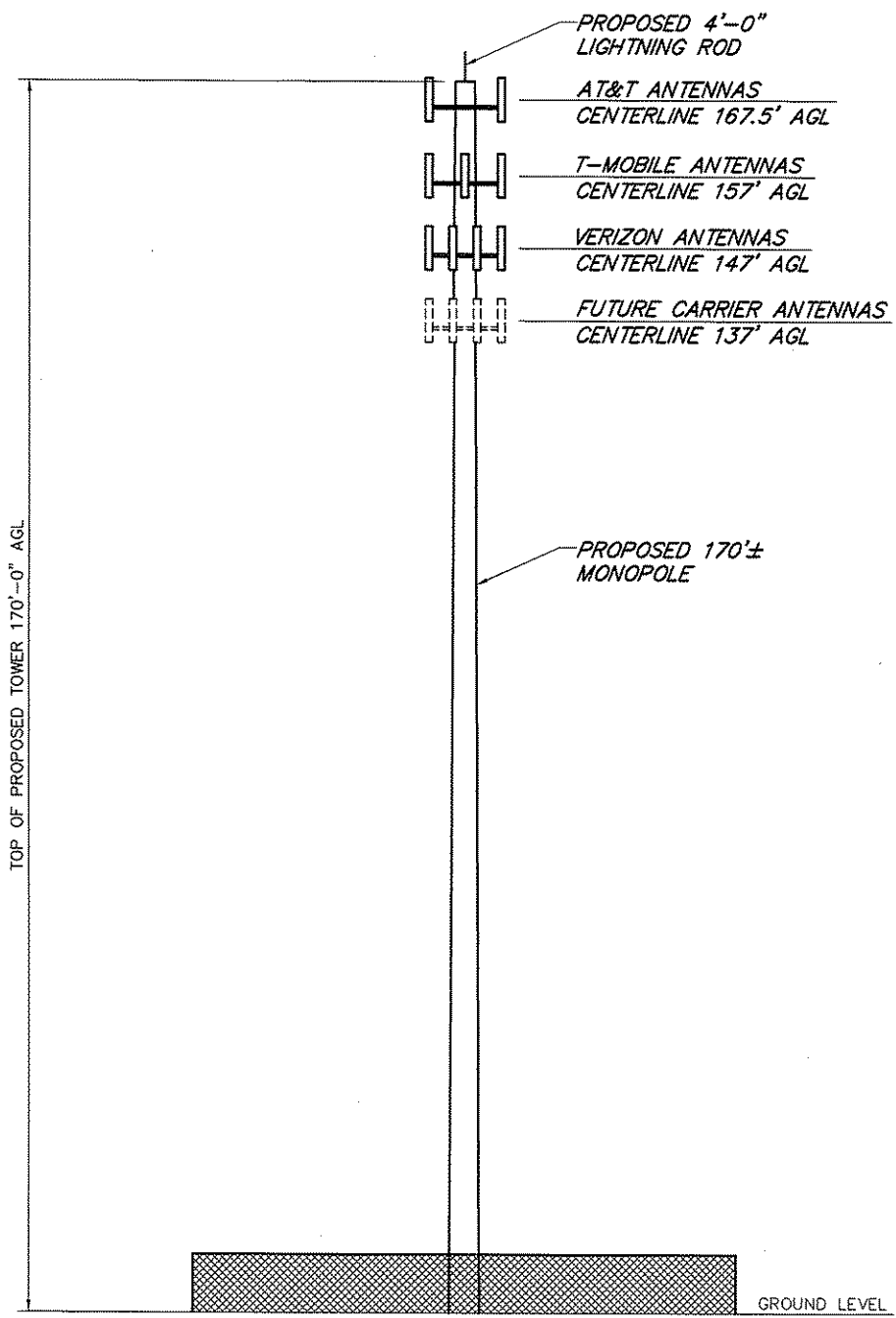
SBA TOWERS II LLC
 5900 BROKEN SOUND PARKWAY
 BOCA RATON, FL 33487-2797
 OFFICE: (561) 226-9523
 FAX: (561) 226-3572

