

2009-014840

Klamath County, Oregon



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Return to:

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

MEMORANDUM OF LEASE

Grantor: Chiloquin-Agency Lake Rural Fire Protection District
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: **KF39** Site Name: Chiloquin Fire Station
State: Oregon County: Klamath

This Memorandum of Lease is entered into on this 20th day of August, 2009, by and between Chiloquin-Agency Lake Rural Fire Protection District, a Special District of the State of Oregon, having a mailing address of P.O. Box 437, Chiloquin, OR 97624 (hereinafter referred to as "**Landlord**") and New Cingular Wireless PCS, LLC, a Delaware limited liability company, having a mailing address of 12555 Cingular Way, Alpharetta, GA 30004 (hereinafter referred to as "**Tenant**").

1. Landlord and Tenant entered into a certain Option and Lease Agreement ("**Agreement**") on the 20th day of August, 2009, for the purpose of installing, operating and maintaining a communications facility and other improvements. All of the foregoing are 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.

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

"LANDLORD"

Chiloquin-Agency Lake Rural Fire Protection
District

By: Michael E. Bureau
Print Name: Michael Bureau
Its: President
Date: Aug. 11, 2009

"TENANT"

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

By: AT&T Mobility Corporation
Its: Manager

By: Roy Willy
Roy Willy
Project Manager

Date: 8-20-09

Prepared by:
Jane Venable
Goodman Networks
650 SW Columbia, Suite 7200
Bend, OR 97702


LANDLORD ACKNOWLEDGMENT

REPRESENTATIVE CAPACITY

STATE OF OREGON)
)
COUNTY OF Klamath) SS.

This instrument was acknowledged before me on August 11, 2009 by
Michael Bureau as President of Chiloquin-Agency Lake
Rural Fire Protection District.

DATED: August 11, 2009.

<p>Notary Seal</p> <div data-bbox="235 755 690 904"><p>OFFICIAL SEAL MELISSA DANFORTH NOTARY PUBLIC - OREGON COMMISSION NO. 420690 MY COMMISSION EXPIRES AUGUST 26, 2011</p></div>	<p><u>Melissa Danforth</u> (Signature of Notary) <u>Melissa Danforth</u> (Legibly Print or Stamp Name of Notary) Notary Public in and for the State of Oregon My appointment expires: <u>Aug. 26, 2011</u></p>
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TENANT ACKNOWLEDGEMENT

REPRESENTATIVE CAPACITY

STATE OF OREGON)
)
COUNTY OF DESCHUTES) SS.

This instrument was acknowledged before me on August 20, 2009 by Roy Willy as
Project Manager of New Cingular Wireless PCS, LLC.

DATED: August 20, 2009.


<p>Notary Seal</p> <div data-bbox="243 1542 706 1702"><p>OFFICIAL SEAL JANE E VENABLE NOTARY PUBLIC - OREGON COMMISSION NO. 421896 MY COMMISSION EXPIRES DEC. 14, 2011</p></div>	<p><u>Jane E Venable</u> (Signature of Notary) <u>Jane E Venable</u> (Legibly Print or Stamp Name of Notary) Notary Public in and for the State of Oregon My appointment expires: <u>12/14/2011</u></p>
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EXHIBIT 1

DESCRIPTION OF PREMISES

to the Memorandum of Lease dated August 20, 2009, by and between Chiloquin-Agency Lake Rural Fire Protection District
a Special District of the State of Oregon, as Landlord, and New Cingular Wireless PCS, LLC, a Delaware limited liability company, as Tenant.

Landlord owns certain property with an address of 156 S. Second Avenue, Chiloquin, OR 97624_ hereinafter identified as the "Property."

Lots 21 and 22, Block 2 of the Original Town of Chiloquin, according to the official plat thereof on file in the office of the County Clerk Klamath County, Oregon.

Tenant leases a portion of the Property identified as the "Premises." The Premises are described and/or depicted as follows:

14" x 11"
Printer
9-6-09

Proposed outdoor
equipment installation
Chiloquin Fire station

LEASE AREA TO BE
8' X 10'
Located on the North
West Corner of the Fire
Station

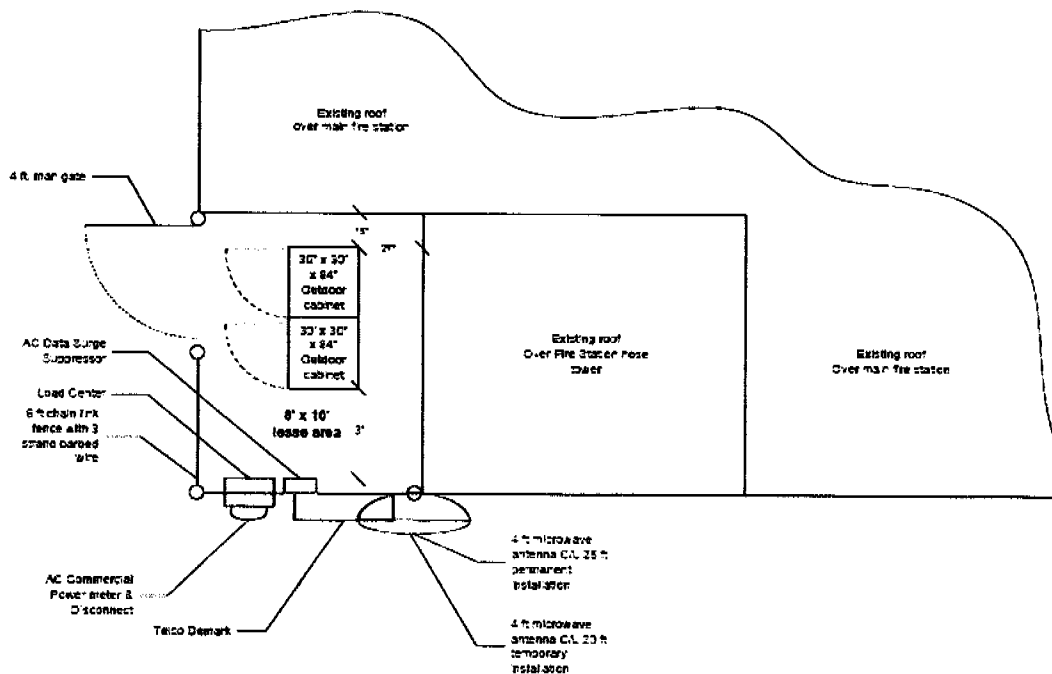


EXHIBIT 1

DESCRIPTION OF PREMISES

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3-16-11
T. Jensen
8-6-09

