



200112170008

Skagit County Auditor

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Document Title: Memorandum of Lease / Sedro Woolley

Reference Number: WA07196-B-01 / WA-517

Grantor: SBA Properties, Inc

Grantee: Cingular Wireless, LLC

Abbreviated Legal Description: ☒ Full Legal on Page 5

That portion of the SW Quarter of the NW Quarter and the NW Quarter of the SW Quarter of Section 17,
Township 3 North, Range 5 East, W.M., Lying Westerly of State Highway 1-A

Assessor Parcel: P39371

Site I.D.: WA07196-B-01
Site Name: Sedro Woolley

Tenant Site I.D.: WA-517
Tenant Site Name: Sedro Woolley

RECORDING REQUESTED BY:

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

WHEN RECORDED, RETURN TO:

Cingular Wireless
2445 140th Ave NE, Suite 202
Bellevue, WA 98005

DEC 14 2001

Amount Paid \$
Skagit Co. Treasurer
By Deputy

THIS MEMORANDUM OF LEASE ("MEMORANDUM") dated as of November 12, 2001, is between SBA PROPERTIES, INC., A FLORIDA CORPORATION ("OWNER"), and CINGULAR WIRELESS, LLC, A DELAWARE LIMITED LIABILITY COMPANY ON BEHALF OF PACIFIC BELL WIRELESS NORTHWEST, LLC, A DELAWARE LIMITED LIABILITY COMPANY D/B/A CINGULAR WIRELESS ("TENANT").

RECITALS

WHEREAS, Owner and Tenant have executed that certain Antenna Site Agreement ("Agreement") dated as of November 12, 2001, covering certain premises (the "Premises") situated on a portion of that certain real property, located in the County of Skagit, State of Washington, and more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, Owner and Tenant desire to record notice of the Agreement in the Official Records of _____ County, _____;

NOW, THEREFORE, in consideration of the foregoing, Owner and Tenant hereby declare as follows:

1. Demise. Owner has leased the Premises to Tenant (together with access rights), and Tenant has hired the Premises from Owner, subject to the terms, covenants, and conditions contained in the Agreement.
2. Expiration Date. The term of the Agreement ("Term") is scheduled to commence on or before _____, 200__, and shall expire five (5) years thereafter, subject to Tenant's option to extend the Term pursuant to Section 2 of the Agreement for four (4) additional terms of five (5) years each.
3. Agreement Controlling. This Memorandum is solely for the purpose of giving constructive notice of the Agreement. In the event of conflict between the terms of the Agreement and this Memorandum, the terms of the Agreement shall control.

IN WITNESS WHEREOF, Owner and Tenant have executed this Memorandum of Lease as of the date and year first written above.



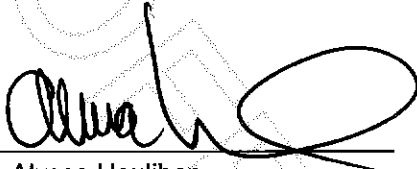
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Site I.D.: WA07196-B-01
Site Name: Sedro Woolley

Tenant Site I.D.: WA-517
Tenant Site Name: Sedro Woolley

OWNER: SBA PROPERTIES, INC.,
a Florida Corporation



By: Alyssa Houlihan
Title: Director of Leasing

TENANT: CINGULAR WIRELESS, LLC
a Delaware Limited Liability Company
on behalf of PACIFIC BELL WIRELESS
NORTHWEST, LLC, a Delaware Limited
Liability Company d/b/a Cingular Wireless

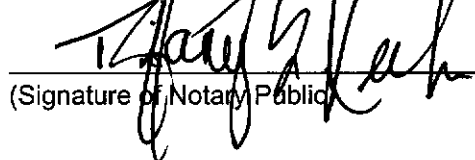


By: Don MacLeod
Title: Seattle Network Director

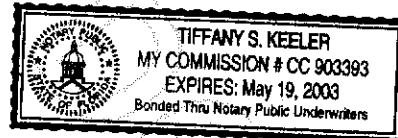
STATE OF FLORIDA)§
COUNTY OF PALM BEACH)§

On November 12, 2001, before me, Tiffany S. Keeler,
personally appeared Alyssa Houlihan, 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.



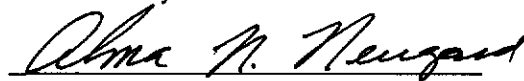
(Signature of Notary Public)



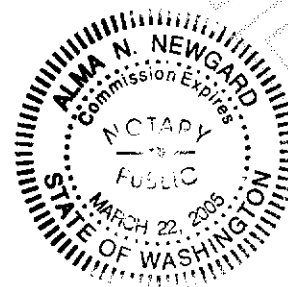
STATE OF WASHINGTON)§
COUNTY OF HING)§

On NOV 13, 2001, before me, ALMA N. NEWGARD,
personally appeared Don MacLeod, 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.



(Signature of Notary Public)



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Site I.D.: WA07196-B-01
Site Name: Sedro Woolley

Tenant Site I.D.: WA-517
Tenant Site Name: Sedro Woolley

EXHIBIT A TO THE MEMORANDUM OF LEASE

LEGAL DESCRIPTION OF OWNER'S PROPERTY

Owner's Property of which the Premises are a part is described as follows:

All that real property located in the State of Washington, County of Skagit, described as follows:



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DUNCANSON

Company, Inc.

