

After recording return to: Rita Drinkwater
SBA Network Services, LLC
8051 Congress Avenue
Boca Raton, FL 33487
Ph: 800-487-7483 ext. 7872

Parcel ID: 1630100000010101

THIRD AMENDMENT TO PCS TOWER AGREEMENT PARKSIDE DRIVE

THIS THIRD AMENDMENT TO PCS TOWER AGREEMENT PARKSIDE DRIVE (“Third Amendment”) is entered into by and between CITY OF COLUMBIA, MISSOURI, a Missouri municipal corporation, having an address at P.O. Box 6015, Columbia, MO 65205-6015 (“City”) and SBA 2012 TC ASSETS, LLC, a Delaware limited liability company, having a principal office located at 8051 Congress Avenue, Boca Raton, Florida 33487-1307 (“Lessee”), on the date of the last signatory noted below (the “Effective Date”).

WHEREAS, City and Alamosa Missouri Properties, L.L.C., a Missouri limited liability company entered into that certain PCS Tower Agreement Parkside Drive, dated January 11, 2006, as evidenced by that certain Memorandum of Lease, dated April 21, 2014, and recorded May 15, 2014, as Instrument #2014008221, in Book 4300, Page 98, and assigned to Lessee, f/k/a TowerCo Assets, LLC, a Delaware limited liability company, successor by merger to Tower Entity 18 LLC, a Delaware limited liability company, pursuant to that certain Assignment and Assumption of Lease, dated September 23, 2008, and recorded December 4, 2008, as Instrument #2008026339, in Book 3399, Page 73; both recordings of the Recorder of Deeds of Boone County, Missouri (collectively, "Agreement") for Lessee's use of a portion of the real property ("Leased Premises") located at 1808 Parkside Drive, Columbia, MO 65201 ("Parent Parcel"), being more particularly described in the attached **Exhibit "A"**; and

WHEREAS, City and Lessee amended the Agreement by that certain Amendment to PCS Tower Agreement Parkside Drive, dated January 22, 2015, and recorded April 29, 2015 as Instrument Number 2015008086, In Book 4432, Page 45, of the Register of Deeds of Boone County, Missouri (“Amendment”), and

WHEREAS, City and Lessee amended the Agreement by that certain Second Amendment to PCS Tower Agreement Parkside Drive, dated January 8, 2021, and recorded June 14, 2021 as Instrument Number 2021017300, In Book 5446, Page 70, of the Register of Deeds of Boone County, Missouri (“Second Amendment”), and

WHEREAS, City and Lessee desire and intend to amend and supplement the Agreement, the First Amendment and the Second Amendment as provided herein.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto covenant, agree and bind themselves to the following modifications to the Agreement, the First Amendment, and the Second Amendment thereto:

1. The sole purpose of this Third Amendment is to relocate the legal description of the utility license used for the constructing, maintaining, operating, repairing, and replacing fiber optic cables and conduit and other utility lines that serve the existing Tower.

2. The City shall provide sufficient conduit in the area where the optic cable shall be installed at the City’s expense and Lessee shall install such optic cables and fiber as needed at Lessee’s sole expense.

3. The **Exhibit “B”** attached hereto is the legal description of the new utility license area.

4. Except as specifically amended by this Third Amendment all of the terms and conditions of the previous Agreement, First Amendment, and Second Amendment shall remain in full force and effect.

The remainder of this page intentionally left blank.

IN WITNESS WHEREOF, the parties have executed this Third Amendment as of the date of the last signatory below.

CITY:

CITY OF COLUMBIA, MISSOURI, a Missouri municipal corporation

By: _____
De'Carlton Seewood, City Manager



Date: _____

ATTEST:

Sheela Amin, City Clerk

Approved as to form:

Nancy Thompson, City Counselor

STATE OF MISSOURI

COUNTY OF BOONE

On this ____ day of _____ in 2024, before me, _____, a Notary Public in and for said state, personally appeared De'Carlton Seewood, as City Manager, of the City of Columbia, Missouri, a Missouri municipal corporation, known to me to be the person who executed the within Third Amendment on behalf of said corporation and acknowledged to me that they executed the same for the purposes therein stated.

In Witness Whereof, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Notary public

WITNESSES:

LESSEE

SBA 2012 TC ASSETS, LLC, a Delaware limited liability company

Linda Socolow
Print Name: LINDA SOCOLOW

By: Ed Roach

Jerry Ray
Print Name: Jerry Ray

Name: Ed Roach, Vice President Associate General Counsel, Legal Compliance

Date: 7.1.2024

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of [X] physical presence or [] online notarization, this 1 day of July, 2024, by Ed Roach, Vice President, Associate General Counsel – Legal Compliance of SBA 2012 TC ASSETS, LLC, a Delaware limited liability company, who is personally known to me and who did not take an oath.

