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Skagit County Auditor

Prepared by and Return to:

Richard J. Busch
Busch Law Firm PLLC
1420 NW Gilman Blvd #2726
Issaquah, WA 98027

**MEMORANDUM
OF
LEASE**

Grantor Name: Reisner Family Properties, LLC
Grantee Name: New Cingular Wireless PCS, LLC
Legal Description: [Insert Abbreviated Legal Desc]
Official legal description attached as Exhibit 1
Assessor's Tax Parcel ID #: 340203-0-022-0009, 340203-0-022-1009, 340203-0-022-2009
Cell Site: SN4999 Andeavor Refinery SE 03/34/02
FA #: 14744132

This Memorandum of Lease is entered into on this ^{26TH} day of ~~JANUARY, 2020~~ ^{JANUARY, 2023}, by and between Reisner Family Properties, LLC, a Washington limited liability company, having a mailing address at PO BOX 409, Anacortes, WA 98221 (hereinafter called "**Landlord**"), and New Cingular Wireless PCS, LLC, a Delaware limited liability company, having a mailing address of 1025 Lenox Park Blvd NE, 3rd Floor, Atlanta, GA 30319 ("**Tenant**").

1. Landlord and Tenant entered into a certain Land Lease Agreement ("**Agreement**") on the ^{26TH} day of ~~JANUARY, 2020~~ ^{JANUARY, 2023}, for the purpose of installing, operating and maintaining a communication facility and other improvements. All of the foregoing is set forth in the Agreement.
2. The initial lease term will be five (5) years commencing on the Effective Date, with Four (4) successive automatic five (5) year options to renew.
3. The portion of the land being leased to Tenant and associated easements are described in **Exhibit 1** annexed hereto.
4. The Agreement gives Tenant a right of first refusal in the event Landlord receives a bona fide written offer from a third party seeking any sale, conveyance, assignment or transfer, whether in whole or in part, of any property interest in or related to the Premises, including without limitation any offer seeking an assignment or transfer of the Rent payments associated with the Agreement or an offer to purchase an easement with respect to the Premises.
5. 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.

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

LANDLORD:

Reisner Family Properties, LLC,
a Washington limited liability company

By: K HigginsPrint Name: Kim HigginsIts: memberDate: 4-21-21**TENANT:**

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

By: AT&T Mobility Corporation

Its: Manager

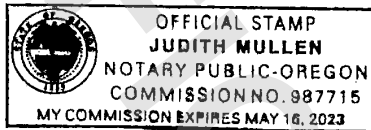
By: Wayne WootenPrint Name: WAYNE WOOTENIts: DirectorDate: 4-15-21

[ACKNOWLEDGMENTS APPEAR ON NEXT PAGE]

TENANT ACKNOWLEDGMENT

STATE OF OREGON)
) ss:
 COUNTY OF WASHINGTON)

On the 15th day of April, 2024, before me personally appeared Wayne Wooten, and acknowledged under oath that he/she is the Director of AT&T Mobility Corporation, the Manager of New Cingular Wireless PCS, LLC, the Tenant named in the attached instrument, and as such was authorized to execute this instrument on behalf of the Tenant.

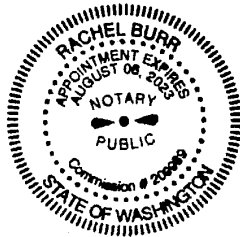


Judith Mullen
 Notary Public: Judith Mullen
 My Commission Expires: 5/16/2023

LANDLORD ACKNOWLEDGMENT

STATE OF WA)
) ss:
 COUNTY OF Skagit)

On the 21st day of January, 2021 before me, personally appeared Kimberly Higgins, who acknowledged under oath, that he/she is the person/officer named in the within instrument, and that he/she executed the same in his/her stated capacity as the voluntary act and deed of the Landlord for the purposes therein contained.



Rachel Burr
 Notary Public: Rachel Burr
 My Commission Expires: 8/8/2023

EXHIBIT 1 TO MEMORANDUM OF LEASE
DESCRIPTION OF PROPERTY AND PREMISES

Page 1 of 2

to the Memorandum of Lease dated _____, 2020, by and between Reisner Family Properties, LLC, a Washington limited liability company, as Landlord, and New Cingular Wireless PCS, LLC, a Delaware limited liability company, as Tenant.

The Property is legally described as follows:

TRACT ONE:

That portion of the West ½ of the Southeast ¼ of Section 3, Township 34 North, Range 2 East, W.M., described as Parcel "C" on the face of that certain Survey recorded under Auditor's File No. 9712230026 in Volume 20 of Surveys, page 32, records of Skagit County, Washington.

TRACT TWO:

That portion of the West ½ of the Southeast ¼ of Section 3, Township 34 North, Range 2 East, W.M., described as Parcels "B" and "C" on the face of that certain Survey recorded under Auditor's File No. 9712230024 in Volume 20 of Surveys, page 30, records of Skagit County, Washington.

TRACT THREE:

That portion of the West ½ of the Southeast ¼ of Section 3, Township 34 North, Range 2 East, W.M., described as Parcel "A" on the face of that certain Survey recorded under Auditor's File No. 9712230024 in Volume 20 of Surveys, page 30, records of Skagit County, Washington.

TRACT THREE-A:

A non-exclusive easement for ingress, egress and utilities over, across and under Parcel "B" of said Survey recorded under Auditor's File No. 9712230024; AND a non-exclusive easement for ingress, egress and utilities over, across and under that certain Northwesterly portion of Parcel "C" of said Survey recorded under Auditor's File No. 9712230024 lying within 20 feet of the Southwest corner of Parcel "A" as described on the face of said Survey recorded under Auditor's File No. 9712230024, records of Skagit County, Washington.

TRACT FOUR:

That portion of the East ½ of the Southeast ¼ of Section 3, Township 34 North, Range 2 East, W.M., described as Parcels "A" and "B" on the face of that certain Survey recorded under Auditor's File No. 9712230026 in Volume 20 of Surveys, page 32, records of Skagit County, Washington.
Situate in the County of Skagit, State of Washington.

EXHIBIT 1 TO MEMORANDUM OF LEASE
DESCRIPTION OF PROPERTY AND PREMISES

Page 2 of 2

to the Memorandum of Lease dated _____, 2020, by and between Reisner Family Properties, LLC, a Washington limited liability company, as Landlord, and New Cingular Wireless PCS, LLC, a Delaware limited liability company, as Tenant.

The Premises are described and/or depicted as follows:

