

Market: SAN FRANCISCO/SACRAMENTO  
Cell Site Number: CCL03218  
Cell Site Name: MONTEREY SALINAS HWY  
Fixed Asset Number: 10067533

## **FIRST AMENDMENT TO COUNTY OF MONTEREY WIRELESS COMMUNICATION SITE LEASE AGREEMENT**

**THIS FIRST AMENDMENT TO COUNTY OF MONTEREY WIRELESS COMMUNICATION SITE LEASE AGREEMENT ("Amendment")**, dated as of the latter of the signature dates below, is by and between the County of Monterey a political subdivision of the State of California, having a mailing address of 1441 Schilling Place, South Building, 2<sup>nd</sup> Floor, Salinas, CA 93901 ("**LESSOR**") and New Cingular Wireless PCS, LLC, a Delaware limited liability company, having a mailing address of 1025 Lenox Park Blvd NE, 3<sup>rd</sup> Floor, Atlanta, GA 30319 ("**LESSEE**").

WHEREAS, LESSOR and LESSEE entered into a Wireless Communication Site Lease Agreement dated June 7<sup>th</sup>, 2006, whereby LESSOR leased to LESSEE certain Premises, therein described, that are a portion of the Property located at 1025 Monterey-Salinas Highway 68, Salinas, CA ("**Agreement**"); and

WHEREAS, LESSEE desires to modify its Equipment, which LESSOR is willing to approve; and

WHEREAS, LESSOR and LESSEE desire to adjust the Lease Fee in conjunction with the modifications to the Agreement contained herein; and

WHEREAS, LESSOR and LESSEE desire to amend the Agreement to modify the notice section thereof; and

WHEREAS, LESSOR and LESSEE desire to amend the Agreement to permit LESSEE to add, modify and/or replace equipment in order to complete Equipment upgrades; and be in compliance with any current or future federal, state or local mandated application, including but not limited to emergency 911 communication services; and

WHEREAS, LESSOR desires to amend the Agreement to delete Section 12 (ADDITIONAL EXTENSIONS) thereof; and

WHEREAS, LESSOR and LESSEE desire to clarify ownership of the communication tower servicing said Premises located on the Property; and

WHEREAS, LESSOR and LESSEE, in their mutual interest, wish to amend the Agreement as set forth below accordingly.

NOW THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, LESSOR and LESSEE agree as follows:

1. **Modification of Equipment.** LESSEE shall have the right to modify the Equipment as more completely described on attached Exhibit B-2. LESSOR's execution of this Amendment will signify LESSOR's approval of Exhibit B-2. Exhibit B-2 hereby replaces Exhibit B to the Agreement.

2. **Lease Fee.** Commencing on the first day of the month following the date that LESSEE commences construction of the modifications set forth in this Amendment, the Lease Fee shall be increased by Five Thousand Seven Hundred and No/100 Dollars (\$5,700.00) annually subject to further adjustments as provided in the Agreement.

3. **Additional Extensions.** Section 12 of the Agreement is hereby deleted in its entirety and replaced with the following:

**ADDITIONAL EXTENSIONS. [Intentionally Left Blank]**

4. **Notices.** Section 15 of the Agreement is hereby deleted in its entirety and replaced with the following:

**NOTICES.** All notices, requests, demands and communications hereunder will be given by first class certified or registered mail, return receipt requested, or by a nationally recognized overnight courier, postage prepaid, to be effective when properly sent and received. Notices will be addressed to the parties as follows:

If to LESSEE:                   New Cingular Wireless PCS, LLC  
Attn: Network Real Estate Administration  
Re: Cell Site #: CCL03218; Cell Site Name: Monterey Salinas Highway (CA)  
Fixed Asset #: 10067533  
1025 Lenox Park Blvd NE  
3<sup>rd</sup> Floor  
Atlanta, GA 30319  
Phone: 800-638-2822