CT11794
 EAST LYME
 49 BRAINERD ROAD
 NIAN TIC (EAST LYME), CT
 06357
 NEW LONDON COUNTY
 CHA PROJ. NO. - 15363-1046

SHEET TITLE:
COMPOUND PLAN

DATE:
 08/21/09

REVISION:
 0

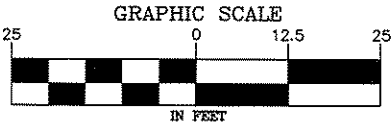


TOP OF PROPOSED TOWER 170'-0" AGL

PROPOSED 170'± MONOPOLE

GROUND LEVEL

1	TOWER ELEVATION
-	SCALE: 1" = 25'



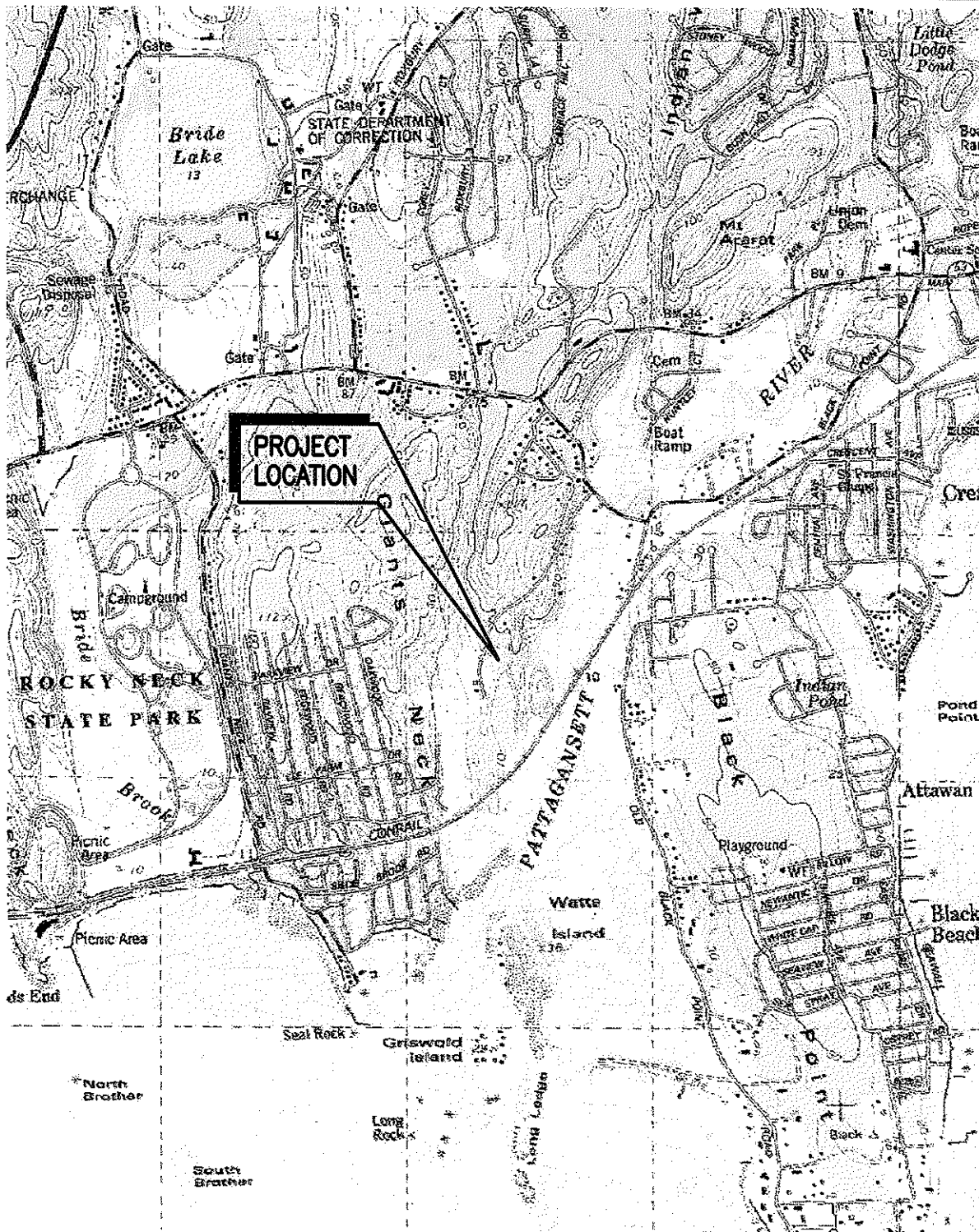
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OFFICE: (561) 226-9523
FAX: (561) 226-3572

CT11794
EAST LYME
49 BRAINERD ROAD
NIANTIC (EAST LYME), CT
06357
NEW LONDON COUNTY
CHA PROJ. NO. - 15363-1046

SHEET TITLE: TOWER ELEVATION
DATE: 08/21/09
REVISION: 0



1 1989 USGS TOPO MAP: NIAN TIC 41072-C2 TRUE NORTH
 SCALE: 1" = 2000'
 0 1000 2000
 SCALE IN FEET

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 5900 BROKEN SOUND PARKWAY
 BOCA RATON, FL 33487-2797
 OFFICE: (561) 228-8523
 FAX: (561) 228-3572

CT11794
 EAST LYME
 49 BRAINERD ROAD
 NIAN TIC (EAST LYME), CT
 06357
 NEW LONDON COUNTY
 CHA PROJ. NO. - 15363-1046

SHEET TITLE: USGS TOPO MAP
DATE: 08/21/09
REVISION: 0



1 **2004 AERIAL PHOTO**
 SCALE: 1" = 1000'
 0 500 1000
 SCALE IN FEET



Drawing Copyright © 2009



2138 Stiles Deane Highway, Suite 212 - Rocky Hill, CT 06067-2338
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CT11794
 EAST LYME
 49 BRAINERD ROAD
 NIAN TIC (EAST LYME), CT
 06357
 NEW LONDON COUNTY
 CHA PROJ. NO. - 15363-1046

