

RECORDING REQUESTED BY  
AND WHEN RECORDED RETURN TO:

Cellco Partnership  
d/b/a Verizon Wireless  
2785 Mitchell Drive  
Walnut Creek, CA 94598  
Attn: Network Real Estate  
(Site Name: Tahoe PD)  
(VZW Specialist: Don Bordenave)

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(Space above this line for Recorder's use.)

### MEMORANDUM OF FACILITY USE AGREEMENT AMENDMENT III

THIS MEMORANDUM OF FACILITY USE AGREEMENT AMENDMENT III is made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, between the County of El Dorado, a body corporate and politic of the State of California, with a mailing address of 360 Fair Lane, Placerville, California 95667, hereinafter referred to as "COUNTY", and Cellco Partnership d/b/a Verizon Wireless, with its principal office located at 180 Washington Valley Road, Bedminster, New Jersey 07921, hereinafter referred to as "VERIZON WIRELESS". COUNTY and VERIZON WIRELESS are at times collectively referred to hereinafter as the "Parties" or individually as the "Party".

1. COUNTY and VERIZON WIRELESS entered into a Facility Use Agreement, dated November, 2, 1999, as amended by that certain Facility Use Agreement Amendment I, dated August 13, 2004, and as further amended by that certain Facility Use Agreement Amendment II dated December 12, 2006 (collectively, the "Agreement") for an initial term of five (5) years, commencing on the Commencement Date, subject to further extension pursuant to the terms of the Agreement. The Memorandum of Facility Use Agreement Amendment II was recorded on May 22, 2008 as Document Number 2008-0024705-00, in the Official Records of County Recorder of El Dorado County, California. COUNTY and VERIZON WIRELESS now desire to enter into a Facility Use Agreement Amendment III (the "Amendment"). The Amendment provides, among other matters, that VERIZON WIRELESS's Premises shall be expanded.

2. COUNTY hereby leases to VERIZON WIRELESS a portion of that certain parcel of property (the entirety of COUNTY's property is referred to hereinafter as the "Property"), located at 1360 Johnson Boulevard, South Lake Tahoe, El Dorado County, California, and being described as one (1) 9' x 13' parcel and one (1) 11' by 27' parcel of ground space collectively containing 414 square feet, as shown on the Tax Map of the County of El Dorado as a portion of Assessor's Parcel Number 025-010-21-100, together with the non exclusive right for ingress and egress, seven (7) days a week twenty four (24) hours a day, on foot or motor vehicle, including trucks, and for the installation and maintenance of utility wires, poles, cables, conduits, and pipes over, under, or along a right-of-way extending from the nearest public right-of-way, Johnson Boulevard, to the demised premises. The demised premises and right-of-way are hereinafter

collectively referred to as the "Premises". The Premises are described in Exhibit A attached hereto and made a part hereof.

3. The Commencement Date of the Agreement, of which this is a Memorandum, is October 1, 1999.

4. The terms, covenants and provisions of the Agreement, the terms of 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 COUNTY and VERIZON WIRELESS.

IN WITNESS WHEREOF, hereunto and to a duplicate hereof, COUNTY and VERIZON WIRELESS have caused this Memorandum to be duly executed on the date first written hereinabove.

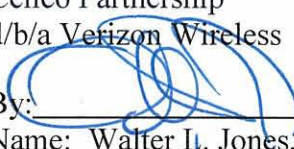
**COUNTY:**

County of El Dorado,  
a body corporate and politic of the State of  
California

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: CHAIR  
Date: \_\_\_\_\_

**VERIZON WIRELESS:**

Cellco Partnership  
d/b/a Verizon Wireless

By:  \_\_\_\_\_  
Name: Walter L. Jones, Jr.  
Title: Area Vice President Network  
Date: 8/13/12

ATTEST:  
James S. Mitrisin  
Clerk, of the Board of Supervisors

By: \_\_\_\_\_  
Deputy Clerk

Date: \_\_\_\_\_

**EXHIBIT "A"**

**[WRITTEN METES AND BOUNDS OF THE PREMISES  
AND INGRESS/EGRESS AND UTILITY EASEMENT]**

THE LAND REFERRED TO HEREIN IS SITUATED IN THE CITY OF SOUTH LAKE TAHOE, COUNTY OF EL DORADO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

A PORTION OF SECTION 3, TOWNSHIP 12 NORTH, RANGE 18 EAST, M.D.B. & M MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**SHELTER LEASE AREA**