With a copy to:               New Cingular Wireless PCS, LLC  
Attn.: Legal Dept – Network Operations  
Re: Cell Site #: CCL03218; Cell Site Name: Monterey Salinas Highway (CA)  
Fixed Asset #: 10067533  
208 S. Akard Street  
Dallas, TX 75202-4206

If to LESSOR:               County of Monterey  
Attn: RMA-Administrative Services, Real Property Specialist  
Re: New Cingular Wireless at Laguna Seca  
1441 Schilling Place, South Building, 2<sup>nd</sup> Floor  
Salinas, CA 93901  
Phone: (831) 755-4800 Fax: (831) 755-4958 Email:salcidog@co.monterey.ca.us

The copy sent to the Legal Department is an administrative step which alone does not constitute legal notice. Either party hereto may, from time to time, designate any other address for this purpose by thirty (30) days/ prior written notice to the other party. Either party for general communication may use telephone, email or facsimile, provided such use shall not constitute notice as required under this section.

5. **Mandated Application.** In the future, at a location mutually acceptable to LESSOR and LESSEE, LESSOR agrees that LESSEE may add, modify and/or replace equipment in order to be in compliance with any current or future federal, state or local mandated application, including but not limited to emergency 911 communication services, subject to Section 3 of the Agreement along with a possible increase in the Lease Fee as reasonably determined by a LESSOR approved appraiser specializing in appraising wireless communication sites. Said appraiser shall be paid for by LESSEE.

6. **Ownership of Communication Tower.** LESSOR and LESSEE agree that LESSOR is the owner of the communication tower servicing the Premises located on the Property.

7. **Memorandum of Lease.** Either party will, at any time upon fifteen (15) days prior written notice from the other, execute, acknowledge and deliver to the other a recordable Memorandum of Lease substantially in the form of the Attachment 1. Either party may record this memorandum at any time, in its absolute discretion.

8. **Other Terms and Conditions Remain.** In the event of any inconsistencies between the Agreement and this Amendment, the terms of this Amendment shall control. Except as expressly set forth in this Amendment, the Agreement otherwise is unmodified and remains in full force and effect.

9. **Capitalized Terms.** All capitalized terms used but not defined herein shall have the same meanings as defined in the Agreement.

**IN WITNESS WHEREOF**, the parties have caused this Amendment to be effective as of the last date written below.

**LESSOR:**  
County of Monterey

**LESSEE:**  
New Cingular Wireless PCS, LLC,  
a Delaware limited liability company

By: AT&T Mobility Corporation  
Its: Manager

By: \_\_\_\_\_

By: \_\_\_\_\_

Michael R. Derr  
Title: Contracts-Purchasing Officer

\_\_\_\_\_  
Print Name:  
Title:

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**APPROVED AS TO FORM AND LEGALITY:**  
Office of the County Counsel-Risk Manager