SHEET TITLE:
 AERIAL PHOTO

DATE:
 08/21/09

REVISION:
 0



CLOUGH HARBOUR & ASSOCIATES LLP

Site Number: CT11794

Site Name: East Lyme

Site Address: 49 Brainerd Road, Niantic (East Lyme), CT 06357

Access distances:

Distance of access over existing asphalt driveway: 45'

Distance of access over new gravel driveway: 155'

Total distance of site access: 200'

Distance to Nearest Wetlands:

50' from East compound corner to wetland flag #5

44' from nearest grading to wetland flag #5

Distance to Property Lines:

240' to the northern property boundary

1,455' to the southern property boundary

575' to the western property boundary

1,020' to the eastern property boundary

Residence Information:

There are 5 residences within 1,000' feet of the tower. The closest residence is 376' to the North and is located at 46 Brainerd Road.

Tree Removal Count:

See tree letter.



CLOUGH HARBOUR & ASSOCIATES LLP

August 21, 2009

SBA Towers II LLC
5900 Broken Sound Parkway, NW
Boca Raton, FL 33487-2797

RE: Tree Inventory
Site: East Lyme
49 Brainerd Road
Niantic (East Lyme), CT 06357
CHA # 15363-1046-1601

A site survey was completed at the subject site in August of 2009. A requirement of the survey involved determining the location of all trees within the topographic survey area with a diameter at breast height of 6" or larger. As can be seen on the site access map, there are seventeen (17) trees with a diameter of 6" or larger within the area of the proposed access road and compound which need to be removed for construction of the facility. The quantity and size of trees being removed is summarized in the below table:

Tree Diameter	Number of Trees to be Removed
7"	1
10"	8
12"	4
18"	3
20"	1
TOTAL	17

If you have any questions, comments or need further information, please do not hesitate to contact our office.

Very truly yours,

CLOUGH HARBOUR & ASSOCIATES LLP

Paul Lusitani
Project Engineer

I:\15363\Sites\1046 East Lyme-Niantic\ZD\EAST LYME-10 TREE INVENTORY.doc

EXHIBIT C

Application Guideline	Location in Application
(A) An Executive Summary on the first page of the application with the address, proposed height, and type of tower being proposed. A map show in the location of the proposed site should accompany the description;	I.B. Executive Summary, pages 2-3 Exhibit B, Site Plans
(B) A brief description of the proposed facility, including the proposed locations and heights of each of the various proposed sites of the facility, including all candidates referred to in the application;	I.B. Executive Summary, pages 2-3 V. Facility Design, pages 8-9 Exhibit B, Site Plans
(C) A statement of the purpose for which the application is made;	I.A. Authority and Purpose, page 1 IV.B Tower Sharing, page 8
(D) A statement describing the statutory authority for such application;	I.A. Authority and Purpose, page 1
(E) The exact legal name of each person seeking the authorization or relief and the address or principal place of business of each such person. If any applicant is a corporation, trust, or other organized group, it shall also give the state under the laws of which it was created or organized;	I.C. The Applicant, page 3
(F) The name, title, address, and telephone number of the attorney or other person to whom correspondence or communications in regard to the application are to be addressed. Notice, orders, and other papers may be served upon the person so named, and such service shall be deemed to be service upon the applicant;	I.C. The Applicant, page 3
(G) A statement of the need for the proposed facility with as much specific information as is practicable to demonstrate the need including a description of the proposed system and how the proposed facility would eliminate or alleviate any existing deficiency or limitation;	III.A. Statement of Need, pages 4-5 III.C. Technological Alternatives, page 6 Exhibit F, Radio Frequency Coverage Plots from AT&T
(H) A statement of the benefits expected from the proposed facility with as much specific information as is practicable;	III.B. Statement of Benefits, pages 5-6
(I) A description of the proposed facility at the proposed prime and alternative sites including: (1) Height of the tower and its associated antennas including a maximum "not to exceed height" for the facility, which may be higher than the height proposed by	I.B. Executive Summary, pages 2-3 III.A. Statement of Need, pages 4-5 V. Facility Design, pages 8-9 VI.C. MPE Limits/Power Density Analysis, page 12; Exhibit M

