

Site # A2P0003A
Market: Miami

THIRD AMENDMENT TO ELEVATED WATER TANK SPACE LICENSE AGREEMENT

THIS THIRD AMENDMENT TO ELEVATED WATER TANK SPACE LICENSE AGREEMENT (“Third Amendment”) is made and entered into by and between Indian River County, a political subdivision of the State of Florida (“Licensor”), and **T-Mobile South LLC**, a Delaware limited liability company as successor-in-interest to Omnipoint Holdings Inc. (“Licensee”).

RECITALS

WHEREAS, Licensor and Licensee (or as applicable, their respective predecessors in interest) entered into an Elevated Water Tank Space License Agreement dated March 23, 2004, as amended by the First Amendment to the Elevated Water Tank Space License Agreement dated December 17, 2013 and further amended by the Second Amendment to the Elevated Water Tank Space License Agreement dated December 5, 2017 (collectively “Agreement”) with respect to the premises located at 4690 28th Court (North of 49th Street) in Indian River County, Florida (the “Property”)

WHEREAS, The Licensor and Licensee desire to enter into this Third Amendment in order to modify and amend certain provisions of the Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Licensor and Licensee covenant and agree as follows:

1. **USE.** The Licensee shall have the right to modify its antenna facilities as described and depicted in Exhibit A-2, which is attached hereto and by this reference incorporated herein, and the Licensor hereby consents to and approves of such modifications.

2. **LICENSE FEE.** As partial consideration for this Third Amendment, Licensee agrees to pay a minimum License Fee to Licensor payable monthly in Four Thousand Eight Hundred and Fifty Dollar (\$4,850) installments, as such monthly sum is modified by the escalator provision in the Agreement, over a ten (10) year term commencing on the earlier of (i) the first day of the month following the commencement of construction of the modification of Licensee’s equipment at the Property or, (ii) the first day of the month following the day that is sixty (60) days from the full execution of this Third Amendment, whichever comes first. Licensee shall thereafter pay Licensor a monthly License Fee, as escalated pursuant to the Agreement, for the remaining term of the-Agreement

3. **TERM OF THE LICENSE AGREEMENT.** The Licensee has the option to extend the Agreement for four (4) additional five (5) year terms under the same terms and conditions as set forth in the Agreement as amended by this Third Amendment.

4. **WATER TOWER REPAIRS.** As further consideration for this Third Amendment, Licensee agrees to pay Licensor a one-time sum of one hundred thousand dollars (\$100,000.00) upon execution of this Third Amendment to be used for repairs to the water tower at the Property.

5. **NOTICE.** The Parties notice addresses in the Agreement are deleted in their entirety and replaced with the following:

If to Licensee:

If to Licensor

T-Mobile, Inc.
Attn: Lease Compliance/Site No. A2P0003A

Indian River County
Attn: IT Director

Site # A2P0003A
Market: Miami

12920 SE 38th Street
Bellevue, WA 98006

1801 27th Street
Vero Beach, FL 32960

6. The terms and conditions of the Agreement are incorporated herein by this reference, and capitalized terms used in this Third Amendment shall have the same meanings such terms are given in the Agreement. Except as specifically set forth herein, this Third Amendment shall in no way modify, alter or amend the remaining terms of the Agreement, all of which are ratified by the parties and shall remain in full force and effect. To the extent there is any conflict between the terms and conditions of the Agreement and this Third Amendment, the terms and conditions of this Third Amendment will govern and control.

7. Licensor represents and warrants to Licensee that no consent or approval of any third party including, without limitation, a lender, is required with respect to the execution of this Third Amendment, or if any such third-party consent or approval is required, Licensor has obtained any and all such consents or approvals

8. This Third Amendment may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute a single instrument. Signed copies of this Third Amendment shall legally bind the parties to the same extent as original documents.

9. Each person executing this Third Amendment, on behalf of Licensee, does hereby covenant and warrant that Licensee is a duly authorized and existing company, that Licensee has, and is qualified, to do business in Florida, that the company has full rights and authority to enter into this amendment, and that each person signing on behalf of the company is authorized to do so.

IN WITNESS WHEREOF, the parties have executed this Third Amendment effective as of the date of execution by the last party to sign.