01792.067

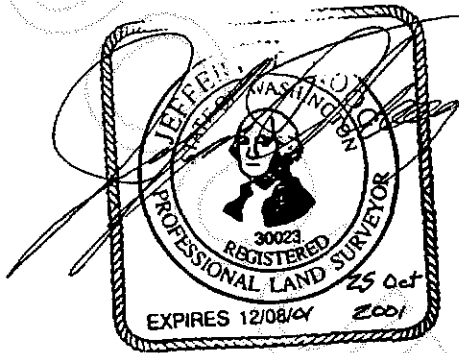
Tuengel

WA 517-02

Legal Description

That portion of the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 17, Township 33 North, Range 5 East, W.M., Lying Westerly of County Road now known as primary State Highway 1-A formerly known as the right of way of Seattle Lakeshore and Eastern Railway Company.

Per parcel "C" of quit claim deed recorded under number 758924 provided by First American Title Insurance Company.



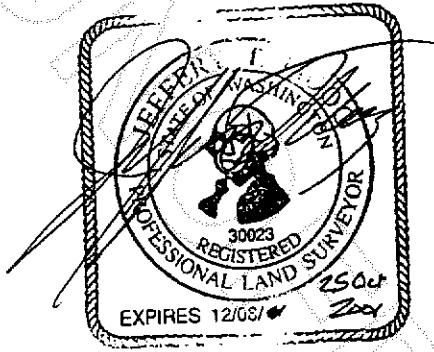
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DUNCANSON

Company, Inc.



01792.067

Tuengel

WA 517-02

Lease Area Description

A lease of property for the construction, operation and maintenance of a cellular tower in that portion of:

That portion of the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 17, Township 33 North, Range 5 East, W.M., Lying Westerly of County Road now known as primary State Highway 1-A formerly known as the right of way of Seattle Lakeshore and Eastern Railway Company.

Per parcel "C" of quit claim deed recorded under number 758924 provided by First American Title Insurance Company.

Lease area more particularly described as follows:

Commencing at the West Quarter corner of Section 17, Township 33 North, Range 5 East, W.M.;

Thence along the West line of said section South $02^{\circ}19'10''$ West 231.35 feet;

Thence South $87^{\circ}40'50''$ East 296.73 feet to the True Point of Beginning;

Thence from said True Point of Beginning North $16^{\circ}14'18''$ East 90.00 feet;

Thence South $73^{\circ}45'42''$ East 70.00 feet;

Thence South $16^{\circ}14'18''$ West 90.00 feet;

Thence North $73^{\circ}45'42''$ West 70.00 feet to the True Point of Beginning;

Containing 6,300 square feet, more or less.

Bearings referenced to Washington State Coordinate system North zone NAD 83/91.



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WA 517-02

Access Easement Description

A Non-exclusive Easement, appurtenant to that certain lease area, for access (ingress and egress) purposes in, on, over, through, under, and across that portion of the following described property:

That portion of the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 17, Township 33 North, Range 5 East, W.M., Lying Westerly of County Road now known as primary State Highway 1-A formerly known as the right of way of Seattle Lakeshore and Eastern Railway Company.

Per parcel "C" of quit claim deed recorded under number 758924 provided by First American Title Insurance Company.

Easement being a 15 foot strip of land lying 7.5 feet on each side of the following described centerline:

Commencing at the Northeast corner of the above described property;
Thence along the East line thereof South $01^{\circ}08'12''$ East 469.29 feet to the True Point of Beginning;
Thence from said True Point of Beginning South $55^{\circ}35'11''$ East 23.88 feet;
Thence South $10^{\circ}06'25''$ East 103.48 feet;
Thence South $15^{\circ}33'10''$ East 229.88 feet;
Thence South $13^{\circ}44'52''$ West 208.48 feet;
Thence South $11^{\circ}06'57''$ West 152.63 feet;
Thence South $02^{\circ}56'39''$ West 78.56 feet;
Thence South $11^{\circ}59'17''$ West 110.98 feet;
Thence South $01^{\circ}29'27''$ East 111.46 feet to a Point on a line 7.5 feet perpendicular to and parallel with the West line of said lease area;
Thence along said parallel line South $16^{\circ}14'18''$ West 40.17 feet to the end of this easement;

Bearings referenced to Washington State Coordinate System North Zone NAD 83/91.

145 SW 155th Street - Suite 102 -
Phone 206.244.4141 - Fax 206.244.4452



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DUNCANSON

Company, Inc.

01792.067

Tuengel

WA 517-02

Utility Easement Description

A Non-exclusive Easement, appurtenant to that certain lease area, for utility purposes in, on, over, through, under, and across that portion of the following described property:

That portion of the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 17, Township 33 North, Range 5 East, W.M., Lying Westerly of County Road now known as primary State Highway 1-A formerly known as the right of way of Seattle Lakeshore and Eastern Railway Company.

Per parcel "C" of quit claim deed recorded under number 758924 provided by First American Title Insurance Company.

Easement being a 5 foot strip of land lying 2.5 feet on each side of the following described centerline:

Commencing at the Northeast corner of the above described property;
Thence along the East line thereof South 01°08'12" East 1359.12 feet to the True Point of Beginning;
Thence from said True Point of Beginning North 39°58'26" West 40.44 feet;
Thence North 58°46'13" West 111.20 feet;
Thence North 68°53'18" West 33.59 feet;
Thence North 20°59'11" West 45.74 feet;
Thence North 74°45'17" West 28.42 feet;
Thence South 05°04'01" West 28.23 feet;
Thence South 11°32'49" West 87.18 feet;
Thence South 08°08'08" West 37.75 feet;
Thence South 01°14'20" East 105.52 feet;
Thence South 11°52'22" West 37.28 feet;
Thence South 76°24'55" East 0.68 feet to the West line of said lease area and the end of this easement;

Bearings referenced to Washington State Coordinate System North Zone NAD 83/91.



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