

RECORDING REQUESTED BY  
AND WHEN RECORDED RETURN TO:

McGuireWoods LLP  
1800 Century Park East, 8th Floor  
Los Angeles, CA 90067  
Attention: Lindsay A. Barstow, Esq.  
Re: TUC Magnet School

(Space above this line for Recorder's use)  
DTT = \$0; Lease term less than 35 years

STATE OF ARIZONA )  
 )  
COUNTY OF PIMA )  
 )  
APN: 117-051-030, 117-05-125A, )  
117-05-001A, 117-05-0020, 117-05-105B, )  
117-05-1120, 117-05-111A, 117-05-10401, )  
& 117-05-110 )

**MEMORANDUM OF LEASE AGREEMENT**

This Memorandum of Lease Agreement (“Memorandum”) is made as of the date of the last signature below between \_\_\_\_\_, with its mailing address located at 1010 East Tenth Street, Tucson, Arizona 85719, hereinafter referred to as “LESSOR,” and Verizon Wireless (VAW) LLC, d/b/a Verizon Wireless, with its principal office located at One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey 07920, hereinafter referred to as “LESSEE.” LESSOR and LESSEE are at times collectively referred to hereinafter as the “Parties” or individually as the “Party.”

1. LESSOR and LESSEE entered into a Lease Agreement (the “Agreement”) dated as of the latter signature date therein, for an initial term of five (5) years, commencing on the Commencement Date (defined hereinafter), which shall automatically be extended for four (4) additional five (5) year terms unless LESSEE terminates it at the end of the then current term. The total guaranteed term of the Agreement is less than thirty-five (35) years.
2. Pursuant to the Agreement, LESSEE leases from LESSOR a portion (“Premises”) of that certain real property in Pima County at 400 North 2nd Avenue, Tucson, Arizona 85705, identified as Pima County Assessor Parcel Number(s) 117-051-030, 117-05-125A, 117-05-001A, 117-05-0020, 117-05-105B, 117-05-1120, 117-05-111A, 117-05-110, and 117-05-10401, as legally described in Exhibit “A” attached hereto and incorporated herein (the entirety of LESSOR’s property is collectively referred to hereinafter as the “Property”), said Premises being substantially described and depicted in the Agreement, together with the non-exclusive right for ingress and egress, seven (7) days a week, twenty-four (24) hours a day, on foot or motor vehicle, including trucks, over or along a right-of-way extending from Premises to a public right-of-way, and for the installation and maintenance of utility wires, poles, cables, conduits, and pipes over, under, or along one or more rights-of-way, said leased premises and rights-of-way being substantially as described and depicted in the Agreement.

3. The Commencement Date of the Agreement, of which this is a Memorandum, is based upon the earlier of the date of LESSEE commences installation of its equipment on the Premises, or August 1, 2016.
4. LESSEE has the right of first refusal to meet any bona fide offer of transfer during the initial term and all renewal terms of the Agreement if LESSOR elects to grant to a third party by easement or other legal instrument an interest in and to that portion of the Property occupied by LESSEE, or a larger portion thereof, for the purpose of operating and maintaining communications facilities or the management thereof.
5. The terms, covenants and provisions of the Agreement, the terms of which are hereby incorporated by reference into this Memorandum, shall extend to and be binding upon the respective executors, administrators, heirs, successors and assigns of LESSOR and LESSEE.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, LESSOR and LESSEE have caused this Memorandum to be duly executed on the date last written below.

**LESSOR:**

\_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

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

**LESSEE:**

Verizon Wireless (VAW) LLC, d/b/a Verizon Wireless

By: \_\_\_\_\_

Name: Aparna Khurjekar

Its: Vice President – Field Network

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

**LESSOR ACKNOWLEDGMENT**

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 \_\_\_\_\_ )  
 )  
COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_, before me, \_\_\_\_\_, Notary Public, 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.