T-MOBILE SOUTH LLC, a Delaware limited liability company

INDIAN RIVER COUNTY, a political subdivision of the State of Florida

By:  _____

By: _____

Name: Jennifer silveira

Name: Susan Adams

Title: Senior Vice President
Field Engineering

Title: Chairman, Indian River County Board of
County Commissioners

Date: 8/23/2024

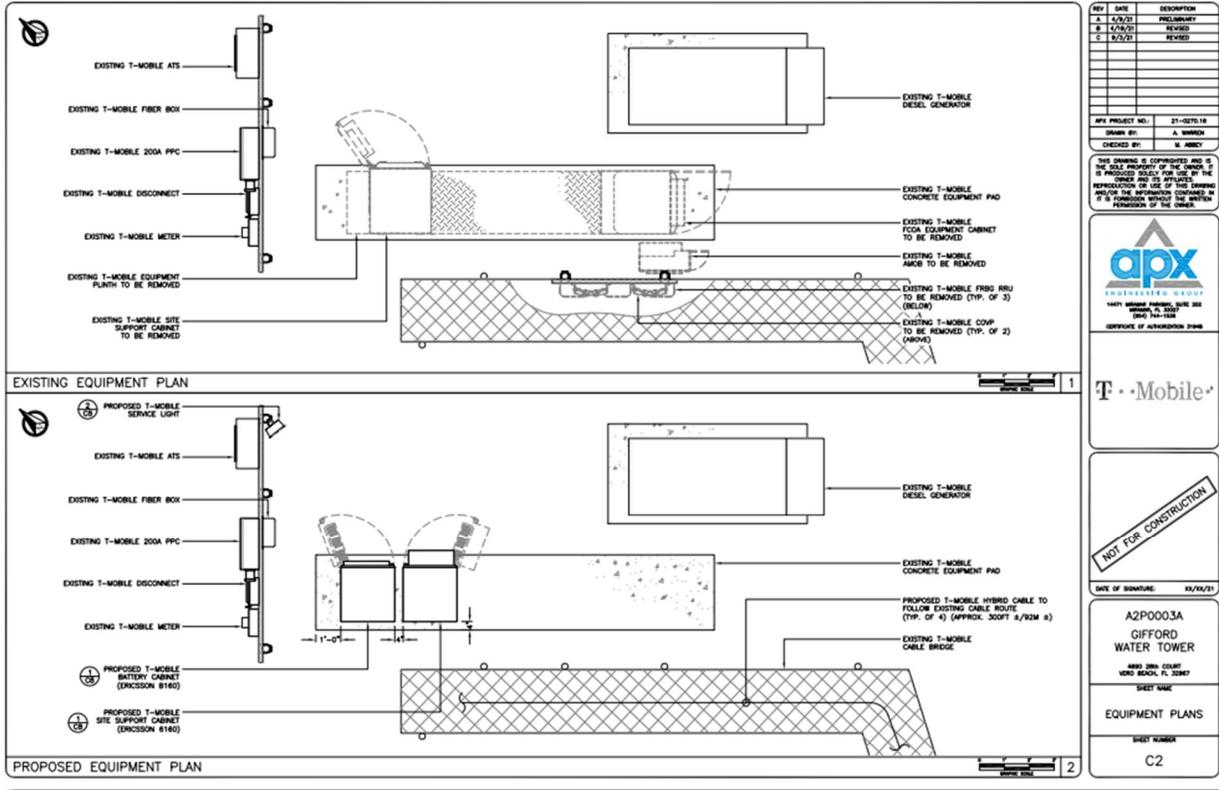
Approved by BCC:: _____



Attest:
Ryan L. Butler, Clerk of Circuit Court and
Comptroller

By: _____

Site # A2P0003A
Market: Miami



REV	DATE	DESCRIPTION
1	12/2/15	PRELIMINARY
2	4/7/16	REVISED
3	8/3/17	REVISED

APX PROJECT NO.: 21-027618
 DRAWN BY: A. WARDEN
 CHECKED BY: M. ARNEY

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apx
 ENGINEERING GROUP
 1405 WINDWARD AVENUE, SUITE 202
 MIAMI, FL 33136
 OFFICE OF ARCHITECTURAL DRAWING