COMMENCING AT THE CORNER COMMON TO LOTS 1,2, AND 14 OF SAID SECTION 3; THENCE, ALONG THE LOT LINE COMMON TO LOT 2 AND LOT 14, SOUTH 88° 09' 46" WEST, 109.08 FEET; THENCE, LEAVING SAID LOT LINE SOUTH 1° 50' 14" EAST, 22.31 FEET TO THE CORNER OF THE AS BUILT LEASE AREA, BEING THE TRUE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING, SOUTH 1° 16' 25" EAST, 11.00 FEET; THENCE, SOUTH 88° 43' 35" WEST, 27.00 FEET; THENCE, NORTH 1° 16' 25" WEST, 11.00 FEET; THENCE, NORTH 88° 43' 35" EAST, 27.00 FEET, TO THE POINT OF BEGINNING.

**TOGETHER THEREWITH, A 6' WIDE UTILITY EASEMENT THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:**

COMMENCING AT THE CORNER COMMON TO LOTS 1,2, AND 14 OF SAID SECTION 3; THENCE, ALONG THE LOT LINE COMMON TO LOT 2 AND LOT 14, SOUTH 88° 09' 46" WEST, 109.08 FEET; THENCE, LEAVING SAID LOT LINE SOUTH 1° 50' 14" EAST, 22.31 FEET TO THE CORNER OF THE AS BUILT LEASE AREA, THENCE, SOUTH 1° 16' 25" EAST, 11.00 FEET; THENCE, SOUTH 88° 43' 35" WEST, 27.00 FEET; THENCE, NORTH 1° 16' 25" WEST, 5.50 FEET, TO THE TRUE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING, SOUTH 88° 43' 35" WEST, 4.23 FEET; THENCE, NORTH 68° 41' 17" WEST, 34.62 FEET, TO THE TERMINUS OF SAID EASEMENT. EXCEPTING THEREFROM ANY ENCROACHMENT OF SAID 6' WIDE UTILITY EASEMENT INTO A COMMUNICATION FACILITIES EASEMENT GRANTED TO PACIFIC BELL TELEPHONE COMPANY, IN A DEED RECORDED JULY 8, 2002, AS INSTRUMENT NO. 2002-49057, EL DORADO COUNTY RECORDS.

**TOGETHER THEREWITH, A 6' WIDE EASEMENT FOR PLACEMENT OF CELLULAR ANTENNAS AND APPURTENANCES THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:**

COMMENCING AT THE CORNER COMMON TO LOTS 1,2, AND 14 OF SAID SECTION 3; THENCE, ALONG THE LOT LINE COMMON TO LOT 2 AND LOT 14, SOUTH 88° 09' 46" WEST, 109.08 FEET; THENCE, LEAVING SAID LOT LINE SOUTH 1° 50' 14" EAST, 22.31 FEET TO THE CORNER OF THE AS BUILT LEASE AREA, THENCE, SOUTH 1° 16' 25" EAST, 11.00 FEET; THENCE, SOUTH 88° 43' 35" WEST, 27.00 FEET; THENCE,

Tahoe PD

Initial & Date

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NORTH 1° 16' 25" WEST, 8.25 FEET , TO THE TRUE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING, SOUTH 88° 43' 35" WEST, 1.93 FEET; THENCE, NORTH 1° 19' 55" WEST, 13.11 FEET; THENCE, NORTH 88° 36' 35" EAST, 7.00 FEET TO THE TERMINUS OF SAID EASEMENT.

EXCEPTING THEREFROM ANY ENCROACHMENT OF SAID 6' WIDE UTILITY EASEMENT INTO A COMMUNICATION FACILITIES EASEMENT GRANTED TO PACIFIC BELL TELEPHONE COMPANY, IN A DEED RECORDED JULY 8, 2002, AS INSTRUMENT NO. 2002-49057, EL DORADO COUNTY RECORDS.

**GENERATOR LEASE AREA**

COMMENCING AT THE CORNER COMMON TO LOTS 1,2, AND 14 OF SAID SECTION 3; THENCE, ALONG THE LOT LINE COMMON TO LOT 2 AND LOT 14, SOUTH 88° 09' 46" WEST, 147.99 FEET; THENCE, LEAVING SAID LOT LINE SOUTH 1° 50' 14" EAST, 10.01 FEET TO THE CORNER OF THE GENERATOR LEASE AREA, BEING THE TRUE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING, DUE EAST, 9.00 FEET; THENCE, DUE SOUTH, 13.00 FEET; THENCE, DUE WEST, 9.00 FEET; THENCE, DUE NORTH, 13.00 FEET, TO THE POINT OF BEGINNING.