By: \_\_\_\_\_

Les Girard  
Title: Chief Asst. County Counsel

Date: \_\_\_\_\_

**-EXHIBIT B-2**

**SKETCH OF THE PREMISES**

**(SEE INSERTED CONSTRUCTION PLANS DATED 4/20/18)**



PROPRIETARY INFORMATION  
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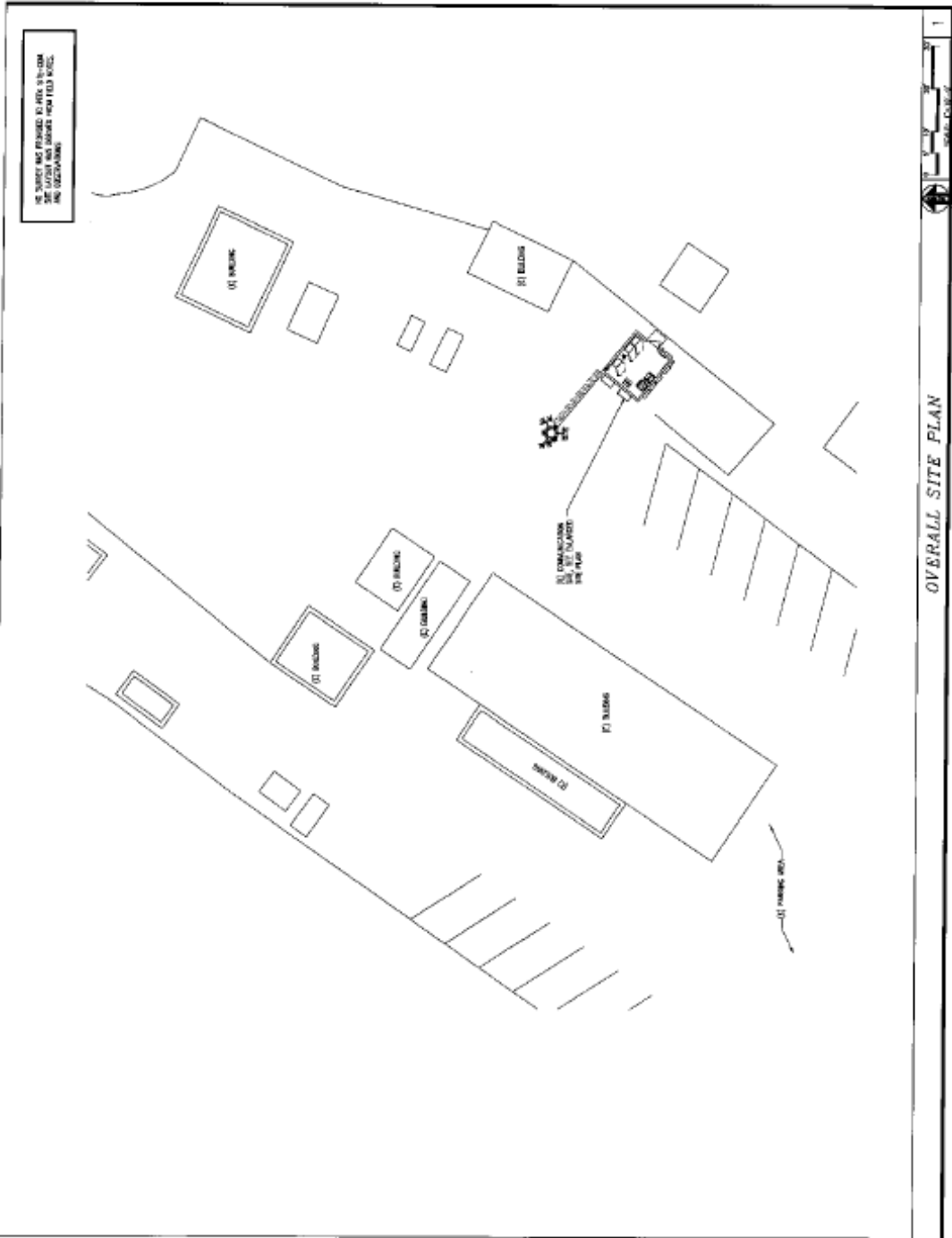
**MONTEREY SALINAS HWY**  
 100 MONTEREY SALINAS HWY  
 MONTEREY, CA 95030

