

AFTER RECORDING RETURN TO:
COUNTY COUNSEL
434 NE EVANS STREET
MCMINNVILLE, OR 97128

This Instrument Prepared by
and after recording return to:

Travis Beaton
Sher Garner Cahill Richter Klein
& Hilbert, L.L.C.
909 Poydras Street, Suite 2800
New Orleans, LA 70112
Ph: (504) 299-2117

Site Name: OR, MCMINNVILLE-WORTMAN
Site Number: PIOR015
SG#:21950.0253

OFFICIAL YAMHILL COUNTY RECORDS
BRIAN VAN BERGEN, COUNTY CLERK

202117520



NO FEE

08/26/2021 03:23:07 PM

DMR-LDMR Cnt=2 Stn=3 SUTTONS
This is a no fee document

(Space Above this Line for Recorder's Use)

AMENDMENT TO GROUND LEASE AGREEMENT AND MEMORANDUM OF GROUND LEASE AGREEMENT

THIS AMENDMENT TO GROUND LEASE AGREEMENT AND MEMORANDUM OF GROUND LEASE AGREEMENT (hereinafter, referred to as the "AMENDMENT TO LEASE AND MEMORANDUM") is made as of the 26th day of August _____, 2021, by and between **YAMHILL COUNTY**, a political subdivision of the State of Oregon, ("Lessor"), whose address is 2060 NE Laffayette Avenue McMinnville, Oregon 97128, and **PI TOWER DEVELOPMENT LLC**, a Delaware limited liability company ("Lessee"), whose address is 909 Lake Carolyn Parkway, Suite 260, Irving, Texas 75039.

WHEREAS, Lessor and Lessee entered into that certain Ground Lease Agreement, dated March 23, 2017 (the "Lease"), regarding certain real property in Yamhill County, Oregon, as more particularly described in the Lease;

WHEREAS, the Lease was memorialized by that certain Memorandum of Ground Lease Agreement, dated March 31, 2017, by and between Lessor and Lessee, recorded May 8, 2017, under Instrument Number 201707494 of the Public Records of Yamhill County, Oregon (the "Memorandum");

WHEREAS, the Lessor and Lessee wish to amend the Lease and the Memorandum by replacing the legal description of the Leased Premises (as defined in the Lease and Memorandum) and the Easement(s) (as defined in the Lease and the Memorandum) as hereinafter provided.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Lessor and Lessee mutually agree that the Lease and Memorandum are hereby amended as follows:

1. Leased Premises and Easements. The Lessor and Lessee hereby acknowledge and agree that the description of the Leased Premises in the Lease and the Memorandum are hereby deleted in their entirety and replaced with the description of the land, located in Yamhill County, Oregon more particularly described on **Exhibit "A"**, attached hereto and made a part hereof

(the "Leased Premises"). Further, the Lessor and Lessee agree that the description of the Easement(s) Parcels in the Lease and the Memorandum are hereby deleted in their entirety and replaced with the description of the easements described on **Exhibit "B"**, attached hereto and made a part hereof (collectively, the "Easement(s)"). The Leasehold Parcel and the Easement Parcels are collectively referred to as the Premises.

2. All of the terms and conditions of the Lease pertaining to the Lease are incorporated herein by reference. In the event of a conflict between the terms hereof and the terms of the Lease, the terms of the Lease shall govern.

[SIGNATURES FOLLOW]

IN WITNESS WHEREOF, Tenant has executed this Amendment to Lease and Memorandum as of the date first written above.

LESSEE:

PI TOWER DEVELOPMENT LLC,
a Delaware limited liability company

By: [Signature]
Name: YANNIS MACHORAS
Title: SVP

Witnesses:

[Signature]
Print Name: Nancy Venturullo

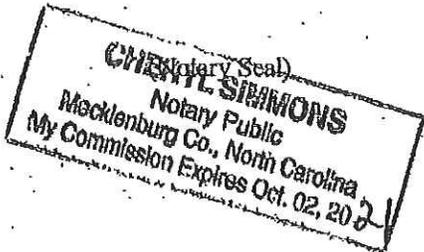
[Signature]
Print Name: Negan Tucker

STATE OF North Carolina
COUNTY OF Mecklenburg

I, a Notary Public of the County and State aforesaid, certify that Yannis Machoras of PI Tower Development LLC, a Delaware limited liability company, personally came before me this day and acknowledged that (s)he, being authorized to do so, executed the foregoing instrument on behalf of said company. He/She is personally known to me or has produced SVP as identification.

WITNESS my hand and notarial seal, this 11 day of September, 2020.

[Signature]
Signature of Notary Public
Name: Cheryl Simon
My Commission Expires: October 2, 2021



IN WITNESS WHEREOF, the parties hereto have executed this Amendment to Lease and Memorandum as of the date first written above.