Application Guideline	Location in Application
<p>the Applicant;</p> <p>(2) Access roads and utility services;</p> <p>(3) Special design features;</p> <p>(4) Type, size, and number of transmitters and receivers, as well as the signal frequency and conservative worst-case and estimated operational level approximation of electro magnetic radiofrequency power density levels (facility using FCC Office of Engineering and Technology Bulletin 65, August 1997) at the base of the tower base, site compound boundary where persons are likely to be exposed to maximum power densities from the facility;</p> <p>(5) A map showing any fixed facilities with which the proposed facility would interact;</p> <p>(6) The coverage signal strength, and integration of the proposed facility with any adjacent fixed facility, to be accompanied by multi-colored propagation maps of red, green and yellow (exact colors may differ depending on computer modeling used, but a legend is required to explain each color used) showing interfaces with any adjacent service areas, including a map scale and north arrows; and</p> <p>(7) For cellular systems, a forecast of when maximum capability would be reached for the proposed facility and for facilities that would be integrated with the proposed facility.</p>	<p>Exhibit M, Power Density Calculations</p> <p>Exhibit F, AT&T's Radio Frequency Coverage Plots</p> <p>Exhibit B, Site Plans</p>
<p>(J) A description of the named sites, including :</p> <p>(1) The most recent U.S.G.S. topographic quadrangle map (scale 1 inch = 2000 feet) marked to show the site of the facility and any significant changes within a one mile radius of the site;</p> <p>(2) A map (scale not less than 1 inch = 200 feet) of the lot or tract on which the facility is proposed to be located showing the showing the acreage and dimensions of such site, the name and location of adjoining public roads or the nearest public road, and the names of abutting owners and the portions of their lands abutting the site;</p> <p>(3) A site plan (scale not less than 1 inch = 40 feet) showing the proposed facility, fall</p>	<p>Exhibit B, Site Plans</p> <p>V. Facility Design, pages 8-9</p>

Application Guideline	Location in Application
<p>zones, existing and proposed contour elevations, 100 year flood zones, waterways, and all associated equipment and structures on the site;</p> <p>(4) Where relevant, a terrain profile showing the proposed facility and access road with existing and proposed grades; and</p> <p>(5) The most recent aerial photograph (scale not less than 1 inch = 1000 feet) showing the proposed site, access roads, and all abutting properties.</p>	
<p>(K) A statement explaining mitigation measures for the proposed facility including:</p> <p>(1) Construction techniques designed to specifically minimize adverse effects on natural areas and sensitive areas;</p> <p>(2) Special design features made specifically to avoid or minimize adverse effects on natural areas and sensitive areas;</p> <p>(3) Establishment of vegetation proposed near residential, recreation, and scenic areas; and</p> <p>(4) Methods for preservation of vegetation for wildlife habitat and screening.</p>	<p>V. Facility Design, pages 8-9</p> <p>III.C. Technological Alternatives, pages 7-8 (antenna requirements)</p> <p>Exhibit B, Site Plans (driveway design)</p> <p>Exhibit G, Narrative and Map of Rejected Sites</p>
<p>(L) A description of the existing and planned land uses of the named sites and surrounding areas;</p>	<p>VII.C. Planned and Existing Land Uses, page 15</p>
<p>(M) A description of the scenic, natural, historic, and recreational characteristics of the named sites and surrounding areas including officially designated nearby hiking trails and scenic roads;</p>	<p>Exhibit I, Visual Resource Evaluation Report.</p>
<p>(N) Sight line graphs to the named sites from visually impacted areas such as residential developments, recreational areas, and historic sites;</p>	<p>Exhibit I, Visual Resource Evaluation Report. Applicants respectfully request a waiver from the sight line graphs requested in the Council's guidelines given the extensive and comprehensive visual analysis, including viewshed maps and photosimulations from such visual receptors as included in Exhibit J.</p>
<p>(O) A list describing the type and height of all existing and proposed towers and facilities within a four mile radius within the site search area, or within any other area from which use of the proposed towers might be feasible from a location standpoint for purposes of the</p>	<p>Exhibit H</p>

Application Guideline	Location in Application
application;	
(P) A description of efforts to share existing towers, or consolidate telecommunications antennas of public and private services onto the proposed facility including efforts to offer tower space, where feasible, at no charge for space for municipal antennas;	IV. Site Selection and Tower Sharing, pages 7-8
(Q) A description of the technological alternatives and a statement containing justification for the proposed facility;	III.C. Technological Alternatives, page 6
(R) A description of rejected sites with a U.S.G.S. topographic quadrangle map (scale 1 inch= 2,000 feet) marked to show the location of rejected sites;	IV. Site Selection and Tower Sharing, pages 7-8 Exhibit G, Site Selection and Rejected Sites
(S) A detailed description and justification for the site(s) selected, including a description of siting criteria and the narrowing process by which other possible sites were considered and eliminated, including, but not limited to, environmental effects, cost differential, coverage lost or gained, potential interference with other facilities, and signal loss due to geographical features compared to the proposed site(s);	IV. Site Selection and Tower Sharing, pages 7-8 Exhibit H, Surrounding Site Information Exhibit G, Site Selection and Rejected Sites
(T) A statement describing hazards to human health, if any, with such supporting data and references to regulatory standards;	VI.C. MPE Limits/Power Density Analysis, page 12 Exhibit M, Power Density Analysis Bulk Filing
(U) A statement of estimated costs for site acquisition, construction, and equipment for a facility at the various proposed sites of the facility, including all candidates referred to in the application;	IX.A. Overall Estimated Cost, page 18
(V) A schedule showing the proposed program of site acquisition, construction, completion, operation and relocation or removal of existing facilities for the named sites;	IX.B . Overall Scheduling, page 18
(W) A statement indicating that, weather permitting, the applicant will raise a balloon with a diameter of at least three feet, at the sites of the various proposed sites of the facility, including all candidates referred to in the application, on the day of the Council's first hearing session on the application or at a time	VI.A. Visual Assessment, pages 10-12

