

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”), SUN TRIBE SOLAR, LLC (“Lessee”), a Virginia limited liability company, and DE ARLINGTON SOLAR, LLC, successor by change of name to APS Solar 1 LLC (“Assignee”), with reference to the following recitals:

WITNESSETH

WHEREAS, on December 6, 2018, Lessee 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, Lessee and Lessor executed a Memorandum of Lease dated as of July 21, 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 20200100020485 (the “Original Memorandum”);

WHEREAS, Lessee has assigned its interests in the Lease to Assignee, with such assignment effective upon mechanical completion of the Facility;

WHEREAS, Lessor, Lessee, and Assignee 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. 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.”

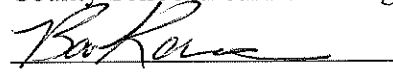
3. This First Amended Memorandum shall run with the Premises and shall be binding upon Lessor, Lessee, and any successor owners of all or any portion of the Premises unless and until this First Amended Memorandum is released from record.

4. Other than the terms expressly amended herein, the Original Memorandum remains unchanged and in full force and effect.

[Remainder of this page intentionally blank. Signature pages follow.]

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

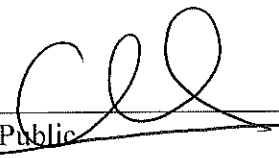
ACKNOWLEDGEMENT

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



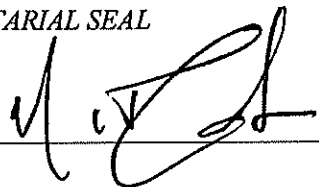
Lessee: Sun Tribe Solar, LLC
Signature: 
Name: Rich Allevi
Title: VP of Development

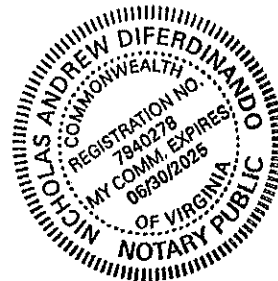
ACKNOWLEDGEMENT

COMMONWEALTH OF VIRGINIA
CITY OF CHARLOTTESVILLE

The foregoing instrument was acknowledged before me, the undersigned Notary Public, on this 4th day of May, 2022 by Rich Allevi (Lessee signatory).

NOTARIAL SEAL

 (signature)



Assignee: DE ARLINGTON SOLAR, LLC, successor by change of name to APS Solar 1 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)