**TOGETHER THEREWITH, AN EASEMENT FOR INGRESS AND EGRESS FIFTEEN FEET IN WIDTH FROM THE ABOVE DESCRIBED LEASE AREA, OVER AND ACROSS THE EXISTING TRAVELED WAY AND PARKING AREA, TO THE PUBLIC RIGHT OF WAY**

Tahoe PD

Initial & Date

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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California     )  
                                      )  
County of Orange     )

On August 13, 2012, before me, Trisha K. Villalta,  
Notary Public, personally appeared Walter L. Jones, Jr., 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.

Trisha K. Villalta  
Signature of Notary Public



Place Notary Seal Above

**PRELIMINARY CHANGE OF OWNERSHIP REPORT**

To be completed by the transferee (buyer) prior to a transfer of subject property, in accordance with section 480.3 of the Revenue and Taxation Code. A Preliminary Change of Ownership Report must be filed with each conveyance in the County Recorder's office for the county where the property is located. Please answer all questions in each section, and sign and complete the certification before filing. This form may be used in all 58 California counties. If a document evidencing a change in ownership is presented to the Recorder for recordation without the concurrent filing of a Preliminary Change of Ownership Report, the Recorder may charge an additional recording fee of twenty dollars (\$20).

**NOTICE:** The property which you acquired may be subject to a supplemental assessment in an amount to be determined by the County Assessor. Supplemental assessments are not paid by the title or escrow company at close of escrow, and are not included in lender impound accounts. You may be responsible for the current or upcoming property taxes even if you do not receive the tax bill.

SELLER/TRANSFEROR County of El Dorado		ASSESSOR'S PARCEL NUMBER 025-010-21-100	
BUYER/TRANSFeree Cellco Partnership d/b/a Verizon Wireless		BUYER'S DAYTIME TELEPHONE NUMBER (866) 862-4404	
STREET ADDRESS OR PHYSICAL LOCATION OF REAL PROPERTY 1360 Johnson Boulevard, South Lake Tahoe, CA			
MAIL PROPERTY TAX INFORMATION TO (NAME) Cellco Partnership d/b/a Verizon Wireless (Attn: Network Real Estate) (Re: Tahoe PD cell site)			
ADDRESS 180 Washington Valley Road		CITY Bedminster	STATE NJ
			ZIP CODE 07921
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO This property is intended as my principal residence. If YES, please indicate the date of occupancy or intended occupancy.		MO	DAY
			YEAR

**PART 1. TRANSFER INFORMATION***Please complete all statements.*

YES NO

- ☐ ☒ A. This transfer is solely between spouses (addition or removal of a spouse, death of a spouse, divorce settlement, etc.)
- ☐ ☒ B. This transfer is solely between domestic partners currently registered with the California Secretary of State (addition or removal of a partner, death of a partner, termination settlement, etc.).
- ☐ ☒ \*C. This is a transfer between: ☐ parent(s) and child(ren) ☐ grandparent(s) and grandchild(ren).
- ☐ ☒ \*D. This transaction is to replace a principal residence by a person 55 years of age or older.  
Within the same county? ☐ YES ☐ NO
- ☐ ☒ \*E. This transaction is to replace a principal residence by a person who is severely disabled as defined by Revenue and Taxation Code section 69.5. Within the same county? ☐ YES ☐ NO
- ☐ ☒ F. This transaction is only a correction of the name(s) of the person(s) holding title to the property (e.g., a name change upon marriage).  
If YES, please explain:
- ☐ ☒ G. The recorded document creates, terminates, or reconveys a lender's interest in the property.
- ☐ ☒ H. This transaction is recorded only as a requirement for financing purposes or to create, terminate, or reconvey a security interest (e.g., cosigner). If YES, please explain:
- ☐ ☒ I. The recorded document substitutes a trustee of a trust, mortgage, or other similar document.
- J. This is a transfer of property:
- ☐ ☒ 1. to/from a revocable trust that may be revoked by the transferor and is for the benefit of ☐ the transferor, and/or ☐ the transferor's spouse ☐ registered domestic partner.
- ☐ ☒ 2. to/from a trust that may be revoked by the creator/grantor/trustor who is also a joint tenant, and which names the other joint tenant(s) as beneficiaries when the creator/grantor/trustor dies.
- ☐ ☒ 3. to/from an irrevocable trust for the benefit of the ☐ creator/grantor/trustor and/or ☐ grantor's/trustor's spouse ☐ grantor's/trustor's registered domestic partner.
- ☐ ☒ 4. to/from an irrevocable trust from which the property reverts to the creator/grantor/trustor within 12 years.
- ☐ ☒ K. This property is subject to a lease with a remaining lease term of 35 years or more including written options.
- ☐ ☒ L. This is a transfer between parties in which proportional interests of the transferor(s) and transferee(s) in each and every parcel being transferred remain exactly the same after the transfer
- ☐ ☒ M. This is a transfer subject to subsidized low-income housing requirements with governmentally imposed restrictions.
- ☐ ☒ \*N. This transfer is to the first purchaser of a new building containing an active solar energy system.