\_\_\_\_\_  
Notary Public

Place Notary Seal Above



**EXHIBIT "A"**

**(LEGAL DESCRIPTION OF THE PROPERTY)**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF PIMA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

**PARCEL A:**

That portion of Lot 1, Block 76, City of Tucson, according to Book 2 of Maps, Page 4, records of Pima County, Arizona, described as follows:

Beginning at the Northeast corner of said Lot 1;

Thence South, along the East line of said Lot 1, 44 feet;

Thence West, parallel with the North line of said Lot 1, 138 feet;

Thence North, parallel with the East line of said Lot 1, 44 feet to the North line of said Lot 1;

Thence East, along the North line of said Lot 1, 138 feet to the point of beginning.

APN: 117-051-030

**PARCEL B:**

Parcel No. 1:

Block 77, CITY OF TUCSON, according to Book 3 of Maps and Plats, Pages 70 and 71, records of Pima County, Arizona;

Except the following described property:

Beginning at a point, said point being on the South line of Block 77 distant 155 feet West of the Southeast corner of Block 77;

Thence North, parallel with the West line of First Avenue, 115 feet;

Thence West, parallel with the North line of Eight Street, 50 feet;

Thence South, parallel with the West line of First Avenue, 115 feet to a point in the South line of Block 77;

Thence East, along the South line of said block, 50 feet to the POINT OF BEGINNING.

Parcel No. 2:

All of First Avenue between the South line of Seventh Street and the North line of Eighth Street; and All of Second Avenue between the South line of Seventh Street and the North line of Eighth Street as abandoned in Ordinance No. 3611 recorded March 12, 1971 in Docket 3951, Page 201.

APN: 117-05-125A

**PARCEL C:**

Parcel No. 1:

Block 65, according to the official survey, map and filed notes of the City of Tucson, made and executed by S. W. Foreman and approved and adopted by the Mayor and Common Council of said City (then Village) on June 26, 1872, a copy of which map is of record in the office of the County recorder, Pima County, Arizona, in Book 3 of Maps and Plats, Pages 70 and 71;

EXCEPT gold, silver, cinnabar or copper or to any valid mining claim as reserved in Patent recorded in Book 2 of Deeds, Page 311.

Parcel No. 2:

All of 7th Street between the West line of 1st Avenue and the East line of 2nd Avenue; AND all of 2nd Avenue between the North line of 7th Street and a line parallel with and 5.4 feet Southerly from the South line of 6th Street, according to the official survey, map and filed notes of the City of Tucson, made and executed by S. W. Foreman and approved and adopted by the Mayor and Common Council of said City (then Village) on June 26, 1872, a copy of which map is of record in the office of the County recorder, Pima County, Arizona, in Book 3 of Maps and Plats, Pages 70 and 71, as deeded pursuant to Ordinance No. 3337, by Quit Claim Deed recorded October 15, 1969 in Docket 3601, Page 141.

EXCEPT gold, silver, cinnabar or copper or to any valid mining claim as reserved in Patent recorded in Book 2 of Deeds, Page 311.

Parcel No. 3:

That portion of 7th Street, according to the official survey, map and filed notes of the City of Tucson, made and executed by S. W. Foreman and approved and adopted by the Mayor and Common Council of said City (then Village) on June 26, 1872, a copy of which map is of record in the office of the County recorder, Pima County, Arizona, in Book 3 of Maps and Plats, Pages 70 and 71, as deeded pursuant to Ordinance No. 3611, by Quit Claim Deed recorded March 12, 1971 in Docket 3951, Page 201;

EXCEPT gold, silver, cinnabar or copper or to any valid mining claim as reserved in Patent recorded in Book 2 of Deeds, Page 311.

APN: 117-05-001A

**PARCEL D:**

Parcel 1 (Tucson High Stadium)

Lots 1 through 12, Block 66, of the City of Tucson, according to the map and plat of record in the Pima County Recorder, Pima County, Arizona, in Book 2 of Maps and Plats at Page 4, EXCEPT the north 5.4 feet of Lots 1 and 2 in said Block 66.

