
(Above 2” Space for Recorder’s Use Only)

Prepared by and Return to:

Kenai Peninsula Borough
Attn: Land Management Division
144 N. Binkley St.
Soldotna, AK 99669

Grantor: Kenai Peninsula Borough
Grantee: Atlas Tower 1, LLC
Legal Description: Attached as Exhibit 1
Tax Parcel ID #: 01405001
Cell Site #: XXX
Cell Site Name: XXX
State: Alaska
Borough: Kenai Peninsula Borough
Recording District: Kenai, Third Judicial

MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE (“Memorandum”) is entered into by and between **KENAI PENINSULA BOROUGH**, an Alaska municipal corporation, having a mailing address of 144 N. Binkley St., Soldotna, AK 99669 (the “**Lessor**”) and **Atlas Tower 1, LLC**, a Colorado limited liability corporation, having a mailing address of 3002 Bluff Street, Suite 300, Boulder, Colorado, 80301 (the “**Lessee**”).

1. Lessor and Lessee entered into a certain Option and Communications Site Lease Agreement (the “Agreement”) on the __ day of _____, 20____, for the purpose of installing, operating and maintaining a communication facility and other improvements. All of the foregoing is set forth in the Agreement.
2. The initial lease term will be five (5) years commencing on the effective date of written notification by Lessee to Lessor of Lessee’s exercise of the option, with four (4) successive automatic five (5) year options to renew.
3. The portion of the land being leased to Lessee (the “Leased Premises”) and associated easements are described in Exhibit 1 annexed hereto.
4. Lessor and Lessee now desire to execute this Memorandum to provide constructive knowledge of Lessee’s lease of the Premises.
5. This Memorandum and Agreement are governed by the laws of the state of Alaska.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Lease as of the day and year first above written.

LESSOR: Kenai Peninsula Borough

LESSEE: Atlas Tower 1, LLC

By: _____
Its: _____
Date: _____

By: _____
Its: _____
Date: _____

ATTEST:

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

Johni Blankenship, Borough Clerk

Sean Kelley, Deputy Borough Attorney

LESSOR ACKNOWLEDGEMENT

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

The foregoing was acknowledged before me this _____ day of _____, 20____, by _____, Mayor of the Kenai Peninsula Borough, an Alaska municipal corporation, for an on behalf of the corporation.

Notary Public for State of Alaska
My commission expires: _____

LESSEE ACKNOWLEDGMENT

STATE OF _____)
)ss.
COUNTY OF _____)

On the _____ day of _____, before me personally appeared _____,
and acknowledged under oath that he/she is the _____ of Atlas Tower 1, LLC, the Lessee
named in the attached instrument, and as such was authorized to execute this instrument on behalf of the
Lessee.

Notary Public for State of _____
My commission expires: _____

STATE OF _____)
)ss.
COUNTY OF _____)

On the _____ day of _____, before me personally appeared _____,
and acknowledged under oath that he/she is the _____ of Atlas Tower 1, LLC, the Lessee
named in the attached instrument, and as such was authorized to execute this instrument on behalf of the
Lessee.

Notary Public for State of _____
My commission expires: _____

EXHIBIT 1 TO MEMORANDUM OF LEASE

DESCRIPTION OF PROPERTY AND LEASED PREMISES

Page 1 of 1

The Property is legally described as follows:

Lot 16, Bernice Lake Alaska Industrial Subdivision, as shown on Plat No. K-1560, Kenai Recording District, Third Judicial District, State of Alaska

The Leased Premises are described and/or depicted as follows:

(see attached Plan Set, submitted by Atlas Tower 1)