



201002160152
Skagit County Auditor

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RETURN ADDRESS

Central Property Search
9 Lawn Ave Suite 200
Norristown, PA 19403
450673-R

Please Type or Print Neatly & Clearly All Information

Document Title(s) MEMORANDUM OF FIRST AMENDMENT TO
OPTION AND LAND LEASE

Reference Number(s) of Related Documents

200303190150, 200303190152

Grantor(s) (Last Name, First & Middle Initial)

Rose Simonsohn, F/K/A Rose Ann Hilde, an
Individual dealing with her sole and separate property

Grantee(s) (Last Name, First & Middle Initial)

Golden State Towers LLC, a Delaware limited
liability company

Legal Description (Abbreviated form is acceptable) i.e. Section/Township/Range/1/4 Section

PTM S/2 S/2 NE1/4 SW1/4, PTM N1/2 N1/2 SE1/4
SW1/4, and the NW1/4 NW1/4 SE1/4

Assessor's Tax Parcel ID Number: 024761

The County Auditor will rely on the information provided on this form. The Staff will not read the document to verify the Accuracy or completeness of the indexing information provided herein.

Sign below only if your document is Non-Standard.

I am requesting an emergency non-standard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some parts of the text of the original document. Fee for non-standard processing is \$50.

[Signature]
Signature of Requesting Party

BU# 873600

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8 LAWN AVENUE SUITE 200
NORRISTOWN, PA 19403

#450673-R

**MEMORANDUM OF FIRST AMENDMENT TO
OPTION AND LAND LEASE**

Lessor: Rose Simonseth, f/k/a Rose Ann Hilde, an individual
dealing with her sole and separate property

Lessee: GoldenState Towers LLC, a Delaware limited liability
company

Abbreviated Legal Description: Ptn S/2 S/2 NE/4 SW/4; Ptn N/2 N/2 SE/4 SW/4; and the
NW/4 NW/4 SE/4; and the SW/4 NW/4 SE/4
14-34-4 W.M., Skagit County, WA.
See Exhibit A for legal descriptions.

Assessor's Tax Parcel ID #: P24761

Prior Recorded Document#: March 19, 2003 at #200303190150

Site ID: Baker Heights (BUN 873600)

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

FEB 16 2010

Amount Paid \$
Skagit Co. Treasurer
By Deputy

Lr



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Skagit County Auditor

This Memorandum of First Amendment to Option and Land Lease is made effective this 30th day of SEPTEMBER, 2009 by and between ROSE SIMONSETH, f/k/a Rose Ann Hilde, an individual dealing with her sole and separate property, with a mailing address of 711 S. First Street, Mount Vernon, Washington 98273-3812 (hereinafter referred to as "Lessor") and GOLDENSTATE TOWERS LLC, a Delaware limited liability company, with its principal offices located at 2000 Corporate Drive, Canonsburg, Pennsylvania 15317 (hereinafter referred to as "Lessee").

1. Lessor and SBA Properties, Inc., a Florida corporation ("Original Lessee") entered into an Option and Land Lease dated September 27, 2001, a memorandum of which was recorded on March 19, 2003 at Instrument No. 200303190150 (the "Lease") whereby Original Lessee leased certain real property, together with access and utility easements, located in Skagit County, Washington from Lessor (the "Premises"), all located within certain real property owned by Lessor ("Lessor's Property"). Lessor's Property, of which the Premises is a part, is more particularly described on Exhibit A attached hereto. The Premises is more particularly described on Exhibit B attached hereto.

2. GoldenState Towers LLC is currently the Lessee under the Lease as successor in interest to the Original Lessee, as more fully set forth in the Option and Land Lease Assignment and Assumption Agreement recorded on March 19, 2003 at Instrument No. 200303190152 in the Office of the Skagit County Auditor, Washington.

3. The Lease had an initial term that commenced on October 2, 2002 and expired on October 1, 2007. The Lease provides for four extensions of five years each, the first of which was exercised by Lessee (each extension is referred to as a "Renewal Term"). According to the Lease, the final Renewal Term expires October 1, 2027.



4. Lessor and Lessee have entered into a First Amendment to Option and Land Lease (the "First Amendment"), of which this is a Memorandum, providing for five additional Renewal Terms of five years each. Pursuant to the First Amendment, the final Renewal Term expires on October 1, 2052.

5. The terms, covenants and provisions of the First Amendment shall extend to and be binding upon the respective executors, administrators, heirs, successors and assigns of Lessor and Lessee.

