

207 Waiver
Title
Legal Description
Policy or Appeals
Correspondence Between Legal & Staff
Letter of Authorization


Legal

Owner Certification
Acknowledging Receipt
Of
Notice Of Right To Appeal
Exactions And Dedications

I hereby certify that I am the owner of property located at:

4736 N. GOLDWATER BLVD SCOTTSDALE, AZ
(address where development approval, building permits, or city required improvements and dedications are being required)

and hereby certify that I have received a notice that explains my right to appeal all exactions and/or dedications required by the City of Scottsdale as part of my property development on the parcel listed in the above address.


Signature of Property Owner
CHRIS NEAL - OWNER REP.

2/08/2018
Date

**THIRD AMENDMENT TO
MASTER WASTE MANAGEMENT SERVICES AGREEMENT**

This Third Amendment to Master Waste Management Services Agreement (this "Amendment") is entered into as of May 11, 2018 by and between **The Macerich Partnership, L.P.**, a Delaware limited partnership ("Macerich"), and **Keter Environmental Services, Inc.**, a Delaware corporation ("Keter"), based on the following facts and circumstances:

- A. WHEREAS**, Macerich and Keter have entered into that certain Master Waste Management Services Agreement dated June 1, 2014, as amended by that certain First Amendment to Master Waste Management Services Agreement dated October 2, 2015, as further amended by that certain Second Amendment to Master Waste Management Services Agreement dated March 2, 2018 (as amended, the "Agreement"), pursuant to which Keter provides total waste management services, including managing waste collection, transportation, disposal and recycling services, for the Centers (as defined in the Agreement), all as more particularly described in the Agreement; and,
- B. WHEREAS**, Macerich and Keter desire to enter into this Amendment to reflect certain agreed upon changes to the Agreement as provided for herein.

NOW, THEREFORE, the parties hereby agree as follows:

- 1. Defined Terms.** Unless otherwise specifically provided in this Amendment, all terms that are defined in the Agreement shall have the same respective meanings when used in this Amendment as given to said defined terms in the Agreement.
- 2. Add Arizona Properties.**
 - a. Exhibit A, Operating Costs.** Effective May 1, 2018, **Exhibit A** to the Agreement shall be deleted in its entirety and replaced with **Exhibit A** attached hereto and incorporated herein by reference so as to add the following Centers and their respective operational costs to the Agreement: (i) Arrowhead Towne Center, (ii) Biltmore Fashion Park, (iii) Chandler Fashion Center, (iv) Desert Sky Mall, (v) Paradise Valley Mall, (vi) SanTan Village Regional Center, (vii) Scottsdale Fashion Square, (viii) Superstition Springs Center, (ix) Estrella Falls, (x) Kierland Commons, (xi) La Encantada, (xii) Promenade at Casa Grande, (xiii) Superstition Springs Power Center, and (xiv) Boulevard Shops (collectively, the "New Centers").
 - b. Exhibit K, Center Information.** Effective May 1, 2018, **Exhibit K** to the Agreement shall be deleted in its entirety and replaced with **Exhibit K** attached hereto and incorporated herein by reference so as to add the the New Centers to the Agreement

3. **Management Fee.** Effective May 1, 2018 Exhibit A-1 to the Agreement shall be deleted and replaced with Exhibit A-1, attached hereto, and incorporated herein by this reference, so as to provide for the management fees as contemplated in Section 4.C ("managing the waste stream and the Merchant Billings for providing such services") and the second paragraph of Section 4.J, for the New Centers.

4. **Entire Amendment.** Except as herein modified, the Agreement shall remain in full force and effect and nothing in this Amendment shall be deemed to waive or modify any of the provisions of the Agreement.

IN WITNESS WHEREOF, this Amendment is entered in to by the parties as of the day and year first above written.

