

FIRST AMENDMENT TO MEMORANDUM OF LEASE

THIS FIRST AMENDMENT TO MEMORANDUM OF LEASE (this "First Amended Memorandum") is made and entered into as of May 3, 2022 ("Effective Date"), by and between ARLINGTON COUNTY SCHOOL BOARD, operating as Arlington Public Schools, a political subdivision of the Commonwealth of Virginia ("Lessor") and DE ARLINGTON SOLAR, LLC, successor by change of name to APS Solar I LLC ("Lessee"), with reference to the following recitals:

WITNESSETH

WHEREAS, on July 16, 2020, Sun Tribe Solar, LLC and the Lessor entered into that certain Lease for a Solar Rooftop Photovoltaic System (the "Original Lease") for certain real property as further defined in the Original Lease, amended by that certain First Amendment to Lease Agreement on even date herewith (the "First Amendment" and together with the Original Lease, the "Lease");

WHEREAS, in connection with the Original Lease, Sun Tribe Solar, LLC and Lessor executed a Memorandum of Lease dated as of July 16, 2020 and recorded in the land records of the Clerk's Office of the Circuit Court for the County of Arlington, Virginia on August 17, 2020 as Instrument Number 20200100020484 (the "Original Memorandum");

WHEREAS, Sun Tribe Solar, LLC thereafter assigned its interest in the Lease to Lessee.

WHEREAS, Lessor and Lessee wish to amend the Original Memorandum, to memorialize the revisions in the First Amendment;

NOW, THEREFORE, the parties hereto do hereby certify and agree as follows:

1. Capitalized terms used herein and not otherwise defined shall have the meanings given to them under the Lease.

2. The first recital of the Original Memorandum is hereby replaced in its entirety with:

"WHEREAS, Lessee and Lessor (together, the "Parties" and each a Party") have entered into that certain recorded Lease dated July 16, 2020 (the "Lease"), where Lessor is the owner of the facility located in Arlington County, Virginia, commonly known as Cardinal Elementary School, located at 1644 N. McKinley Road, Arlington, Virginia 22205 ("Property")"


3. Section 1.2 is hereby replaced in its entirety with:

"1.2 Term and Consideration. This Lease is in effect from Lease Commencement for a term of twenty-five (25) years at a rate of one dollar (\$1.00) per year."

4. This First Amended Memorandum shall run with the Premises and shall be binding upon Lessor, Lessee, and any successor owners of all or any portion of the Premises unless and until this First Amended Memorandum is released from record.

5. Other than the terms expressly amended herein, the Original Memorandum remains

IN WITNESS WHEREOF, the Parties have caused this First Amended Memorandum to be executed on their behalf as of the effective date.

Lessor: County School Board of Arlington, operating as Arlington County Public Schools
Signature: 
Name: Dr. Barbara Kanninen
Title: Chair, Arlington School Board

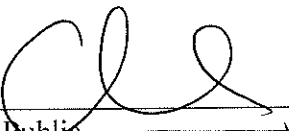
ACKNOWLEDGEMENT

COMMONWEALTH OF VIRGINIA

COUNTY/CITY OF Arlington

The foregoing instrument was acknowledged before me, the undersigned Notary Public, on this 23rd day of June, 2022 by Dr. Barbara Kanninen (Lessor signatory).

NOTARIAL SEAL

 (signature)
Notary Public



Lessor: DE ARLINGTON SOLAR, LLC, successor by change of name to APS Solar I LLC

Signature: Joshua D. Eakle
Name: Joshua D. Eakle
Title: Authorized Representative

ACKNOWLEDGEMENT

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF Richmond

The foregoing instrument was acknowledged before me, the undersigned Notary Public, on this 3rd day of MAY, 2022 by Joshua Eakle (Lessee signatory).

NOTARIAL SEAL

Lois H. Witherow (signature)

