

2009-009012

Klamath County, Oregon



00068719200900090120050053

07/01/2009 09:30:08 AM

Fee: \$41.00

Return to:

Richard Busch
Busch Law Firm PLLC
5400 Carillon Point
Kirkland, WA 98033

MEMORANDUM OF LEASE

Grantor: Subcarrier Communications, Inc.

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

True Consideration Paid: Does not apply.

Address for Tax Mailings: Does not apply.

Site Number: KF20

Site Name: LaPine S. Masten

State: Oregon

County: Klamath

Unofficial Copy

Memorandum of Site Lease Acknowledgment (Lease)

Site Name: La Pine, OR

This Memorandum evidences that a sublease was made and entered into by written Site Lease Acknowledgment dated March 4, 2009 ("SLA") between SUBCARRIER COMMUNICATIONS, INC. ("Landlord") and **New Cingular Wireless PCS, LLC, a Delaware limited liability company** ("Tenant"), the terms and conditions of which are incorporated herein by reference.

The SLA provides in part that Landlord leases to Tenant a portion of a certain site ("Site") located on _____ within the property of SUBcarrier COMMunications, Inc. ("Owner") which is described in Attachment "I" attached hereto, with grant of rights of access thereto and to electric and telephone facilities for a term of five (5) years commencing upon commencement of construction or installation of equipment at the Premises or the date Tenant notifies Landlord in writing that Tenant has waived its right to terminate such SLA pursuant to Section 5 of the Agreement, whichever occurs first, which term may be subject to four (4) additional five (5) year extension periods by Tenant.

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

LANDLORD

SUBCARRIER COMMUNICATIONS, INC.

By: J. Paley

Address: 139 White Oak Lane
Old Bridge, NJ 08857

TENANT

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

By: [Signature]

Address: **12555 Cingular Way, Suite 1300, Alpharetta, GA 30004**

**Attachment "I" To The Memorandum Of
Site Lease Acknowledgement**


Site Name:

Legal Description of the Premises (Attach copies of Attachments 1, 2, and 3 of the Site Lease Acknowledgement): See Attachments 1, 2 and 3 attached hereto.

STATE OF New Jersey

COUNTY OF Middlesex

The foregoing instrument was acknowledged before me this 4th day of March, 2009
by John Paleski, President, on behalf of SUBcarrier COMMUNICATIONS, Inc.



Notary Public

KERRIL SULLIVAN
Notary Public, State of New Jersey
My Commission Expires 05 / 07 / 2012

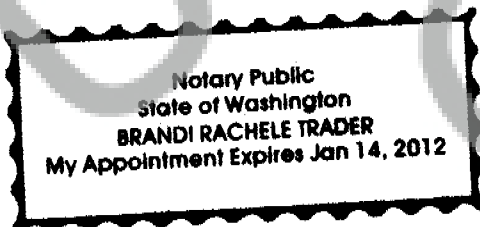
STATE OF WA

COUNTY OF King

The foregoing instrument was acknowledged before me this 24th day of February, 2009
by E. Don MacLeod, on behalf of NewCingular Wireless PCS, LLC



Notary Public



Attachment "1" to the SLA

Description of Site

COMMUNICATIONS LEASE SITE:

Communications Lease Site:

A 100 foot by 100 foot tract of land lying within that property described in instrument number M99-43217 of the Deed Records of Klamath County, Oregon and more particularly described as follows:

Beginning at a 5/8 inch iron rod with a yellow plastic cap marked "LAND MARK PLS 2287" at the northeast corner of a communications lease site from which the East One-Quarter Corner of Section 18, Township 23 South, Range 10 East, Willamette Meridian, Klamath County, Oregon bears North 87°22'58" East 1587.67 feet; thence South 100.00 feet to a 5/8 inch iron rod with a yellow plastic cap marked "LAND MARK PLS 2287"; thence West 100.00 feet to a 5/8 inch iron rod with a yellow plastic cap marked "LAND MARK PLS 2287"; thence North 100.00 feet to a 5/8 inch iron rod with a yellow plastic cap marked "LAND MARK PLS 2287"; thence East 100.00 feet to the Point of Beginning and containing 10,000 square feet more or less.

ACCESS and UTILITY EASEMENT:

A 15.00 foot wide strip of land, 7.50 feet on both sides of the following described centerline, for the purpose of access and utilities over and across that property described in instrument number M99-43217 of the Deed Records of Klamath County, Oregon, and more particularly described as follows:

Beginning at a point on the centerline of State Highway 97 from which the East One-Quarter Corner of Section 18, Township 23 South, Range 10 East, Willamette Meridian, Klamath County, Oregon bears North 89°22'14" East 3146.03 feet; thence South 67°08'37" East 105.49 feet; thence North 89°12'09" East 413.01 feet; thence North 88°15'20" East 1000.11 feet; thence South 0°02'57" East 33.16 feet to a point on the north boundary of a communications lease site and there terminating, said point being East 50.00 feet from the northwest corner of said lease site.

Attachment "3" to the SLA

Equipment Building/Ground Space/Shelter or Cabinet

