

2009-000251

Klamath County, Oregon



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01/09/2009 09:28:48 AM

Fee: \$61.00

**FILED FOR RECORD AT REQUEST OF  
AND WHEN RECORDED RETURN TO:**

Verizon Wireless  
Attn: Northwest Real Estate, M/S 231  
15900 SE Eastgate Way  
Bellevue, WA 98008

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**Memorandum of Agreement**

Grantor:	United States Cellular Operating Company of Medford, an Oregon corporation, c/o U.S. Cellular
Grantee:	RCC Atlantic, Inc., a Minnesota corporation
Legal Description:	S15, T36S, R6E, W.M., Klamath County, State of Oregon Official legal description attached as Exhibit "A"
Tax Parcel Ref. #:	

VZW Site: OR6 ROCKYPOINT

ORIGINAL

MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT, dated December 1, 2008, by and between United States Cellular Operating Company of Medford, an Oregon corporation, c/o U.S. Cellular® ("Licensor") and RCC Atlantic, Inc., a Minnesota corporation ("Licensee").

WITNESSETH:

**Recitals**

By "License Agreement" dated December 1, 2008 (the "Agreement"), between Licensor and Licensee, Licensor has agreed to allow Licensee the privilege of placing certain improvements and fixtures on certain real property located in Klamath Falls County, Oregon (Licensor's Property"), legally described on Exhibit A attached hereto and made a part hereof. Licensor and Licensee now desire to enter into this Memorandum of Agreement, to record such Memorandum of Agreement in the Klamath County Clerk's Office, to give record notice of the Agreement.

**Memorandum of Agreement**

Pursuant to the Agreement, Licensor and Licensee do hereby state the following:


1. The name of the Licensor is United States Cellular Operating Company of Medford, an Oregon corporation.
2. The name of the Licensee is RCC Atlantic, Inc. a Minnesota Corporation.
3. Licensor has agreed to license space for certain improvements and fixtures to Licensee pursuant to the terms, provisions and conditions contained in the Agreement.
4. The address of Licensor set forth in the Agreement is: Attn: Real Estate, c/o U.S. Cellular, 8410 West Bryn Mawr Ave., Suite 700, Chicago, IL 60631, and the address of Licensee set forth in the Agreement is: RCC Atlantic, Inc., 3905 Dakota Street, Alexandria, MN 56308
5. The date of the Agreement is December 1, 2008.
6. A description of the Licensee's ground space on Licensor's Property attached hereto and made a part hereof as Exhibit B.
7. The initial term of the Agreement shall run from September 1, 2008 until August 31, 2013; and, thereafter, Licensee has four (4) options of five (5) years each to renew the Agreement.

8. Licensee agrees to execute and deliver to Licensor such reasonable documents as Licensor may request upon the expiration or any earlier termination of the term of the Agreement to terminate and release this Memorandum of Agreement in the Clerk's Office.
9. Licensor executes this Memorandum of Agreement for the sole purpose of providing record notice of the Agreement in the Klamath County Clerk's Office. Any conflict between the terms of this Memorandum of Agreement and the Agreement shall be resolved in accordance with the terms, provisions, and conditions contained in the Agreement, which are paramount and controlling.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Agreement as of this 1st day of December, 2008.


**LICENSOR:**

United States Cellular Operating Company of  
Medford

By:   
Name: Steven T. Campbell  
Title: Exec. VP, CFO & Treasurer

**LICENSEE:**

RCC Atlantic, Inc. a Minnesota corporation

By:  11/21/08

Name: Walter L. Jones, Jr.  
Title: West Area Vice President-Network

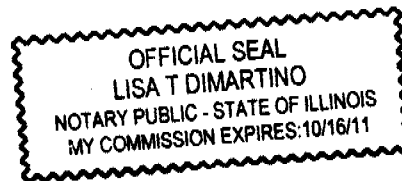
STATE OF ILLINOIS     )  
                                      )  
COUNTY OF COOK        )

I hereby certify that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid, to take acknowledgments, personally appeared Steven T. Campbell, as ~~Exec.~~ VP, ~~CFO~~ & Treasurer of United States Cellular Operating Company of Medford, to me known to be the person described in and who executed the foregoing instrument and who acknowledged before me that he executed the same in the capacity aforestated.

WITNESS my hand and official seal in the County and State last aforesaid the 1st day of December, 2008.

Sign Name: Lisa T. Dimartino  
Print Name: Lisa T. Dimartino  
Notary Public

My Commission Expires: 10/16/11



STATE OF \_\_\_\_\_ )  
                                      )  
COUNTY OF \_\_\_\_\_ )

I hereby certify that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid, to take acknowledgments, personally appeared \_\_\_\_\_, as \_\_\_\_\_ of RCC Atlantic, Inc., a Minnesota corporation, to me known to be the person described in and who executed the foregoing instrument and who acknowledged before me that he executed the same in the capacity aforestated.

WITNESS my hand and official seal in the County and State last aforesaid the \_\_\_\_ day of \_\_\_\_\_, 2008.

Sign Name: \_\_\_\_\_

Print Name: \_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

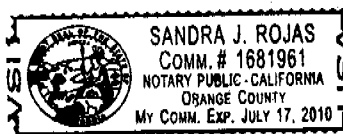
State of California    )  
                                  )  
County of Orange     )

On 11/21/08 before me, Sandra J Rojas, Notary Public,  
Personally appeared Walter L. Jones, Jr., who proved to me on the basis of satisfactory  
evidence to be the person whose name is subscribed to the within instrument and  
acknowledged to me that he executed the same in his authorized capacity, and that by his  
signature on the instrument the person, or the entity upon behalf of which the person  
acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that  
the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Sandra J Rojas  
Signature of Notary Public



Place Notary Seal Above

**EXHIBIT A**

Legal Description

Attached Hereto and Incorporated Herein

following described lands in the County of Klamath, State of Oregon, NW1/4 Sec. 15, T. 36 S., R. 6 E., WM

RCC ATLANTIC, INC.  
ROCKY POINT  
COMMUNICATION SITE  
SITE# OR 3700  
Upper Klamath Lake  
Klamath County, Oregon  
Latitude: 42° 26' 29.4"  
Longitude: 122° 06' 25.8"  
Elevation: 4,806  
U.S. CELLULAR TOWER  
SITE #349414





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