T-Mobile

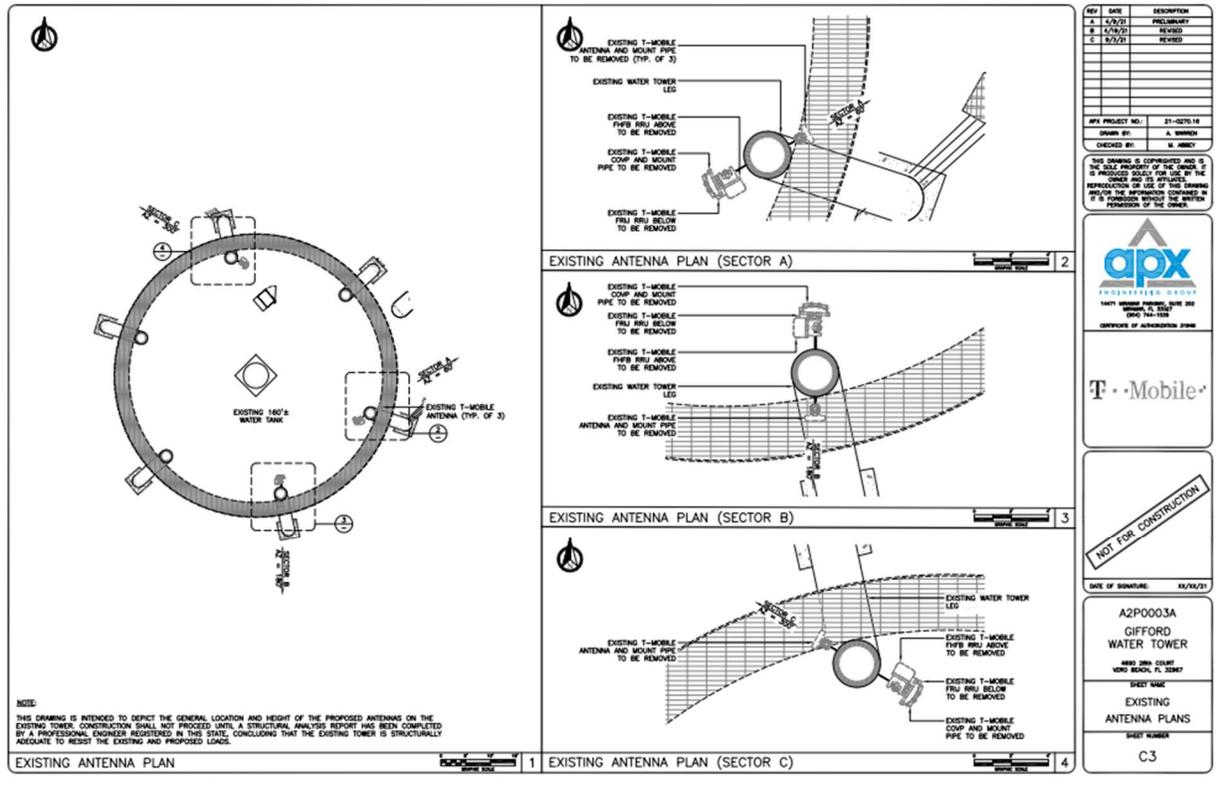
DATE OF SIGNATURE: 11/19/21

A2P0003A
 GIFFORD
 WATER TOWER

4400 29th COURT
 MIAMI BEACH, FL 33587

SHEET NAME:
 EQUIPMENT PLANS

SHEET NUMBER:
 C2



REV	DATE	DESCRIPTION
1	12/2/15	PRELIMINARY
2	4/7/16	REVISED
3	8/3/17	REVISED

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 MIAMI, FL 33136
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T-Mobile

