



200906160051
Skagit County Auditor

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AFTER RECORDING, RETURN TO:

New Cingular Wireless PCS, LLC
12555 Cingular Way, Suite 1300
Alpharetta, GA 30004
Attn: Network Real Estate Administration

Document Title: MEMORANDM OF LEASE

Reference number of documents assigned or released:

Grantor/Landlord: City of Anacortes, a Washington municipal corporation

Grantee/Tenant: New Cingular Wireless PCA, LLC, a Delaware limited liability company

Partial Legal Description: (full description on Exhibit 1)

Tract A, "PLAT OF NORMAN & WOOD'S SUB-DIVISION," as per plat recorded in Volume 4 of Plats, page 56, records of Skagit County, Washington.

Assessor's Parcel/Tax I.D. Number:

P58134

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

JUN 16 2009

Audited For:
Sergey On: [Signature]

[Signature]

Prepared by:

Elaine Ward
SAI Communications Inc.
130 Andover Park East, Suite 300
Seattle, WA 98188

Re: Cell Site #: SN2818; Cell Site Name: Anacortes West (WA)
Fixed Asset No: 10100436
State: Washington
County: Skagit

**MEMORANDUM
OF
LEASE**

This Memorandum of Lease is entered into on this 8th day of June 2009, by and between City of Anacortes, a Washington municipal corporation, having a mailing address of P.O. Box 547, Anacortes, WA 98221 (hereinafter referred to as "**Landlord**") and New Cingular Wireless PCS, LLC, a Delaware limited liability company, having a mailing address of 12555 Cingular Way, Suite 1300, Alpharetta, GA 30004 (hereinafter referred to as "**Tenant**").

1. Landlord and Tenant entered into a certain Option and Lease Agreement ("**Agreement**") on the 8th day of June 2009, for the purpose of installing, operating and maintaining a communications facility and other improvements. All of the foregoing is set forth in the Agreement.

2. The initial lease term will be five (5) years ("**Initial Term**") commencing on the effective date of written notification by Tenant to Landlord of Tenant's exercise of the Option, with four (4) successive five (5) year options to renew.

3. The portion of the land being leased to Tenant (the "**Premises**") is described in **Exhibit 1** annexed hereto.

4. This Memorandum of Lease is not intended to amend or modify, and shall not be deemed or construed as amending or modifying, any of the terms, conditions or provisions of the

Agreement, all of which are hereby ratified and affirmed. In the event of a conflict between the provisions of this Memorandum of Lease and the provisions of the Agreement, the provisions of the Agreement shall control. 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.



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

LANDLORD

City of Anacortes, a Washington municipal corporation

By: H. Dean Maxwell
Dean Maxwell, Mayor

Date: 6/8/09

Attest:

Steve Hoglund
Steve Hoglund, City Clerk

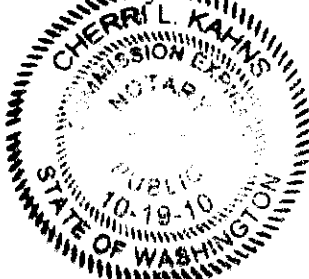
Approved as to form:

Bradford E. Furlong
Bradford E. Furlong, WSBA # 12924
City Attorney

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this 8th day of June before me, the undersigned, a Notary Public in and for the state of Washington, duly commissioned and sworn, personally appeared Dean Maxwell and Steve Hoglund to me known to be the Mayor and City Clerk, respectively of the City of Anacortes, the municipal corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument,

Witness my hand and official seal hereto affixed the say and year first above written.



Cheri L. Kahns
Notary Public in and for the state of Washington
Washington, residing at Mount Vernon
My commission expires: 10-19-10
Printed Name: Cheri L. Kahns

MEMORANDUM OF LEASE
LANDLORD: CITY OF ANACORTES
TENANT: NEW CINGULAR WIRELESS

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TENANT

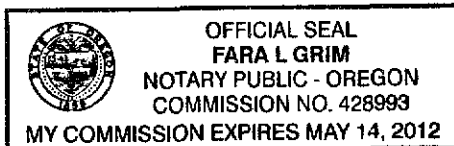
New Cingular Wireless PCS, LLC,
a Delaware limited liability company

By: W. Wat
Its: Sr. Mgr.
Date: 5-29-09

Oregon
STATE OF ~~WASHINGTON~~)
Washington ss.
COUNTY OF ~~KING~~)

On this 29 day of May 2009 before me, the undersigned, a Notary Public in and for the state of Washington, duly commissioned and sworn, personally appeared Wayne Weston Oregon to me known to be the Sr. Mgr. of the New Cingular Wireless PCS, LLC, a Delaware limited liability company that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said limited liability company, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument,

Witness my hand and official seal hereto affixed the say and year first above written.



