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Doc#: 2004-0094759



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Taxes			0.00
Other			0.00
PAID			\$0.00

City Clerk
City of Redlands
PO BOX 3005
REDLANDS CA 92373

FEES NOT REQUIRED
PER GOVERNMENT CODE
SECTION 6103

MEMORANDUM OF WIRELESS SERVICE FACILITY LAND LEASE AGREEMENT

This Memorandum of Lease ("Memorandum") dated as of February 3, 2004, is between City of Redlands, a municipal corporation ("Landlord"), and Sprint PCS Assets, LLC, a Delaware limited liability company, ("Tenant").

WITNESSETH:

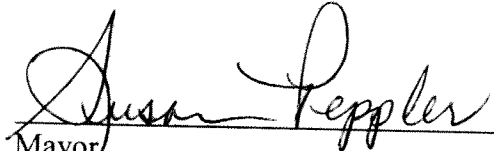
That Landlord hereby leases to Tenant and Tenant hereby leases from Landlord a portion of that certain real property (the "Property") in the State of California, County of San Bernardino, City of Redlands, commonly known as California Street Grove (APN 292-064-02), the "Leased Area" a legal description of which is shown in Exhibit A attached hereto and incorporated herein by reference, under the terms and conditions of the unrecorded Wireless Service Facility Land Lease Agreement by and between Landlord and Tenant dated February 3, 2004 and incorporated herein by reference (the "Agreement") for an initial term of five (5) years, and three (3) subsequent optional extension terms of five (5) years each, pursuant to the terms of the Agreement. The Agreement provides for grant for rights of access to the Property and Site and to electrical and telephone facilities serving the Property and leased Site.

IN WITNESS WHEREOF, the parties have executed this Memorandum as of the day and year first above written.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, Landlord and Tenant have executed this Memorandum of lease as of the date and year first written above.

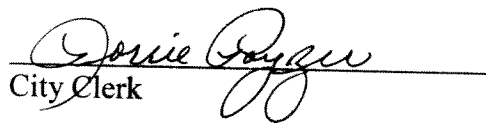
CITY OF REDLANDS, Landlord



Mayor

Date: February 3, 2004

ATTEST:



City Clerk

Tenant

SPRINT PCS ASSETS, LLC,

A DELAWARE LIMITED LIABILITY COMPANY,

By: 

George Ghantors

Title: Regional Director of Site Development

Tenant Initials 

Date: 12/31/03

ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) SS
CITY OF REDLANDS)

By the authority granted under Chapter 4, Article 3, Section 1181, of the California Civil Code, and Chapter 2, Division 3, Section 40814, of the California Government Code, on February 3, 2004, before me, Beatrice Sanchez, Deputy City Clerk, on behalf of Lorrie Poyzer, City Clerk of the City of Redlands, California, personally appeared Susan Pepler and Lorrie Poyzer { X } personally known to me - or - { } proved to me on the basis of satisfactory evidence to be the persons whose names) are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.



WITNESS my hand and official seal.

LORRIE POYZER, CITY CLERK

By: Beatrice Sanchez
Beatrice Sanchez, Deputy City Clerk
(909)798-7531

~~~~~  
**CAPACITY CLAIMED BY SIGNER(S)**

- ☐ ☐ **Individual(s) signing for oneself/themselves**  
☐ ☐ **Corporate Officer(s)**  
Title(s) \_\_\_\_\_  
Company \_\_\_\_\_  
☐ ☐ **Partner(s)**  
Partnership \_\_\_\_\_  
☐ ☐ **Attorney-In-Fact**  
Principal(s) \_\_\_\_\_  
☐ ☐ **Trustee(s)**  
Trust \_\_\_\_\_  
☒ ☐ **Other**  
Title(s): Mayor and City Clerk  
Entity Represented: City of Redlands, a municipal corporation
- ~~~~~

**THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW:**

Title or Type of Document: Memorandum of Wireless Service Facility Land Lease Agreement

Date of Document: February 3, 2004

Signer(s) Other Than Named Above: George Ghanfors, Sprint PCS

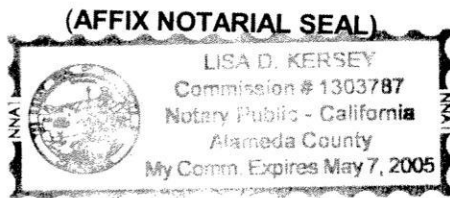
**SPRINT PCS ASSETS, L.L.C. NOTARY BLOCK:**

STATE OF CALIFORNIA

COUNTY OF ALAMEDA

The foregoing instrument was acknowledged before me this 31<sup>st</sup> day of December, 2003, by George Ghantous, Director of Site Development, 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.

