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Lancaster County, NE Assessor/Register of Deeds Office MEMLEA

Pages: 4

Prepared by and return to:  
USCOC of Greater Iowa, LLC  
Attention: Real Estate Legal  
8410 W. Bryn Mawr Ave.  
Chicago, IL 60631

Site Name: Lincoln DT  
Site Number: 871318  
County: Lancaster  
State: Nebraska

### **MEMORANDUM OF LEASE**

**THIS MEMORANDUM OF LEASE** is made and entered into by and between Terminal Building LLC a Nebraska limited company, whose address is 252 Clayton Street, Denver Colorado 80206 hereinafter referred to as "Landlord", and USCOC of Greater Iowa, LLC, a Delaware limited liability company whose address is Attention: Real Estate Lease Administration, 8410 West Bryn Mawr Avenue, Chicago, Illinois, 60631, hereinafter referred to as "Tenant."

### **WITNESSETH:**

**WHEREAS**, by the terms of a certain Rooftop Space Lease entered into on the 23<sup>rd</sup> of September, 2016, ("the Lease"), the predecessors in interest to the Landlord and Tenant leased certain property and agreed to grant Tenant certain easements, all being more particularly bounded and described as set forth in Exhibit "A" attached hereto and made a part hereof (the "Premises") upon the terms and conditions set forth in the Lease; and

**WHEREAS**, the Landlord and the Tenant desire to execute this Memorandum of Lease to evidence said Lease and certain of the terms therein for the purpose of placing the same of record in the Clerk's Office for Lancaster County, State of Nebraska.

**NOW THEREFORE**, in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Landlord does hereby lease to Tenant the Premises and grants certain easements upon the terms and conditions of the Lease which is incorporated herein by specific reference, and do agree as follows:

1. Landlord and Tenant have entered into a previous lease that commenced on February 13, 2004 and will expire on February 28, 2019. The parties entered into the aforementioned Lease to continue their relationship. The previous lease was recorded as Document 2001-052209 in the in the Clerk's Office for Lancaster County, State of Nebraska.

2. The Lease will commence on March 1, 2019 and will run for an initial lease term of ten (10) years. The Lease provides for four (4) successive five (5) year renewal terms upon the terms and conditions more particularly as set forth in the Lease.

3. Landlord also makes certain grants of easement for access and utilities, as more particularly described on the attached Exhibit A, which easements are in effect throughout the term of the Lease as renewed or extended, subject to terms and conditions as set forth in the Lease.

4. Tenant (or its assignee or designee) shall have a right of first refusal to purchase one or more of the following interests, (a) fee ownership of all or any part of the Premises; (b) any easement rights in or over all or any part of the Premises; or (c) all or any part of Landlord's interest in or rights under the Lease (each, "Landlord's Interest") whenever Landlord receives a bona fide offer from an unrelated third party to purchase directly or indirectly, all or any part of Landlord's Interest that Landlord desires to accept in accordance with the terms and conditions more particularly set forth in the Lease.

5. This Memorandum of Leases is subject to all terms and provisions of the Lease which is incorporated herein and made part hereof by reference as if all the provisions thereof were copied in full herein. Any conflict between the provisions of the Memorandum of Lease will be resolved in favor of the Lease.

**IN WITNESS WHEREOF**, the Landlord and Tenant hereto have caused this Memorandum of Lease to be executed by their duly authorized officers as of the date of full execution.

LANDLORD: Terminal Building, LLC

By: *H. Arnold Wassenberg*

Printed: H. ARNOLD WASSENBERG

Title: Owner

Date: 9-8-16

TENANT: USCOC of Greater Iowa, LLC

By: *Narothum Saxena*

Printed: Narothum Saxena

Title: Vice President

Date: September 23, 2016

STATE OF NEBRASKA                    )  
  )  
COUNTY OF LANCASTER            )

I, the undersigned, a notary public in and for the State and County aforesaid, do hereby certify that H. ARNELA WASSENBERG, known to me to be the same person whose name is subscribed to the foregoing Memorandum of Lease, appeared before me this day in person and acknowledged that, pursuant to their authority, signed the said Memorandum as their free and voluntary act on behalf of the landlord, for the uses and purposes therein stated.

Given under my hand and seal this 8 day of September, 2016

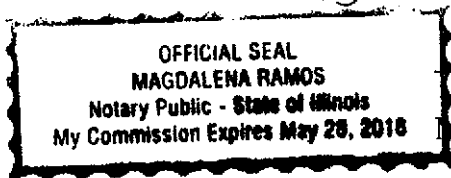


Michelle L. Ihde  
Notary Public  
My commission expires 2/8/17

STATE OF ILLINOIS                    )  
  )  
COUNTY OF COOK                    )

I, the undersigned, a notary public in and for the State and County aforesaid, do hereby certify that Narothum Saxena, Vice President for USCOC of Greater Iowa, LLC, known to me to be the same person whose name is subscribed to the foregoing Memorandum of Lease, appeared before me this day in person and acknowledged that, pursuant to his authority, he signed the said Memorandum as his free and voluntary act on behalf of the named Tenant, for the uses and purposes therein stated.

Given under my hand and seal this 23 day of September, 2016.



M. Ramos  
Notary Public  
My commission expires MAY 28 2018

NO  
CCL1-6B54

**EXHIBIT A**

**Legal Description of Premises**

The land referred to herein below is situated in the County of Lancaster, City of Lincoln, State of Nebraska, and is described as follows:

Parcel 1: Lots A, B, C, G and H, County Clerk's Subdivision of Lots 1 through 6, inclusive, Block 54, Lincoln, Lancaster County, Nebraska.

Parcel ID: 10-26-201-001-000