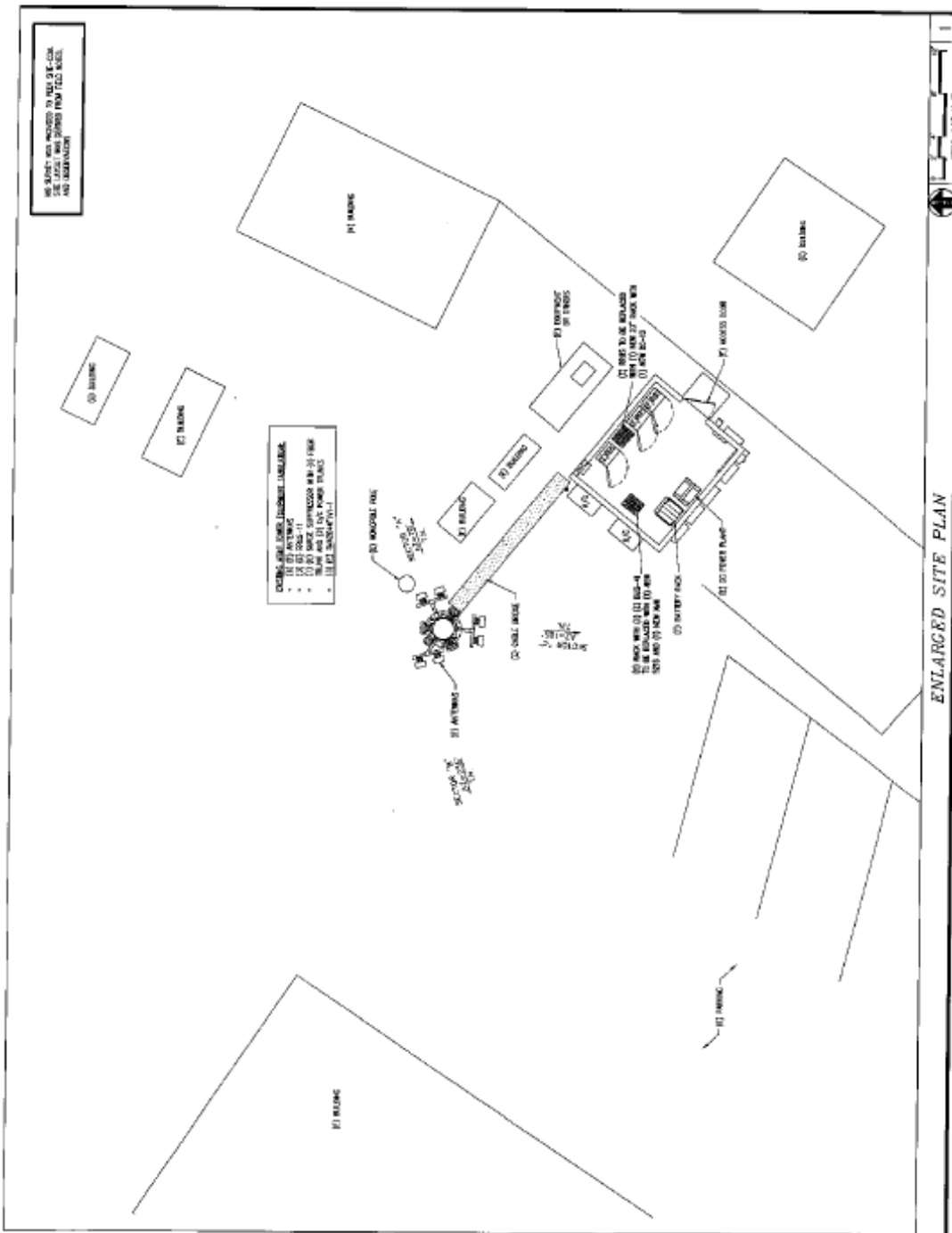
REV.	DATE	DESCRIPTION	BY
1	2-22-18	ISSUE FOR PERMITTING	MAP
2	4-20-18	ISSUE FOR CONSTRUCTION	MAP

**Peak Site - Com**  
 28000 Santa Ana Ave., Suite 101  
 Santa Ana, CA 92705  
 Phone: (714) 831-6115  
 E-mail: [info@peakcommunications.com](mailto:info@peakcommunications.com)

**OVERALL SITE PLAN**

**A-1 0**





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THE AT&T  
INTELLECTUAL  
PROPERTY GROUP

