


After Recording Return To:

Ruth S. Martinson  
Stokes Lawrence, P.S.  
800 Fifth Avenue, Suite 4000  
Seattle, WA 98104-3179

  
200311140202  
Skagit County Auditor  
11/14/2003 Page 1 of 7 11:53AM

Document Title: **Memorandum of Lease**

Reference Number(s) of  
Documents Assigned or Released: **STTLWARN44 Alger / Buggia**  
*Additional reference numbers on page N/A of document.*

Grantor(s): **Whatcom-Skagit Mini Storage LLC, a Washington  
Limited Liability Company**  
*Additional names on page N/A of document.*

Grantee(s): **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**  
*Additional names on page N/A of document.*

Legal Description: **a ptn of Gov. Lot 4, 7-36-4 E W.M.**  
*Complete legal description is on page 4 & 5 of document.*

Assessor's Property Tax  
Parcel/Account Number(s): **36040700080504**

**Prepared by and Return to:**

AT&T Wireless  
2729 Prospect Park Drive  
Rancho Cordova, CA 95670  
Attn.: Lease Administration

**Cell Site No.: STTLWARN44**  
**Cell Site Name: Alger/Buggia**

Legal Description: a ptn of Gov. Lot 4, 7-36-4 E W.M.

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

State: Washington  
County: Skagit

NOV 14 2003

**MEMORANDUM  
OF  
LEASE**

Amount Paid \$ 0  
Skagit Co. Treasurer  
By *DL* Deputy

This Memorandum of Lease is entered into on this 10 day of October, 2003 by and between WHATCOM-SKAGIT MINI STORAGE LLC, a Washington Limited Liability Company, having a mailing address of PO Box 6029, Bellingham, WA 98227 (hereinafter referred to as "**Landlord**") 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 a mailing address of 2729 Prospect Park Drive, Rancho Cordova, CA 95670 (hereinafter referred to as "**Tenant**").

1. Landlord and Tenant entered into a certain Option and Lease Agreement ("**Agreement**") on the 10 day of October, 2003, 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 Tenant commences construction and ending on the last day of the month in which the fifth (5th) anniversary of the Commencement Date occurs, with Five (5) successive five (5) year options to renew.



200311140202  
Skagit County Auditor

3. Landlord owns that certain plot, parcel or tract of land, together with all rights and privileges arising in connection therewith, located at 1771 Patrick Lane, Bellingham, WA 98229, in the County of Skagit, State of Washington (collectively, the "Property"), as described on the attached Exhibit 1. The portion of the land being leased to Tenant (the "Premises") is described on the attached Exhibit 2.
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.

**"LANDLORD"**

WHATCOM-SKAGIT MINI STORAGE LLC,  
a Washington Limited Liability Company

By: Thomas W. Buggitt  
Print Name: Thomas W. Buggitt  
Its: Managing Member  
Date: 9/11/03

**"TENANT"**

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: LR Blum  
Print Name: LR Blum  
Its: SYSTEM DEVELOPMENT MANAGER  
Date: 10/10/03



200311140202  
Skagit County Auditor

11/14/2003 Page

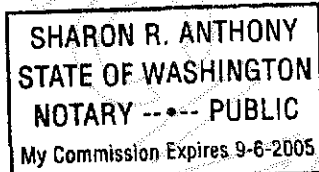
3 of

7 11:53AM

STATE OF WASHINGTON )  
 ) ss:  
COUNTY OF SKAGIT )

On the 11th day of Sept, 2003, before me personally appeared THOMAS W. BOGA and acknowledged under oath that he is the Managing Member of WHATCOM-SKAGIT MINI STORAGE LLC, the Limited Liability Company named in the attached instrument, and as such was authorized to execute this instrument on behalf of the Limited Liability Company.

