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Sherman & Howard L.L.C.  
633 17<sup>th</sup> Street, Suite 3000  
Denver, Colorado 80202  
Attn: Eileen Lynch  
Re: O'Keeffe Matter [RCC Atlantic]

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**MEMORANDUM OF COMMUNICATIONS FACILITY AGREEMENTS  
(CORRECTED AND UPDATED)**

This Memorandum of COMMUNICATIONS FACILITY AGREEMENTS (CORRECTED AND UPDATED) is made this 23<sup>rd</sup> day of May, 2017, by Verizon Wireless (VAW) LLC d/b/a Verizon Wireless, with offices located at 180 Washington Valley Road, Bedminster, New Jersey 07921., hereinafter referred to as "LICENSOR".

1. LICENSOR and RCC Atlantic, Inc., a Minnesota corporation, ("LICENSEE") are parties to those certain Communications Facility Agreements ("Agreements") entered into on August 24, 2007 and recorded on January 15, 2008 at Instrument Number 2008-00596 and September 18, 2007, at 2007-16336, Klamath County Records, pursuant to which LICENSOR licensed to LICENSEE certain real property located in Klamath County, State of Oregon, within the property which is described in Exhibit "A".

2. LICENSOR subsequently became successor in interest to all leasehold and license interests of LICENSEE pursuant to that certain Bill of Sale, Assignment and Assumption Agreement, dated November 1, 2009 by and between LICENSOR and LICENSEE.

3. LICENSOR, on its own behalf and as successor in interest to LICENSEE, hereby states that the description of the Licensed Property and Premises as provided in the Agreements shall be corrected and include Exhibit "A" attached hereto. Exhibit "A" attached hereto hereby replaces Exhibit "A" in the Agreements.

4. The terms, covenants and provisions of the Agreements, the terms of which are hereby incorporated by reference into this Memorandum, shall extend to and be binding upon the respective executors, administrators, heirs, successors and assigns of LICENSOR and LICENSEE.

*Signatures on following page*

Parks + Rathliff

Returned at Counter

IN WITNESS WHEREOF, LICENSOR, on its behalf and as successor in interest to LICENSEE, has caused this Memorandum of Communications Facility Agreements (Corrected and Updated) to be duly executed on the date first written hereinabove.

**Verizon Wireless (VAW) LLC**  
**d/b/a Verizon Wireless**

By: \_\_\_\_\_

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

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Jim R. Creel, Jr.**

**Director - Network Field Engineering**

5/23/2017

STATE OF Washington )  
COUNTY OF King )

**ACKNOWLEDGEMENT**

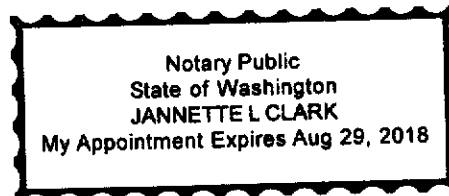
I, Jannette Clark, a Notary Public for said County and State, do hereby certify that Jim R. Creel, Jr. personally came before me this day and acknowledged that s/he is the Director Field Eng. of., and s/he, being authorized to do so, executed the foregoing instrument as his/her own act and deed on behalf of Verizon Wireless (VAW) LLC d/b/a Verizon Wireless.

WITNESS my hand and official Notarial Seal, this 23<sup>rd</sup> day of May, 2017.

Jannette L Clark  
Notary Public

My Commission Expires:

8/29/2018



## **EXHIBIT "A"**

### **(Leal Description of Property)**

#### **PARENT PARCEL**

The Parent Parcel consists of the entire legal taxable lot owned by Henry O'Keeffe and Patricia D. O'Keeffe, Trustees, O'Keeffe Family Trust ("Landlord") as described in a deed (or deeds) to Landlord of which the Leased Premises is a part thereof with such Parent Parcel being described below.

A 1.73 acre tract of land being depicted as "Parcel 1" in Land Partition 35-14, Located in Government Lots 2 and 4 (NW ¼ NE ¼) & the N ½ NW ¼ of Section 22, and Government Lots 3 & 6 (SW ¼ SE ¼) of Section 15, Township 41 South, Range 12 East, Willamette Meridian, Klamath County, Oregon dated June 22, 2015, recorded in 2015-5877, Klamath County, Oregon.