**PROJECT INFORMATION**

**MONTEREY SALINAS HWY**  
100 MONTE SALINAS AVENUE  
MONTEREY, CA 93940

REV.	DATE	DESCRIPTION	BY
1	1-22-98	ISSUE CONSTRUCTION SETS	AMF
2	1-27-98	ISSUE CONSTRUCTION SETS	AMF

**Peak Site-Corr**  
100 MONTE SALINAS AVENUE  
MONTEREY, CA 93940  
Phone: (831) 945-6180  
Fax: (831) 945-6180  
E-MAIL: [monterey@peak.com](mailto:monterey@peak.com)

**ANTENNA PLAN**

# A-1.2.0

**LEGEND:**

- S - ANTENNA BY OTHER
- SE - GEOPACK ANTENNA BY OTHER
- SK - GEOPACK ANTENNA BY OTHER
- SW - NEW ANTENNA TO BE INSTALLED
- SN - NEW ANTENNA TO BE INSTALLED
- SO - NEW ANTENNA TO BE INSTALLED
- SP - NEW ANTENNA TO BE INSTALLED
- ST - NEW ANTENNA TO BE INSTALLED
- SS - NEW ANTENNA TO BE INSTALLED
- SL - NEW ANTENNA TO BE INSTALLED
- SM - NEW ANTENNA TO BE INSTALLED
- SN - NEW ANTENNA TO BE INSTALLED
- SO - NEW ANTENNA TO BE INSTALLED
- SP - NEW ANTENNA TO BE INSTALLED
- ST - NEW ANTENNA TO BE INSTALLED
- SS - NEW ANTENNA TO BE INSTALLED
- SL - NEW ANTENNA TO BE INSTALLED
- SM - NEW ANTENNA TO BE INSTALLED

