

FILED FOR RECORD AT REQUEST OF  
AND WHEN RECORDED RETURN TO:  
Verizon Wireless  
Attn: Real Estate Department – M/S 221  
3350 161<sup>st</sup> Avenue SE  
Bellevue, WA 98008



200206040009

Skagit County Auditor

6/4/2002 Page 1 of 7 8:35AM

**Memorandum of Building and Rooftop Lease Agreement**

**ORIGINAL**

Grantor: Thomas K. Studebaker

Grantee: Seattle SMSA Limited Partnership d/b/a Verizon Wireless

Legal Description: Ptn Lots 1&2, Blk. 134, 1<sup>st</sup> Add to Burl; Lots 1-7 & Ptn Lt. 8, Blk. 7, Knutzen's Add; Ptn R.R. adj. In 5-34-4 E W.M.

Assessor's Tax Parcel ID: 4077-134-002-0005  
4089-007-007-0004  
4089-007-008-0102

Reference # (if applicable): N/A

Site Name: WA1 BURLINGTON

ORIGINAL

UNOFFICIAL DOCUMENT

SITE NAME: WA1BURLNGTN

MEMORANDUM OF BUILDING AND ROOFTOP OPTION AND LEASE AGREEMENT

This Memorandum of Building and Rooftop Option and Lease Agreement is made as of February 7 2002, by and between Thomas K. Studebaker (hereinafter "LESSOR"), and Seattle SMSA Limited Partnership d/b/a Verizon Wireless (hereinafter "LESSEE"), who agree as follows:

1. Term and Premises. LESSOR has leased to LESSEE, and LESSEE has leased from LESSOR, pursuant to a Building and Rooftop Option and Lease Agreement dated February 7 (the "Lease"), space (the "Premises") as shown on Exhibit A attached hereto, situated on the real property legally described in Exhibit A, for a term of Five (5) years. The provisions of the Lease are incorporated herein.
2. Extension Periods. LESSEE has the right to extend the term of the Lease for Five (5) additional Five (5) year extension periods.
3. Permitted Uses. The Premises may be used by LESSEE for the construction, maintenance, and operation of a communications facility and uses incidental thereto.
4. Purpose of Memorandum. This Memorandum is prepared for the purpose of recordation to give notice of the Lease. It shall not constitute an amendment or modification of the Lease.

Executed in duplicate original as of the date first above written.

LESSOR: Thomas K. Studebaker

BY: Thomas K. Studebaker  
Thomas K. Studebaker

LESSEE: Seattle SMSA Limited Partnership d/b/a Verizon Wireless  
By: Cellico Partnership, its General Partner

BY: Robert F. Swaine

Name: Robert F. Swaine

Title: Area V.P., Network/ops

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

JUN 03 2002

Amount Paid \$  
Skagit Co. Treasurer  
By [Signature] Deputy

EXHIBITS: Exhibit A - Legal Description/Description of Premises



200206040009  
Skagit County Auditor

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Orange

} ss.

On 5-10-02, before me, Carolyn J. Wilson Notary Public  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Robert F. Swaine  
Name(s) of Signer(s)

- personally known to me
- proved to me on the basis of satisfactory evidence



to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Carolyn J. Wilson  
Signature of Notary Public

Place Notary Seal Above

## OPTIONAL

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

### Description of Attached Document

Title or Type of Document: \_\_\_\_\_

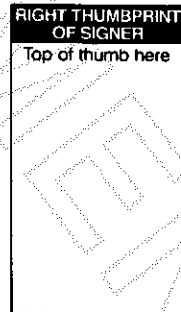
Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

### Capacity(ies) Claimed by Signer

- Signer's Name: \_\_\_\_\_
- Individual
  - Corporate Officer — Title(s): \_\_\_\_\_
  - Partner —  Limited  General
  - Attorney in Fact
  - Trustee
  - Guardian or Conservator
  - Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_



**LESSOR ACKNOWLEDGEMENT**

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SKAGIT )

On this 7<sup>th</sup> day of FEBRUARY, 2002, before me, a Notary Public in and for the State of WASHINGTON, personally appeared Thomas K. Studebaker, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument and acknowledged it to be His free and voluntary act and deed for the uses and purposes mentioned in the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.