Sharon R. Anthony  
Notary Public: Mount Vernon  
My Commission Expires: 9-6-2005



STATE OF Washington )  
 ) ss:  
COUNTY OF King )

I CERTIFY that on October 10, 2003, Louis R. Levy personally came before me and this person acknowledged under oath to my satisfaction, that:

- (a) this person signed, sealed and delivered the attached document as System Dev Mgr of AT&T Wireless Services, Inc. a corporation of the State of Delaware, which is the member of AT&T Wireless Services of Washington, LLC, the limited liability company named in this document;
- (b) this document was signed and delivered by the corporation as its voluntary act and deed, as the member of the limited liability company, on behalf of said limited liability company.



Kasey D. Sebastian  
Notary Public: \_\_\_\_\_  
My Commission Expires: 5/1/04



200311140202  
Skagit County Auditor

EXHIBIT 1

DESCRIPTION OF PROPERTY

Page 1 of 2

to the Agreement dated 10/10, 2003, by and between WHATCOM-SKAGIT MINI STORAGE LLC, a Washington Limited Liability Company, as Landlord, 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, as Tenant.

The Property is described as follows:

That portion of Government Lot 4 of Section 7, Township 36 North, Range 4 East W.M., Skagit County, Wa., described as follows:

Beginning at the Southwest corner of said Government Lot 4;  
thence South 89°01'34" East 1451.78 feet to the Southeast corner of said Government Lot 4, being the Southeast corner of Skagit County S.P. No. 11-85, as filed under A.F. No. 8603110018 and the point of beginning;  
thence North 00°18'56" West along the East line of said Government Lot and said Short Plat a distance of 1201.82 feet to the Southerly line of Alger-Lake Samish Road;  
thence North 70°55'30" West along said Southerly line a distance of 261.41 feet to the centerline of Patrick Lane as shown upon said Short Plat;  
thence South 03°20'47" East along said centerline a distance of 22.10 feet;  
thence South 25°41'33" West along said centerline a distance of 215.99 feet;  
thence South 03°03'26" West along said centerline a distance of 123.31 feet;  
thence North 89°01'34" West 290.00 feet;  
thence South 30°00'00" West 150.00 feet;  
thence South 13°00'00" West 100.00 feet;  
thence South 15°50'30" West 104.59 feet to the Easterly line of Interstate Highway No. 5;  
thence Southerly along said Easterly line of the following courses: South 23°56'55" East 301.93 feet;  
thence South 27°24'52" East 146.80 feet;  
thence South 27°56'00" East 237.89 feet to the South line of said Government Lot 4;  
thence South 89°01'34" East along said South line a distance of 467.09 feet to the point of beginning.

TOGETHER WITH an easement for ingress, egress and utilities, described as follows:

Beginning at the intersection of the Southerly line of Alger-Lake Samish Road with the Easterly line of Interstate Highway No. 5;  
thence Southerly along said Easterly line as shown on Skagit Co. S.P. No. 11-85 the following courses:  
South 19°04'31" West 95.97 feet;  
thence South 12°27'14" West 308.83 feet;  
thence South 05°44'23" East 150.30 feet;  
thence departing from said Easterly line of Interstate Hwy. No. 5 South 89°01'34" East 489.51 feet to the Westerly line of Patrick Lane as shown on said S.P.;  
thence North 03°03'26" East along said Westerly line a distance of 20.01 feet;

- continued -



200311140202  
Skagit County Auditor

11/14/2003 Page

5 of

7 11:53AM

**EXHIBIT 1**

**DESCRIPTION OF PROPERTY**

Page 2 of 2

**DESCRIPTION CONTINUED:**

thence departing therefrom North 89°01'34" West 462.38 feet to a line parallel to and 30 feet Easterly of said Easterly line of Interstate Hwy. No. 5;  
thence North 05°44'23" West parallel to said Easterly line a distance of 128.89 feet;  
thence North 12°27'14" East parallel to said Easterly line a distance of 73.47 feet;  
thence South 89°01'34" East 30.61 feet to a line parallel to and 60 feet Easterly of said Easterly line;  
thence North 12°27'14" East parallel to said Easterly line a distance of 221.00 feet;  
thence North 19°04'31" East parallel to said Easterly line a distance of 32.50 feet;  
thence North 66°21'56" East 88.46 feet to said Southerly line of Alger-Lake Samish Road;  
thence North 70°55'30" West along said Southerly line a distance of 125.00 feet to the point of beginning.