REV.	DATE	DESCRIPTION	BY
1	1-22-98	ISSUE CONSTRUCTION SETS	AMF
2	1-27-98	ISSUE CONSTRUCTION SETS	AMF

**ANTENNA PLAN**

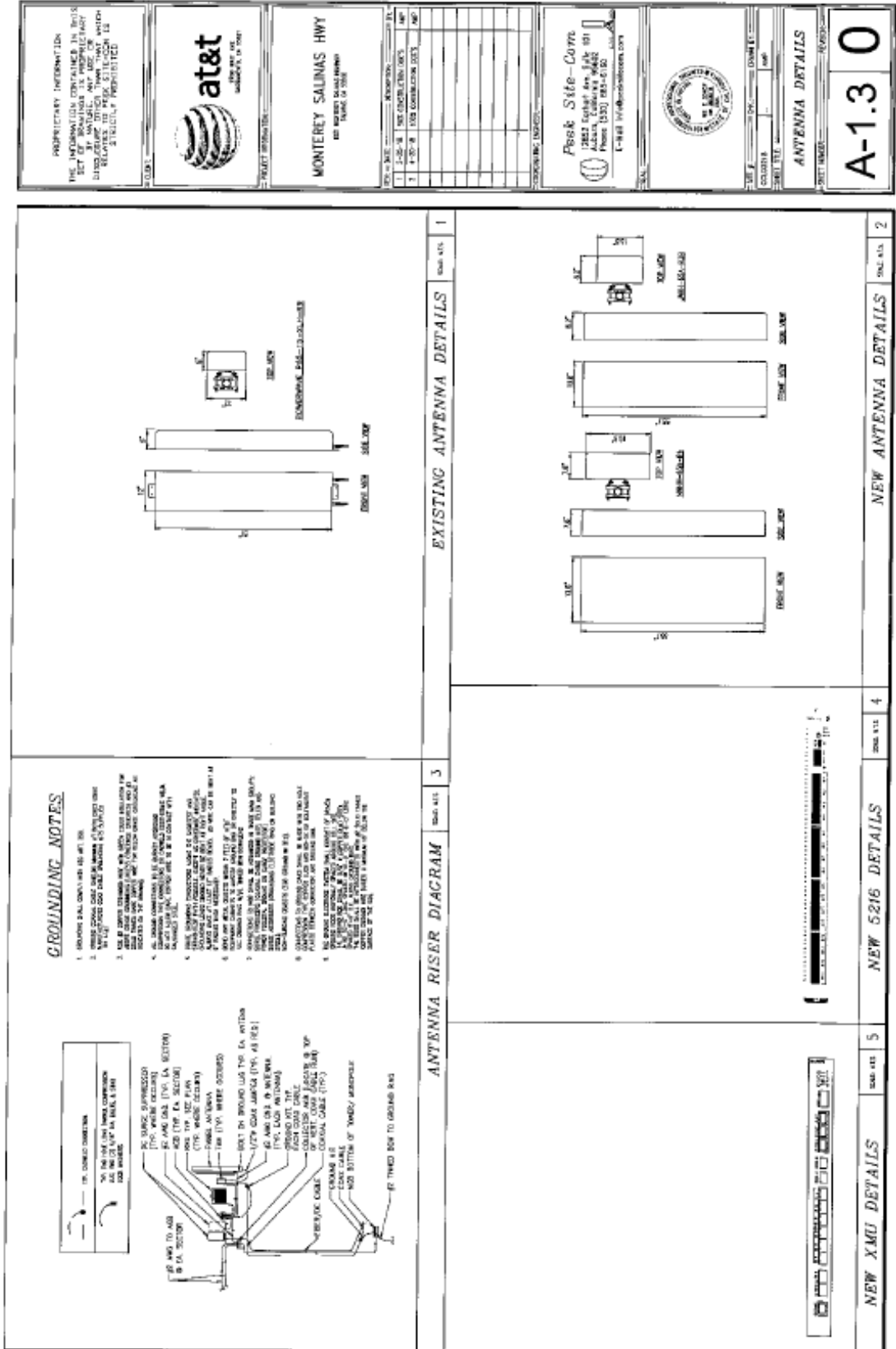
# A-1.2.0

**Peak Site-Corr**  
100 MONTE SALINAS AVENUE  
MONTEREY, CA 93940  
Phone: (831) 945-6180  
Fax: (831) 945-6180  
E-MAIL: [monterey@peak.com](mailto:monterey@peak.com)

**ANTENNA PLAN**

# A-1.2.0







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MONTEREY SALINAS HWY  
 100 WESTERN AVENUE  
 SUITE 200  
 MONTEREY, CA 93940

NO.	DATE	DESCRIPTION
1	3-20-18	REV. TRANSMISSION DUCTS
2	4-25-18	REV. CONSTRUCTION DUCTS

PREPARED BY: [Signature]