Douglas E. Noblet  
NOTARY PUBLIC in and for the State of WA,  
residing at BURLINGTON  
My appointment expires 9.19.02  
Print Name DOUGLAS E NOBLET

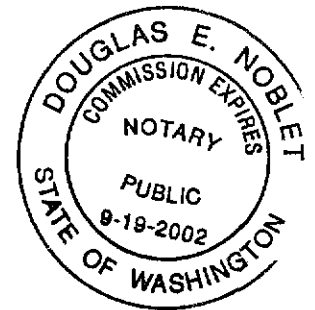


Exhibit A

PARCEL "A":

Legal Description

DESCRIPTION:

A parcel of land out of The Burlington Northern and Santa Fe Railway Company's (formerly Great Northern Railway Company) 300 foot wide Station Ground property at Burlington, Washington, lying contiguous to and Easterly of Block 134, "FIRST ADDITION TO BURLINGTON, SKAGIT CO., WASH.", as per plat recorded in Volume 3 of Plats, page 11, records of Skagit County, Washington, situate in the Northwest  $\frac{1}{4}$  of Section 5, Township 34 North, Range 4 East, W.M., Skagit County, Washington, described as follows, to-wit:

Beginning at a point on the Easterly line of Lot 1, Block 134, "FIRST ADDITION TO BURLINGTON, SKAGIT CO., WASH.", distant 129.0 feet Southerly of the Northeast corner of said Lot 1, as measured along the Easterly line of said Lot 1, said point being the most Southerly corner of that certain parcel of land described in Bargain and Sale Deed from Burlington Northern Railroad Company to TF Land Company, Inc. filed for record October 31, 1996, as Document No. 9610310111 in and for said County; thence South  $08^{\circ}23'$  East (assuming the North line of said Section 5 being an East-West line) along the Easterly line of said Block 134, also being the Westerly boundary of said 300 foot wide Station Ground property, a distance of 310 feet, more or less, to a point 175.0 feet distant Northwesterly of the Southeast corner of Lot 3, said Block 134 as measured along the Easterly line of said Block; thence North  $81^{\circ}37'$  East, at right angles to the last described course, 148.0 feet; thence North  $08^{\circ}23'$  West, parallel with said Westerly boundary of said 300 foot wide Station Ground property, a distance of 339 feet, more or less, to the Southerly line of said TF Land Company, Inc. property; thence Southwesterly along said Southerly line 142.5 feet; thence Southeasterly parallel with the Easterly line of said Block 134 and along said Southerly line, 29.0 feet; thence Southwesterly at right angles to the last described course and along said Southerly line, 5.50 feet to the true point of beginning.

Situate in the City of Burlington, County of Skagit, State of Washington.

PARCEL "B":

Lots 1 and 2, Block 134, "FIRST ADDITION TO BURLINGTON, SKAGIT CO., WASH.", as per plat recorded in Volume 3 of Plats, page 11, records of Skagit County, Washington.

WAI BURLINGTON.doc



20020604009  
Skagit County Auditor

ALSO, Lots 1, 2, 3, 4, 5, 6, 7 and the North 20 feet of Lot 8, Block 7, "KNUTZEN'S ADDITION TO THE TOWN OF BURLINGTON", as per plat recorded in Volume 3 of Plats, page 80, records of Skagit County, Washington.

TOGETHER WITH the North  $\frac{1}{2}$  of an "Unnamed East-West Street" in Block 7 of said Plat, also described as the North 15 feet of the South 30 feet of Lot 8, Block 7 of said Plat.

ALSO TOGETHER WITH the North 385 feet of vacated alley, said alley also referred to as a North-South unnamed 30 foot wide street.

ALSO TOGETHER WITH the East 15 feet of said North-South unnamed Street abutting on Lot 9, and abutting on the South 15 feet of Lot 8, Block 7 of said Plat, as vacated per Burlington City Ordinance Nos. 673 and 419, dated May 3, 1966 and April 5, 1944, and further recorded under Auditor's File Nos. 755936 and 755937, respectively,

EXCEPT from all of the above, the following described property:

That portion of Lot 2, Block 134, "FIRST ADDITION TO BURLINGTON, SKAGIT CO., WASH.", as per plat recorded in Volume 3 of Plats, page 11, records of Skagit County, Washington, and also that portion of the vacated street along the West line of said Lot 2, more particularly described as follows:

Beginning at the Southwest corner of said Lot 2;  
thence South  $88^{\circ}26'05''$  East along the South line of said Lot 2, a distance of 184.12 feet to the Westerly right of way line of the Burlington Northern Railroad;  
thence North  $6^{\circ}53'24''$  West along said right of way line, a distance of 59.04 feet;  
thence North  $88^{\circ}26'18''$  West, a distance of 175.88 feet to the East line of said vacated street;  
thence North  $88^{\circ}52'08''$  West, a distance of 15.00 feet to the centerline of said vacated street;  
thence South  $1^{\circ}07'52''$  West along said centerline, a distance of 58.39 feet to a point which bears North  $88^{\circ}52'08''$  West from the point of beginning;  
thence South  $88^{\circ}52'08''$  East, a distance of 15.00 feet to the point of beginning.

Situate in the City of Burlington, County of Skagit, State of Washington.