Parcel 2 (Tucson High Stadium)

That certain north-south alley running through Block 66, of the City of Tucson, according to the map and plat of record in the Pima County Recorder, Pima County, Arizona, in Book 2 of Maps and Plats at Page 4, lying north of the easterly projection of the south line of Lot 11 in said Block

66 and north of a line 5.4 feet southerly of and parallel with the easterly prolongation of the north line of Lot 2 in said Block 66.

APN: 117-05-0020

**PARCEL E:**

Parcel No. 1:

All of the North-South alley (also known as Bean Avenue), being 26.4 feet wide, in Block 76, CITY OF TUCSON, according to Book 3 of Maps and Plats, Pages 70 and 71, records of Pima County, Arizona.

Parcel No. 2:

All that portion of Seventh Street in City of Tucson, lying between the East line of Third Street and the Northerly prolongation of the East line of the North-South alley (also known as Bean Avenue), being 26.4 feet wide, in Block 76, CITY OF TUCSON, according to Book 3 of Maps and Plats, Pages 70 and 71, records of Pima County, Arizona.

APN: 117-05-105B

**PARCEL F:**

Lot 6, Block 76, CITY OF TUCSON, according to Book 2 of Maps and Plats, Page 4, records of Pima County, Arizona.

APN: 117-05-1120

**PARCEL G:**

Parcel No. 1:

That portion of Block 76, CITY OF TUCSON, according to Book 3 of Maps and Plats, Page 70, records of Pima County, Arizona, more particularly described as follows:

BEGINNING at a point in the East boundary line of said Block 76, distant 132 feet South from the Northeast corner of said block;

Thence Southerly along said East boundary line of said block, a distance of 66 feet;

Thence Westerly, parallel with the North line of said Block, a distance of 184.8 feet to a point in the East line of the alleyway running North and South through said Block;

Thence Northerly, along the East line of said alleyway, a distance of 66 feet;

Thence Easterly parallel with the North line of said Block, a distance of 184.8 feet to the POINT OF BEGINNING,

Being sometimes known as Lot 5, Block 76, City of Tucson, according to Book 2 of Maps and Plats, Page 4, records of Pima County, Arizona.

Parcel No. 2:

The South 17 feet of the West 46.8 feet of Lot 4, Block 76, CITY OF TUCSON, according to Book 2 of Maps and Plats, Page 4, records of Pima County, Arizona.



APN: 117-05-111A

**PARCEL H:**

That portion of Block 76, CITY OF TUCSON, according to Book 3 of Maps and Plats, Pages 70 and 71, records of Pima County, Arizona, more particularly described as follows:

BEGINNING at the Northeast corner of said Block 76;

Thence South along the East line of said Block, 132 feet to the TRUE POINT OF BEGINNING;

Thence West, parallel with the North line of said Block, 138 feet;

Thence North, parallel with the East line of said Block, 44 feet;

Thence East, parallel with the North line of said Block, 138 feet;

Thence South along the East line of said Block, 44 feet to the TRUE POINT OF BEGINNING, Being unofficially known as the South 44 feet of the East 138 feet of Lot 4 in Block 76 of the City of Tucson, Pima County, Arizona.

APN: 117-05-1100

**PARCEL I:**

That portion of Lots 1 and 4, Block 76, CITY OF TUCSON, according to Book 2 of Maps and Plats, Page 4, records of Pima County, Arizona, more particularly described as follows:

BEGINNING at a point in the East boundary line of said Lot 1, distant 44 feet South from the Northeast corner of said Lot 1, being also the Northeast corner of said Block 76;

Thence Westerly, parallel with the North boundary line of said Lot 1, a distance of 138 feet;

Thence Southerly parallel with the East boundary line of said Lots 1 and 4, a distance of 44 feet;

Thence Easterly parallel with the North boundary line of said Lot 1, a distance of 138 feet to a point on the East boundary line of said block;

Thence Northerly, a distance of 44 feet to the POINT OF BEGINNING, sometimes referred to as the South 22 feet of the East 138 feet of Lot 1 and the North 22 feet of the East 138 feet of Lot 4, Block 76 of the City of Tucson.

APN: 117-05-10401