The Macerich Partnership, L.P.,
a Delaware limited partnership

By: The Macerich Company,
its general partner

By: 
Name: _____
Title: OLIVIA BARTEL-LEIGH
SUP, PORTFOLIO OPERATIONS

Keter Environmental Services, Inc.,
a Delaware corporation


By: 
Name: Peter Pugh
Title: CF

EXHIBIT A – Operating Costs

Property	Atlas Park	Cross County	Danbury Fair	Deplford Mall	Freehold Raceway	Fresno Fashion Fair
Commencement Date	1-Jun-14	1-Jun-14	1-Jun-14	1-Jun-14	1-Jun-14	1-Jun-14
Monthly Compactor Rental Rates & Sizes	N/A	N/A	N/A	N/A	N/A	N/A
Disposal Rate Per Ton	\$ 76.00	\$ 87.00	\$ 85.42	\$ 84.71	\$ 73.85	\$ 45.10
MSW Pull Rate	\$ 190.00	\$ 230.00	\$ 130.00	\$ 168.56	\$ 150.00	\$ 140.80
Recycling Pull Rate	\$ 190.00	\$ 230.00	\$ 130.00	\$ 138.92	\$ 100.00	\$ 123.90
Mixed Recycling Pull Rate	N/A					
Disposal FEL Rate per yard	N/A	\$ 10.69	\$ 3.60	\$ 10.03	On call	
Recycling FEL Rate per yard	N/A	\$ 10.84	8 yd FEL 3x/week at no charge			
Cardboard Processing Fees	\$ 20.00	\$ 30.00	\$ 40.00	\$ 25.00	\$ 20.00	\$ 30.00
Comments	New York OBM	New York OBM	New York OBM	New York OBM	New York OBM	San Francisco OBM

Property	La Cumbra	North Bridge, Shops at	Pacific View	Queens Center	Santa Monica Place	Westside Pavilion
Commencement Date	1-Jun-14	1-Jun-14	1-Jun-14	1-Jun-14	1-Jun-14	1-Jun-14
Monthly Compactor Rental Rates & Sizes	N/A	N/A	N/A	N/A	N/A	N/A
Disposal Rate Per Ton	\$ 91.89	\$ 41.00	\$ 58.22	\$ 76.00	\$ 42.00	\$ 62.89
MSW Pull Rate	\$ 274.29	\$ 125.00	\$ 140.23	\$ 190.00	\$ 98.25	\$ 116.28
Recycling Pull Rate		\$ 125.00	\$ 123.23	\$ 190.00	\$ 96.00	\$ 116.28
Mixed Recycling Pull Rate						
Disposal FEL Rate per yard		\$ 2.40	\$ 7.01	\$ -	\$ -	\$ -
Recycling FEL Rate per yard		\$ 1.80	\$ 4.06			
Cardboard Processing Fees	Flat \$70 Rebate	\$ 25.00	\$ 50.00	\$ 25.00	\$ 15.00	\$ 50.00
Comments	OCC pulled at no charge	\$45/per Trash Compactor - Chicago Tex Chicago OBM	Los Angeles OBM	New York OBM	Los Angeles OBM	Los Angeles OBM

Exhibit A (Continued)

Property	Wilton Mall	Kings Plaza	Fashion Outlets of Niagara Falls	Fashion Outlets of Chicago	Green Acres	Tyson's Corner Center
Commencement Date	1-Jun-14	1-Jul-14	1-Nov-14	1-Jan-15	1-Feb-15	1-Nov-17
Monthly Compactor Rental Rates & Sizes	N/A	N/A	N/A	N/A	N/A	Macerich-owned
Disposal Rate Per Ton- Landfill	\$ 82.69	\$ 78.00	\$ 38.00	\$ 44.00	\$ 79.31	\$60
Disposal Rate Per Ton- WTE						\$81
MSW Pull Rate	\$ 116.28	\$ 180.00	\$ 131.78	\$ 150.00	\$ 175.00	\$176.00
Recycling Pull Rate	\$ 116.28	\$ 180.00	\$ 173.78	\$ 150.00	\$ 175.00	\$105.00
Mixed Recycling Pull Rate						\$150
Mixed Recycling Rate Per Ton						\$57
Disposal FEL Rate per yard	\$ -			\$ 3.75	N/A	N/A
Recycling FEL Rate per yard					N/A	\$2.17
Cardboard Processing Fees	\$ 50.00	\$ 20.00	\$ 45.00	\$ 25.00	\$ 20.00	\$25.00
Comments	Buffalo OBM	New York OBM	Buffalo OBM	Chicago OBM	New York OBM	Southeast OBM