DATE OF SIGNATURE: 11/19/21

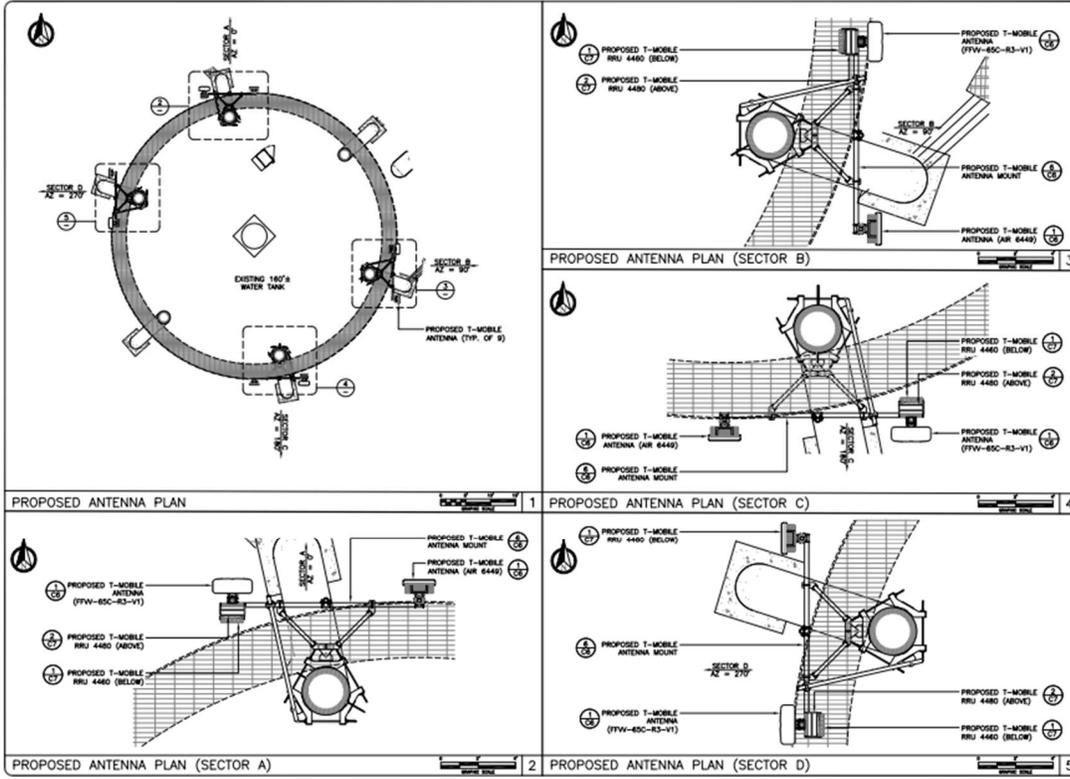
A2P0003A
 GIFFORD
 WATER TOWER

4400 29th COURT
 MIAMI BEACH, FL 33587

SHEET NAME:
 EXISTING
 ANTENNA PLANS

SHEET NUMBER:
 C3

Site # A2P0003A
Market: Miami



REV	DATE	DESCRIPTION
A	1/25/11	PRELIMINARY
B	4/19/11	REVISED
C	9/23/11	REVISED

APX PROJECT NO.: 21-0270.18
 DRAWN BY: A. WOODS
 CHECKED BY: M. ARNEY

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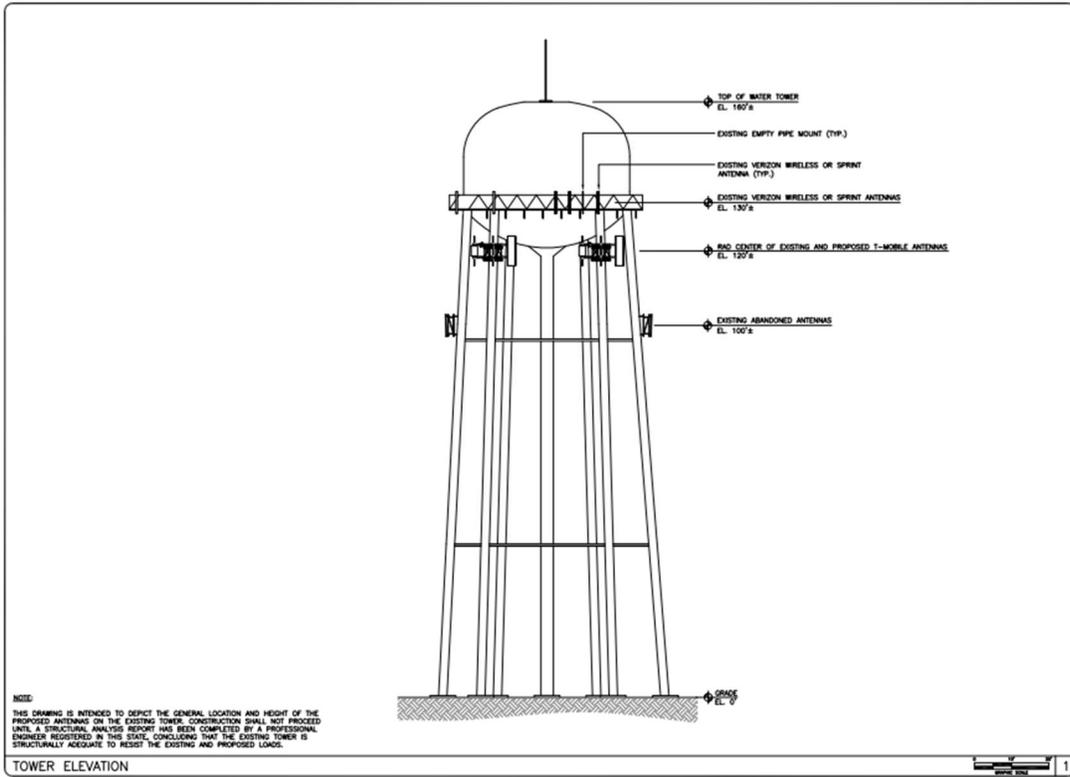
apx
 PROGRESSIVE GROUP
 14415 WINDY HILL, SUITE 202
 DUNCAN, SC 29528
 OFFICE OF ADMINISTRATION 2048

T-Mobile

NOT FOR CONSTRUCTION