ALSO an easement for ingress, egress and utilities over that portion of the above described Patrick Lane lying North of the Easterly projection of the South line of the 20-foot wide portion of the above described easement.

ALSO TOGETHER WITH a perpetual easement to draw and use the entire supply of water produced by Wells No. 1 and 2; a perpetual easement to install and maintain water pipelines therefrom, and well protection zone easements, all as more particularly described in instrument recorded February 15, 1994, under Auditor's File No. 9402150001,

AND, TOGETHER WITH a non-exclusive perpetual easement to construct and maintain utility service lines and appurtenances thereto, more particularly described in Easement for Utilities recorded June 29, 1999, under Auditor's File No. 9906290080.

Situate in the County of Skagit, State of Washington.



200311140202

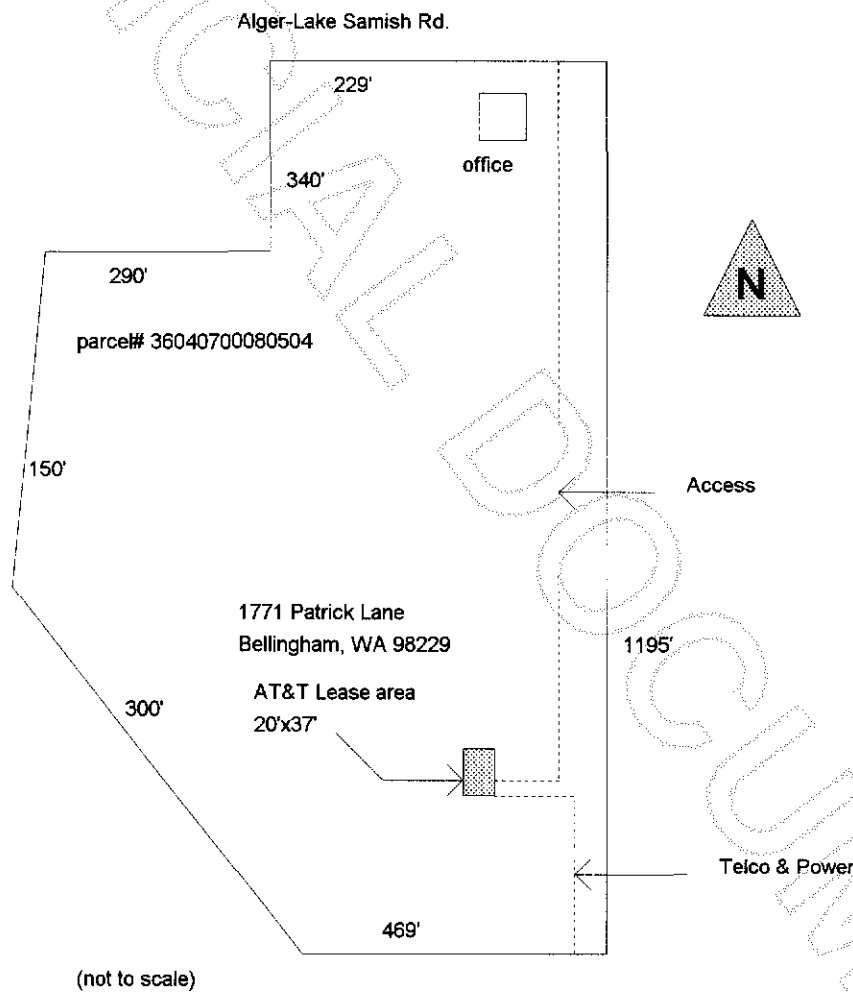
Skagit County Auditor

**EXHIBIT 2**

**DESCRIPTION OF PREMISES**

to the Agreement dated 10/1/03, 2003 by and between WHATCOM-SKAGIT MINI STORAGE LLC, a Washington Limited Liability Company, as Landlord, 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, as Tenant.

The Premises is described and/or depicted as follows:



200311140202  
Skagit County Auditor