

WHEN RECORDED RETURN TO:

NCWPCS MPL 28 – Year Sites Tower Holdings LLC
c/o Post Closing – Recording
1220 Augusta Drive
Houston, TX 77057

Prepared by:
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Scottsdale, AZ 85250

Space above this line for Recorder's Use

A.P.N.s 98401-84-01-05200
98401-84-01-07200
98401-84-01-14640

Prior recorded document(s) in Tulsa County, Oklahoma:
August 3, 2000 at #00080292 in Bk 6398, Pg 585
July 22, 2019 at #2019063861

**MEMORANDUM OF SECOND AMENDMENT TO
OPTION AND LEASE AGREEMENT**

This Memorandum of Second Amendment to Option and Lease Agreement is made effective this ____ day of _____, 2021 by and between THE INDEPENDENT SCHOOL DISTRICT NO. 3, TULSA COUNTY, OKLAHOMA (hereinafter referred to as “Landlord”) and NCWPCS MPL 28 – YEAR SITES TOWER HOLDINGS LLC, a Delaware limited liability company, by and through its Attorney In Fact, CCATT LLC, a Delaware limited liability company (hereinafter referred to as “Tenant”).

1. Landlord and AT&T Wireless Services of Tulsa, Inc., a Nevada corporation (“Original Tenant”) entered into an Option and Lease Agreement dated June 26, 2000, a memorandum of which was recorded in the official records of Tulsa County, Oklahoma (“Official Records”) on August 3, 2000 at Instrument No. 00080292 in Book 6398, Page 585 (the “Original Agreement”) whereby Original Tenant leased certain real property, together with access and utility easements, located in Tulsa County, Oklahoma from Landlord (the “Premises”), all located within certain real property owned by Landlord (“Landlord’s Property”). Landlord’s Property, of which the Premises is a part, is more particularly described on Exhibit B attached hereto.

2. The Original Agreement was amended by that certain First Amendment to Option and Lease Agreement dated June 24, 2019, a memorandum of which was recorded in the Official Records on July 22, 2019 at Document No. 2019063861 (“First Amendment”) (hereinafter the Original Agreement and First Amendment are collectively referred to as the “Agreement”).

3. NCWPCS MPL 28 – Year Sites Tower Holdings LLC is currently the Tenant under the Agreement as successor in interest to the Original Tenant.

4. The Agreement had an initial term that commenced on August 1, 2000 and expired on August 31, 2010. The Agreement provides for four (4) extensions of five (5) years each, three (3) of which were exercised by Tenant (each extension is referred to as a "Renewal Term"). According to the Agreement, the final Renewal Term expires August 31, 2030.

5. Landlord and Tenant have entered into a Second Amendment to Option and Lease Agreement (the "Second Amendment"), of which this is a Memorandum, wherein Tenant partially exercised the expansion option from the First Amendment ("Expansion Option") and the Premises was expanded by an additional area of forty-eight (48) square feet. Landlord and Tenant agree that the Expansion Option remains in full force and effect as to the remaining two hundred two (202) square feet granted thereby. A metes and bounds description of the Premises, as expanded, is attached hereto as Exhibit A.

6. The terms, covenants and provisions of the Second Amendment shall extend to and be binding upon the respective executors, administrators, heirs, successors and assigns of Landlord and Tenant.

7. This Memorandum does not contain the social security number of any person.

8. A copy of the Second Amendment is on file with Landlord and Tenant.

[Execution Pages Follow]

IN WITNESS WHEREOF, hereunto and to duplicates hereof, Landlord and Tenant have caused this Memorandum to be duly executed on the day and year first written above.

LANDLORD:
THE INDEPENDENT SCHOOL DISTRICT
NO. 3, TULSA COUNTY, OKLAHOMA

By: _____

Print Name: _____

Title: _____

STATE OF _____)
)ss.
COUNTY OF _____)

On this ____ day of _____ 2021, before me, the subscriber, a Notary Public in and for said State and County, personally appeared _____, the _____ of THE INDEPENDENT SCHOOL DISTRICT NO. 3, TULSA COUNTY, OKLAHOMA, known or identified to me to be the person whose name is subscribed to the foregoing Memorandum of Second Amendment to Option and Lease Agreement, and in due form of law acknowledged that he/she is authorized on behalf of said company to execute all documents pertaining hereto and acknowledged to me that he/she executed the same as his/her voluntary act and deed on behalf of said company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my seal in said State and County on the day and year last above written.

Notary Seal

(Signature of Notary)

My Commission Expires: _____

EXHIBIT A
(Legal Description of Premises)

EXHIBIT B
(Legal Description of Landlord's Property)

Situated in the County of Tulsa, State of Oklahoma, to-wit:

APN: 98401-84-01-05200:

A tract situated in the Northeast Quarter of Section One (1), Township 18 North, Range 14 East, Tulsa County, Oklahoma, described as follows:

The South 560 feet of the North 1680 feet of a tract described as beginning at a point 770 feet West of the Northeast Corner of Section 1, Township 18 North, Range 14 East, thence South parallel to the East Section line a distance of 2240 feet to a point; thence West parallel to said North Section line a distance of 1625 feet to a point; thence North parallel to said East Section line to the North Section line a distance of 2240 feet; thence East along said North Section line a distance of 1625 feet to the Point of Beginning.

APN: 98401-84-01-07200:

A tract, situated in the Northeast Quarter of Section One (1), Township 18 North, Range 14 East, Tulsa County, Oklahoma, described as follows:

Beginning at a point 770 feet West and 560 feet South of the Northeast Corner of Section 1, Township 18 North, Range 14 East; thence West and parallel to the North Section line, a distance of 550 feet to a point; thence South and parallel to the East Section line, a distance of 100 feet to a point; thence West and parallel to the North Section line, a distance of 165 feet to a point; thence North and parallel to the East Section line, a distance of 100 feet to a point; thence West and parallel to the North Section line, a distance of 910 feet to a point; thence South and parallel to the East Section line, a distance of 560 feet to a point; thence East and parallel to the North Section line, a distance of 1625 feet to a point; thence North and parallel to the East Section line a distance of 560 feet, to the point of beginning.

APN: 98401-84-01-14640:

A Tract situated in the Northeast Quarter of Section 1 Township 18 North, Range 14 East, Tulsa County, Oklahoma described as follows:

Beginning at a point 1485 feet West of the Northeast Corner of Section 1, Township 18 North, Range 14 East; thence South parallel to the East Section line, a distance of 560 feet to a point; thence West, parallel to the North Section line, a distance of 910 feet to a point; thence North parallel to said East Section line a distance of 560 feet to a point on the North Section line; thence East along said North Section line a distance of 910 feet to the Point of Beginning.