Witness my hand and official seal.



  
(OFFICIAL NOTARY SIGNATURE)  
Notary Public - State of California

My commission expires:  
May 7, 2005

Lisa D. Kersey  
(PRINTED, TYPED OR STAMPED NAME OF NOTARY)

COMMISSION NUMBER: 1303787

EXHIBIT "A"  
TO  
MEMORANDUM OF WIRELESS SERVICE  
FACILITY LAND LEASE AGREEMENT  
BETWEEN THE CITY OF REDLANDS AND  
SPRINT PCS ASSETS, LLC

# EXHIBIT "A"

## PARCEL LEGAL DESCRIPTIONS AND EASEMENTS

### Parcel Legal Description

REFERENCE IS MADE TO TITLE REPORT NO. 0623-1038136 PREPARED BY FIRST AMERICAN TITLE COMPANY, DATED JUNE 23, 2003.

Real property in the City of Redlands, County of San Bernardino, State of California, described as follows:

PARCEL NO. 1:

THAT PORTION OF LOT 1, BLOCK 2 OF HENRY L. WILLIAMS TRACT, IN THE CITY OF REDLANDS, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 11 OF MAPS, PAGE 17, RECORDS OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1, SAID POINT BEING ALSO THE INTERSECTION OF THE CENTERLINE OF WALNUT AVENUE AND THE CENTER LINE OF NEVADA STREET; THENCE SOUTH ALONG THE CENTER LINE OF NEVADA STREET 162.6 FEET; THENCE WEST 30 FEET TO THE NORTHEAST CORNER OF THAT PARCEL OF LAND CONVEYED TO THE REDLANDS ORANGEDALE ASSOCIATION, A CORPORATION, BY DEED RECORDED APRIL 9, 1941 IN BOOK 1469, PAGE 437, OFFICIAL RECORDS; THENCE WEST ALONG THE NORTH LINE OF SAID COMPANY'S LAND, 100 FEET, MORE OR LESS, TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH ALONG THE WEST LINE OF SAID COMPANY'S LAND, 40 FEET TO A POINT 202.6 FEET SOUTH OF THE NORTH LINE OF SAID LOT 1; THENCE WEST 78 FEET; THENCE SOUTH 10 FEET; THENCE WEST 124 FEET; THENCE SOUTH TO A POINT 218.5 FEET SOUTH OF THE CENTER LINE OF WALNUT AVENUE; THENCE WEST 328 FEET TO THE WEST LINE OF SAID LOT; THENCE NORTH 218.6 FEET, MORE OR LESS, TO THE CENTER LINE OF WALNUT AVENUE; THENCE EAST ALONG THE CENTER LINE OF WALNUT AVENUE TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ANY PORTION LYING WITH NEVADA STREET.

ALSO EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE STATE OF CALIFORNIA, BY DEED RECORDED DECEMBER 12, 1980 IN BOOK 5302, PAGE 486, OFFICIAL RECORDS, LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT IN THE WEST LINE OF NEVADA STREET, 80 FEET WIDE, DISTANT ALONG SAID WEST LINE SOUTH 0 DEG. 25' 44" EAST 162.6 FEET FROM THE CENTER LINE OF WALNUT AVENUE; ABANDONED THENCE SOUTH 89 DEG. 34' 16" WEST 100.00 FEET; THENCE SOUTH 79 DEG. 54' 06" WEST 40.34 FEET; THENCE SOUTH 89 DEG. 05' 55" WEST 480.86 FEET TO THE WEST LINE OF SAID LOT 1.

ALSO EXCEPTING THEREFROM ALL THAT PORTION THEREOF CONVEYED TO THE STATE OF CALIFORNIA BY GRANT DEED RECORDED APRIL 25, 1988, INSTRUMENT NO. 88-122349, OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM ALL MINERALS, OIL, GASES AND OTHER HYDROCARBONS BY WHATSOEVER NAME KNOWN THAT MAY BE WITHIN OR UNDER THE PARCEL OF LAND HEREINABOVE DESCRIBED, WITHOUT HOWEVER THE RIGHT TO DRILL, DIG OR MINE THROUGH THE SURFACE THEREOF, AS RESERVED IN THE DEED FROM THE STATE OF CALIFORNIA, RECORDED FEBRUARY 6, 1963 IN BOOK 5847, PAGE 933, OFFICIAL RECORDS.

