



200301090212

Skagit County Auditor

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Prepared by and Return to:

AT&T Wireless Services
2729 Prospect Park Drive
Rancho Cordova, CA 95670
Attention: Lease Management

Cell Site No.: 961-S04-002 (RN50)

State: Washington

County: Skagit

PTN. SE NE 17-34-4

P107826

FIRST AMERICAN TITLE CO.

71719

**MEMORANDUM
OF
LEASE**

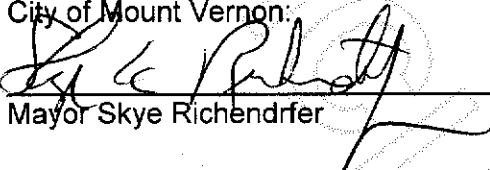
This Memorandum of Lease is entered into on this 18 day of June, 2002, by and between the City of Mount Vernon, a municipal corporation, whose address is PO Box 809, Mount Vernon, WA 98273 (hereinafter referred to as "City") and AT&T Wireless Services of Washington, LLC, an Oregon limited liability company, d/b/a AT&T Wireless, by AT&T Wireless Services, Inc., a Delaware corporation, its member, having an office at 2729 Prospect Park Drive, Rancho Cordova, CA 95670 (hereinafter referred to as "Lessee").

1. City and Lessee entered into a certain Lease Agreement ("Agreement") on the 18 day of June, 2002, for the purpose of installing, operating and maintaining a communications facility and other improvements. All of the foregoing are set forth in the Agreement.
2. The term of the Agreement is for an Initial Term of Five (5) years commencing on the date that Lessee provides written notice of commencement and ending on the last day of the month in which the fifth (5th) anniversary of the Commencement Date occurs with automatic Five (5) year Renewal Terms as provided in the Agreement.

3. The portion of the land being leased to Lessee (the "Premises") is described in **Exhibit 1** annexed hereto.
4. The Agreement shall be binding upon and inure to the benefit of the parties and their respective heirs, successors, and assigns, subject to the provisions of the Agreement.

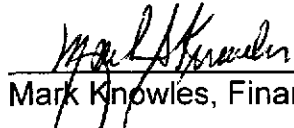
IN WITNESS WHEREOF, the parties have executed this Memorandum of Lease as of the day and year first above written.

City of Mount Vernon:



Mayor Skye Richendrfer

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

ATTEST:


Mark Knowles, Finance Director/City Clerk

JAN 09 2003

Amount Paid \$ 0
Skagit Co. Treasurer
By  Deputy

Approved as to form:


Scott G. Thomas, City Attorney

LESSEE:

AT&T Wireless Services of Washington, LLC, an Oregon limited liability company, d/b/a AT&T Wireless

By: AT&T Wireless Services, Inc., a Delaware corporation, its member

By: 

Print Name: LOUIS R. LEVY

Its: SYSTEM DEVELOPMENT MANAGER

Date: 6/18/02



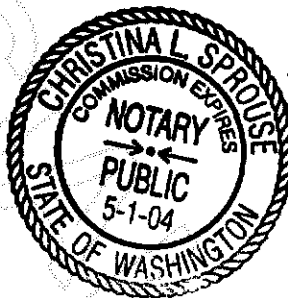
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ACKNOWLEDGEMENTS

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that Skye Richendrfer is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the Mayor of the City of Mount Vernon, Washington to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 5/30/02



Christina Sproule
(Signature)

(Title)

My appointment expires: May 2004

(SEAL or Stamp)

STATE OF WASHINGTON)
) ss:
COUNTY OF KING)

The foregoing instrument was acknowledged before me this 18 day of JUNE, 2002, by Louis R. Levy, System Development Manager of AT&T Wireless Services, Inc., a Delaware corporation, which is the member of AT&T Wireless Services of Washington, LLC, the Oregon limited liability company named in this document, who is personally known to me or who has produced PERSONAL KNOWLEDGE as identification.



Joyce Sanders

Notary Public

Print Name: JOYCE SANDERS

My commission expires: 5/9/06

(SEAL or Stamp)



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EXHIBIT 1

Premises

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Legal Description of the Property:

PARCEL "A":

THAT PORTION OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 34 NORTH, RANGE 4 EAST W.M., DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF LOT 2 OF MOUNT VERNON SHORT PLAT NO. MV-4-87, APPROVED DECEMBER 17, 1987 AND RECORDED DECEMBER 21, 1987, AS AUDITOR'S FILE NO. 8712210075, IN BOOK 8 OF SHORT PLATS, PAGE 8, WHICH IS THE INTERSECTION OF THE NORTH LINE OF THE SOUTH 679 FEET OF SAID SUBDIVISION, WITH THE WEST LINE OF THE EAST 214 FEET OF SAID SUBDIVISION;

THENCE SOUTH 01°01'55" WEST ALONG SAID WEST LINE, A DISTANCE OF 129.02 FEET, MORE OR LESS, TO THE NORTH LINE OF THE SOUTH 550 FEET OF SAID SUBDIVISION;