6. This Memorandum does not contain the social security number of any person.

7. A copy of the First Amendment is on file with Lessor and Lessee.

[Execution Pages Follow]



EXHIBIT A
(Legal Description of Lessor's Property)

Parcel A: That portion of the South 1/2 of the South 1/2 of the Northeast 1/4 of the Southwest 1/4 lying east of the county road, and that portion of the North 1/2 of the North 1/2 of the Southeast 1/4 of the Southwest 1/4 lying east of the county road, EXCEPT that portion as conveyed to F.J. Young by deed dated June 27, 1922, and recorded October 10, 1922 in Volume 127 of Deeds, page 569, records of Skagit County, Washington. Together with the right of way as reserved in the aforesaid deed. All in Section 14, Township 34 North, Range 4 East, W.M.

Parcel B: The Northwest 1/4 of the Northwest 1/4 of the Southeast 1/4 and the Southwest 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 14, Township 34 North, Range 4 East, W.M., LESS road rights of way.

Site Name: Baker Heights
Business Unit #: 873600



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EXHIBIT B
(Legal Description of Premises)

TOWER LEASE AREA:

A parcel of land located in the Southeast Quarter of Section 14, Township 34 North, Range 4 East, Willamette Meridian, in Skagit County, Washington, more particularly described as follows:

Commencing at a 1" iron pipe marking the north quarter corner of Section 14, Township 34 North, Range 4 East, Willamette Meridian, from which the center quarter corner of said Section 14, as shown on record of survey as recorded in Auditor's File Number 8801280053, bears North 89°35'34" West, a distance of 2697.28 feet;

thence North 89°35'34" West along the north line of the Southeast Quarter of said Section 14, a distance of 2022.63 feet;

thence South 01°37'08" East, a distance of 30.02 feet to a ½" rebar with plastic cap, marked "D.S." "9622", on the south right-of-way line of Gunderson Road and the northeast corner of Parcel "A" as shown on said record of survey;

thence continuing South 01°37'08" East along the east line of said Parcel "A", a distance of 188.84 feet;

thence leaving said east line South 88°22'52" West, a distance of 218.73 feet to the **Point of Beginning**;

thence South 30°36'59" West, a distance of 100.00 feet;

thence North 59°23'01" West, a distance of 100.00 feet;

thence North 30°36'59" East, a distance of 100.00 feet;

thence South 59°23'01" East, a distance of 100.00 feet to the **Point of Beginning**;

SUBJECT TO:

Existing rights-of-way and easements of record and or appearing on said above described parcel.

Containing 10,000.00 square feet or 0.230 acres, more or less.

Site Name: Baker Heights
Business Unit #: 873600

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ACCESS & UTILITY EASEMENT:

A strip of land 20 feet in width across a parcel of land located in the Southeast Quarter of Section 14, Township 34 North, Range 4 East, Willamette Meridian, in Skagit County, Washington, being 10 feet wide on each side of the following described centerline:

Commencing at a 1" iron pipe marking the north quarter corner of Section 14, Township 34 North, Range 4 East, Willamette Meridian, from which the center quarter corner of said Section 14, as shown on record of survey as recorded in Auditor's File Number 8801280053, bears North 89°35'34" West, a distance of 2697.28 feet;

thence North 89°35'34" West along the north line of the Southeast Quarter of said Section 14, a distance of 2022.63 feet;

thence South 01°37'08" East, a distance of 30.02 feet to a ½" rebar with plastic cap, marked "D.S." "9622", on the south right-of-way line of Gunderson Road and the northeast corner of Parcel "A" as shown on said record of survey;

thence continuing South 01°37'08" East along the east line of said Parcel "A", a distance of 188.84 feet;

thence leaving said east line South 88°22'52" West, a distance of 218.73 feet to the northeast corner of tower easement area;

thence South 30°36'59" West along the east line of said tower easement area, a distance of 100.00 feet to the southeast corner of said tower easement area;

thence North 59°23'01" West along the south line of the said tower easement area, a distance of 61.19 feet to the **Point of Beginning**;

thence South 49°11'46" West, a distance of 48.95 feet to the beginning of a 20.00 foot radius curve to the right having a chord bearing of North 87°48'57" West, a distance of 27.27 feet;

thence along said curve to the right, through a central angle of 85°58'34", an arc distance of 30.01 feet;

thence North 44°49'40" West, a distance of 210.19 feet;

thence North 46°14'31" West, a distance of 125.75 feet to the beginning of a 100.00 foot radius curve to the right having a chord bearing of North 35°18'05" West, a distance of 37.96 feet;



thence along said curve to the right, through a central angle of $21^{\circ}52'51''$, an arc distance of 38.19 feet;

thence North $24^{\circ}21'39''$ West, a distance of 9.18 feet to the south right-of-way line of Gunderson Road and the **Point of Terminus**.

The side lines of said easement are to be shortened and/or lengthened to terminate on the south line of the tower easement area and the south right-of-way line of said Gunderson Road;

SUBJECT TO:

Existing rights-of-way and easements of record and or appearing on said above described parcel.

Containing 9,245 square feet or 0.212 acres, more or less.



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