

Upon Recording, Return to:

Attn: Marshall R. Hart
McGuireWoods LLP
1800 Century Park East
8th Floor
Los Angeles, CA 90067
Re: TUC Catalina

STATE OF ARIZONA)
)
COUNTY OF PIMA)

APN: 122-16-0010

MEMORANDUM OF SECOND AMENDMENT TO EASEMENT AGREEMENT

This Memorandum of SECOND AMENDMENT TO EASEMENT AGREEMENT is made as of the date of last execution below by and between Tucson Unified School District No. 1 of Pima County, Arizona, a political subdivision of the State of Arizona (“GRANTOR”), and Verizon Wireless (VAW) LLC, d/b/a Verizon Wireless (“GRANTEE”), with reference to the facts set forth in the Recitals below:

1. GRANTOR and GRANTEE entered into an unrecorded Easement Agreement dated September 5, 2000, as amended by that certain First Amendment to Easement Agreement dated November 21, 2008, a memorandum of which was recorded on January 8, 2009 as Docket No. 13470, Page 903 (collectively, the “Agreement”), pursuant to which GRANTEE was granted a portion (the “Easement”) of GRANTOR’s property, legally described in Exhibit “A” attached hereto and incorporated herein, for the operation and maintenance of GRANTEE's communications facility and related appurtenances. GRANTOR and GRANTEE have also executed a Second Amendment to Easement Agreement (the “Second Amendment”) dated _____, 201_, pursuant to which the parties have agreed to expand the Easement to include an additional parcel of ground space measuring approximately eleven feet six inches (11’6”) by fifteen feet six inches (15’6”), as described and depicted in the Second Amendment.
2. The terms, covenants and provisions of the Agreement and Second Amendment, 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 GRANTOR and GRANTEE.

[SIGNATURES ON IMMEDIATELY FOLLOWING PAGE]

IN WITNESS WHEREOF, hereunto and to a duplicate hereof, GRANTOR and GRANTEE have caused this Memorandum to be duly executed on the date last written below.

GRANTOR:

Tucson Unified School District No. 1 of Pima County, Arizona,
a municipal corporation

By: _____
Name: _____
Title: _____
Date: _____

GRANTEE:

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

By: _____
Name: Brian Mecum
Title: Area Vice President Network
Date: _____

GRANTOR ACKNOWLEDGMENT

STATE OF _____)
)
COUNTY OF _____)

On _____, 201_, 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 California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

Place Notary Seal Above

GRANTEE ACKNOWLEDGMENT

State of California)
)
County of Orange)

On _____, 201_, before me, _____, Notary Public, personally appeared Brian Mecum, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature of Notary Public

Place Notary Seal Above

EXHIBIT A

Legal Description

Block 3 of Palo Verde Addition to the City of Tucson, Pima County Arizona, according to the map or plat of said Addition of record in the office of the County Recorder of Pima County, Arizona, in Book 3 of Maps and Plats at Page 81.