THENCE NORTH 87°55'05" WEST, A DISTANCE OF 117.70 FEET, MORE OR LESS, ALONG SAID SUBDIVISION TO THE EAST LINE OF THE WEST 333 FEET OF SAID SUBDIVISION;

THENCE NORTH 01°07'38" EAST, A DISTANCE OF 15.33 FEET, MORE OR LESS, ALONG SAID EAST LINE TO THE NORTH LINE OF THE SOUTH 565.33 FEET OF SAID SUBDIVISION;

THENCE NORTH 87°55'03" WEST, A DISTANCE OF 188.62 FEET ALONG SAID NORTH LINE;

THENCE NORTH 01°04'43" EAST A DISTANCE OF 278.63 FEET;

THENCE SOUTH 87°55'04" EAST, A DISTANCE OF 306.07 FEET, MORE OR LESS, TO A POINT ON THE WEST LINE OF THE EAST 214 FEET OF SAID SUBDIVISION;

THENCE SOUTH 01°01'55" WEST ALONG SAID WEST LINE TO THE POINT OF BEGINNING, EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 2 OF MOUNT VERNON SHORT PLAT NO. MV-4-87, APPROVED DECEMBER 17, 1987, AND RECORDED DECEMBER 21, 1987, AS AUDITOR'S FILE NO. 8712210075 IN BOOK 8 OF SHORT PLATS, PAGE 8, WHICH CORNER IS THE INTERSECTION OF THE NORTH LINE OF THE SOUTH 679.00 FEET OF SAID SUBDIVISION WITH THE WEST LINE OF THE EAST 214.00 FEET OF SAID SUBDIVISION;

THENCE SOUTH 01°01'55" WEST 21.02 FEET ALONG SAID WEST LINE TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUE SOUTH 01°01'55" WEST 108.00 FEET ALONG SAID WEST LINE TO THE NORTH LINE OF THE SOUTH 550.00 FEET OF SAID SUBDIVISION;

THENCE NORTH 87°54'52" WEST (CALLED NORTH 87°55'05" WEST IN PREVIOUS DESCRIPTIONS) 117.68 FEET ALONG SAID NORTH LINE TO THE EAST LINE OF THE WEST 333.00 FEET OF SAID SUBDIVISION;



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THENCE NORTH 01°07'34" EAST (CALLED NORTH 01°07'38" EAST IN PREVIOUS DESCRIPTIONS) 15.33 FEET ALONG SAID EAST LINE TO THE NORTH LINE OF THE SOUTH 565.33 FEET OF SAID SUBDIVISION;

THENCE CONTINUE NORTH 1°07'34" EAST 27.67 FEET;

THENCE SOUTH 87°54'52" EAST 53.44 FEET PARALLEL WITH THE SOUTH LINE OF SAID SUBDIVISION TO A POINT BEARING SOUTH 46°11'00" WEST FROM THE TRUE POINT OF BEGINNING;

THENCE NORTH 46°11'00" EAST 90.49 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS, DRAINAGE AND UTILITIES OVER AND ACCROSS THE FOLLOWING DESCRIBED TRACTS (A), (B), (C), AND (D):

(A) THE EAST 30 FEET OF THE NORTH 285.33 FEET OF THE SOUTH 565.33 FEET OF THE WEST 333 FEET OF THE EAST 1/2 OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4;

(B) THE EAST 30 FEET OF THE SOUTH 280 FEET OF THE EAST 1/2 OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4, EXCEPT THE WEST 143.5 FEET THEREOF ALSO EXCEPT THE SOUTH 30 FEET THEREOF, ALSO EXCEPT THAT PORTION OF SAID PREMISES LYING EAST OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE EAST 1/4 CORNER OF SAID SECTION 17;
THENCE NORTH 87°55'03" WEST ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 17, A DISTANCE OF 345.83 FEET;
THENCE NORTH 0°14'33" WEST, A DISTANCE OF 30.02 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUE NORTH 0°14'33" WEST, A DISTANCE OF 250.20 FEET TO THE NORTH LINE OF THE SOUTH 280.00 FEET OF SAID SUBDIVISION AND TO THE TERMINUS OF SAID DESCRIBED LINE.

(C) THE WEST 30 FEET OF THE FOLLOWING DESCRIBED PROPERTY, AS RESERVED ON AUDITOR'S FILE NO. 881583:

THE NORTH 285.33 FEET OF THE SOUTH 565.33 FEET OF THE WEST 333 FEET OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M.,

TOGETHER WITH THE NORTH 285.33 FEET OF THE SOUTH 565.33 FEET OF THE EAST 15 FEET OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 34 NORTH, RANGE 4 EAST W.M.



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(D) THE WEST 30 FEET OF THE FOLLOWING DESCRIBED PROPERTY, AS RESERVED ON AUDITOR'S FILE NOS. 881578 AND 881589:

THE WEST 45 FEET OF THE NORTH 250 FEET OF THE SOUTH 280 FEET OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 34 NORTH, RANGE 4 EAST W.M.

