13755325 08/26/2021 11:44 AM \$40.00 Book - 11228 Pg - 5759-5762 RASHELLE HOBES RECORDER, SALT LAKE COUNTY, UTAH VERTICAL BRIDGE DEVELOPEMENT 7130 GLEN FOREST DR STE 300 RICHMOND, VA 23226 BY: ZHA, DEPUTY - MA 4 P.

(Above 3" Space for Recorder's Use Only)

## **Upon Recording Return to:**

Vertical Bridge Development, LLC 750 Park of Commerce Drive, Suite 200 Boca Raton, FL 33487 Attn: Daniel Marinberg

Site Name: River Walk
Site Number: US-UT-5028
PacifiCorp Site ID: UTSL-9191
Commitment # 30573763

#### **MEMORANDUM OF LEASE**

This Memorandum of Lease ("Memorandum") evidences a Lease Agreement (the "Lease") between PacifiCorp, an Oregon corporation, who acquired title as Utah Power & Light Company, a corporation ("Lessor"), whose address is 1407 W. North Temple, Suite 110, Salt Lake City, UT 84116, and Vertical Bridge Development, LLC, a Delaware limited liability company, whose mailing address is 750 Park of Commerce Drive, Suite 200, Boca Raton, FL 33487 ("Lessee"), dated September 10, 2020 (the "Effective Date"), for the "Premises" described in Exhibit A attached hereto.

Except as otherwise specifically defined herein, all capitalized terms used herein shall have the definitions given to them in the Lease.

Lessor hereby ratifies, restates and confirms the Lease and leases to Lessee the Premises, subject to the terms and conditions of the Lease. The Commencement Date of the Lease is December 1, 2020. The Lease provides for the lease by Lessor to Lessee of the Premises for an initial term of ten (10) years with six (6) renewal option(s) of an additional five (5) years each, and further provides:

- 1. The Premises may be used exclusively by Lessee for erecting, installing, operating and maintaining radio and communications towers, buildings, and equipment; and
- 2. Lessee is entitled to sublease and/or license the Premises, including any communications tower located thereon.
- 3. This Memorandum is not intended to amend or modify, and shall not be deemed or construed as amending or modifying, any of the terms, conditions or provisions of the Lease. In the event of a conflict between the provisions of this Memorandum and the provisions of the Lease, the provisions

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of the Lease shall control. The Lease shall be binding upon and inure to the benefit of Lessor and Lessee and shall inure to the benefit of their respective heirs, successors, and assigns, subject to the provisions of the Lease.

IN WITNESS WHEREOF, the parties hereto have executed this MEMORANDUM OF LEASE as of the date last signed by a party hereto.

**LESSOR:** 

**PACIFICORP** 

an Oregon corporation

STATE OF

The foregoing instrument was acknowledged before me this \_

\_ (name of signatory) (title of signatory) of PacifiCorp, an Oregon corporation.

(Seal)

Printed Name:

My Commission Expires

January 17, 2023

[Tenant's Signature Page to Memorandum of Lease]	
	LESSEE:
	Vertical Bridge Development, LLC a Delaware limited liability company
	By:    Bernard A. Borghei     Recutive VP Operations
	Title: AUG 1 1 2021
STATE OF FLORIDA	LEGAL DS
COUNTY OF PALM BEACH	<u> </u>
The foregoing instrument was acknowledged before me this // day of	
(Seal)	
Rachel (U) Olicanson  Notary Public  Printed Name: Rachel Williamson  My Commission Expires:	Notary Public State of Florida Rachel Williamson My Commission GG 266524 Expires 10/17/2022
Oct. 17, 2022	

## **EXHIBIT A**

### The Premises

# LEASE AREA:

. . •

BEGINNING AT A POINT 2123.22 FEET SOUTH 89°37'23" WEST ALONG THE SECTION LINE AND 412.66 FEET SOUTH FROM THE NORTHWEST CORNER OF SAID SECTION 26, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE EAST 40.00 FEET; THENCE SOUTH 40.00 FEET; THENCE NORTH 40.00 FEET TO THE POINT OF BEGINNING.

CONTAINING: 1,600 SQ. FT. OR 0.037 ACRES, MORE OR LESS.

## **ACCESS AND UTILITIES CORRIDOR:**

LESSEE SHALL HAVE ACCESS AND UTILITY RIGHTS TO THE PREMISES SEVEN (7) DAYS A WEEK, TWENTY-FOUR (24) HOURS A DAY ON THE FOLLOWING PROPERTY:

AN AREA 20.00 FEET IN WIDTH, BEING 10 FEET EITHER SIDE OF FOLLOWING DESCRIBED CENTER LINE:

CENTERLINE BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY LINE OF 7000 SOUTH STREET (JORDAN RIVER BLVD), SAID POINT BEING 2102.40 FEET SOUTH 89°37'23" WEST ALONG THE NORTH SECTION LINE, AND 195.68 FEET SOUTH FROM THE NORTHWEST CORNER OF SAID SECTION 26, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 246.85 FEET; THENCE EAST 20.82 FEET TO THE WEST LINE OF THE LEASE AREA AND THE POINT OF TERMINUS.