

Memorandum of Easement

After Recording, Return to:
Unicom, Inc.
Attn: Corporate Counsel
2550 Denali St., Suite 1000
Anchorage, AK 99503

1. This Memorandum of Easement (“Memorandum”) relates to that Easement and Right-of-Way Agreement (“Easement”) between City of Dillingham, an incorporated city in the Dillingham Census Area, Alaska, with offices at 141 Main Street, Dillingham, AK 99576 (“Grantor”) and Unicom, Inc., an Alaska corporation, with offices at 2550 Denali Street, Suite 1000, Anchorage, AK 99503 (“Grantee”), dated effective as of _____, 2024 (“Effective Date”).
2. Term. The Easement shall commence at 12:01 a.m. local time on the Effective Date and continue in perpetuity.
3. Easement Description. For consideration received, Grantor hereby grants, warrants and conveys to Grantee, its successors and assigns, and Grantee accepts a perpetual easement that is approximately twenty (20) feet in width along the proposed fiber optic cable path, ten (10) feet on each side of the centerline, across the surface estate of the real property described as follows, and as set forth in the attached Exhibit A:

[insert legal description]

4. Incorporation of Easement. This Memorandum is for informational purposes only and nothing contained in this Memorandum shall be deemed to in any way modify or otherwise affect any of the terms and conditions of the Easement, the terms of which are incorporated in this Memorandum by reference. This instrument is merely a memorandum of the Easement and is subject to all of the terms, provisions and conditions of the Easement. In the event of any inconsistency between the terms of the Easement and this instrument, the terms of the Easement shall prevail.
5. Binding Effect. The rights and obligations set forth in this Memorandum shall be binding upon and inure to the benefit of Grantor and Grantee and their respective heirs, personal representatives, successors, and assigns.
6. Authority. Grantor and Grantee represent and warrant to each other that they have full right, power, and authority to enter into this Memorandum of Easement without the consent or approval of any other entity or person and make these representations knowing that the other party will rely thereon. The signatories on behalf of Grantor and Grantee further represent and warrant that they have full right, power, and authority to act for and on behalf of Grantor and Grantee in entering into this Memorandum.

Dated as of _____, 2024.

(Signature pages follow)

GRANTOR: CITY OF DILLINGHAM

By: _____

Title: _____

ACKNOWLEDGMENT OF GRANTOR

STATE OF ALASKA)
) ss:
_____ Judicial District)

On this _____ day of _____, 2024 before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared _____, the Grantor, known to me to be the identical person who executed the foregoing instrument and who acknowledged to me that they executed the same as the free and voluntary act of said corporation, with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

Notary Public in and for the State of Alaska
My Commission Expires: _____

Exhibit A