Application Guideline	Location in Application
otherwise specified by the Council. For the convenience of the public, this event shall be publicly noticed at least 30 days prior to the hearing on the application as scheduled by the Council; and	
(X) Such information as any department or agency of the state exercising environmental controls may, by regulation, require including: 1. A listing of any federal, State, regional, district, and municipal agencies, including but not limited to the Federal Aviation	VI.B., page 12 VI.C., pages 12 VI.D., pages 12-13 VII., pages 13-16 VIII., pages 16-17
Administration; Federal Communications Commission; State Historic Preservation Officer; State Department of Environmental Protection; and local conservation, inland wetland, and planning and zoning commissions with which reviews were conducted concerning the facility, including a copy of any agency position or decision with respect to the facility; and 2. The most recent conservation, inland wetland, zoning, and plan of development documents of the municipality, including a description of the zoning classification of the site and surrounding areas, and a narrative summary of the consistency of the project with the Town's regulations and plans.	Exhibit K Exhibit L Exhibit M Exhibit O Bulk Filing VII. Consistency with the Town of East Lyme's Land Use Regulations, pages 13-16
(Y) Description of proposed site clearing for access road and compound including type of vegetation scheduled for removal and quantity of trees greater than six inches diameter at breast height and involvement with wetlands;	Exhibit B
(Z) Such information as the applicant may consider relevant.	

EXHIBIT D

CERTIFICATION OF SERVICE

I hereby certify that on this, the 4th of December, 2009, copies of the Application and Attachments were sent by Federal Express to the following:

EAST LYME TOWN OFFICIALS

First Selectman Paul Formica
Town of East Lyme, Town Hall
108 Pennsylvania Avenue
Niantic (East Lyme), CT 06357-2510

Esther B. Williams, Town Clerk
Town of East Lyme, Town Hall
108 Pennsylvania Avenue
Niantic (East Lyme), CT 06357-2510

Mark Nickerson, Chairman, Zoning Commission
Town of East Lyme, Town Hall
108 Pennsylvania Avenue
Niantic (East Lyme), CT 06357-2510

Lisa Picarazzi, Chairman Planning Commission
Town of East Lyme, Town Hall
108 Pennsylvania Avenue
Niantic (East Lyme), CT 06357-2510

William Mountzoures, Chairman, Zoning Board of Appeals
Town of East Lyme, Town Hall
108 Pennsylvania Avenue
Niantic (East Lyme), CT 06357-2510

Edmund Haffner, Chairman Inland Wetland Agency
Town of East Lyme, Town Hall
108 Pennsylvania Avenue
Niantic (East Lyme), CT 06357-2510

Arthur Carlson, Chairman, Conservation of Natural Resources Commission
Town of East Lyme, Town Hall
108 Pennsylvania Avenue
Niantic (East Lyme), CT 06357-2510

STATE OFFICIALS

Office of the Attorney General
State of Connecticut
Attorney General Richard Blumenthal
55 Elm Street
Hartford, CT 06106

Senator Joseph Lieberman
One Constitution Plaza, 7th Floor
Hartford, CT 06103

Senator Christopher Dodd
30 Lewis St Suite 101
Hartford, CT 06103

Congressman Joe Courtney
Norwich District Headquarters
101 Water Street, Suite 301
Norwich, CT 06360

State Representative Ed Jutila
Legislative Office Building, Rom 4046
Hartford, CT 06106-1591

State Senator Andrea Stillman
Legislative Office Building, Rom 3600
Hartford, CT 06106-1591

Southeastern Connecticut Council of Governments
c/o Executive Director James S. Butler
5 Connecticut Avenue
Norwich, Connecticut 06360-4592

State of Connecticut
Department of Environmental Protection
c/o Amey Marrella, Commissioner
79 Elm Street
Hartford, CT 06106

Department of Public Health
c/o J. Robert Galvin, Commissioner
410 Capitol Avenue, MS#13COM
Hartford, CT 06106

State of Connecticut
Department of Agriculture
c/o F. Philip Prelli, Commissioner
165 Capitol Avenue
Hartford, CT 06106

State of Connecticut
Department of Public Utility Control
c/o Kevin M. DelGobbo, Chairman
10 Franklin Square
New Britain, CT 06051

State of Connecticut
Office of Policy and Management
c/o Secretary Robert L. Genuario
450 Capitol Avenue
Hartford, CT 06106

State of Connecticut
Department of Economic and Community
c/o Joan McDonald, Commissioner
505 Hudson Street
Hartford, CT 06106

State of Connecticut
Department of Transportation
c/o Joseph F. Marie, Commissioner
2800 Berlin Turnpike
Newington, CT 06131-7546

State of Connecticut
Council on Environmental Quality
c/o Karl J. Wagener, Executive Director
79 Elm Street
Hartford, CT 06106

Connecticut Commission on Culture & Tourism
State Historic Preservation Office
c/o David Bahlman, Division Director
One Constitution Plaza, 2nd Floor
Hartford, CT 06103

Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

FEDERAL AGENCIES

Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Federal Aviation Administration
New England Regional Office
12 New England Executive Park
Burlington, MA 01803

Dated December 4, 2009

By: 

Attorney For SBA Towers II LLC
Carrie L. Larson, Esq.
clarson@pullcom.com
Pullman & Comley, LLC
90 State House Square
Hartford, CT 06103-3702
Ph. (860) 424-4312
Fax (860) 424-4370

EXHIBIT E

CERTIFICATION OF SERVICE TO ABUTTING PROPERTY OWNERS

I hereby certify that a copy of the foregoing letter sent by certified mail, return receipt requested, to each of the following abutting landowners:

1. Map 04.7 Lot 23
Zenaida S. Rahmlow
Premises Address: 14 Park Lane, East Lyme, CT 06357
Mailing Address: 4620 Palatika Blvd, Hastings, FL 32745
2. Map 04.7 Lot 18
Giants Neck Heights Association
Premises Address: Creek Road, East Lyme, CT 06357
Mailing Address: Box 625, Niantic, CT 06357
3. Map 04.7 Lot 16
Tabatha M. Mugovero
Premises Address: 25 Marshfield Road, East Lyme, CT 06357
Mailing Address: 25 Marshfield Road, Niantic, CT 06357
4. Map 07.4 Lot 17
Stephen Janty and Gregory Janty
Premises Address: 31 Marshfield Road, East Lyme, CT 06357
Mailing Address: 4 Enrico Road, Bolton, CT 06043
5. Map 07.4 Lot 16
Elizabeth M. and James R. Spinelli
Premises Address: 35 Marshfield Road, East Lyme, CT 06357
Mailing Address: 241 Elm Street, Old Saybrook, CT 06475
6. Map 07.4 Lot 22
East Lyme Land Conservation Trust Inc.
Premises Address: Brainerd Road, East Lyme, CT 06357
Mailing Address: P.O. Box 104, East Lyme, CT 06333
7. Map 10.3 Lot 14-1
Connecticut State DEP
Premises Address: Giants Neck Road, East Lyme, CT 06357
Mailing Address: 79 Elm Street, Hartford, CT 06106
8. Map 07.4 Lot 23
Helene C. Raven
Premises Address: Brainerd Road, East Lyme, CT 06357
Mailing Address: 126 Lee Road, Annapolis, MD 21403

9. Map 07.4 Lot 20
Nelly G. Abarca
Premises Address: 46 Brainerd Road, East Lyme, CT 06357
Mailing Address: 46 Brainerd Road, Niantic, CT 06357
10. Map 07.2 Lot 35
John W. Olsen and Carolyn R. Olsen
Premises Address: 44 Brainerd Road, East Lyme, CT 06357
Mailing Address: 44 Brainerd Road, Niantic, CT 06357
11. Map 07.4 Lot 13
Ross E. Albrighton and Debra Albrighton
Premises Address: 39 Marshfield Road, East Lyme, CT 06357
Mailing Address: 39 Marshfield Road, Niantic, CT 06357
12. Map 07.4 Lot 14
Ross E. Albrighton and Debra Albrighton
Premises Address: Marshfield Road, East Lyme, CT 06357
Mailing Address: 39 Marshfield Road, Niantic, CT 06357
13. Map 07.4 Lot 18
Steven Toth, Jr. and Helen M. Toth
Premises Address: 27 Marshfield Road, East Lyme, CT 06357
Mailing Address: 27 Marshfield Road, Niantic, CT 06357
14. Map 04.2 Lot 6
GIA Properties No 1 LLC
Premises Address: Brainerd Road, East Lyme, CT 06357
Mailing Address: 51 Duvois Street, Darien, CT 06820
15. Map 04.2 Lot 5
GIA Properties No 2 LLC
Premises Address: Brainerd Road, East Lyme, CT 06357
Mailing Address: 51 Duvois Street, Darien, CT 06820
16. Map 07.4 Lot 19
Town of East Lyme
Premises Address: Brainerd Road, East Lyme, CT 06357
Mailing Address: P.O. Box 519, Niantic, CT 06357
17. Map 04.10 Lot 25
National Railroad Passenger Corp.
Premises Address: Giants Neck Road, East Lyme, CT 06357
Mailing Address: Attn: Group #5, PO Box 18266F, St Louis, MO 63150