TOGETHER WITH THE EAST 15 FEET OF THE NORTH 250 FEET OF THE SOUTH 280 FEET OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 34 NORTH, RANGE 4 EAST W.M.,

ALSO TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR SANITARY SEWER AND STORM SEWER LINES OVER AND ACCROSS A 15 FOOT WIDE STRIP OF LAND ADJOINING THE SOUTHERLY SIDE OF THE FOLLOWING DESCRIBED LINE:

BEGINING AT THE NORTHWEST CORNER OF THE ABOVE DESCRIBED MAIN TRACT;

THENCE NORTH 87°55'04" WEST ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF THE ABOVE DESCRIBED MAIN TRACT, A DISTANCE

OF 158.19 FEET, MORE OR LESS, TO THE WEST LINE OF THE EAST 15 FEET OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, THE TERMINUS OF THIS LINE DESCRIPTION.

ALSO TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR SANITARY SEWER AND STORM SEWER LINES OVER AND ACCROSS THE SOUTH 1,122.5 FEET OF THE EAST 15 FEET OF THE WEST 1/2 OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4; EXCEPT THE SOUTH 565.33 FEET THEREOF.

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

PARCEL "B":

A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER AND ACROSS THE SOUTH 30 FEET OF LOT 2 OF MOUNT VERNON SHORT PLAT NO. MV-4-87, APPROVED DECEMBER 17, 1987, AND RECORDED DECEMBER 21, 1987, AS AUDITOR'S FILE NO. 8712210075, IN BOOK 8 OF SHORT PLATS, PAGE 8, RECORDS OF SKAGIT COUNTY, BEING A PORTION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 34 NORTH, RANGE 4 EAST W.M.

TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER AND ACCROSS BOTH THE SOUTH 15 FEET OF LOT 1 OF SAID



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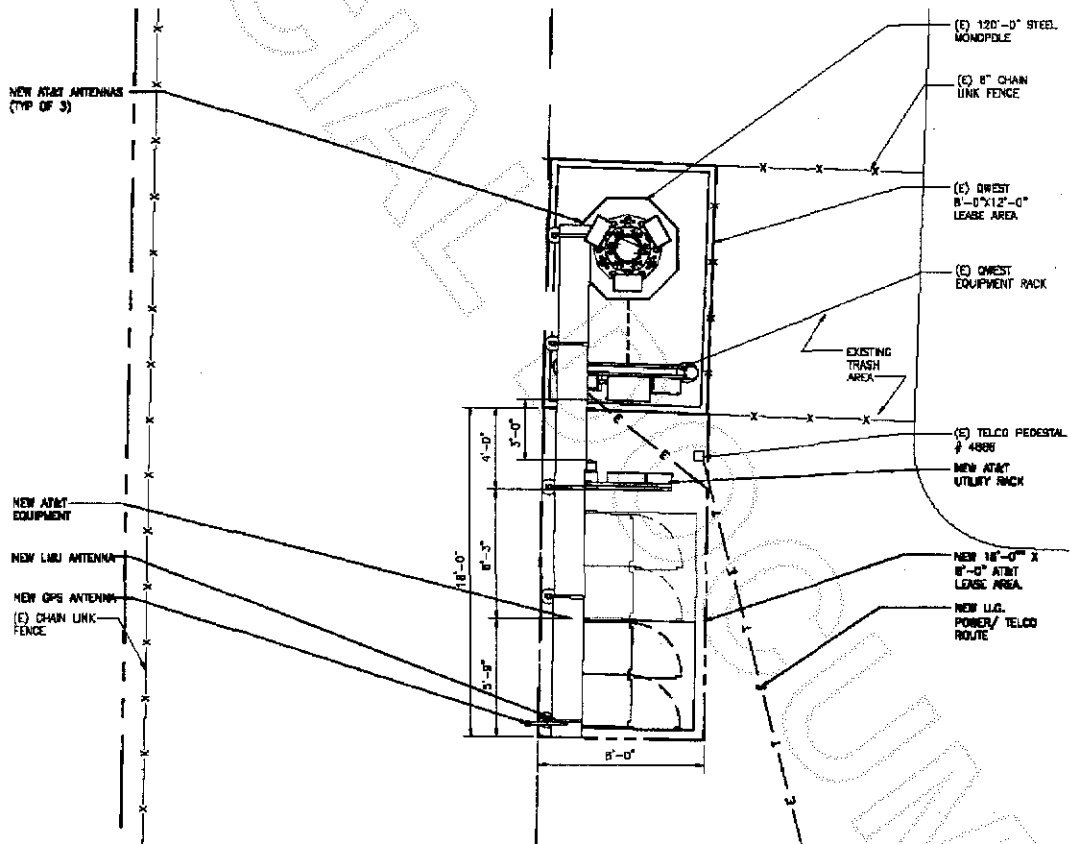
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SHORT PLAT, AND THE NORTH 15 FEET OF THE SOUTH 45 FEET OF LOT 2 OF SAID SHORT PLAT.

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

Depiction of the Site:



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