\*If you checked YES to statements C, D, or E, you may qualify for a property tax reassessment exclusion, which may allow you to maintain your previous tax base. If you checked YES to statement N, you may qualify for a property tax new construction exclusion. A claim form must be filed and all requirements met in order to obtain any of these exclusions. Contact the Assessor for claim forms.

Please provide any other information that will help the Assessor understand the nature of the transfer.

**THIS DOCUMENT IS NOT SUBJECT TO PUBLIC INSPECTION**



**PART 2. OTHER TRANSFER INFORMATION***Check and complete as applicable.*

A. Date of transfer, if other than recording date:

B. Type of transfer:

☐ Purchase ☐ Foreclosure ☐ Gift ☐ Trade or exchange ☐ Merger, stock, or partnership acquisition (Form BOE-100-B)☐ Contract of sale. Date of contract: ☐ Inheritance. Date of death:☐ Sale/leaseback ☒ Creation of a lease ☐ Assignment of a lease ☐ Termination of a lease, Date lease began:

Original term in years (including written options):

Remaining term in years (including written options):

☐ Other. Please explain:C. Only a partial interest in the property was transferred. ☒ YES ☐ NO If YES, indicate the percentage transferred: Leasehold %**PART 3. PURCHASE PRICE AND TERMS OF SALE***Check and complete as applicable.*

A. Total purchase or acquisition price. Do not include closing costs or mortgage insurance.

\$ N/A

Down payment: \$ Interest rate: % Seller-paid points or closing costs: \$ N/A

Balloon payment: \$ N/A

☐ Loan carried by seller ☐ Assumption of Contractual Assessment\* with a remaining balance of: \$ N/A

\*An assessment used to finance property-specific improvements that constitutes a lien against the real property.

B. The property was purchased: ☐ Through real estate broker. Broker name:

Phone number:

☐ Direct from seller ☐ From a family member☐ Other. Please explain:

C. Please explain any special terms, seller concessions, financing, and any other information (e.g., buyer assumed the existing loan balance) that would assist the Assessor in the valuation of your property.

**PART 4. PROPERTY INFORMATION***Check and complete as applicable.*

A. Type of property transferred

☐ Single-family residence☐ Co-op/Own-your-own☐ Manufactured home☐ Multiple-family residence. Number of units:☐ Condominium☐ Unimproved lot☐ Other. Description: (i.e., timber, mineral, water rights, etc.)☐ Timeshare☐ Commercial/IndustrialB. ☐ YES ☐ NO Personal/business property, or incentives, are included in the purchase price. Examples are furniture, farm equipment, machinery, club memberships, etc. Attach list if available.

If YES, enter the value of the personal/business property: \$

C. ☐ YES ☐ NO A manufactured home is included in the purchase price.

If YES, enter the value attributed to the manufactured home: \$

☐ YES ☐ NO The manufactured home is subject to local property tax. If NO, enter decal number:D. ☐ YES ☐ NO The property produces rental or other income.If YES, the income is from: ☐ Lease/rent ☐ Contract ☐ Mineral rights ☐ Other:E. The condition of the property at the time of sale was: ☐ Good ☐ Average ☐ Fair ☐ Poor**CERTIFICATION***I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing and all information hereon, including any accompanying statements or documents, is true and correct to the best of my knowledge and belief. This declaration is binding on each and every buyer/transferee.*

SIGNATURE OF BUYER/TRANSFeree OR CORPORATE OFFICER

DATE

By: 

8/13/12

NAME OF BUYER/TRANSFeree/Legal Representative/CORPORATE OFFICER (PLEASE PRINT)

TITLE

Cellco Partnership d/b/a Verizon Wireless, By: Walter L. Jones, Jr.

Area Vice President Network

E-MAIL ADDRESS

The Assessor's office may contact you for additional information regarding this transaction.