## FIRST AMENDMENT TO TOWER SITE LEASE AGREEMENT

THIS FIRST AMENDMENT TO TOWER SITE LEASE (this "Amendment") is entered into effective as of the last party's execution below, between Williamson County, Texas ("Landlord"), and SBA Towers XI, LLC ("Tenant").

#### **RECITALS:**

WHEREAS, Landlord and Tenant, as successor in interest to Spire Tower US, LLC, a Delaware limited liability company, entered into that certain Tower Site Lease Agreement dated April 25, 2023 ("Lease Agreement"), whereby Landlord leased to Tenant the Leased Premises described in an Exhibit A of the Lease Agreement; and

WHEREAS, Landlord and Tenant desire to enter into this Amendment to correct the legal description of the Leased Premises and the description of the unimproved road/path that provides access to the Leased Premises, which were originally descried in the attached Exhibit "A" to the Lease Agreement.

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration including the rents reserved and the covenants and conditions more particularly set forth in the Lease Agreement, Landlord and Tenant do hereby covenant, promise and agree as follows:

### **AGREEMENTS:**

1. Section II. - Access To Leased Premises is hereby deleted in its entirety and replaced with the following:

Lessor agrees that, during the Initial Term of this Lease and any extension thereafter, Lessee shall have reasonable ingress and egress to the Leased Premises for the purpose of maintenance and repairs to Lessee's Property. For purposes of such ingress and egress during the Initial Term of this Lease and any renewal term thereafter, Lessee shall be allowed to use the existing unimproved road/path that provides access to the Leased Premises from Carlson Cove and County Road 110, as described by metes and bounds survey and depicted by sketch attached hereto as **Exhibit "A"**. Lessee hereby agrees and acknowledges that all necessary maintenance in relation to the unimproved road/path for Lessee's access to the Leased Premises shall be the sole obligation and responsibility of Lessee.

- 2. Exhibit "A" attached to the Lease Agreement is hereby deleted in its entirety and replaced with the Exhibit "A" attached hereto.
- 3. **Definitions.** All terms not otherwise defined herein shall have the meanings given them in the Lease Agreement.
- 4. Authority. Each party represents and warrants that it has due power and lawful authority

to execute and deliver this Amendment and to perform its obligations under the Lease Agreement; and the Lease Agreement and this Amendment are the valid, binding and enforceable obligations of such party.

- 5. Full Force and Effect. Tenant acknowledges that: (i) it is in possession of the Leased Premises; (ii) the Lease Agreement, as modified herein, is in full force and effect; (iii) to the best of Tenant's knowledge, there are not any uncured defaults on the part of Landlord under the Lease Agreement; and (iv) there are no set-offs or defenses against the enforcement of any right or remedy of Landlord. Moreover, Tenant has no claim of setoff, deduction or defense against the payment of sums payable under the Lease Agreement.
- 6. Extent of Amendment. All other terms of the Lease Agreement and any prior amendments thereto, if any, which have not been specifically amended herein shall remain the same and shall continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be signed by their duly authorized representatives or on behalf of their individual self, whichever the case may be, to be effective as of the date of the last party's execution below.

ľ	-	••	A	1.	rd	
	. 24	11	11	11)	111	

Williamson County, Texas

Bill Gravell, Jr.,

Williamson County Judge

Date: October/29, 2024

Tenant:

SBA Towers 2

Neil Seidman, Senior Vice President

Date: October 23, 2024

# EXHIBIT "A"

LEASE AREA (AS SURVEYED)

Situated in the County of Williamson, and State of Texas. Known as being a port of tract of land situated in the William Addison Survey, Abstract No. 21 out of the remnant portion of a called 103.5913 acre tract of land, and being a 6,829 square foot Lease Area over and upon a parcel of land now or formerly conveyed to County of Williamson, Texas as recorded in Special Warranty Deed recorded in Volume 2332 at Page 141 of Williamson County Records and being more particularly

COMMENCING at 1/4" iron rod found on a point in the east right-of-way line of Rock Ride Ln., a variable width public right-of-way, said point being the costemmost southeast corner of a called 3.14 acre tract, recorded in Document No. 9739302 of said Official Records, same being a west corner of said 103.5913 acre tract; Thence along the easterly right-of-way of said Rock Rode Lane, South 49'24'35" East a distance of 30.67 feet; Thence leaving said easterly right-of-way, North 6819'44" East a distance of 762.22 feet; Thence North 0120'27" East a distance of 414.74 feet to the POINT OF REGINNING

Thence South 88'21'06" West a distance of 60.55 feet; Thence North 0174'50" West a distance of 113.49 feet; Thence North 88'21'06" East a distance of 59.80 feet; Thence South 01'37'33" East a distance of 113.49 feet to the POINT OF BEGINNING.

