

11207639

Prepared by and after recording return to:  
Legal Department  
TowerCo Assets LLC  
5000 Valleystone Drive  
Cary, NC 27519

11207639  
07/05/2011 01:09 PM \$24.00  
Book - 9934 Pg - 7585-7592  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
TOWERCO  
JILL HARVEY  
5000 VALLEYSTONE DR STE 200  
CARY NC 27519  
BY: KLD, DEPUTY - MA 8 P.

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(Recorder's Use Above This Line)

**STATE OF UTAH**

Parcel No: 07-36-151-010

**COUNTY OF SALT LAKE**

**SECOND AMENDMENT TO MEMORANDUM OF AGREEMENT**

Document Date: June 20, 2011

Grantor/Lessor: ADMIRAL BYRD PLAZA, LLC, a Utah limited liability company  
Address: 2520 N 1500 West, Ogden, UT 84403-2823

Grantee/Lessee: TOWERCO ASSETS LLC, a Delaware limited liability company  
Address: 5000 Valleystone Drive, Cary, NC 27519

Legal Description of the Land is attached as Exhibit A.

## SECOND AMENDMENT TO MEMORANDUM OF AGREEMENT

This Second Amendment to Memorandum of Agreement is made effective as of the later of the signature dates below between ADMIRAL BYRD PLAZA, LLC, a Utah limited liability company ("Lessor") and TOWERCO ASSETS LLC, a Delaware limited liability company ("Lessee").

1. Lessor and Lessee (as successor in interest to Nextel West Corp.) are parties to that certain lease agreement dated August 30, 2001 (as amended, the "Lease") for certain real property and easements (collectively the "Premises") which are a portion of that real property owned by Lessor located in the City of Salt Lake City, County of Salt Lake, State of Utah (the "Land").

2. A Memorandum of the Lease was recorded on September 7, 2001 in Book 8498 Page 3750 as Instrument Number 7997885 of the official records of Salt Lake County, Utah (the "Original MOL").

3. An Amendment to the Original MOL was recorded on May 8, 2008 in Book 9604 Page 5240 as Instrument Number 10422485 of the official records of Salt Lake County, Utah (the "Amended MOL").

4. The Original MOL and Amended MOL are collectively referred to as the "MOL".

5. The assignment of the Lease to Lessee was recorded on October 8, 2008 in Book 9649 Page 5886 as Instrument Number 10537372 of the official records of Salt Lake County, Utah (the "Assignment").

6. Lessor and Lessee have amended the Lease and desire to amend the MOL to reflect the changes set forth in the Lease amendment.

7. The MOL is amended as follows:

- a. The square footage of the Premises leased by Lessor to Lessee in Section 1 of the Agreement is hereby amended and increased by approximately Six Hundred Eighty-Four (684) square feet ("Additional Premises") to a total size of approximately Two Thousand One Hundred Twenty-Seven (2,127) square feet. The Premises, as increased hereby, is depicted on **Exhibit B-1** attached hereto, which Exhibit B-1 shall supplement the existing Exhibit B to the MOL. Lessee shall have the right to survey the Premises, and the survey of the Premises will then become **Exhibit B-2**, which will be attached hereto and made a part hereof and will control in the event of discrepancies between Exhibit B-1 and/or Exhibit B.

8. In the event of any inconsistencies between the terms of the MOL, as amended by this amendment, and the Lease, the term set forth in the Lease shall control.

**[SIGNATURES AND ACKNOWLEDGEMENTS BEGIN ON NEXT PAGE]**

IN WITNESS WHEREOF, the parties have executed this Second Amendment to Memorandum of Agreement as of the later of the signature dates below.

**LESSOR:**

ADMIRAL BYRD PLAZA, LLC, a Utah limited liability company

By: [Signature]

Name: W. CHARLES SWANSON

Title: MANAGER

Date: 06/14/11

**LESSOR ACKNOWLEDGMENT**

STATE OF Utah )

) ss:

COUNTY OF Weber )

The foregoing instrument was acknowledged before me this June 14, 2011 (date) by W Charles Swanson (person acknowledging, title or representative capacity, if any) of Admiral Byrd Plaza, LLC.

[Signature]  
Notary Public

Print Name Lesla VanAlfen

My commission expires: 7/25/2014



(seal)

**LESSEE:**

TOWERCO ASSETS LLC, a Delaware limited liability company

By: \_\_\_\_\_

Name: Jason Catalini

Title: VP - Collocation

Date: 6/20/11

**LESSEE ACKNOWLEDGMENT**

STATE OF NORTH CAROLINA )

) ss:

COUNTY OF WAKE )

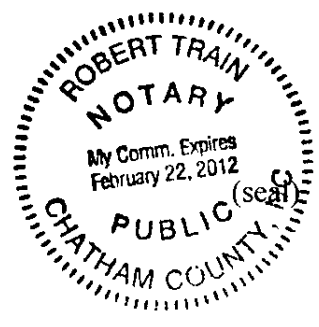
The foregoing instrument was acknowledged before me this 6-20-11 (date) by \_\_\_\_\_ Jason Catalini, VP - Collocation of TowerCo Assets LLC.

[Signature]

Notary Public

Print Name Robert Train

My commission expires: 2-22-2012



**EXHIBIT A  
LAND**

BEGINNING AT A POINT WHICH IS 2404.86 FEET SOUTH AND 753.89 FEET EAST OF THE NORTHWEST CORNER OF SECTION 36, TOWNSHIP 1 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 89 DEG 58 MIN WEST 387.32 FEET; THENCE NORTH 0 DEG 02 MIN WEST 180.00 FEET; THENCE NORTH 89 DEO 58 MIN EAST 189.32 FEET; THENCE NORTH 0 DEG 02 MIN WEST 10.00 FEET; THENCE NORTH 89 DEG 58 MIN EAST 198.00 FEET; THENCE SOUTH 0 DEG 02 MIN EAST 190.00 FEET TO THE POINT OF BEGINNING.

Parcel No: 07-36-151-010

**EXHIBIT B-1**  
**Premises**

(see attached)

Notes:

1. This Exhibit may be replaced by a land survey of the Premises once it is received by Lessee.
2. Width and locality of access road shall be the width required by the applicable governmental authorities and utility providers, including police and fire departments.



5000 Valleystone Drive  
 Cary, North Carolina 27519  
 Telephone: 919-469-5539  
 Fax: 919-469-5530  
 www.towerco.com

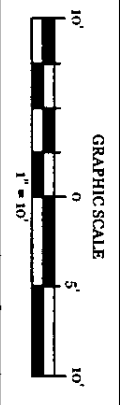


EXHIBIT PURPOSES ONLY  
 NOT FOR CONSTRUCTION  
 DIMENSIONS NOT VERIFIED  
 BY LICENSED SURVEYOR

**SITE PLAN**  
 UT2042  
**INTRNTL CENTER WEST**  
 LAND ACQUIRED PER REQUEST FOR ADDITIONAL LAND & RELOCATION 2/15/2011