Property	Tyson's Tower	1861 Building	Arrowhead Towne Center	Biltmore Fashion Park	Chandler Fashion Center	Boulevard Shops
Commencement Date	1-Nov-17	1-Nov-17	1-May-18	1-May-18	1-May-18	1-May-18
Monthly Compactor Rental Rates & Sizes	\$450-trash compactor (if rented from Keter until purchase decision) \$200-cardboard baler (rental fee)	Macerich-owned	N/A	N/A	N/A	N/A
Disposal Rate Per Ton- Landfill	\$60	\$60	\$35	\$35	\$35	\$35
Disposal Rate Per Ton- WTE	\$81	\$81	N/A	N/A	N/A	N/A
MSW Pull Rate	\$176	\$176	\$103	\$103	\$103	\$103
Recycling Pull Rate	No hauling fee for bales	N/A	\$100	\$85	\$145	\$145.00
Mixed Recycling Pull Rate	\$150	\$150	N/A	N/A	N/A	N/A
Mixed Recycling Rate Per Ton	\$57	\$57	N/A	N/A	N/A	N/A
Disposal FEL Rate per yard	N/A	N/A	\$2.12	N/A	\$2.10	\$2.12
Recycling FEL Rate per yard	\$1.40	\$3.18	N/A	N/A	N/A	N/A
Cardboard Processing Fees	SE High-\$40 (for bales)	N/A	SW High-\$40/ton	SW High-\$40/ton	SW High-\$40/ton	SW High-\$40/ton
Comments	SouthEast OBM. To be charged directly on a fixed fee basis	To be charged directly on a fixed fee basis	SW	Glass bins-\$250/month for unlimited hauls and containers	Glass bins-\$250/month for unlimited hauls and containers	Glass bins-\$250/month for unlimited hauls and containers

Exhibit A (Continued)

Property	Casa Grande	Desert Sky Mall	Estrella Falls	Kierland Commons	La Encantada	Paradise Valley Mall
Commencement Date	1-May-18	1-May-18	1-May-18	1-May-18	1-May-18	1-May-18
Monthly Compactor Rental Rates & Sizes	N/A	N/A	N/A	N/A	N/A	N/A
Disposal Rate Per Ton- Landfill	N/A	\$35	N/A	N/A	N/A	\$35
Disposal Rate Per Ton- WTE	N/A	N/A	N/A	N/A	N/A	N/A
MSW Pull Rate	N/A	\$103	N/A	N/A	N/A	\$103
Recycling Pull Rate	N/A	\$85	N/A	Free pickup for bates (min. 5)	\$95	\$95
Mixed Recycling Pull Rate	N/A	N/A	N/A	N/A	N/A	N/A
Mixed Recycling Rate Per Ton	N/A	N/A	N/A	N/A	N/A	N/A
Disposal FEL Rate per yard	\$2.36	\$1.77	\$5.50	\$2.12	\$2.12	\$2.12
Recycling FEL Rate per yard	\$2.20	N/A	\$4.00	\$2.12	N/A	N/A
Cardboard Processing Fees	N/A	SW High-\$40/ton		(OCC Bales) SW High-\$55/ton	(Mixed Recycling) SW High-\$75/ton	(OCC) SW High-\$40/ton (Mixed Recycling) SW High-\$75/ton
Comments				Glass bins- \$250/month for unlimited hauls and containers	All Compactors Single Stream	

Property	SanTan Village	Scottsdale Fashion Square	Superstition Springs Center	Superstition Springs Power Center
Commencement Date	1-May-18	1-May-18	1-May-18	1-May-18
Monthly Compactor Rental Rates & Sizes	N/A	N/A	N/A	N/A
Disposal Rate Per Ton- Landfill	\$35	\$35	\$35	\$35
Disposal Rate Per Ton- WTE	N/A	N/A	N/A	N/A
MSW Pull Rate	\$103	\$103	\$103	\$103
Recycling Pull Rate	\$120	\$95	\$120	\$120
Mixed Recycling Pull Rate	N/A	N/A	N/A	N/A
Mixed Recycling Rate Per Ton	N/A	N/A	N/A	N/A
Disposal FEL Rate per yard	\$2.12	N/A	\$2.12	\$2.12
Recycling FEL Rate per yard	N/A	N/A	N/A	N/A
Cardboard Processing Fees	SW High-\$40/ton	SW High-\$40/ton	SW High-\$40/ton	SW High-\$40/ton
Comments	Glass bins- \$250/month for unlimited hauls and containers	Glass bins- \$250/month for unlimited hauls and containers		