The Lease Area contains 0.157 acres, or 6.829 square feet, of land.

#### 20' WIDE NON-EXCLUSIVE ACCESS & UTILITY EASEMENT (AS SURVEYED)

Situated in the County of Williamson, and State of Texas. Known as being a part of tract of land situated in the William Addison Survey, Abstract No. 21 out of the remnant partian of a called 103.5913 acre tract of land, and being a 6,829 square foot 20' Wide Non-Exclusive Access & Utility Easement over and upon a parcel of land now or formerly conveyed to County of Williamson, Texas as recorded in Special Warranty Deed recorded in Volume 2332 at Page 141 of Williamson County Records and being more particularly described as follows:

COMMENCING at 1/4" iron rod found on a point in the east right-of-way line of Rock Ride Ln, a variable width public right-of-way, said point being the easternmost southeast corner of a called 3.14 acre tract, recorded in Document No. 97.39302 of said Official Records, same being a west corner of said 103.5913 acre tract; Thence along the easterly right-of-way of said Rock Ride Lane, North 49"24"35" West a distance of 106.85 feet to the POINT OF BEGINNING;

Thence North 2170'15" West a distance of 20.00 feet; Thence North 68'49'45" East a distance of 408.12 feet; Thence North 01'46'16" West a distance of 58.28 feet; Thence North 03'00'27" West a distance of 162.82 feet; Thence North 00'05'09" East a distance of 115.18 feet: Thence North 0514'47" East a distance of 135.69 feet: Thence along the arc of a curve to the right, said curve having a radius of 120,00 feet, an arc length of 185,77 feet, and a chord bearing of North 49'35'42" East, a distance of 167.77 feet; Thence South 86'03'23" East a distance of 97.70 feet; Thence South 75'53'39" East a distance of 66.72 feet: Thence South 5479'27" East a distance of 63.22 feet: Thence South 0174'50" East a distance of 111.39 feet; Thence South 88'45'10" West a distance of 20.00 feet; Thence North 01'14'50" West a distance of 101.40 feet; Thence North 5479'27" West a distance of 49.42 feet: Thence North 75'53'39" West a distance of 61.13 feet; Thence North 86'03'23" West a distance of 95.92 feet; Thence along the arc of a curve to the left, said curve having a radius of 100.00 feet, an arc length of 154.81 feet, and a chord bearing of South 49'35'42" West, a distance of 139.80 feet; Thence South 05'14'47" West a distance of 134.79 feet: Thence South 0005'09" West a distance of 113.74 feet; Thence South 03'00'27" East a distance of 162.50 feet; Thence South 01'46'16" East a distance of 72.65 feet; Thence South 68'49'45" West a distance of 422.28 feet to the POINT OF BEGINNING

The 20' Wide Non-Exclusive Access & Utility Easement contains 0.637 acres, or 27,735 square feet, of land.

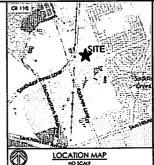
#### 20' WIDE NON-EXCLUSIVE GUY WIRE EASEMENT #1(AS SURVEYED)

Situated in the County of Williamson, and State of Texas. Known as being a part of tract of land situated in the William Addison Survey, Abstract No. 21 out of the remnant portion of a called 103.5913 ocre tract of land, and being a 6,912 square foot 20' Mide Non-Exclusive Guy Wire Easement 1 over and upon a parcel of land now or formerly conveyed to County of Williamson, Texas as recorded in Special Warranty Deed recorded in Volume 2332 at Page 141 of Williamson County Records and being more particularly described as follows:

COMMENCING at 1/4" iron rod found on a point in the east right-of-way line of Rock Ride Ln, a variable width public right-of-way, said point being the easternmost southeast corner of a called 3.14 acre tract, recorded in Document No. 9739302 of said Official Records, some being a west corner of said 103.5913 acre tract; Thence along the easterly right-of-way of said Rock Rode Lane, South 49"24"35" East a distance of 30.67 feet; Thence leaving said easterly right-of-way, North 6819'44" East a distance of 762.22 feet: Thence North 01'20'27" East a distance of 414.74 feet; Thence South 88"21"06" West a distance of 33.69 feet to the POINT OF BEGINNING:

Thence South 31"55"31" West a distance of 352.25 feet: Thence North 58"04"29" West a distance of 20.00 feet; Thence North 31'55'31" East a distance of 338.98 feet; Thence North 88'21'06" East a distance of 24.00 feet to the POINT OF BEGINNING.

The 20' Wide Non-Exclusive Guy Wire Easement 1 contains 0.159 acres, or 6,912 square feet, of land.