DATE OF SIGNATURE: 03/04/11

A2P0003A
 GIFFORD WATER TOWER
 4800 20th COURT
 WINDY HILL, FL 32067
 SHEET NAME:
 PROPOSED ANTENNA PLANS
 SHEET NUMBER:
 C4



REV	DATE	DESCRIPTION
A	1/25/11	PRELIMINARY
B	4/19/11	REVISED
C	9/23/11	REVISED

APX PROJECT NO.: 21-0270.18
 DRAWN BY: A. WOODS
 CHECKED BY: M. ARNEY

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apx
 PROGRESSIVE GROUP
 14415 WINDY HILL, SUITE 202
 DUNCAN, SC 29528
 OFFICE OF ADMINISTRATION 2048

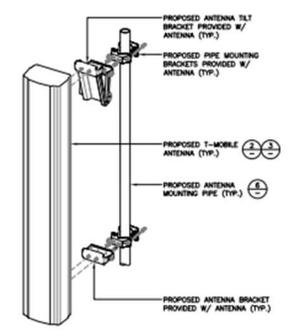
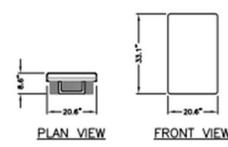
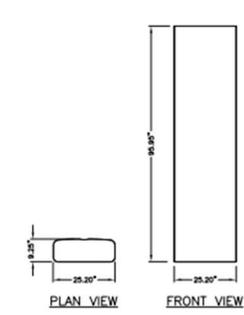
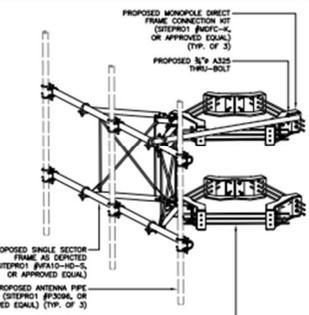
T-Mobile