Linda Socolow
Notary Public
My Commission Expires 5.17.2027

(NOTARY SEAL)



LINDA SOCOLOW
Commission # HH 395775
Expires May 17, 2027

EXHIBIT "A"

Parent Parcel

Legal description to be incorporated upon receipt of final survey.

SITUATE IN THE COUNTY OF BOONE, AND STATE OF MISSOURI:

PARCEL NO. 1:

ALL THAT TRACT OF LAND DESCRIBED IN THE SURVEY RECORDED IN BOOK 396, PAGE 9 OF THE BOONE COUNTY RECORDS BEING IN THE WEST HALF OF SECTION 2, ALL IN TOWNSHIP 48 NORTH, RANGE 13 WEST IN BOONE COUNTY, MISSOURI,

EXCEPT THAT PORTION OF SAID TRACT MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE ROAD RIGHT OF WAY RECORDED IN BOOK 237, PAGE 604; THENCE FOLLOWING THE LINES OF SAID ROAD RIGHT OF WAY N. 1°-08' E. 224.1 FEET TO THE 1/4 SECTION LINE; THENCE N. 84°-32' W., ALONG THE 1/4 SECTION LINE, 80 FEET; THENCE S. 1°-08' W. 196.2 FEET TO THE NORTHERLY RIGHT OF WAY OF OLD STATE ROUTE E; THENCE ALONG SAID NORTHERLY RIGHT OF WAY, N. 65°-50' W. 86.9 FEET; THENCE N. 62°-58' W. 100.1 FEET; THENCE N. 65°-50' W. 64 FEET TO THE CENTER OF A BRANCH; THENCE FOLLOWING SAID BRANCH N. 36°-25' E. 119 FEET, N. 70°-43' E. 224.8 FEET TO THE WEST PROPERTY LINE OF N. R. GARRETT; THENCE NORTH 13.4 FEET; THENCE EAST TO A POINT 800 FEET WEST OF THE CENTER OF SECTION 2, TOWNSHIP 48, RANGE 13; THENCE SOUTH TO THE NORTH LINE OF SEXTON ROAD; THENCE NORTHWESTERLY ALONG THE NORTH LINE OF SEXTON ROAD TO THE POINT OF BEGINNING; AND

EXCEPT THAT PORTION OF SAID TRACT SHOWN IN THE SURVEY RECORDED AT BOOK 396, PAGE 9 MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE MISSOURI UTILITIES TRACT IN THE SOUTHEAST PORTION OF SAID SURVEY; THENCE N. 83°-40' E. 43.8 FEET TO THE WEST LINE OF SAID SURVEY; THENCE S. 1°-31' W., ALONG SAID WEST LINE 231.6 FEET; THENCE S. 87°-08' W. ALONG AN OLD FENCE LINE 282.1 FEET TO THE EASTERLY RIGHT OF WAY OF OLD STATE ROUTE E; THENCE FOLLOWING THE EASTERLY AND NORTHERLY RIGHT OF WAY OF OLD STATE ROUTE E TO A POINT WHICH IS DUE WEST OF THE BEGINNING POINT; THENCE EAST TO THE POINT OF BEGINNING; AND

EXCEPT A TRACT OF LAND OF APPROXIMATELY SIXTEEN (16) ACRES IN THE WEST HALF (W 1/2) OF SECTION 2, TOWNSHIP 49, RANGE 13, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 72 FEET NORTH OF THE CENTER OF SAID SECTION 2; THENCE SOUTH 72 FEET TO THE CENTER OF SECTION 2; THENCE SOUTH ALONG THE QUARTER SECTION LINE 794 FEET TO THE NORTHEAST (NE) CORNER OF A SMALL TRACT OF LAND OWNED BY MISSOURI UTILITIES COMPANY; THENCE NORTH 88°-05' WEST 43.8 FEET; THENCE SOUTH 1°-04' WEST 46.3 FEET TO THE SOUTHWEST CORNER OF SAID MISSOURI UTILITIES TRACT; THENCE WEST TO THE EAST LINE OF SEXTON ROAD; THENCE IN A NORTHWESTERLY DIRECTION ALONG THE NORTH AND EAST LINE OF SEXTON ROAD TO A POINT WHICH IS DIRECTLY SOUTH OF A POINT 800 FEET WEST OF THE CENTER OF SECTION; THENCE NORTH TO THE NORTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 2; THENCE NORTH 72 FEET; THENCE EAST 800 FEET TO THE POINT OF BEGINNING, AND CONTAINING APPROXIMATELY 16 ACRES, ALL AS SHOWN BY THE SURVEY RECORDED AT BOOK 396, PAGE 9 OF THE BOONE COUNTY RECORDS.

PARCEL NO. 2:

ALL OF THE WEST SIDE OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 2, TOWNSHIP 48, RANGE 13, BEING THE NORTH HALF OF SURVEY NO. 3260 AS SHOWN BY THE RECORDS OF BOONE COUNTY, MISSOURI

EXHIBIT "B"

Utility License

