

Return to:
AP Wireless Investments I, LLC
9373 Towne Centre Drive
San Diego, CA 92121
Attn: Eric M. Overman
FATCO NCS 946773-01

13112289
10/30/2019 2:43:00 PM \$40.00
Book - 10853 Pg - 3813-3816
RASHELLE HOBBS
Recorder, Salt Lake County, UT
FIRST AMERICAN NCS
BY: eCASH, DEPUTY - EF 4 P.

TERMINATION OF MEMORANDUM OF AGREEMENT

THIS TERMINATION OF MEMORANDUM OF AGREEMENT ("Termination") is made as of October 30, 2019 by and between AP WIRELESS INVESTMENTS I, LLC, a Delaware limited liability company ("Landlord"), and ATC TRS II LLC ("Tenant").

WITNESSETH:

WHEREAS, a Memorandum of Agreement dated February 7, 2000 was recorded on October 12, 2000 as Entry No. 7737354 in Book 8393 at Page 8877 in the office of the County Recorder of Salt Lake County, State of Utah, (the "Memorandum") with respect to the land (the "Land") more particularly described on Exhibit A, attached hereto and incorporated herein by this reference.

WHEREAS, Utah Investments, L.C., a Utah limited liability company ("Utah Investments"), as lessor, and Nextel West Corp., a Delaware corporation, d/b/a Nextel Communications ("Nextel"), as lessee, entered into that certain Communications Site Lease Agreement dated February 7, 2000 relating to a lease of a portion of the Land by Utah Investments to Nextel (as further amended, restated, modified or supplemented, the "Lease").

WHEREAS, Utah Investments assigned its beneficial interest as lessor under the Lease to AP Wireless Infrastructure Partners LLC, a Delaware limited liability company ("AP WIP"), pursuant to that certain Easement and Assignment Agreement made as of June 1, 2011 and recorded as Entry No. 11203496, on June 24, 2011, in Book 9932, at Page 8507, in the office of the County Recorder of Salt Lake County, State of Utah.

WHEREAS, AP WIP assigned its interest as lessor under the Lease to Landlord by that certain Assignment of Easement between AP WIP and Landlord, made as of December 1, 2012 and recorded as Entry No. 11601348, on March 21, 2013, in Book 10119, at Page 3687, in the office of the County Recorder of Salt Lake County, State of Utah.

WHEREAS, Tenant is the successor to Nextel under the Lease.

NOW, THEREFORE, it is agreed that the Memorandum and the Lease are terminated and are of no further force and effect. This Termination may be executed in one or more counterparts, each of which when taken together shall be deemed to be the same instrument.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, the parties have executed this Termination as of the date first above written.

LANDLORD:

AP WIRELESS INVESTMENTS I, LLC, a Delaware limited liability company

By: 

Name: Eric Olerman

Title: CEO

TENANT:

ATC TRS II LLC

By: _____

Name: _____

Title: _____

STATE OF _____)

:ss

COUNTY OF _____)

On the _____ day of _____, 2019, personally appeared before me, _____, who being duly sworn did say that he/she is the signer of the within instrument on behalf of AP Wireless Investments I, LLC, and that the within and foregoing instrument was signed by authority of said limited liability company.

see attached acknowledgment

_____ Notary Public

STATE OF _____)

:ss

COUNTY OF _____)

On the _____ day of _____, 2019, personally appeared before me, _____, who being duly sworn did say that he/she is the signer of the within instrument on behalf of ATC TRS II LLC, and that the within and foregoing instrument was signed by authority of said limited liability company.

_____ Notary Public

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.

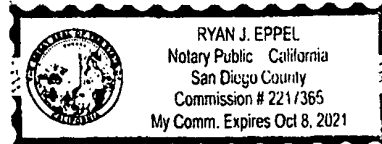
State of California
County of San Diego

On August 21, 2019 before me, Ryan J. Eppel
(insert name and title of the officer)

personally appeared Era Overman,
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 R. Eppel

(Seal)

EXHIBIT A

TO

TERMINATION OF MEMORANDUM OF AGREEMENT

The Land is described and/or depicted as follows (metes and bounds):

APN: 15-12-176-007

Salt Lake County, State of Utah.

Beginning at the Southwest corner of Lot 4, Block 8, Plat "A", Salt Lake City Survey, and running thence South 89 degrees 57' 52" East 296.17 feet; thence North 0 degrees 03' East along the east face of a fence 151.01 feet to the center line of the Oregon Short Line Spurtrack; thence West along the centerline of said spurtrack 231.35 feet; thence Northwesterly along the Centerline of said spurtrack to the West line of said Lot 4, of Block B; thence South 0 degrees 00' 59" East along the West line of said Lot 4, 161.30 feet to the Southwest corner of said lot, and to the point of beginning