

\$25.50

Don Jaltz

REGISTER OF DEEDS

2001 FEB 22 P 4: 14

LANCASTER COUNTY, NE

INST. NO 2001

008155

BLOCK

CODE
CHECKED
ENTERED
EDITED

MEMORANDUM OF THE OPTION AND SITE LEASE AGREEMENT

THIS MEMORANDUM OF THE OPTION AND SITE LEASE AGREEMENT (this "Memorandum") is entered into as of the 15th day of September, 2001, between Tabitha, Inc., a not-for-profit Nebraska corporation ("Landlord"), whose address is 4720 Randolph Street, Lincoln, Nebraska 68510, and Qwest Wireless, L.L.C., a Delaware limited liability company, whose address is 1860 Lincoln Street, 14th Floor, Denver, CO 80295, and maintaining an office at 910 North 43rd Avenue, Omaha, Nebraska 68131 ("Tenant").

Recitals

- A. Landlord has a fee simple interest in the real property described on Exhibit A attached hereto and incorporated herein by this reference (the "Property").
- B. Landlord and Tenant are parties to the Option and Site Lease Agreement, dated December 29, 1999 (the "Lease").
- C. Pursuant to the Lease, Landlord leases to Tenant, and Tenant leases from Landlord, the real property described on Exhibit B attached hereto (the "Site").
- D. Further, pursuant to the provisions of the Lease, Landlord and Tenant have agreed to execute and record a memorandum of the Lease as set forth herein.
- E. Any capitalized term used in this Memorandum which is not defined in this Memorandum has the meaning set forth for such term in the Lease.

Agreement


NOW, THEREFORE, for good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, Landlord and Tenant hereby agree as follows:

- 1. Lease. Landlord leases to Tenant and Tenant leases from Landlord the Site, together with the right of ingress and egress thereto, pursuant to the terms and conditions of the Lease.
- 2. Term. The initial term of the Lease is five (5) years and commenced on September 1, 2000.
- 3. Other Provisions. The terms of this Memorandum are not intended to vary with the terms and conditions of the Lease. This Memorandum is subject to all of the terms and conditions of the Lease, and any amendments, renewals, or extensions of the Lease. In the event of any conflict between the provisions of this Memorandum and the provisions of the Lease, the Lease shall control.

Qwest Wireless

IN WITNESS WHEREOF, Landlord and Tenant have executed this Memorandum as of the date first set forth above.

Tabitha, Inc., a not-for-profit Nebraska corporation

By: 
Its: *President*

Qwest Wireless, L.L.C., a Delaware limited liability company

By: 
Name: **Ben Andrzejewski**
Title: **Vice President Network Operations**

DRAFTED BY:

Qwest Wireless, L.L.C.
910 North 43rd Avenue, Second Floor
Omaha, Nebraska 68131

RECORD AND RETURN TO:

Qwest Wireless, L.L.C.
910 North 43rd Avenue, Second Floor
Omaha, Nebraska 68131

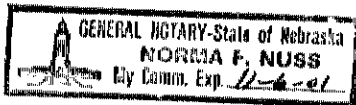
STATE OF NE)
) ss.
COUNTY OF Lancaster

I certify that I know or have satisfactory evidence that A. W. Sward is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year first above written.

(Seal of officer)

Norma F. Nuss
Notary Public in and for the State of NE



My commission expires: 11-16-01

STATE OF COLORADO)
) ss.
COUNTY OF Arapahoe

I certify that I know or have satisfactory evidence that Ben Andrzejewski is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged (him/her) as the V. P. Network Operations of Qwest Wireless, L.L.C. , a Delaware limited liability company, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year first above written.

(Seal of officer)

Shirley A. Sattler
Notary Public in and for the State of Colorado,

My commission expires: 9-21-03

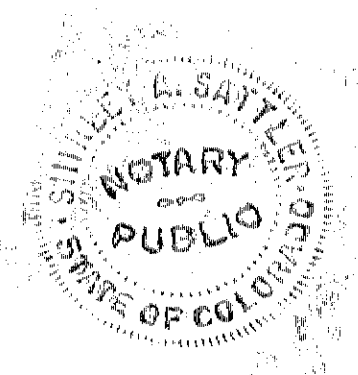


EXHIBIT A
Description of Landlord's Property

Legal Description:

The Land is situated in the County of Lancaster, State of Nebraska, being more particularly described and/or depicted as follows:

Lot 22 of Irregular Tracts located in the Northwest Quarter of Section 29, Township 10 North, Range 7 East of the 6th Principal Meridian, as described in the field notes at Book 1, Page 362, Entry 1857, corrected as of December 24, 1926, of the field notes of the Lancaster County Engineer for Irregular Tracts found in the Office of the Register of Deeds for Lancaster County.

PID (Property Identification Number): 17-29-100-028-000

Also known as: Tabitha Health Care Services, 4720 Randolph Street, Lincoln, Nebraska 68510

LOT 22 NW 29 10.7

EXHIBIT B
Description of Site

Site (Interior) is described and/or depicted as follows:

Approximately 125 square feet in a portion of the interior of the utility building located on the roof of the fourth floor of the second addition to the Lessor's Tabitha Health Care building located at 4720 Randolph Street, Lincoln, Nebraska. Areas not assigned are considered common areas for the purpose of access to the equipment.

Site (Exterior) is described and/or depicted as follows:

The Site (Exterior) portion of the lease constitutes a non-exclusive license to use the adjacent fourth floor roof area and/or the roof of the utility building which may be used for non-penetrating antenna frames and necessary cable runs.