

PREPARED BY AND RECORDING
REQUESTED BY:

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WHEN RECORDED MAIL TO:

NCWPCS MPL 22 – Year Sites Tower Holdings LLC
c/o Post Closing – Recording
8020 Katy Freeway
Houston, TX 77024

Space above this line for Recorder’s Use

A.P.N. 311-100-018

Prior recorded document(s) in Riverside County, California:
September 1, 2010 as #2010-0419874

MEMORANDUM OF FIFTH AMENDMENT TO
GROUND LEASE

This document is exempt from the \$75 Building Homes and Jobs Act Fee (per Government Code §27388.1) because:

- Document is a transfer of real property subject to the imposition of transfer tax
- Document is a transfer of real property that is a residential dwelling to an owner-occupier
- Document is recorded in connection with an exempt transfer of real property (i.e., subject to transfer tax or owner-occupied). If not recorded concurrently, provide recording date and document number of related transfer document:
Recording date _____ Document Number _____
- The \$225 per transaction cap is reached
- Document is not related to real property

Site Name: Riverside
Business Unit #: 845242

Documentary Transfer Tax \$ _____ _____ Computed on full value of property _____ Computed on full value less liens and encumbrances remaining at time of sale _____ Computed on full value of lease surpassing the 35 year term limit _____ _____ Computed on leased area of the property City of _____ Unincorporated ____ _____ Signature of Declarant or agent – Firm Name
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This Memorandum of Fifth Amendment to Ground Lease is made effective this ____ day of _____, 2021 by and between PERRIS UNION HIGH SCHOOL DISTRICT OF RIVERSIDE COUNTY (hereinafter referred to as “Landlord”) and NCWPCS MPL 22 – 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 Los Angeles Cellular Telephone Company, a California general partnership (“Original Tenant”) entered into a Ground Lease dated October 1, 1991 (the “Original Lease”) whereby Original Tenant leased certain real property, together with access and utility easements, located in Riverside County, California 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 Lease was amended by that certain Amendment to Ground Lease dated March 6, 1995 (“First Amendment”), by that certain Second Amendment to Ground Lease dated October 10, 1997 (“Second Amendment”), by that certain Amendment No. 3 to Ground Lease dated July 15, 1999 (“Third Amendment”), and by that certain Fourth Amendment to Ground Lease dated August 9, 2005, a memorandum of which was recorded in the official records of Riverside County, California (“Official Records”) on September 1, 2010 as Document No. 2010-0419874 (“Fourth Amendment”) (hereinafter the Original Lease and all subsequent amendments are collectively referred to as the “Lease”).

3. NCWPCS MPL 22 – Year Sites Tower Holdings LLC is currently the Tenant under the Lease as successor in interest to the Original Tenant.

4. The Lease had an initial term that commenced on October 1, 1991. The Fourth Amendment provides for a new initial term, commencing on September 1, 2005 and expiring on August 31, 2010 (“New Initial Term”). The Fourth Amendment further provides for five (5) extensions of sixty (60) months each beyond the New Initial Term, three (3) of which were exercised by Tenant. According to the Lease, the final extension expires on August 31, 2035.

5. Landlord and Tenant have entered into a Fifth Amendment to Ground Lease (the “Fifth Amendment”), of which this is a Memorandum, wherein the Premises was expanded by an additional area of forty-eight (48) square feet. A metes and bounds description of the Premises, as expanded, is attached hereto as Exhibit A.

6. The terms, covenants and provisions of the Fifth 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 Fifth 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:
PERRIS UNION HIGH SCHOOL DISTRICT
OF RIVERSIDE COUNTY

By: _____

Print Name: _____

Title: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF _____)
) ss:
COUNTY OF _____)

On _____, 2021 before me, _____ (insert name and title of the officer), personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of _____ that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

[Seal]

TENANT:
NCWPCS MPL 22 – YEAR SITES TOWER
HOLDINGS LLC, a Delaware limited liability
company

By: CCATT LLC, a Delaware limited
liability company
Its: Attorney In Fact

By: _____

Print Name: _____

Title: _____

A notary public or other officer completing this certificate
verifies only the identity of the individual who signed the
document to which this certificate is attached, and not the
truthfulness, accuracy, or validity of that document.

