



Landlord Site ID / Site Name: US-TX-8246 / Chico - Type6 -BS
Tenant Site ID / Site Name: Tx-8210 Chico

SECOND AMENDMENT TO TOWER SPACE LEASE

THIS SECOND AMENDMENT TO TOWER SPACE LEASE (this "**Amendment**") is entered into this 3/31/2023, by and between **VERTICAL BRIDGE S3 ASSETS, LLC**, a Delaware limited liability company ("**Landlord**"), and **WISE COUNTY**, a governmental agency ("**Tenant**").

RECITALS

WHEREAS, Landlord and Tenant are parties to that certain Tower Space Lease dated January 9, 2013, as amended by that certain First Amendment to Tower Space Lease dated February 26, 2018 (collectively, the "**Collocation Agreement**"), whereby Landlord grants to Tenant the right to use certain space for the installation and operation of certain communications equipment;

WHEREAS, Landlord and Tenant, in their mutual interest, wish to amend the Collocation Agreement as set forth below.

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Landlord and Tenant agree as follows.

1. **Term.** Landlord and Tenant acknowledge that the final term of the Collocation Agreement expired on January 8, 2023 and Tenant has since been occupying the premises under the Collocation Agreement on a month to month basis. Landlord and Tenant mutually desire to and hereby convert Tenant's month to month tenancy to a term tenancy with a One (1) year term effective as of and commencing on (retroactively, if applicable) January 9, 2023. Additionally, Tenant shall have the right to extend the Collocation Agreement for Four (4) successive, One (1) year terms (each, a "**Renewal Term**"). Each Renewal Term shall commence automatically unless Tenant notifies Landlord of its intention to not renew the Collocation Agreement at least ninety (90) days prior to the expiration of the then current term. Accordingly, following the full execution of this Amendment, the current term of the Collocation Agreement shall expire on January 8, 2024, and the Collocation Agreement shall have a final term expiration date of January 8, 2028 (in the event all Renewal Terms are utilized).
2. **Other Terms and Conditions Remain.** In the event of any inconsistencies between the Collocation Agreement and this Amendment, the terms of this Amendment shall control. Except as expressly set forth in this Amendment, the Collocation Agreement is unmodified and remains in full force and effect. Each reference in the Collocation Agreement to itself shall be deemed also to refer to this Amendment.
3. **Capitalized Terms.** All capitalized terms used herein but not defined shall have the same meanings ascribed to such terms in the Collocation Agreement.
4. **Binding Effect.** This Amendment shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors and assigns.
5. **Authority.** Landlord and Tenant represent and warrant to one another that the person signing this Amendment on their respective behalves is duly authorized to do so and that this Amendment, as so executed, constitutes a legal, valid and binding obligation of the parties hereto.

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SIGNATURE PAGE TO FOLLOW



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IN WITNESS WHEREOF, Landlord and Tenant have caused their properly authorized representatives to execute this Amendment on the dates set forth below, and this Amendment shall be effective as of the date first set forth above.

Landlord:

VERTICAL BRIDGE S3 ASSETS, LLC
a Delaware limited liability company

DocuSigned by:

By: Tim Tuck
Name: 6DCD673D644D4BD...

Title: vice President - Lease Admin

Date: 3/31/2023

DS
MB

3/31/2023

DS
JP

3/22/2023

DS
CF

3/28/2023

Tenant:

WISE COUNTY
a governmental agency

DocuSigned by:

By: JD Clark
Name: 9A3FBC7DD1C14E9...

Title: wise County Judge

Date: 3/22/2023