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#244

FILED FOR RECORD 1-12-11 AT 3:55 P.M.  
IN BOOK 72 OF MISC PAGE 191  
REGISTER OF DEEDS, CASS CO., NE Dave John  
#244 \$25.50

COMPARED

**MEMORANDUM OF AGREEMENT TO EXTEND GROUND LEASE AND EXPAND LEASED PREMISES**

This Memorandum of Agreement to Extend Ground Lease and Expand Leased Premises (the "Memorandum") is made this 2nd day of September, 2010, by and between **GLOBAL SIGNAL ACQUISITIONS IV LLC**, a Delaware limited liability company ("Lessor"), whose address is Global Signal Acquisitions IV LLC, c/o Crown Castle USA Inc., E. Blake Hawk, General Counsel, 2000 Corporate Drive, Canonsburg, PA 15317, and **STC FIVE LLC**, a Delaware limited liability company ("Tenant"), whose address is STC Five LLC, c/o Crown Castle USA Inc., E. Blake Hawk, General Counsel, 2000 Corporate Drive, Canonsburg, PA 15317.

**RECITALS**

WHEREAS, Lessor and Tenant are the current parties under that certain PCS Site Agreement dated December 2, 1996, as amended by that certain Amendment to PCS Site Agreement dated October 7, 2003, originally by and between Millard A. Kennedy, as landlord, and Sprint Spectrum, L.P., a Delaware limited partnership, as tenant (the "Lease"). The Lease is evidenced by that certain Memorandum of PCS Site Agreement dated December 2, 1996 and recorded in Book 49 Misc., Page 444 of the Public Records of Cass County, Nebraska (the "Public Records");

WHEREAS, the parties have modified the terms of the Lease by that certain Agreement to Extend Ground Lease and Expand Leased Premises dated the same date as this Memorandum, by and between Lessor and Tenant, and wish to provide record notice of the extension of the term of the Lease as amended thereby (hereafter, the Lease, as amended, is referred to as the "Lease") and the status of certain rights and interests thereunder through the recording of this Memorandum in the Public Records; and

WHEREAS, the Lease pertains to certain real property leased to Tenant (the "Leased Premises") together with access and utility easements granted to Tenant pursuant to the Lease; and

WHEREAS, the parties have expanded the Leased Premises as more particularly described on **Exhibit "A"** attached hereto and incorporated herein by this reference.

\*

**OPERATIVE PROVISIONS**

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

1. The recitals hereinabove are true and correct and are incorporated herein by this reference.
2. The Lease commenced on December 2, 1996, and will expire on December 31, 2031.
3. Lessor hereby leases an additional 7,500 square feet of real property to Tenant. Lessor and Tenant agree that the Leased Premises as modified is described on **Exhibit "A"**. Notwithstanding anything to the contrary in this Memorandum, Tenant is not relinquishing any rights to any lease area, access easements, and/or utility easements in its possession prior to the effective date of the Memorandum. In the event the location(s) of any of Tenant's or its subtenants' existing improvements, utilities, and/or access routes are not depicted or described on the site plan and/or legal descriptions, Tenant's leasehold rights and access and utility easements over such area(s) shall remain in full force and effect and the Leased Premises shall be deemed to include such areas.
4. The parties consent to the recording of this Memorandum in the Public Records and agree that this Memorandum shall be executed in recordable form.
5. This Memorandum may be executed in counterparts, each of which shall constitute an original instrument.

*[Remainder of page intentionally left blank. Signatures to follow.]*

IN WITNESS WHEREOF, Lessor and Tenant having read the foregoing and intending to be legally bound hereby, have executed this Memorandum as of the day and year first written above.

**LESSOR:**

**GLOBAL SIGNAL ACQUISITIONS IV  
LLC, a Delaware limited liability company**

By: *Tracy Van Swol*

Name: Tracy Van Swol

Title: Real Estate Transaction Manager

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

STATE OF TEXAS                    )  
  ) SS  
COUNTY OF HARRIS            )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that TRACY VANSWOL personally known to me to be the RET MANAGER of Global Signal Acquisitions IV LLC, a Delaware limited liability company, on behalf of the limited liability company, he/she signed, sealed and delivered the said instrument as his/her free and voluntary act, for the uses and purposes therein set forth.

