

OFFICE OF THE SCHENECTADY COUNTY CLERK



620 STATE STREET
SCHENECTADY, NY 12305-2114
PHONE (518) 388-4220
FAX (518) 388-4224

Maryellen Brehm

Alicia Godlewski

Jeffrey Morrette

Carla Saglimbeni
Deputy County Clerks

Cara M. Ackerley
County Clerk

Instrument Number - 202014908
Recorded On 5/26/2020 At 1:23:23 PM
* Instrument Type - LEASE
* Book/Page - DEED/2035/274
* Total Pages - 7
Invoice Number - 1047783 User ID: TMH
* Document Number - 2020-1732
* Grantor - MURRAY RICHARD

* Grantee - OAK HILL SOLAR 2 LLC

*RETURN DOCUMENT TO:
COUCH WHITE
540 BROADWAY, 7TH FL
ALBANY, NY 12207
ATTN: PPE

* FEES

NY LAND SUR	\$4.75
NY LAND COMP SUR	\$14.25
CO GENERAL REVENUE	\$60.50
CO LAND SUR	\$0.25
CO LAND COMP SUR	\$0.75
TOTAL PAID	\$80.50

TRANSFER TAX

Real Estate Transfer Tax Num - 3463
Transfer Tax Amount - \$ 0.00

I hereby CONFIRM that this document is
Recorded in the Schenectady County Clerk's Office
in Schenectady, New York


Cara M. Ackerley

Schenectady County Clerk

THIS IS AN ENDORSEMENT PAGE

Do Not Detach

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

* - Information denoted by an asterisk may change during the verification process and may not be reflected on this page.

INSTRUMENT NUMBER - 202014908



Memorandum of Lease
Pursuant to Section 291-c of
The New York Real Property Law

Date of Execution of Lease: January 31, 2020

Name and Address of Landlord: **RICHARD MURRAY**
1206 Oak Hill Road
Esperance, New York 12066

Name and Address of Tenant: **OAK HILL SOLAR 2 LLC**
c/o AMP Solar Development
1550 Wewatta Street, 4th Floor
Denver, Colorado 80202
Attn: Legal Department

DEED Book 2035 Page 275
Doc No 2020-1732

The Lease: Land Lease and Solar Easement, dated January 31, 2020, by and between Landlord and Tenant, as the same may be amended from time to time thereafter (the "**Lease**").

Description of Premises: 33.891± acres of that certain land located at 13590 Duanesburg Road in the Town of Duanesburg, Schenectady County, New York, being a portion of Tax Map Number of 74.00-2-5, and as more particularly described on **Exhibit A** attached hereto.

Term of Lease: The Lease has a term commencing upon the expiration of the Approval Period and expiring twenty five (25) years thereafter. Tenant has the right to extend the term for three (3) successive renewal terms of five (5) years in accordance with the terms and provisions of the Lease.

Record & Return:
Couch White, LLP
Attn.: David Breault
540 Broadway, 7th Floor
Albany, New York 12207

Memorandum of Lease:

This instrument (this "*Memorandum*"), executed in connection with the Lease, is intended to be and is entered into as a memorandum thereof solely for the purpose of recordation and the giving of notice of the tenancy created by the Lease and of the rights and obligations of Landlord and Tenant thereunder and shall not, in any event, be construed to change, vary, modify or interpret the Lease or any of the terms, covenants or conditions thereof, or any part thereof, which are set forth, described or summarized herein and reference is hereby made to the Lease for any and all purposes. If any term or condition of this Memorandum shall conflict with any term or condition of the Lease, the terms and conditions of the Lease shall control. Counterpart originals may be assembled in order to make one complete copy of this Memorandum and all such counterpart originals, when taken together, shall comprise but one and the same instrument. All capitalized terms used in this Memorandum shall have, unless otherwise defined herein, the meanings ascribed to them in the Lease.

[Remainder of page intentionally left blank; Signature Pages Follow]

IN WITNESS WHEREOF, Landlord and Tenant have executed and delivered this Memorandum of Lease as of the date last written below.

LANDLORD:

Richard B Murray
RICHARD B. MURRAY

Date: 1-31-2020

STATE OF NEW YORK }
 } ss.:
COUNTY OF Schenectady }

On the 31st day of January, in the year 2020, before me, the undersigned, personally appeared **RICHARD B. MURRAY**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Louis J. Giammatteo

Notary Public

LOUIS J. GIAMMATTEO
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01GI4953244
Qualified in Schenectady County
Commission Expires July 10, 2023

TENANT:

OAK HILL SOLAR 2 LLC

By: _____
Title: _____
Date: _____

STATE OF _____ }
 } ss.:
COUNTY OF _____ }

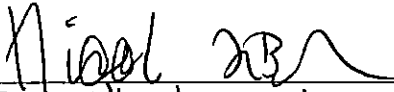
On the ____ day of January, in the year 2020, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

[Faint, illegible text, possibly a stamp or bleed-through]

TENANT:

OAK HILL SOLAR 2 LLC

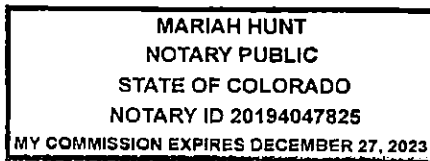

By: Nicole LeBlanc

Title: Authorized Signatory

Date: 4/24/2020

STATE OF Colorado }
COUNTY OF Jefferson } ss.:

April
On the 24 day of ~~January~~, in the year 2020, before me, the undersigned, personally appeared Nicole Leblanc, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.





Notary Public

Exhibit A

ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND SITUATE in the Town of Duanesburg, County of Schenectady, State of New York lying north of the northerly line of Duanesburg Road, NYS Route 7 (State Highway No. 1029) and within a portion of Lot 1, said lot as shown on a map entitled "Survey and Minor Subdivision of Lands of Richard B. Murray", dated July 29, 2019 as prepared by The Environmental Design Partnership, LLP and filed in the Schenectady County Clerk's Office on October 8, 2019 in Plat Cabinet "P" as Map No. 39 (Doc No. 2019-39) and being further bounded and described as follows:

Commencing at the point of intersection of the northerly line of Duanesburg Road, NYS Route 7 (State Highway No. 1029) with the common division line of Lot 2 to the west and Lot 1 to the east as shown on said map;

Thence from said *Point of Commencement* along said common division line the following four (4) courses and distances:

- 1) North 22 deg. 01 min. 20 sec. West, 1,048.32 feet to a point;
- 2) North 07 deg. 06 min. 20 sec. West, 137.50 feet to a point;
- 3) South 83 deg. 07 min. 50 sec. West, 399.88 feet to a point;
- 4) North 00 deg. 00 min. 00 sec. East, 225.78 feet to the **Point of Beginning** of the herein described *lease parcel* of land;

Thence from said *Point of Beginning* continuing along said common division line, North 00 deg. 00 min. 00 sec. East, 1,518.00 feet to the point;

Thence through said Lot 1 the following four (4) courses and distances:

- 1) North 83 deg. 12 min. 50 sec. East, 908.00 feet to a point;
- 2) South 05 deg. 58 min. 10 sec. East, 1,476.00 feet to a point;
- 3) South 83 deg. 43 min. 10 sec. West, 724.00 feet to a point;
- 4) South 83 deg. 12 min. 50 sec. West, 343.00 feet to the point or place of beginning of said *lease parcel* and containing 33.891± acres of land.