Fara L. Grim
Notary Public in and for the state of Oregon
Washington, residing at Portland
My commission expires: 5/14/12
Printed Name: Fara L Grim

MEMORANDUM OF LEASE
LANDLORD: CITY OF ANACORTES
TENANT: NEW CINGULAR WIRELESS

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EXHIBIT 1

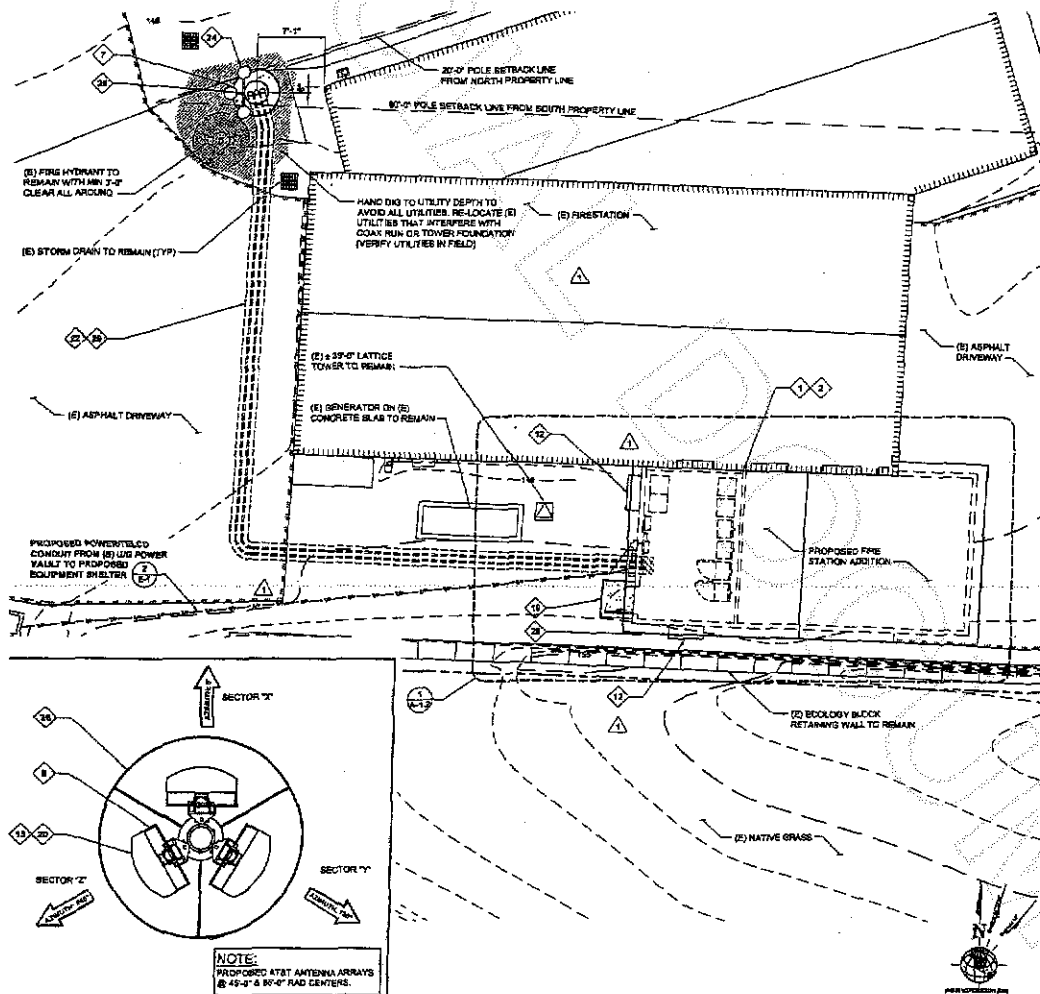
DESCRIPTION & DEPICTION OF PREMISES

Tract A, "PLAT OF NORMAN & WOOD'S SUB-DIVISION," as per plat recorded in Volume 4 of Plats, page 56, records of Skagit County, Washington.

EXCEPT the East 310 feet thereof;

ALSO EXCEPT that sixty foot strip of land conveyed to the City of Anacortes for road purposes by deed recorded May 23, 1930, under Auditor's File No. 234115, records of Skagit County, Washington.

Situate in the City of Anacortes, County of Skagit, State of Washington.



MEMORANDUM OF LEASE
LANDLORD: CITY OF ANACORTES
TENANT: NEW CINGULAR WIRELESS

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