**Exhibit A-1
Management Fee**

#	Property	Monthly Amount
1	The Shops at Atlas Park	\$1,800.00
2	Cross County Mall	\$1,666.00
3	Danbury Fair	\$2,000.00
4	Deptford Mall	\$2,000.00
5	Fashion Fair	\$1,500.00
6	Freehold Raceway	\$2,000.00
7	La Cumbre	\$1,400.00
8	The Shops at North Bridge	\$1,800.00
9	Pacific View Mall	\$1,800.00
10	Queens Center	\$2,000.00
11	Santa Monica Place	\$1,800.00
12	Westside Pavilion	\$1,800.00
13	Wilton Mall	\$1,200.00
14	Kings Plaza	\$2,000.00
15	Fashion Outlets of Niagara Falls	\$2,000.00
16	Fashion Outlets of Chicago	\$2,000.00
17	Green Acres	\$2,000.00
18	Tysons Corner Center	\$2,300.00
19	Tysons Tower	\$800.00
20	1861 International Drive	\$200.00
21	Arrowhead Towne Center	\$1,800.00
22	Biltmore Fashion Park	\$1,800.00
23	Casa Grande, The Promenade at	\$300.00
24	Chandler Fashion Center	\$1,800.00
25	Boulevard Shops	\$200.00
26	Desert Sky Mall	\$1,000.00
27	Estrella Falls, The Market at	\$150.00
28	Kierland Commons	\$750.00
29	La Encantada	\$1,214.00
30	Paradise Valley Mall	\$1,800.00
31	SanTan Village Regional Center	\$1,800.00
32	Scottsdale Fashion Square	\$2,000.00
33	Superstition Springs Center	\$1,500.00
34	Superstition Springs Power Center	\$0.00
	Total	\$50,180.00

Exhibit K

1. **The Shops at Atlas Park**, Glendale, New York
2. **Cross County Shopping Center**, Yonkers, New York
3. **Danbury Fair Mall**, Danbury, Connecticut
4. **Deptford Mall**, Deptford, New Jersey
5. **Fashion Outlets of Chicago**, Rosemont, Illinois
6. **Fashion Outlets of Niagara Falls**, Niagara Falls, New York
7. **Freehold Raceway Mall**, Freehold, New Jersey
8. **Fresno Fashion Fair**, Fresno, California
9. **Green Acres Mall**, Valley Stream, New York
10. **Kings Plaza Shopping Center**, Brooklyn, New York
11. **La Cumbre Plaza**, Santa Barbara, California
12. **The Shops at North Bridge**, Chicago, Illinois
13. **Pacific View**, Ventura, California
14. **Queens Center**, Elmhurst, New York
15. **Santa Monica Place**, Santa Monica, California
16. **Tysons Corner Center**, Tysons Corner, Virginia
17. **Tysons Tower**, Tysons Corner, Virginia
18. **1861 Building**, Tysons Corner, Virginia
19. **Westside Pavilion**, Los Angeles, California
20. **Wilton Mall**, Saratoga Springs, New York
21. **Arrowhead Towne Center**, Glendale, Arizona
22. **Biltmore Fashion Park**, Phoenix, Arizona
23. **Casa Grande, The Promenade at**, Casa Grande, Arizona
24. **Chandler Fashion Center**, Chandler, Arizona
25. **Boulevard Shops**, Chandler, Arizona
26. **Desert Sky Mall**, Phoenix, Arizona
27. **Estrella Falls, The Market at**, Goodyear, Arizona
28. **Kierland Commons**, Scottsdale, Arizona
29. **La Encantada**, Tucson, Arizona
30. **Paradise Valley Mall**, Phoenix, Arizona
31. **SanTan Village Regional Center**, Glendale, Arizona
32. **Scottsdale Fashion Square**, Scottsdale, Arizona
33. **Superstition Springs Center**, Mesa, Arizona
34. **Superstition Springs Power Center**, Mesa, Arizona