

WHEN RECORDED, RETURN TO:

City of Tempe Basket

C2015_251D-5-1-1--
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MEMORANDUM OF LAND AND IMPROVEMENTS LEASE
C2015-251D

THIS MEMORANDUM OF LAND AND IMPROVEMENTS LEASE ("Memorandum") is made and entered into as of the 4th day of Nov., 2019, by and between the CITY OF TEMPE, an Arizona municipal corporation ("City"), and JEFFERSON TOWN LAKE APARTMENTS, LLC, a Texas limited liability company ("Tenant").

1. The City and Tenant have entered into that certain Land and Improvements Lease, dated Nov. 4, 2019 ("Lease"), whereby the City leases to Tenant that real property and improvements more particularly described in Exhibit "A" attached hereto and by this reference incorporated herein ("Property").

2. This Memorandum is being recorded to give constructive notice to all persons dealing with the Property that the City leases to Tenant the Property, and that the City and Tenant consider the Lease to be a binding agreement between the City and Tenant regarding the Property.

3. This Memorandum is not a complete summary of the Lease. The provisions of this Memorandum shall not be used in interpreting the Lease. In the event of any conflict between the terms and provisions of this Memorandum and the Lease, the terms and provisions of the Lease shall govern and control.

IN WITNESS WHEREOF, this Memorandum has been executed as of the day and year first set forth above.

[signature pages follow]

C2015-251D

ATTEST:

By: Carla R. Reece
City Clerk

APPROVED AS TO FORM:

Sonia M. Blain for
City Attorney

CITY:

CITY OF TEMPE, a municipal corporation

By: Mark W. Mitchell
Name: Mark W. Mitchell
Title: Mayor

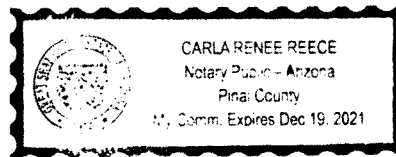
STATE of ARIZONA)
) ss.
County of MARICOPA)

The foregoing instrument was acknowledged before me this 8th day of October 2019 by Mark W. Mitchell, Mayor of CITY OF TEMPE, an Arizona municipal corporation.

Carla Renee Reece
Notary Public

My Commission Expires:

12-19-2021



TENANT:

JEFFERSON TOWN LAKE APARTMENTS, LLC, a Texas limited liability company

By: Rodman Cooper
Name Rodman Cooper
Title SA

STATE OF _____)
) ss
COUNTY OF _____)

The foregoing instrument ~~was~~ acknowledged before me this _____ day of _____, 2019, by _____, as _____ of Jefferson Town Lake Apartments, LLC, a Texas limited liability company, on behalf of said limited liability company.

Notary Public, State of _____

My Commission Expires:

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 September 25, 2019 before me, Julie Smith, Notary Public
(insert name and title of the officer)

personally appeared Rosemary Cooper
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 *Julie Smith* (Seal)

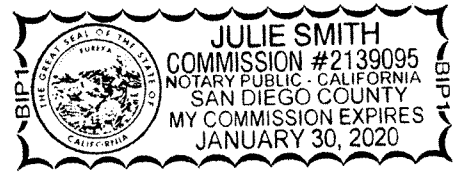


EXHIBIT "A"

Description of the Property

PARCEL NO. 1

LOT 1, OF JEFFERSON TOWN LAKE, ACCORDING TO BOOK 1286 OF MAPS, PAGE 18, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 2

NONEXCLUSIVE RIGHTS TO CONSTRUCT, INSTALL AND MAINTAIN A WALKWAY AND ROADWAY AS MORE PARTICULARLY DESCRIBED IN THAT CERTAIN CITY OF TEMPE WALKWAY AND ROADWAY MAINTENANCE AGREEMENT RECORDED MAY 6, 2016 AS 2016-0310181 OF OFFICIAL RECORDS AND FIRST AMENDMENT RECORDED JUNE 14, 2018 AS 2018-0453847 OF OFFICIAL RECORDS.

ADDRESS: Jefferson Town Lake
909 East Playa del Norte Drive
Tempe, AZ 85281

PARCEL NO.: 132-31-486-4