STATE OF _____)

) ss:

COUNTY OF _____)

On _____, 2021 before me, _____ (insert
name and title of the officer), personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of _____
that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

[Seal]

EXHIBIT A
(Legal Description of Premises)

PREMISES, AS EXPANDED (comprised of Tower Lease Area and Second New Space)

TOWER LEASE AREA DESCRIPTION

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 4 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 30;
THENCE ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 30, SOUTH 89° 49' 21" EAST, 587.20 FEET;
THENCE DEPARTING SAID MID-SECTION LINE, SOUTH 00° 10' 39" WEST, 44.70 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00° 10' 39" WEST, 24.50 FEET;
THENCE NORTH 89° 49' 21" WEST, 10.00 FEET;
THENCE SOUTH 00° 10' 39" WEST, 6.50 FEET;
THENCE NORTH 89° 49' 21" WEST, 28.00 FEET;
THENCE NORTH 00° 10' 39" EAST, 31.00 FEET;
THENCE SOUTH 89° 49' 21" EAST, 38.00 FEET TO THE TRUE POINT OF BEGINNING AND CONTAINING 0.026 ACRES (1,113 SQUARE FEET) OF LAND MORE OR LESS.

TOGETHER WITH AND RESERVING A NON-EXCLUSIVE RIGHT OF USE ACROSS LESSOR'S PROPERTY FOR INGRESS, EGRESS, PARKING, VEHICULAR MANEUVERING, EQUIPMENT AND UTILITIES IN ORDER TO CONSTRUCT, INSTALL, OPERATE, MAINTAIN OR REMOVE ANY RADIO COMMUNICATION FACILITY AND EQUIPMENT.

SECOND NEW SPACE DESCRIPTION

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 4 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 30;
THENCE ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 30, SOUTH 89° 49' 21" EAST, 545.72 FEET;
THENCE DEPARTING SAID MID-SECTION LINE, SOUTH 00° 10' 39" WEST, 49.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00° 10' 39" WEST, 8.00 FEET;
THENCE NORTH 89° 49' 21" WEST, 6.00 FEET;
THENCE NORTH 00° 10' 39" EAST, 8.00 FEET;
THENCE SOUTH 89° 49' 21" EAST, 6.00 FEET TO THE TRUE POINT OF BEGINNING AND CONTAINING 0.001 ACRES (48 SQUARE FEET) OF LAND MORE OR LESS.

TOGETHER WITH AND RESERVING A NON-EXCLUSIVE RIGHT OF USE ACROSS LESSOR'S PROPERTY FOR INGRESS, EGRESS, PARKING, VEHICULAR MANEUVERING, EQUIPMENT AND UTILITIES IN ORDER TO CONSTRUCT, INSTALL, OPERATE, MAINTAIN OR REMOVE ANY RADIO COMMUNICATION FACILITY AND EQUIPMENT.

CONTAINING A COMBINED TOTAL OF 1,161 SQUARE FEET, MORE OR LESS.

EXHIBIT B
(Legal Description of Landlord's Property)

Situated in the County of Riverside, State of California, described as follows:

PARCEL 1:

The West 828 feet of the North 611.16 feet of the Southeast one-quarter of Section 30, Township 4 South, Range 3 West, San Bernardino Base and Meridian, reserving to the grantor an easement for installing, maintaining, and renewing a pipe line for transporting water for irrigation purposes over the Northerly 30 feet of the property being conveyed herein.

PARCEL 2:

That portion of the Southeast quarter of Section 30, Township 4 South, Range 3 West, San Bernardino Base and Meridian, by metes and bounds, beginning at the Southwest corner of the 20 acre tract of land in said Southeast quarter conveyed by Matthew Lutz to Mrs. Ellen Vance, by deed recorded in Book 184 page 434 of Deeds in the office of the County Recorder of the County of San Diego, State of California, said point being 9.26 chains South of the Northwest corner of said Southeast quarter; thence South on the West line of said Southeast quarter, 8.156 chains; thence East 12.261 chains; thence North 8.156 chains to the South line of said property conveyed to Mrs. Ellen Vance; thence West on said South line, 12.261 chains to the point of beginning;

EXCEPTING THEREFROM any portion thereof included within that certain tract of land conveyed by John G. White, et ux, to John W. Brockman, et al, by Deeds recorded in Book 17 pages 117 and 118 of Deeds in the office of the County Recorder of the County of Riverside, State of California, said tract conveyed by John G. White, et ux, to John W. Brockman, et al, being described as the East half of a certain 20 acres tract of land beginning at the Southwest corner of the property conveyed to Mrs. Ellen Vance by said Deed; thence South 8.156 chains; thence East 25.30 chains to a point 50 feet West of the center of the Railroad track; thence Northwesterly, parallel with the California Southern Railroad, 8.50 chains to a point 50 feet West of the center of said Railroad tract; and thence West 23.30 chains, to the point of beginning.