

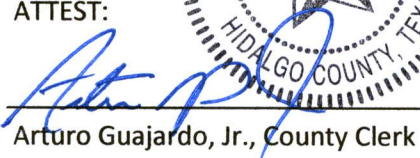
FILED  
 AT 10:45 O'CLOCK A M  
 DEC 19 2018  
 ARTURO GUAJARDO, JR. COUNTY CLERK  
 HIDALGO COUNTY, TEXAS  
 DEPUTY


TENANT ESTOPPEL CERTIFICATE  
 (County Contract Number: E-17-021-12-1, previously C-11-026-03-21)

The undersigned ("Tenant") is a party to that Lease Agreement dated March 21, 2011 by and between O.E. Investments, Ltd. (the "Tower Owner") and Tenant, as amended by Amendment No. 1 to Service Contract dated May 17, 2011, (together, the "Tower Space License"), pursuant to which Tenant is leasing space on the Tower Owner's communications tower (the "Tower") at the tower site located at 15201 North Rooth Rd., McAllen, Hidalgo County, Texas 78541 (the "Property"). The Tower Owner is in the process of selling the Tower and other related assets, including, without limitation, the Tower Owner's rights and obligations under the Tower Space License (collectively, the "Transferred Assets"), to K2 Towers II, LLC, a Delaware limited liability company ("Buyer"), and hereby requests that Tenant certify certain facts to Buyer in order to induce Buyer to consummate its acquisition of the Transferred Assets.

Tenant hereby covenants, agrees and certifies to Buyer and its successors and assigns that: (i) the Tower Space License is in full force and effect according to its terms; (ii) the present term of the Tower Space License expires on February 28, 2019, subject to renewal according to the terms of the Tower Space License; (iii) neither Tenant nor, to Tenant's knowledge, the Tower Owner is in default under the Tower Space License; (iv) the monthly rental payment due under the Tower Space License is \$3,095.62; (v) Tenant's equipment is presently installed and operating at the Tower and Tenant does not intend to remove its equipment and facilities from the Tower and/or terminate its utilization of the Tower prior to the expiration of the present term of the Tower Space License; and (vi) the Tower Space License has not been further amended.

Tenant hereby acknowledges and agrees that Buyer and its successors and assigns will rely on this Certificate in agreeing to acquire the Transferred Assets.

ATTEST:  
  
 Arturo Guajardo, Jr., County Clerk



TENANT:  
 County of Hidalgo, Texas

By: Ramon Marcia  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Dated: \_\_\_\_\_

O.E. Investments, Ltd.

4800 N. 23<sup>rd</sup> Street

McAllen, TX 78504

956-793-0103

October 03, 2018

To the Tenants of O.E. Investments, Ltd.

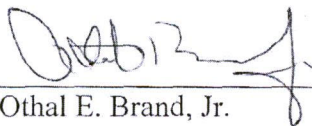
RE: Request for Tenant Estoppel Certificate Relating to the Communications Towers Owned by O.E. Investments, Ltd., a Texas corporation, located at 15163 N. Rooth Rd., McAllen, Texas 78541.

Ladies and Gentlemen:

O.E. Investments, Ltd. ("O.E.") authorizes your company and its affiliates (together, the "Company") to provide information requested by K2 Towers II, LLC, through its counsel Thompson Hine, LLP, including without limitation, an estoppel certificate concerning the lease between O.E. and the Company relating to the space the Company leases at the Properties.

Please feel free to contact me by phone at 956-793-0103 if you have any questions.

Very truly yours,



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Othal E. Brand, Jr.  
President,  
O. E. Investments, Ltd.

AI-67827

CC - REGULAR

Purchasing Department  
Sheriff's Office

**Meeting Date:** 12/18/2018

**Submitted For:** Marty Salazar, PURCHASING DEPT.

**Submitted By:** Heidi Ortiz, PURCHASING DEPT.

**Department:** PURCHASING DEPT.

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**Information**

**CAPTION**

Acceptance and approval for County Judge to execute a Tenant Estoppel Certificate for "Lease of Tower Space - FM 1925 & Rooth Road" - Hidalgo County Sheriff's Office with O. E. Investments, Ltd. - E-18-017-02-20.