18. Map 08.3 Lot 15
Arnold M. Manwaring and Louise H. Manwaring
Premises Address: 45 Old Black Point Road, East Lyme, CT 06357
Mailing Address: 45 Old Black Point Road, Niantic, CT 06357
19. Map 08.3 Lot 14
Jayne M. Turek
Premises Address: 47 Old Black Point Road, East Lyme, CT 06357
Mailing Address: 389 Old Sherman Hill, Woodbury, CT 06798
20. Map 07.2 Lot 2
Susan Brown, Trustee
Premises Address: 41 Brainerd Road, East Lyme, CT06357
Mailing Address: 41 Brainerd Road, Niantic, CT 06357
21. Map 04.2 Lot 4
Giants Neck Improv Club, Inc.
Premises Address: Brainard Road, East Lyme, CT 06357
Mailing Address: 63 Arvine Place, Manchester, CT 06040
22. Map 08.1 Lot 96
Anna Ferri and Sam Ferri
Premises Address: 14 Gada Road, East Lyme, CT 06357
Mailing Address: 356 Hailocks Mill Road, Yorktown Heights, NY 10598
23. Map 08.3 Lot 13
Nature Conservancy of Conn Inc.
Premises Address: Old Black Point Road, East Lyme, CT 06357
Mailing Address: Box MMM, Wesleyan Station, Middletown, CT 06457
24. Map 04.7 Lot 7
Thomas K. Green and Laurie J. Leonard
Premises Address: 31 Ridgewood Road, East Lyme, CT 06357
Mailing Address: 31 Ridgewood Road, Niantic, CT 06357
25. Map 04.7 Lot 6
Thomas K. Green and Laurie J. Leonard
Premises Address: 33 Ridgewood Road, East Lyme, CT 06357
Mailing Address: 33 Ridgewood Road, Niantic, CT 06357
26. Map 04.2 Lot 7
James D. Bishop and James D. Bishop, Jr.
Premises Address: Brainard Road, East Lyme, CT 06357
Mailing Address: 161 Chestnut Ridge Road, Saddle River, NJ 07458

27. Map 08.3 Lot 16
James R. Summers and Jane M. Summers
Premises Address: 43 Old Black Point Road, East Lyme, CT 06357
Mailing Address: 43 Old Black Rock Point Road, Niantic, CT 06357
28. Map 08.3 Lot 12
Evelyn Ruth Mackey
Premises Address: 61 Old Black Point Road, East Lyme, CT 06357
Mailing Address: 61 Old Black Rock Point Road, Niantic, CT 06357
29. Map 08.3 Lot 11
Keven Hoar and Randeea Siegal
Premises Address: 65 Old Black Point Road, East Lyme, CT 06357
Mailing Address: 65 Old Black Rock Point Road, Niantic, CT 06357
30. Map 08.3 Lot 10
Bruce H. Dixon and Alice Dixon
Premises Address: Old Black Point Road, East Lyme, CT 06357
Mailing Address: 24 Somersby Way, Farmington, CT 06032
31. Map 08.3 Lot 9
Ruth E. Ames and Donald F. Ames
Premises Address: Old Black Point Road, East Lyme, CT 06357
Mailing Address: 74 Old Black Rock Point Road, Niantic, CT 06357
32. Map 08.3 Lot 8
Ruth E. Ames and Donald F. Ames
Premises Address: Old Black Point Road, East Lyme, CT 06357
Mailing Address: 74 Old Black Rock Point Road, Niantic, CT 06357
33. Map 08.3 Lot 7
Richard P. Scavotto and Kenneth Sabatini
Premises Address: Old Black Point Road, East Lyme, CT 06357
Mailing Address: 82 Old Black Rock Point Road, Niantic, CT 06357
34. Map 08.3 Lot 6
Douglas R. Gordon, Trustee and Bank of America, Trustee
Premises Address: Old Black Point Road, East Lyme, CT 06357
Mailing Address: 265 Old Black Rock Point Road, Niantic, CT 06357
35. Map 08.3 Lot 5
John G. Lazine and Lisa A. Lazine
Premises Address: Old Black Point Road, East Lyme, CT 06357
Mailing Address: 90 Old Black Rock Point Road, Niantic, CT 06357

36. Map 08.3 Lot 4
Stephen A. York and Carol A. York
Premises Address: Old Black Point Road, East Lyme, CT 06357
Mailing Address: 176 Morgan Road, Canton, CT 06019
37. Map 08.3 Lot 2
Sandra Newton and Jeffrey W. Newton
Premises Address: Old Black Point Road, East Lyme, CT 06357
Mailing Address: 18 Christian Hill Road, Cromwell, CT 06416
38. Map 08.3 Lot 1
Knut Aarsand
Premises Address: Old Black Point Road, East Lyme, CT 06357
Mailing Address: 100 Old Black Rock Point Road, Niantic, CT 06357
39. Map 05.1 Lot 17
Timothy R. Murphy and Cricket Murphy
Premises Address: Old Black Point Road, East Lyme, CT 06357
Mailing Address: 102 Old Black Rock Point Road, Niantic, CT 06357
40. Map 05.1 Lot 16
Mark J. Scott
Premises Address: Old Black Point Road, East Lyme, CT06357
Mailing Address: 104 Old Black Rock Point Road, Niantic, CT 06357
41. Map 05.1 Lot 15
Nature Conservancy of Conn, Inc.
Premises Address: Old Black Point Road, East Lyme, CT 06357
Mailing Address: P. O. Box MMM, Wesleyan Station, Middletown, CT 06457
42. Map 05.1 Lot 14
Nature Conservancy of Conn, Inc.
Premises Address: Old Black Point Road, East Lyme, CT06357
Mailing Address: P. O. Box MMM, Wesleyan Station, Middletown, CT 06457
Page 7 of 7
43. Map 05.1 Lot 13
William O. Manwaring and Elizabeth Manwaring
Premises Address: 0 Old Black Point Road, East Lyme, CT06357
Mailing Address: 116 Old Black Rock Point Road, Niantic, CT 06357
44. Map 05.1 Lot 12
Alfred Mackey and Emilie Mackey
Premises Address: 0 Old Black Point Road, East Lyme, CT 06357
Mailing Address: 124 Old Black Rock Point Road, Niantic, CT 06357

45. Map 04.2 Lot 8

Nature Conservancy of Conn, Inc.