LESSOR:

YAMHILL COUNTY, a political subdivision of the State of Oregon

: [Signature]
Print Name: MARY STARRETT
Title: YAMHILL COUNTY COMMISSIONER

Witness:

[Signature]
Print Name: Nohely Barajas M.
[Signature]
Print Name: Carolina Book

STATE OF OREGON

COUNTY OF YAMHILL

I, a Notary Public of the County and State aforesaid, certify that MARY STARRETT, YAMHILL COUNTY COMMISSIONER on behalf of Yamhill County, a political subdivision of the State of Oregon, personally came before me this day and acknowledged that (s)he, being authorized to do so, executed the foregoing instrument on behalf of said YAMHILL COUNTY. He/She is personally known to me or has produced _____ as identification.

WITNESS my hand and notarial seal, this 20th day of AUGUST, 2021.

(Notary Seal)

[Signature]
Signature of Notary Public
Name: KERI L. HINTON
My Commission Expires: June 10, 2022



Accepted by Yamhill County Board of Commissioners on 8/26/21 by Board Order # 21-307

EXHIBIT "A"

Description of Leased Premises

THAT PORTION OF PARCEL 2, AS SET FORTH IN DEED RECORDED IN BOOK 182, PAGE 18, BEING A PART OF THE MADISON MALONE DONATION LAND CLAIM, NOTIFICATION NO. 1226, CLAIM NO. 49 IN TOWNSHIP 4 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN, YAMHILL COUNTY, STATE OF OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND BAR & CAP STAMPED "MATT DUNCKEL" ON THE NORTHWEST MARGIN OF NE LAFAYETTE AVENUE, FROM WHICH A FOUND BAR AND CAP STAMPED "MATT DUNCKEL" AT THE SOUTHERLY CORNER OF PARCEL 2 PER PARTITION PLAT 2007-92, RECORDS OF YAMHILL COUNTY, BEARS NORTH 40°14'20" EAST 50.01 FEET;

THENCE SOUTH 69°13'19" EAST 321.45 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 01°48'22" EAST 39.00 FEET;

THENCE SOUTH 88°11'38" EAST 57.00 FEET;

THENCE SOUTH 01°48'22" WEST 39.00 FEET;

THENCE NORTH 88°11'38" WEST 57.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,223 SQUARE FEET OR 0.051 ACRES.

EXHIBIT "B"

Description of Easement(s)

Access Easement

THAT PORTION OF PARCEL 2, AS SET FORTH IN DEED RECORDED IN BOOK 182, BEING A PART OF THE MADISON MALONE DONATION LAND CLAIM, NOTIFICATION NO. 1226, CLAIM NO. 49, IN TOWNSHIP 4 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN, YAMHILL COUNTY, STATE OF OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SAID PORTION BEING A 12-FOOT STRIP OF LAND LYING 6-FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE

COMMENCING AT A FOUND BAR & CAP STAMPED "MATT DUNCKEL" ON THE NORTHWEST MARGIN OF NE LAFAYETTE AVENUE, FROM WHICH A FOUND BAR AND CAP STAMPED "MATT DUNCKEL" AT THE SOUTHERLY CORNER OF PARCEL 2 PER PARTITION PLAT 2007-92, RECORDS OF YAMHILL COUNTY, BEARS NORTH 40°14'20" EAST 50.01 FEET;

THENCE SOUTH 69°13'19" EAST 321.45 FEET TO THE SOUTHWEST CORNER OF THE LEASED PREMISES BEING SERVED BY THIS EASEMENT;

THENCE ALONG THE SOUTH LINE THEREOF, SOUTH 88°11'38" EAST 44.98 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 11°49'11" EAST 32.13 FEET;

THENCE SOUTH 01°53'04" WEST 83.74 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 14.00 FEET

THENCE ALONG SAID CURVE 22.83 FEET THROUGH A CENTRAL ANGLE OF 93°26'16";

THENCE NORTH 84°40'40" WEST 397.28 FEET;

THENCE NORTH 49°45'40" WEST 26.89 FEET TO THE SOUTHEASTERLY MARGIN OF NE LAFAYETTE AVENUE AND THE END OF THIS CENTERLINE DESCRIPTION;

THE SIDELINES THEREOF SHALL BE LENGTHENED OR SHORTENED TO INTERSECT WITH EACH OTHER AND TERMINATE AT THE SOUTH LINE OF THE LEASED PREMISES BEING SERVED BY THIS EASEMENT AND THE SOUTHEASTERLY MARGIN OF NE LAFAYETTE AVENUE.

CONTAINING 6,754 SQUARE FEET OR 0.155 ACRES.