PARCEL NO. 2:

THAT PORTION OF LOT 1, BLOCK 2, HENRY L. WILLIAMS TRACT, IN THE CITY OF REDLANDS, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 11

OF MAPS, PAGE 17, RECORDS OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 162.6 FEET SOUTH OF THE INTERSECTION OF THE CENTER LINES OF WALNUT STREET AND NEVADA STREET; THENCE WEST 30 FEET TO THE TRUE POINT OF BEGINNING; THENCE WEST 100 FEET TO THE NORTHWEST CORNER OF THE LAND CONVEYED TO THE REDLANDS ORANGEDALE ASSOCIATION, A CORPORATION, BY DEED RECORDED APRIL 9, 1941 IN BOOK 1469, PAGE 437, OFFICIAL RECORDS; THENCE SOUTH 40 FEET TO A POINT 202.6 FEET SOUTH OF THE NORTH LINE OF SAID LOT 1; THENCE WEST 78 FEET; THENCE SOUTH 10 FEET; THENCE WEST 99 FEET TO THE NORTHEAST CORNER OF THE LAND CONVEYED TO THE ORANGEDALE PROTECTIVE ASSOCIATION, A CORPORATION, BY DEED RECORDED DECEMBER 12, 1930 IN BOOK 678, PAGE 185, OFFICIAL RECORDS; THENCE SOUTH ALONG THE EAST LINE OF SAID LAND 114.3 FEET TO THE NORTH LINE OF THE ATCHISON, TOPEKA AND SANTA FE RAILWAY RIGHT OF WAY; THENCE EAST ALONG THE NORTH LINE OF SAID RIGHT OF WAY TO THE WEST LINE OF SAID NEVADA STREET; THENCE NORTH ALONG SAID WEST LINE TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL THAT PORTION THEREOF CONVEYED TO THE STATE OF CALIFORNIA BY GRANT DEED RECORDED APRIL 25, 1988, INSTRUMENT NO. 88-122349, OFFICIAL RECORDS.

APN: 0292-064-03-0-000 and 0292-064-05-0-000

### Parcel Legal Description

REFERENCE IS MADE TO TITLE REPORT NO. 0623-1073342 PREPARED BY FIRST AMERICAN TITLE COMPANY, DATED JUNE 23, 2003.

Real property in the City of Redlands, County of San Bernardino, State of California, described as follows:

THOSE PORTIONS OF LOTS 2, 3 AND 4, IN BLOCK 2 OF HENRY L. WILLIAMS TRACT, IN THE CITY OF REDLANDS, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 11 OF MAPS, PAGE 17, RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID LOT 4, THENCE ALONG THE WEST LINE THEREOF, NORTH 0 DEG. 23' 34" WEST 53.40 FEET; THENCE NORTH 44 DEG. 35' 28" EAST, 28.28 FEET, THENCE NORTH 88 DEG. 54' 13" EAST, 1260.35 FEET TO THE EAST LINE OF SAID LOT 3, DISTANT ALONG SAID EAST LINE 131.98 FEET NORTHERLY FROM THE SOUTHEASTERLY CORNER OF SAID LOT 3, THENCE NORTH 89 DEG. 05' 05" EAST 663.45 FEET TO THE EAST LINE OF SAID LOT 2, THENCE SOUTHERLY ALONG SAID EAST LINE, 137.83 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT 2, THENCE WESTERLY ALONG THE SOUTHERLY LINE OF LOTS 2, 3, AND 4 TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL MINERALS, OIL, GASES AND OTHER HYDROCARBONS BY WHATSOEVER NAME SHOWN THAT MAY BE WITHIN OR UNDER THE PARCEL OF LAND HEREINABOVE DESCRIBED, WITHOUT, HOWEVER, THE RIGHT TO DRILL, DIG OR MINE THROUGH THE SURFACE THEREOF BY DEED RECORDED MARCH 11, 1963, IN BOOK 5867, PAGE 602, OFFICIAL RECORDS.

APN: 0292-064-02-0-000

### Title Report (Easements)

REFERENCE IS MADE TO TITLE REPORT NO. 0623-1038136 PREPARED BY FIRST AMERICAN TITLE COMPANY, DATED JUNE 23, 2003.