*Tara Groda*

Notary Public, State of Texas, County of Harris  
Acting in the County of \_\_\_\_\_  
My Commission Expires:



TENANT:

STC FIVE LLC, a Delaware limited liability company

By: Global Signal Acquisitions II LLC, a Delaware limited liability company, its Attorney-In-Fact

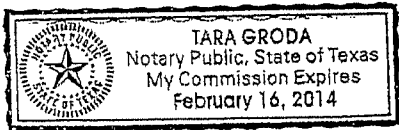
By: [Signature]  
Name: Tracy Van Swol  
Title: Real Estate Transaction Manager

STATE OF TEXAS )  
 ) SS  
COUNTY OF HARRIS )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that TRACY VANSWOL personally known to me to be the RET MANAGER of Global Signal Acquisitions II LLC, the Attorney-In-Fact for STC Five LLC, a Delaware limited liability company, on behalf of the limited liability companies, he/she signed, sealed and delivered the said instrument as his/her free and voluntary act, for the uses and purposes therein set forth.

[Signature]

Notary Public, State of Texas, County of Harris  
Acting in the County of \_\_\_\_\_  
My Commission Expires:



#244

EXHIBIT "A"

**LEGAL DESCRIPTION OF LEASED PREMISES**

A 143 foot by 70 foot parcel, situated in a tract of land owned by Pink Investments 7, LLC, described in Book 192 of Deeds, Page 43, in Cass County, Nebraska, more particularly described as follows:

COMMENCING at the Northeast Corner of a tract of land described in Book 192 of Deeds, Page 43, also known as Lot 2, REPLAT OF LOTS 1 AND 2, an ADMINISTRATIVE SUBDIVISION (Fnd. 1¼" Iron Bar); thence South 01°54'11" East, a distance of 329.56 feet (Measured) 330.17 feet (Platted) to the Southeast Corner of said Lot 2 (Fnd. 5/8" Iron Bar), said point being the POINT OF BEGINNING of said Tower Area; thence South 88°05'49" West, a distance of 143.00 feet; thence North 01°54'11" West, a distance of 70.00 feet; thence North 88°05'49" East, a distance of 143.00 feet; thence South 01°54'11" East, a distance of 70.00 feet to the POINT OF BEGINNING. Containing 10,010 square feet.

Together with a 20 foot wide Access/Utility Easement, situated in a tract of land owned by Pink Investments 7, LLC, described in Book 192 of Deeds, Page 43, in Cass County, Nebraska, lying 10.00 feet on each side of the following described centerline:

COMMENCING at the Northeast Corner of a tract of land described in Book 192 of Deeds, Page 43, also known as Lot 2, REPLAT OF LOTS 1 AND 2, an ADMINISTRATIVE SUBDIVISION (Fnd. 1¼" Iron Bar); thence South 01°54'11" East, a distance of 329.56 feet (Measured) 330.17 feet (Platted) to the Southeast corner of said Lot 2 (Fnd. 5/8" Iron Bar), thence South 88°05'49" West, a distance of 143.00 feet; thence North 01°54'11" West, a distance of 24.99 feet to the POINT OF BEGINNING of said centerline; thence South 83°40'01" West, a distance of 94.03 feet; thence North 70°20'32" West, a distance of 100.48 feet to the Easterly Right of Way line of Highway 63 and the POINT OF TERMINATION.

A portion of Tax Key No. 130103071

Commonly known as 13608 238<sup>th</sup> Street, Greenwood, Nebraska

This document was prepared by:  
DYKEMA GOSSETT PLLC  
Philip J. Carbone, Esq.  
39577 Woodward Ave., Suite 300  
Bloomfield Hills, Michigan 48304

After recording return to:

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\_\_\_\_\_

\*\*LOT 2 AS REPLATTED LOCATED IN THE NW¼ OF THE SW¼ OF SECTION 26, T12N, R9 EAST OF THE 6TH PM, CASS COUNTY NEBRASKA CORRECTION PER CORI 1/12/11

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BUN: 879155  
Site: Kennedy  
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