Premises Address: Old Black Point Road, East Lyme, CT 06357

Mailing Address: P. O. Box MMM, Wesleyan Station, Middletown, CT 06457

46. Map 04.2 Lot 9

Nature Conservancy of Conn, Inc.

Premises Address: Watts Island, East Lyme, CT06357

Mailing Address: P. O. Box MMM, Wesleyan Station, Middletown, CT 06457

47. Map 04.2 Lot 10

Owner Unknown

Premises Address: Old Black Point Road, East Lyme, CT06357

Mailing Address: c/o Town of East Lyme, P.O. Box 519, Niantic, CT 06357

48. Map 12.1 132

National Railroad Passenger Corp.

Premises Address: Main Street, East Lyme, CT 06357

Mailing Address: Attn: Group #5, PO Box 18266F, St Louis, MO 63150

49. Map 08.3 Lot 3

Old Black Point Association

Premises Address: Old Black Point Road, East Lyme, CT 06357

Mailing Address: c/o Piedmont Fin Co, P.O. Box 20124, Greensboro, NC 27420

Dated December 4, 2009

By: 

Attorney For SBA Towers II LLC

Carrie L. Larson, Esq.

clarson@pullcom.com

Pullman & Comley, LLC

90 State House Square

Hartford, CT 06103-3702

Ph. (860) 424-4312

Fax (860) 424-4370

PULLMAN & COMLEY, LLC
ATTORNEYS AT LAW

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90 State House Square
Hartford, CT 06103-3702
p (860) 424-4312
f (860) 424-4370
clarson@pullcom.com
www.pullcom.com

November 30, 2009

*Via Certified Mail/
Return Receipt Requested*

To Whom It May Concern:

Pursuant to Section 16-50l of the Connecticut General Statutes, as an abutting property owner, this is to notify you that, SBA Towers II LLC, with a place of business at One Research Drive, Suite 200C, Westborough, MA 01581 (the "Applicant"), will file an application with the Connecticut Siting Council regarding a proposal to construct a telecommunications facility at property located at 49 Brainerd Road, East Lyme (Niantic), Connecticut. The application will be submitted to the Connecticut Siting Council on or about December 4, 2009 and the Applicant will request to be put on a future agenda.

Enclosed please find a copy of the Legal Notice that ran in The Day on Wednesday, November 18, 2009 and Friday, November 20, 2009.

Should you have any further questions or concerns regarding this matter, please contact our office or the Connecticut Siting Council, whose address is in the Legal Notice.

Respectfully,



Carrie L. Larson

Hartford/72517.66/CLARSON/401220v1

NOTICE

Notice is hereby given, pursuant to Section 16-501(b) of the Connecticut General Statutes and Section 16-501-1(e) of the Regulations of Connecticut State Agencies of an application to be submitted to the Connecticut Siting Council ("Siting Council") on November 23, 2009 or thereafter by SBA Towers II LLC (the "Applicant"). The Applicant will request a certificate of environmental compatibility and public need from the Siting Council for the construction, maintenance and operation of a telecommunications facility in Niantic (East Lyme), Connecticut. The Applicant is proposing to construct a new monopole tower located at 49 Brainerd Road, East Lyme, Connecticut. The property is owned by Christopher Samuelson (the "Property"). The Applicant proposes to construct a new 170' self-supporting monopole tower, antennas, associated equipment and other site improvements integral to a wireless communications facility. The location, height and other features of the proposed facility are subject to review and potential change under provisions of the Connecticut General Statutes § 16-50g *et. seq.*

The proposed facility would provide personal wireless communication service in the Town of East Lyme and particularly along State Highway 156, the Amtrak corridor and in adjacent areas, which do not have adequate service. The Application will explain the need, purpose and benefits of the facility and will also describe the environmental impacts of the proposed facility.

Weather permitting, a balloon representative of the proposed height will be flown on the day of the Siting Council public hearing on the Application, which will take place in the Town of East Lyme. The balloon will be flown from approximately 9 a.m. to 4 p.m. Notice of the public hearing date will be provided by the Siting Council.

Interested parties and residents of the Town of East Lyme are invited to review the

Application during normal business hours at any of the following offices:

Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Town of East Lyme
Office of the Town Clerk
East Lyme Town Hall
108 Pennsylvania Avenue
Niantic (East Lyme), CT 06357

or the offices of the undersigned. All inquiries should be addressed to the Connecticut Siting Council or to the undersigned.

Carrie L. Larson
Pullman & Comley, LLC
90 State House Square
Hartford, CT 06103-3702
Attorneys for the Applicant