**BACKGROUND**

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**Fiscal Impact**

**CALENDAR YEAR:** 2018

**ACCT. #:** 8-1100-421-00-280-001-0-441

**FUNDS AVAILABLE Y/N?:** Y

**MATCHING FUNDS Y/N?:**

**BUDGETARY IMPACT:**

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**Attachments**

Tenant Estoppel Certificate

Legal Approval

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**Form Review**

**Inbox**

**Reviewed By**

**Date**

Heidi Ortiz

11/27/2018 12:58 PM

Form Started By: Heidi Ortiz

Started On: 11/27/2018 12:58 PM

October 29, 2018

By FedEx

County of Hidalgo, Texas  
Attn: Ramon Garcia, County Judge  
1615 South Closner, Suite J  
Edinburg, Texas 78539

**RECEIVED****OCT 30 2018****COUNTY JUDGE**

RE: Request for Tenant Estoppel Certificate Relating to Tower Site Owned by O.E. Investments, Ltd., a Texas corporation, located at 15163 North Rooth Road, McAllen, Hidalgo County, Texas 78541 (the "Property")

Dear Ladies and Gentlemen:

Your landlord, O.E. Investments, Ltd. ("O.E. Investments") plans to assign its interest under the lease with your company (the "Lease") to another company, K2 Towers II, LLC ("K2") in connection with O.E. Investments sale of its communications tower located on the Property to K2.

In connection with the proposed assignment, the enclosed Tenant Estoppel Certificate is being requested (a certificate on your preferred form is also acceptable). Please review, sign and return it to me in the enclosed self-addressed FedEx envelope on or before November 15, 2018.

O.E. Investments has given K2 and our firm the authority to request the estoppel certificate (see enclosed authorization letter).

Your prompt attention to the estoppel certificate is greatly appreciated. A pre-paid FedEx envelope addressed to me is provided for your use. If you have any questions, please contact me at (216) 566-5589.

Sincerely,



Mary Martin

Enclosures

cc: Diane S. Leung, Esq.

Hidalgo County Sherriff's Office (By Certified Mail, Return Receipt Requested)  
Attn: Guadalupe "Lupe" Trevino, Sheriff  
P.O. Box 1228  
Edinburg, Texas 78541

1. **AI-67891** Discussion, consideration and approval of a Facility Use Agreement between Hidalgo County and American Red Cross for sites and facilities located in Pct. 4 with authority to execute document(s) by County Judge, Court Member or Executive Officer.

2. **AI-67880** Authority to advertise and approval of procurement packet [subject to TxDOT's written notice of request for federal funding prior to release of packets to interested vendors/parties which may prompt the changing of applicable dates] for: North Alamo Realignment Project (from FM 1925 to 0.54 miles N) in Hidalgo County Precinct No. 4, RFB No 2018-276-12-26, including re-advertisement of project when/if necessary or required.

**G. Sheriff's Office**

1. **AI-67823** A. Ratification of Purchase Order #789539 issued on 11-27-18 for hemodialysis treatments required for an inmate [post hospitalization] inasmuch as existing contract had expired with rates under said agreement honored until action on new agreement by HCCC contained herein and below;

**APPROVED**

B. Requesting exemption from competitive procurement requirements pursuant to Texas Local Government Code, 262.024 (a)(4) and as also required by Texas Administrative Code-Title 37, Chapter 273, Rule 273.1 in connection with inmates requiring hemodialysis treatments due to renal failure pre-existing prior to detention or diagnosed while in detention;

C. Approval of an agreement with USRC Edinburg, LP for Hemodialysis treatments (for already on-going before incarceration or as diagnosed and prescribed by physicians) for Hidalgo County Sheriff's Office to include Single Patient Agreements with authority for Sheriff and/or Chief Deputy to sign said agreements on an "as needed basis".

2. **AI-67833** Authority and approval to exercise the Sixty (60) Day grace period extension as provided in the current agreement (E-18-031-12-19) for the purposes of Psychological Evaluations Services for Detention, Patrol & Communication Officers at Sheriff's Office", under the same rates, terms and conditions with Gregorio Pina< III, PhD effective 01/03/19 and expires 03/03/19 or upon completion of the procurement process (whichever comes first) and is in the best interest of Hidalgo County.

3. **AI-67827** Acceptance and approval of a Tenant Estoppel Certificate with authority for County Judge to execute document in connection with the "Lease of Tower Space - FM 1925 & Rooth Road" - Hidalgo County Sheriff's Office with O. E. Investments, Ltd. - E-18-017-02-20.

**H. Co. Wide**

1. **AI-67605** Acceptance and approval of "First Amendment" to Contract [C-18-082-04-24] between County and Vendor to reflect name change of company from TIBH Industries, Inc to Workquest.

25. **Open Forum** - none  
(2-left)