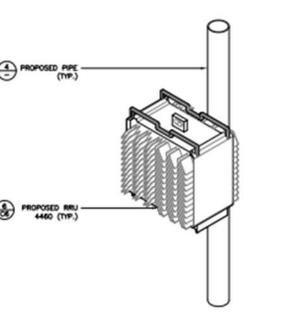
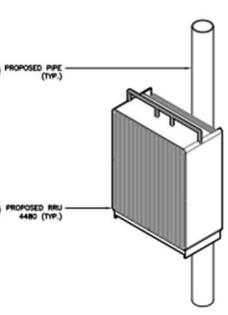
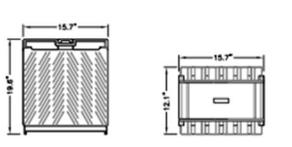
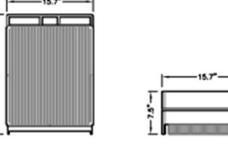
NOT FOR CONSTRUCTION

DATE OF SIGNATURE: 03/04/11

A2P0003A
 GIFFORD WATER TOWER
 4800 20th COURT
 WINDY HILL, FL 32067
 SHEET NAME:
 ELEVATION
 SHEET NUMBER:
 C5

Site # A2P0003A
Market: Miami

 <p>PROPOSED ANTENNA TILT BRACKET PROVIDED W/ ANTENNA (TYP.)</p> <p>PROPOSED PIPE MOUNTING BRACKETS PROVIDED W/ ANTENNA (TYP.)</p> <p>PROPOSED T-MOBILE ANTENNA (TYP.)</p> <p>PROPOSED ANTENNA MOUNTING PIPE (TYP.)</p> <p>PROPOSED ANTENNA BRACKET PROVIDED W/ ANTENNA (TYP.)</p>	 <p>MANUFACTURER: ERICSSON MODEL: AIR 6648 WEIGHT: 104 LBS</p>	 <p>MANUFACTURER: COMSCOPE MODEL: FTVN-855-#3 WEIGHT: 124.56 LBS</p>	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>REV</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>4/9/21</td> <td>PRELIMINARY</td> </tr> <tr> <td>B</td> <td>4/9/21</td> <td>REVISED</td> </tr> <tr> <td>C</td> <td>9/2/21</td> <td>REVISED</td> </tr> </tbody> </table> <p>APX PROJECT NO.: 21-0270.16 DRAWN BY: A. WARDEN CHECKED BY: M. HEBBY</p> <p>THIS DRAWING IS CONSIDERED AND IS THE SOLE PROPERTY OF THE OWNER. IT IS PROVIDED ONLY FOR USE OF THE OWNER AND IS NOT TO BE REPRODUCED OR USED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE OWNER.</p>  <p>14075 WINDWARD PARKWAY, SUITE 200 MIAMI, FL 33176 OFFICE OF ADMINISTRATION 3106</p>  <p style="text-align: center; border: 1px solid black; padding: 5px; transform: rotate(-45deg);">NOT FOR CONSTRUCTION</p> <p>DATE OF SIGNATURE: 09/16/21</p> <p>A2P0003A GIFFORD WATER TOWER 4890 20th COURT VERD BEACH, FL 33587</p> <p>SHEET NAME: DETAILS SHEET NUMBER: C6</p>	REV	DATE	DESCRIPTION	A	4/9/21	PRELIMINARY	B	4/9/21	REVISED	C	9/2/21	REVISED
REV	DATE	DESCRIPTION													
A	4/9/21	PRELIMINARY													
B	4/9/21	REVISED													
C	9/2/21	REVISED													
ANTENNA MOUNTING DETAIL	ANTENNA SPECS	ANTENNA SPECS													
(NOT USED)	(NOT USED)	 <p>PROPOSED MONOPOLE DIRECT FRAME CONNECTION KIT (CERTIFIED NEMA4X-100-SS, OR APPROVED EQUAL) (TYP. OF 3)</p> <p>PROPOSED NEMA 4X-100-SS THROUGH-BOLT</p> <p>PROPOSED SINGLE SECTOR FRAME AS DEPICTED (CERTIFIED NEMA4X-100-SS, OR APPROVED EQUAL)</p> <p>PROPOSED ANTENNA PIPE (CERTIFIED IP30AL, OR APPROVED EQUAL) (TYP. OF 3)</p> <p>PROPOSED UNIVERSAL RING MOUNT (CERTIFIED FLUJING, OR APPROVED EQUAL) (TYP. OF 2)</p>	ANTENNA MOUNT DETAIL												