Also being described as:

A parcel of land located in the Northwest ¼ of the Northwest ¼ of Section 22, Township 41 South, Range 12 East, Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a railroad spike at the Northwest corner of Section 22, Thence South 59°09'25" East along the North line of Section 22 a distance of 30.00 feet to a 5/8" iron rod with a yellow plastic cap stamped "AES Inc" on the East right-of-way line of South Malin Road; thence South 69°09'25" East along the North line of Section 22 a distance of 320.00 feet to a 5/8" iron rod with a yellow plastic cap stamped "AES Inc"; thence South 0°31'43" West a distance of 235.00 feet to a 5/8" iron rod with a yellow plastic camp stamped "AES Inc"; thence north 69°09'25" West a distance of 320.00 feet to a 5/8" iron rod with a yellow plastic cap stamped "AES Inc" in the East right-of-way line of South Malin Road; thence North 89°09'25" West a distance of 30.00 feet to a point on the West line of Section 22 and the centerline of South Malin Road; thence North 0°31'43" East along the West line of Section 22 a distance of 235.00 feet to the point of beginning

Contains 82251 Square feet, or 1.89 acres, more or less

With 0.16 acres (7050 square feet) of said 1.89 acres being the right-of-way, leaving 1.73 acres.

Being a portion of the following described tract of land:

The N ½ NW ¼ of Section 22, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon

Being Klamath County, Oregon Map Tax Lot R-4112-02200-00500-000 (Property ID No. R111587).

**EXHIBIT "A" (Continued)**

**THE LEASED PREMISES**

The Leased Premises consists of that portion of the Parent Parcel as defined above which shall include access and utility easements. The square footage of the Leased Premises shall be the greater of: (i) 3,600 square feet (ii) Tenant's existing improvements on the Parent Parcel; or (iii) the legal description or depiction below (if any).

THAT PORTION OF THE N ½ NW ¼ OF SECTION 22, TOWNSHIP 41 SOUTH, RANGE 12 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, COMMENCING AT THE SOUTHEAST CORNER OF PARCEL 1 OF LAND PARTITION 35-14 AS RECORDED IN SID COUNTY, DOCUMENT NO. 2015-5877;  
THENCE ALONG THE SOUTH LINE OF SAID PARCEL 1, NORTH 89°09'25" WEST A DISTANCE OF 120.23 FEET;  
THENCE LEAVING SAID SOUTH LINE, NORTH 00°50'35" EAST A DISTANCE OF 51.31 FEET TO THE POINT OF BEGINNING;  
THENCE NORTH 04°25'29" EAST A DISTANCE OF 60.00 FEET;  
THENCE SOUTH 85°34'31" EAST A DISTANCE OF 60.00 FEET;  
THENCE SOUTH 04°25'29" WEST A DISTANCE OF 60.00 FEET;  
THENCE NORTH 85°34'31" WEST A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING.

## **EXHIBIT "A" (Continued)**

### **ACCESS AND UTILITIES**

The access and utility easements include all easements of record as well as that portion of the Parent Parcel currently utilized by Tenant for ingress, egress and utility purposes from the Leased Premises to and from a public right of way:

THAT PORTION OF N ½ NW ¼ OF SECTION 22, TOWNSHIP 41 SOUTH, RANGE 12 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING a 30.00 FOOT STRIP OF LAND LYING 15.00 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHEAST CORNER OF PARCEL 1 OF LAND PARTITION 35-14 AS RECORDED IN SID COUNTY, DOCUMENT NO. 2015-5877;

THENCE ALONG THE SOUTH LINE OF SAID PARCEL 1, NORTH 89°09'25" WEST A DISTANCE OF 120.23 FEET;

THENCE LEAVING SAID SOUTH LINE, NORTH 00°50'35" EAST A DISTANCE OF 51.31 FEET;

THENCE NORTH 04°25'29" EAST A DISTANCE OF 35.49 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 85°34'31" WEST A DISTANCE OF 67.10 FEET;

THENCE NORTH 80°30'13" WEST A DISTANCE OF 137.19 FEET TO THE WEST LINE OF SAID PARCEL 1 AND POINT OF TERMINUS OF SAID DESCRIBED CENTERLINE.