2 RVEY Georgetown Inner orgetown, TX 78626 AS-BUILT SUF intersection of C a e g

SITE ID#: TX189AE-A NAME: Georaetown മ

73128

RED SURVEY

ERTA TOWER ERVICES LLC 56 State Road, #135 state Falls, OH 4223-1244 1.295.3673 

does not represent the parent parcel.

Notes: This survey of boundary survey of

1917 S. t

Drawn By: MPB Scale: None Date: 07.30.24 Sheet: 1 of 6 Certa Project No. 2575

JAMES MICHAEL POWERS CHRYE

#### BASIS OF BEARINGS

The meridian for all bearings shown hereon is the State of Texas Grid, Central Zone, NAD 83 (2011).

#### FLOOD ZONE

By scaled map location and graphic plotting only, the subject property appears to lie entirely in Zone X (Areas of minimal flood hazard) according to the Flood Insurance Rote Map for the City of Georgetown, County of Williamson, State of Texas, Community Panel No. 48491C0485F, Effective Date December 20,

#### **ENCROACHMENTS**

At the time of survey there were no visible encroachments onto or beyond the subject property.

#### CERTIFICATION

I, James M Powers, RPLS, CFedS, CP, a Texas Licensed Land Surveyor, License No. 5593, hereby certify to SBA Towers XI, LLC:

Latitude and Langitude values for the center of the above-referenced tower are accurate to within +/-15 feet horizontally.

NADRE HORIZONTAL DATUM:

LATITUDE NORTH 30" 37" 22.11" WEST 97' 38' 33.61" LONGITUDE

This surveyor has received and reviewed that certain Title Commitment No. SBA-181993-C issued by Westcor Land Title Insurance Company with an effective date of June 17, 2024 which proposes to insure the lands described under its Schedule A.

The surveyor has received and reviewed that the lands under said Schedule A of the Title Commitment contain or include the lands described in and depicted on this survey.

The surveyor has reviewed that the items of record and identified under Schedule 8-2 of said Title Commitment encumber the lands described on this survey, but said items will not interfere with the location of the insured lands, including the lease area and any and all access and utility easement areas.

James M Powers, RPLS. CFedS. CP Licensed Land Surveyor, No. 5593 Expiration Date: 12/31/2024 Date of Survey: July 22, 2024

20' WIDE NON-EXCLUSIVE GUY WIRE EASEMENT #2(AS SURVEYED)

Situated in the County of Williamson, and State of Texas. Known as being a part of tract of land situated in the William Addison Survey, Abstract No. 21 out of the remnant partien of a called 103.5913 acre tract of land, and being a 6,170 square foot 20' Wide Non-Exclusive Guy Wire Easement 2 over and upon a parcel of land now or formerly conveyed to County of Williamson, Texas as recorded in Special Warranty Deed recorded in Volume 2332 at Page 141 of Williamson County Records and being more particularly described as follows:

COMMENCING at 1/4" iron rod found on a point in the east right-of-way line of Rock Ride Ln, a variable width public right-of-way, said point being the easternmost southeast corner of a called 3.14 acre tract, recorded in Document No. 9739302 of said Official Records, same being a west corner of said 103.5913 acre tract; Thence along the easterly right-of-way of said Rock Rode Lane, South 49'24'35" East a distance of 30.67 feet; Thence leaving said easterly right-of-way, North 6819'44" East a distance of 762.22 feet; Thence North 01'20'27" East a distance of 414.74 feet; Thence South 88'21'06" West a distance of 60.55 feet; Thence North 01'14'50" West a distance of 49.48 feet to the POINT OF BEGINNING;

Thence North 28'00'37" West a distance of 328.34 feet; Thence North 61'59'23" East a distance of 20.00 feet; Thence South 20'00'7" East a distance of 288.69 feet; Thence South 01'14'50" East a distance of 44.41 feet to the POINT OF BEGINNER.

The 20' Wide Non-Exclusive Guy Wire Easement 2 contains 0.142 acres, or 6,170 square feet, of land.

# WESTCOR LAND TITLE INSURANCE COMPANY COMMITMENT NO. SBA-181993-C - DATED 06.17.2024 SCHEDULE B:

Numbers correspond with survey-related Schedule B exception items contained in the above referenced Title Commitment.

- 10. The following matters and all terms of the documents creating or offering evidence of the matters. (We must insert matters or delete this exception.):
- 1) to 10d) are standard exceptions.
- e) Rights of fee simple owners, as identified in Schodule A 3 of the Title Commitment, in and to the subject property LEASE AREA IS THE SUBJECT OF THIS SURVEY
- () Rights of fee simple owners pursuant to the Tower Lease Agreement, as identified per Exception #10.q of Schedule B. LEASE AREA IS THE SUBJECT OF THIS SURVEY
- g) Terms, provisions, covenants, conditions, restrictions, easements, charges, assessments and liens provided in the below exception number 10 but amitting any covenant, condition or restriction, if any, based on race, color, religion, sex, handicop, familial status, or national origin unless and only to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap, but does not discriminate against handicapped persons.

