

E# **2871025** PG 1 0F 4 Leann H. Kilts, WEBER COUNTY RECORDER 02-Aug-17 0809 AM FEE \$17.00 DEP TN REC FOR: US TITLE SOLUTIONS ELECTRONICALLY RECORDED

After Recording, Mail To: T-Mobile USA Inc. T-Mobile USA, Inc. 12920 SE 38th Street Bellevue, WA 98006

APN: 11-016-0017

Loan No.

MEMORANDUM OF LEASE

A Site Lease Agreement (the "Agreement") by and between Bailey V Properties LLC, a Utah Limited Liability Company ("Landlord") and T-Mobile West LLC, a Delaware Limited Liabilty Company ("Tenant") was made regarding a portion of the following property (as more particularly described in the Agreement, the "Premises"):

See Attached **Exhibit A** incorporated herein for all purposes.

Without limiting the terms and conditions of the Agreement, Landlord and Tenant hereby acknowledge the following:

- 1. Capitalized terms used, but not otherwise defined herein, shall have the meanings ascribed to such terms in the Agreement.
- 2. Pursuant to the Agreement Landlord has granted Tenant an option to lease the Premises (the "Option") on the terms and conditions described in this Agreement for an initial term of one (1) year commencing on the Effective Date, which term may be extended by Tenant for three (3) additional one (1) year Options.
- 3. Provided that the Option has been exercised by Tenant, the Agreement shall constitute a lease (the "Lease"), the term of which shall initially be for five (5) years and will commence on the date upon which Tenant exercises its Option (the "Commencement Date").
- 4. Tenant shall have the right to extend the Lease for five (5) additional and successive five-year terms.
- 5. This memorandum is not a complete summary of the Lease. It is being executed and recorded solely to give public record notice of the existence of the Option and the Lease with respect to the Premises. Provisions in this memorandum shall not be used in interpreting the Lease provisions and in the event of conflict between this memorandum and the said unrecorded Lease, the unrecorded Lease shall control.
- 6. This memorandum may be signed in any number of counterparts, each of which shall be an original, with the same effect as if the signatures thereto were upon the same instrument.

SLOISSIA

IN WITNESS, WHEREOF, the parties hereto have respectively executed this memorandum effective as of the date of the last party to sign.

LANDLORD: Bailey V Properties LLC
By: 18-7 8-7
Printed Name: Brunt Baris
Title: Marie M.
Date: 5/11/17
STATE OF Utau)
STATE OF Usbee) ss. COUNTY OF Websee)
This instrument was acknowledged before me on <u>May 11, 2017</u> by <u>Brent Bailey</u> , [title <u>Manager</u> of Bailey V Properties LLC, a Utah limited liability company, on behalf of said limited liability company.
Dated: 5/11/2017
Notary Publica Co. Cardru
Print Name <u>Bebbie O. Gardrer</u>
DEBBIE O GARDNER My commission expires NOTARY PUBLIC • STATE OF UTAH COMMISSION NO. 692930
COMM EXP 01/10/2021

(Use this space for notary stamp/seal)

Ву:		•		
Printed Name: <u>Danny Bazerman</u>	-			
Title: Area Director			Approved as to Form—Legal:	
Date: $\frac{\sqrt{2} \sqrt{4}}{2}$	17		Maria E. Mucha	
STATE OF Arizona	2			
COUNTY OF Mari (DF	$\frac{\partial \alpha}{\partial \alpha}$			
I certify that I know or before me, and said person authorized to execute the ins Delaware Limited Liabilty Com mentioned in the instrument.	acknowledged tha strument and ackn	t he signed th owledged it as	is instrument, on the Area Director	of T-Mobile West LLC, a
Dated: 4/24/		11		
	Møtary Public Print Name My commission e	IMMIL (xpires _ 5/	jarrett 11/2020	
Notary Public State of Arizona MARICOPA County Jamie Garrett My Commission Expires 05/11/2020				

T-Mobile West LLC

TENANT:

Memorandum of Lease - Exhibit A Legal Description

The Property is legally described as follows:

PARCEL 1:

PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN:

BEGINNING AT A POINT 9.95 CHAINS WEST AND 13.95 CHAINS NORTH AND WEST 12.5 CHAINS OF THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, RUNNING THENCE EAST 540 FEET, THENCE NORTH 69.98 FEET, THENCE WEST 540 FEET, THENCE SOUTH 69.98 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN:

BEGINNING AT A POINT 9.95 CHAINS WEST 990.684 FEET NORTH OF THE SOUTHEAST CORNER OF SAID QUARTER SECTION; RUNNING THENCE NORTH 90 FEET, THENCE WEST 12.5 CHAINS; THENCE SOUTH 90 FEET; THENCE EAST 12.5 CHAINS TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION THEREOF LYING WITHIN BOUNDARIES OF WASHINGTON BOULEVARD.

Said property is also known by the street address of:

Parcel 1: 1243 North Washington Boulevard, Harrisville, UT 84404 Parcel 2: 1245 North Washington Boulevard, Harrisville, UT 84404