 <p>PROPOSED PIPE (TYP.)</p> <p>PROPOSED RRU 4460 (TYP.)</p> <p>NOTE: UNIT SHALL BE MOUNTED AS PER MANUFACTURER'S SPECIFICATIONS.</p>	 <p>PROPOSED PIPE (TYP.)</p> <p>PROPOSED RRU 4480 (TYP.)</p> <p>NOTE: UNIT SHALL BE MOUNTED AS PER MANUFACTURER'S SPECIFICATIONS.</p>	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>REV</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>4/9/21</td> <td>PRELIMINARY</td> </tr> <tr> <td>B</td> <td>4/9/21</td> <td>REVISED</td> </tr> <tr> <td>C</td> <td>9/2/21</td> <td>REVISED</td> </tr> </tbody> </table> <p>APX PROJECT NO.: 21-0270.16 DRAWN BY: A. WARDEN CHECKED BY: M. HEBBY</p> <p>THIS DRAWING IS CONSIDERED AND IS THE SOLE PROPERTY OF THE OWNER. IT IS PROVIDED ONLY FOR USE OF THE OWNER AND IS NOT TO BE REPRODUCED OR USED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE OWNER.</p>  <p>14075 WINDWARD PARKWAY, SUITE 200 MIAMI, FL 33176 OFFICE OF ADMINISTRATION 3106</p>  <p style="text-align: center; border: 1px solid black; padding: 5px; transform: rotate(-45deg);">NOT FOR CONSTRUCTION</p> <p>DATE OF SIGNATURE: 09/16/21</p> <p>A2P0003A GIFFORD WATER TOWER 4890 20th COURT VERD BEACH, FL 33587</p> <p>SHEET NAME: DETAILS SHEET NUMBER: C7</p>	REV	DATE	DESCRIPTION	A	4/9/21	PRELIMINARY	B	4/9/21	REVISED	C	9/2/21	REVISED
REV	DATE	DESCRIPTION												
A	4/9/21	PRELIMINARY												
B	4/9/21	REVISED												
C	9/2/21	REVISED												
RRU 4460 MOUNTING DETAIL	RRU 4480 MOUNTING DETAIL	(NOT USED)												
 <p>FRONT VIEW</p> <p>PLAN VIEW</p> <p>MANUFACTURER: ERICSSON MODEL: RRU 4460 WEIGHT: 109 LBS</p>	 <p>FRONT VIEW</p> <p>PLAN VIEW</p> <p>MANUFACTURER: ERICSSON MODEL: RRU 4480 WEIGHT: 77 LBS</p>	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>REV</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>4/9/21</td> <td>PRELIMINARY</td> </tr> <tr> <td>B</td> <td>4/9/21</td> <td>REVISED</td> </tr> <tr> <td>C</td> <td>9/2/21</td> <td>REVISED</td> </tr> </tbody> </table> <p>APX PROJECT NO.: 21-0270.16 DRAWN BY: A. WARDEN CHECKED BY: M. HEBBY</p> <p>THIS DRAWING IS CONSIDERED AND IS THE SOLE PROPERTY OF THE OWNER. IT IS PROVIDED ONLY FOR USE OF THE OWNER AND IS NOT TO BE REPRODUCED OR USED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE OWNER.</p>  <p>14075 WINDWARD PARKWAY, SUITE 200 MIAMI, FL 33176 OFFICE OF ADMINISTRATION 3106</p>  <p style="text-align: center; border: 1px solid black; padding: 5px; transform: rotate(-45deg);">NOT FOR CONSTRUCTION</p> <p>DATE OF SIGNATURE: 09/16/21</p> <p>A2P0003A GIFFORD WATER TOWER 4890 20th COURT VERD BEACH, FL 33587</p> <p>SHEET NAME: DETAILS SHEET NUMBER: C7</p>	REV	DATE	DESCRIPTION	A	4/9/21	PRELIMINARY	B	4/9/21	REVISED	C	9/2/21	REVISED
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A	4/9/21	PRELIMINARY												
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C	9/2/21	REVISED												
RRU 4460 SPECS	RRU 4480 SPECS	(NOT USED)												

