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BK 4165 PG 144

**RETURNED**  
**NOV 22 2006**

E 2221262 B 4165 P 144-146 -A  
RICHARD T. MAUGHAN  
DAVIS COUNTY, UTAH RECORDER.  
11/22/2006 09:45 AM  
FEE \$14.00 Pgs: 14  
DEP RT REC'D FOR FOXBORO TERRACE A  
SSOCIATES II

EXHIBIT E

Parcel ID #  
01-305-0106

Addendum to the Qwest Broadband Services & Marketing Agreement between Foxboro Terrace Associates II, L.C., as Owner of Record and Qwest Broadband Services, Inc. ("Addendum")

This Addendum is hereby made a part of the Qwest Broadband Services & Marketing Agreement. In the event of any conflicts between provisions of this Addendum and the provisions of the Agreement, the provisions of this Addendum will control for purposes of this Addendum.

The undersigned agree as follows:

1. Property. The property commonly known as Foxboro Terrace Apartments - Phase II, and having a legal description of LOT 106A FOXBORO PLAT 1A AMENDED, according to the Official Plat thereof on file and of record in the Davis County Recorder's Office is the subject of this Addendum.

2. Agreement. Foxboro Terrace Associates II, L.C. and Qwest Broadband Services Inc. ("Qwest") have entered into an agreement known as the Qwest Broadband Services & Marketing Agreement ("Agreement") whereby Qwest has agreed to provide certain broadband services to multi-tenant units located at the Property and Foxboro Terrace Associates II, L.C. has agreed to market and endorse said services. A complete copy of the Agreement can be obtained by contacting either party and abiding by any and all applicable confidentiality requirements.

3. Binding. It is the intent of Qwest and Foxboro Terrace Associates II, L.C. that the provisions and covenants contained in the Agreement will touch, concern and run with the land and will bind the respective successors and heirs of the parties.

4. Recordation. It is the intent of Qwest and Foxboro Terrace Associates II, L.C. that this Addendum be signed and notarized by the appropriate individuals and properly recorded in the real property records of the county where the Property is located.

5. Term. This Addendum will remain in full force and effect for so long as Qwest (or its successors and heirs) maintains its broadband equipment at the Property and provides the broadband services and the Property remains a multi-tenant residential community.

Foxboro Terrace Associates II, L.C.,  
a Utah limited liability company

Qwest Broadband Services, Inc.

+ J. Randolph Cassidy  
Authorized Signature  
J. Randolph Cassidy

[Signature]  
Authorized Signature  
James Vogel

Name Typed or Printed  
Manager

Name Typed or Printed  
VP-Sales

Title (must be VP level or above)

Title (must be VP level or above)

10/17/06  
Date

10/15/06  
Date

ALL SIGNATURES ON THIS EXHIBIT MUST BE VICE PRESIDENT LEVEL OR ABOVE AND MUST BE ACKNOWLEDGED BEFORE A NOTARY PUBLIC.

STATE OF UTAH )  
 ) ss.  
COUNTY OF DAVIS )

This instrument was acknowledged before me, a notary public in and for said County and State, appeared J. Randolph Cassidy known to me to be the Manager of Foxboro Terrace Associates II, L.C. and executed the foregoing Qwest Broadband and Services Agreement on behalf of the limited liability company.

Witness my hand and seal on this 17<sup>th</sup> day of OCTOBER, 2006.

Deanna L. Stookey  
NOTARY PUBLIC



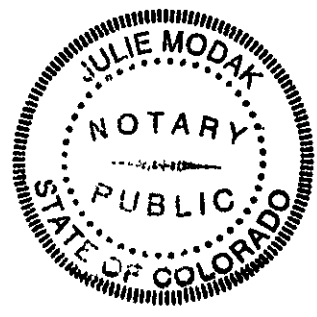
\_\_\_\_\_  
PRINTED NAME OF NOTARY PUBLIC

My commission Expires: \_\_\_\_\_

STATE OF Colorado )  
 ) ss.  
COUNTY OF Denver )

This instrument was acknowledged before me, a notary public in and for said County and State, appeared JAMES VOGEL known to me to be the VICE PRESIDENT of QWEST COMMUNICATIONS INC, and executed the foregoing Qwest Broadband and Services Agreement on behalf of the CORPORATION.

Witness my hand and seal on this 26 day of October, 2006.



Julie Modak  
NOTARY PUBLIC

Julie Modak  
PRINTED NAME OF NOTARY PUBLIC

My commission Expires: 4-30-2010