○ DENOTES PLOTTED HEREIN

3. A right of way of undisclosed route and width for ingress and egress purposes over an established roadway on the property herein described, as conveyed to the Orangedale Protective Association, by agreement recorded July 12, 1915 in Book 575, page 86, of Deeds. (EXACT LOCATION OF SAID RIGHT-A-WAY CANNOT BE DETERMINED PER RECORD DEED.)
4. An easement for an 8-inch cement pipe line for drainage and incidental purposes in the document recorded March 16, 1934 as Book 944, page 255 of Official Records.
6. Abutter's rights of ingress and egress to or from the adjoining freeway have been relinquished in the document recorded April 25, 1988 as Instrument No. 88-122349 of Official Records.

### Title Report (Easements)

REFERENCE IS MADE TO TITLE REPORT NO. 0623-1073342 PREPARED BY FIRST AMERICAN TITLE COMPANY, DATED JUNE 23, 2003.

○ DENOTES PLOTTED HEREIN

- 3A Abutter's rights of ingress and egress to or from State Highway No. 10 have been relinquished in the document recorded March 11, 1963 as Book 5867, Page 602 of Official Records.
- 4A The effect of a deed executed by Mary J. Stagg, a widow who has not remarried to Mary J. Stagg, as trustee of the Mary J. Stagg Trust under Trust Agreement dated October 2, 1995 and her substitutes and successors thereunder, recorded January 22, 1996 as instrument no. 96-020526 of Official Records.
- 5A At the date of recording of the document, the grantor had no record interest in the land.
- 5A A Declaration of Dedication for public road purposes, including public utility and public service uses, executed by the City of Redlands, recorded March 12, 1997, instrument no. 97-084943, Official Records.

# EXHIBIT "A"

## SPRINT LEGAL DESCRIPTIONS

(A)

### Proposed Sprint Lease Area Legal Description

THAT PORTION OF LOT 4, BLOCK 2 OF HENRY L. WILLIAM TRACT, IN THE CITY OF REDLANDS, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 11 OF MAPS, PAGE 17, RECORDS OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTHERLY LINE OF SAID LOT 4, SAID POINT BEING 118.31 FEET EAST OF THE SOUTHWEST CORNER THEREOF; THENCE PERPENDICULAR FROM SAID SOUTH LINE NORTH 00° 25' 21" WEST 8.00 FEET TO THE TRUE POINT OF BEGINNING.

THENCE SOUTH 30.00 FEET;  
THENCE WEST 43.00 FEET;  
THENCE NORTH 30.00 FEET;  
THENCE EAST 43.00 FEET TO TRUE POINT OF BEGINNING.

CONTAINING 1290 SQUARE FEET MORE OR LESS.

TOGETHER WITH THE ACCESS AND UTILITY EASEMENTS REQUIRED TO SERVICE SAID SITE.

(B)

### 10'-0" Wide Proposed Sprint Utility Easement

A 10 FEET WIDE STRIP OF LAND BEING A PORTION OF LOT 4 BLOCK 2 OF HENRY L. WILLIAM TRACT, IN THE CITY OF REDLANDS, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 11 OF MAPS, PAGE 17, RECORDS OF SAID COUNTY, CENTERLINE OF EASEMENT DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SAID LOT 4, SAID POINT BEING 189.00 FEET EAST OF THE SOUTHWEST CORNER THEREOF; THENCE PERPENDICULAR FROM SAID SOUTH LINE NORTH 00° 25' 21" WEST 10.78 FEET; THENCE WEST 29.50 FEET TO POINT OF TERMINATION.

(C)

### 5'-0" Wide Proposed Sprint Access Easement

A 5 FEET WIDE STRIP OF LAND BEING A PORTION OF LOT 4 BLOCK 2 OF HENRY L. WILLIAM TRACT, IN THE CITY OF REDLANDS, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 11 OF MAPS, PAGE 17, RECORDS OF SAID COUNTY, CENTERLINE OF EASEMENT DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 4; THENCE NORTH 89°34'39" EAST 33.00 FEET ALONG THE SOUTHERLY LINE OF SAID LOT 4; THENCE NORTH 00°23'05" EAST 3.50 FEET TO THE TRUE POINT OF BEGINNING; THENCE PARALLEL TO THE SOUTHERLY LINE OF SAID LOT 4 NORTH 89°34'39" EAST 89.35 FEET; THENCE NORTH 00° 22' 15" WEST 2.50 FEET TO THE SOUTH LINE OF THE SPRINT LEASE AREA.

THE SIDELINES OF SAID STRIP EASEMENT SHALL EXTEND OR TERMINATE AT THE SAID SPRINT LEASE AREA.

**EXHIBIT "A"**  
**PLAT TO ACCOMPANY LEGAL DESCRIPTION**  
**(ACCESS EASEMENT, LEASE AREA & UTILITY EASEMENT)**