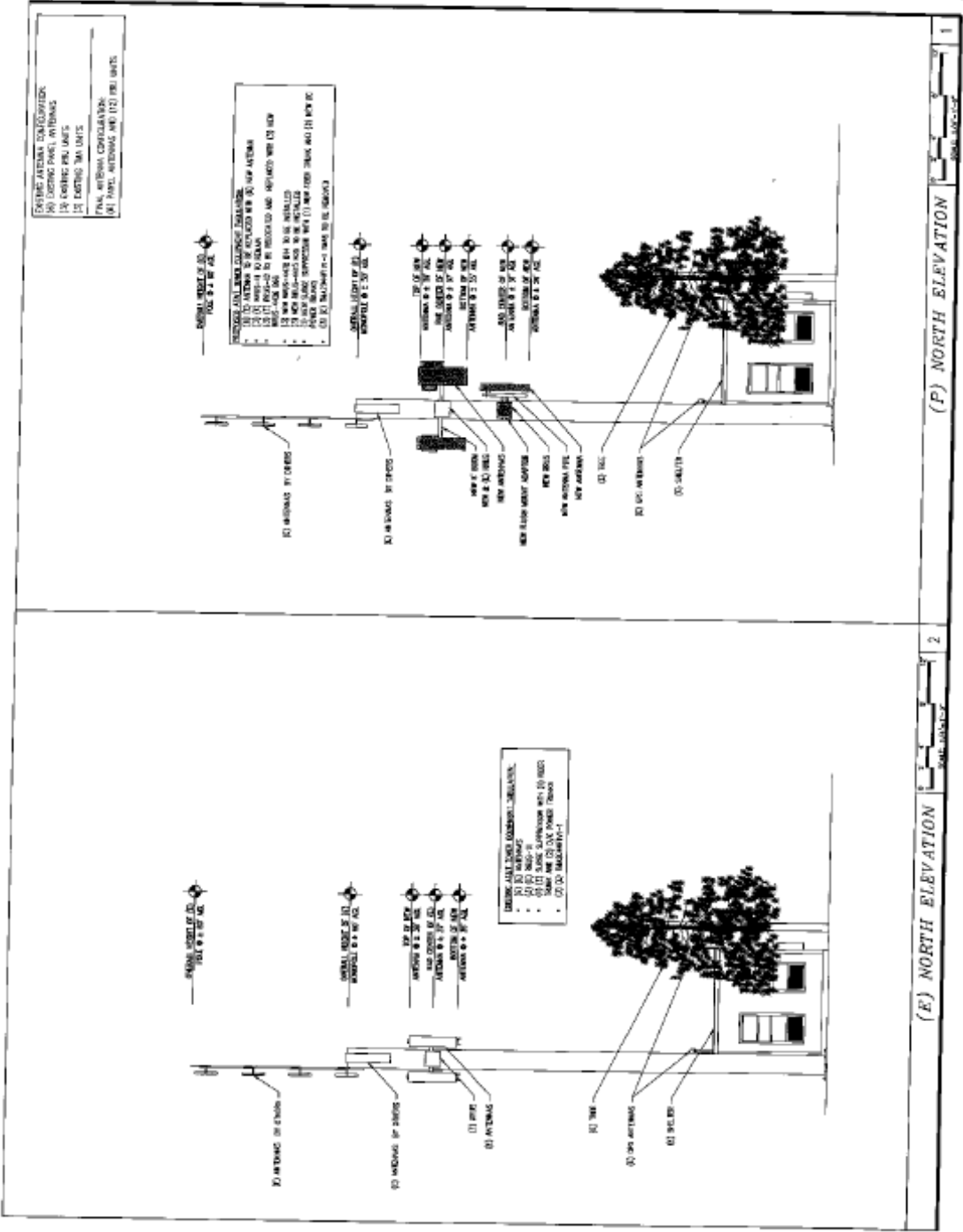
Check Size-Corrn  
 855 E. Coast Ave. Suite 101  
 Marina, CA 93955  
 Phone: (415) 882-4100  
 E-mail: info@checksize.com