  AFFECTS THE PARCH APPRICE NOT A SURVEY RELATED ITEM
- h) Intentionally deleted.
- i) Intentionally deleted.

20' WIDE NON-EXCLUSIVE GUY WIRE EASEMENT #3(AS SURVEYED)

Situated in the County of Williamson, and State of Texas. Known as being a part of tract of land situated in the William Addison Survey, Abstract No. 21 out of the remnant portion of a called 103.5913 acre tract of land, and being a 6,704 square foot 20' Wide Non-Exclusive Guy Wire Easement 3 over and upon a parcel of land now or formerly conveyed to County of Williamson, Texas as recorded in Special Warranty Deed recorded in Volume 2332 at Page 141 of Williamson County Records and being more particularly described as follows:

COMMENCING at 1/4" iron rod found on a point in the east right-of-way line of Rock Ride Ln, a variable width public right-of-way, said point being the easternmost southeast corner of a called 3.14 acre tract, recorded in Document No. 9739302 of said Official Records, same being a west corner of said 103.5913 acre tract; Thence dong the easterly right-of-way of said Rock Rode Lane, South 49'24'35" East a distance of 30.67 feet; Thence leaving said easterly right-of-way, North 68'19'44" East a distance of 762.22 feet; Thence North 01'20'27" East a distance of 414.74 feet; Thence South 68'21'06" West a distance of 60.55 feet; Thence North 01'14'50" West a distance of 13.49 feet; Thence North 68'21'06" East a distance of 59.80 feet; Thence South 01'37'33" East a distance of 67.29 feet to the POINT OF BEGINNING;

Thence South 88'06'30" East a distance of 335.84 feet; Thence South 01'53'30" West a distance of 20.00 feet; Thence North 88'06'30" West a distance of 334.61 feet; Thence North 01'37'33" West a distance of 20.04 feet to the POINT OF BEGNATION.

The 20' Wide Non-Exclusive Guy Wire Easement 3 contains 0.154 acres, or 6,704 square feet, of land.

- j) intentionally deleted.
- k) Intentionally deleted.
- i) Public Wastewater Easement between County of Williamson, Texas, a political subdivision of the State of Texas; and The Georgetown Independent School District, dated July 10, 2007 and recorded July 17, 2007 in (instrument) 2007060322, in Williamson County, Texas.

  \*\*AFFECTS THE PARENT PARCEL, DOES AFFECT THE LEASE AREA PLOTTED AND SHOWN HEREON
- m) Georgetown Wastewater Easement between Williamson County, Texas, a political subdivision of the State of Texas, and City of Georgetown, a Texas home-rule municipal corporation, dated November 13, 2007 and recorded December 17, 2007 in (instrument) 2007/103823, in Williamson County, Texas.

  \*\*AFFECTS THE PARENT PARENT PARCEL DOES AFFECT THE LEASE AREA PLOTIED AND SHOWN HEREON
- n) Georgetown Water Line Easement between William County, Texas, a political subdivision of the State of Texas; and City of Georgetown, a Texas home-rule municipal corporation, dated September 25, 2007 and recorded December 28, 2007 in (instrument) 2007106835, in Williamson County, Texas.

  \*\*AFFECTS THE PARENT PARCEL DOES AFFECT THE LEASE AREA PLOTED AND SHOWN HEREON
- o) Intentionally deleted.
- p) Intentionally deleted.
- q) Terms and conditions of an unrecorded tease, as evidenced by a(n) Memorandum of Lease between Williamson County and Spire Tower US, LLC, a Delaware limited liability company, dated April 25, 2023 and recorded June 26, 2024 in (instrument) 2024050643, in Williamson County, Texas.

  LEASE AREA IS THE SUBJECT OF THIS SURVEY

AS-BUILT SURVEY ne intersection of County R 1 the Georgetown Inner Lo Georgetown, TX 78626 SURVEY SITE ID#: TX189AE-A NAME: Georgetown  $\mathbf{m}$ Ē ₽ g ģ CERTA TOWER SERVICES LLC 2926 State Road, #135 Cuyahoga Fals, OH 44223-1244 330,285,3873 order@ectrastle.com 73128 (Par 1917 S. I PH: This survey does not represent y survey of the parent parcel. Scale: None Sheet: 2 of 6 2575 Drawn By: MPB S Date: 07.30.24 S Certa Project No. 3 Date: 07.: Certa Projec



