OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
STEPHEN RICHER
20220699545 09/08/2022 04:27
ELECTRONIC RECORDING

When recorded, return to:

City of Tempe 31 East Fifth Street Tempe, Arizona 85281 Attention: City Clerk C2018_200I-4-1-1-- crocfers

MEMORANDUM OF LAND AND IMPROVEMENTS LEASE C2018-2001

THIS MEMORANDUM OF LAND AND IMPROVEMENTS LEASE ("Memorandum") is made and entered into as of the 6th day of May, 2022, by and between the CITY OF TEMPE, an Arizona municipal corporation ("City"), and HICO 100 MILL LLC, a Delaware limited liability company ("Tenant").

- 1. 1. The City and Tenant have entered into that certain Land and Improvements Lease, dated May 6, 2022 ("Lease"), whereby the City leases to Tenant that real property more particularly described in Exhibit "A" attached hereto and by this reference incorporated herein together with all and improvements thereon (collectively, the "Property") for a period of eight years.
- 2. The term of the Lease commenced on May 6, 2022 and shall end no later than midnight on May 6, 2030.
- 3. Upon any termination of the Lease, title to the Property shall automatically vest in Tenant.
- 4. 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.
- 5. 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.

[Signature Pages Follow]

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[SIGNATURE PAGE TO MEMORANDUM OF LAND AND IMPROVEMENTS LEASE]

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

TENANT:

HICO 100 MILL LLC,

a Delaware limited liability company

By: Hines 100 Mill Investor LLC, its managing member

By: Hines 100 Mill Associates LP, its sole member

By: Hines Investment Management Holdings Limited

Partnership, its general partner

By: HIMH GP LLC, its general partner

By: Hines Real Estate Holdings Limited

Partnership, its sole member

By: JCH Investments, Inc., its general

partner

BO)

By:__

Name: Wis House

STATE OF Arizona)	
)	SS
County of M. autic. Ood.)	

The foregoing instrument was acknowledged before me this 29th day of Avoust, 2022 by Chris Anderson, as Sr. Managing Director of JCH Investments, Inc., the General Partner of Hines Real Estate Holdings Limited Partnership, the sole member of HIMH GP LLC, the General Partner of Hines Investment Management Holdings Limited Partnership, the General Partner of Hines 100 Mill Associates LP, the Sole Member of Hines 100 Mill Investor LLC, the Managing Member of HICO 100 MILL LLC, a Delaware limited liability company, on behalf of the company.

My Commission Expires:

06-01-2023

Jauru Mirole Hardun Notary Public



C2018-200I

[SIGNATURE PAGE TO MEMORANDUM OF LAND AND IMPROVEMENTS LEASE]

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

CITY OF TEMPE, an Arizona municipal corporation

By:___ Name:

Its:

ATTEST:

City Clerk

City Attorney

APPROVED AS TO FORM:

STATE OF ARIZONA

) ss.

COUNTY OF MARICOPA)

On this day of August, 2022 before me, the undersigned officer, personally appeared, who acknowledged him/herself to be Mayor of the CITY OF TEMPE, an Arizona municipal corporation whom I know personally, he, in such capacity, being authorized so to do, executed the foregoing instrument for the purposes therein contained on behalf of that entity.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

NOTARY SEAL:

KARA ANNE DEARRASTIA
Notary Public - Arizona
Maricopa County
Commission # 608620
My Comm. Expires Jul 6, 2025

20220699545

EXHIBIT A

To Memorandum of Land and Improvements Lease

LOT 1 OF ONE HUNDRED MILL, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 1441 OF MAPS, PAGE 17.