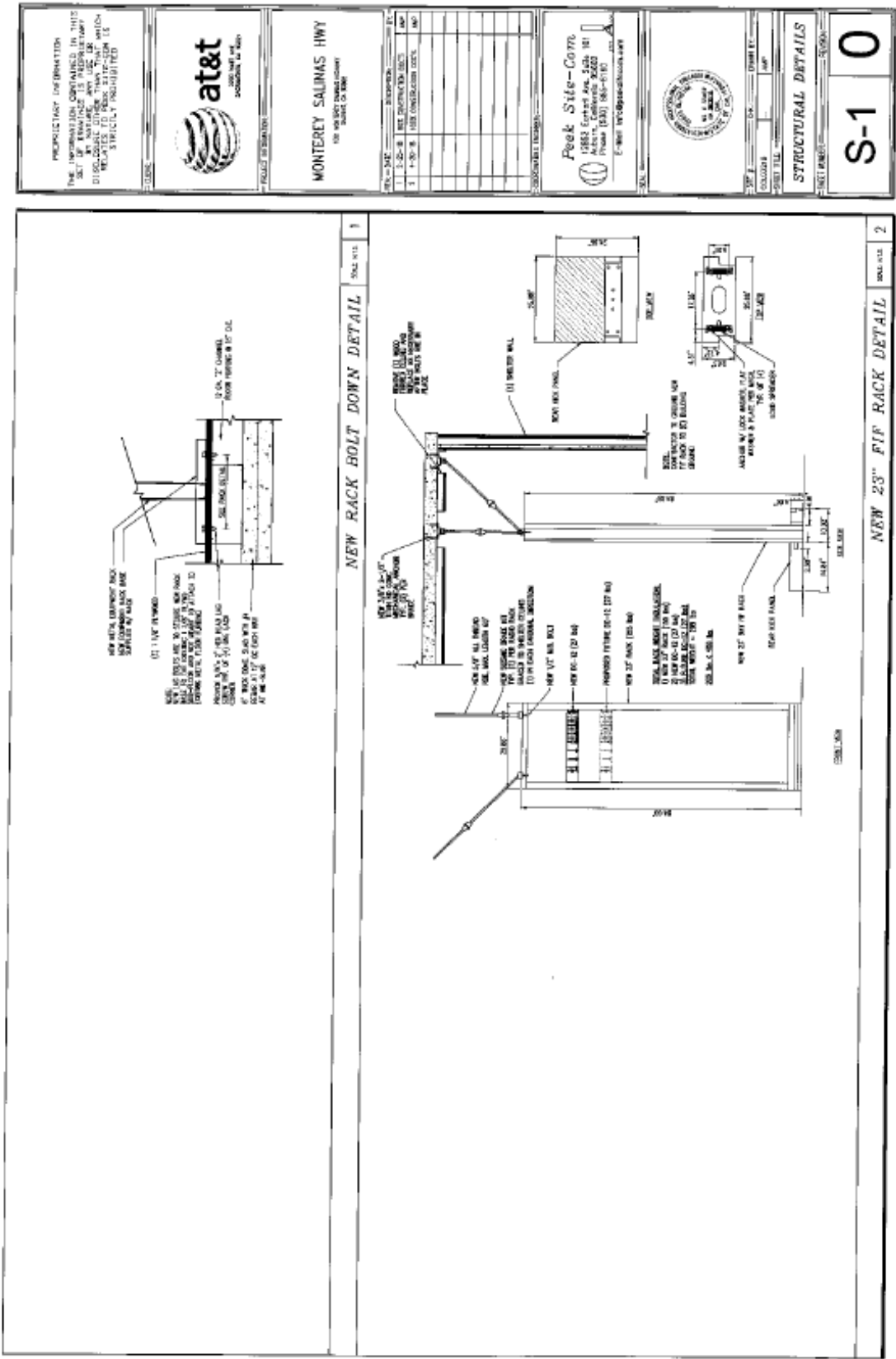


DATE: 4/25/18  
 SHEET NO.: 1  
 OF: 1  
 PROJECT NO.: 18000000000000000000

ELEVATIONS

**A-2 0**





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**at&t**  
 SOLUTIONS FOR BUSINESS

**MONTEREY SALINAS HWY**  
 FOR THE STATE HIGHWAY DEPARTMENT  
 SALINAS, CALIFORNIA

NO.	DATE	REVISIONS
1	1-28-18	ISSUE FOR PERMIT REVIEW
2	1-30-18	ISSUE FOR PERMIT REVIEW

**Peak Site-Corr**  
 12883 Grand Ave. 5th Fl.  
 Alhambra, California 91803  
 Phone (626) 984-6100  
 E-Mail: [info@peaksite.com](mailto:info@peaksite.com)

PROJECT NUMBER: 18-000000000000000000

DATE: 1/28/18

DESIGNED BY: [Signature]

CHECKED BY: [Signature]

SCALE: 1/4" = 1'-0"

**STRUCTURAL DETAILS**

**S-1 0**

