

FIRST AMENDMENT TO LEASE AGREEMENT

THIS FIRST AMENDMENT TO LEASE AGREEMENT (this "Amendment") is made and entered into this ____ day of _____, 2016, by and between the **CITY OF HAPEVILLE, GEORGIA**, a municipal corporation existing under the laws of the State of Georgia ("Landlord"), and **THE HAPEVILLE DEVELOPMENT AUTHORITY**, a public body corporate and politic and an instrumentality and public corporation created and existing under the laws of the State of Georgia ("Tenant"):

WITNESSETH:

WHEREAS, the City of Hapeville, Georgia, as Landlord, and Lessor, as Tenant, entered into that certain Lease Agreement dated June 28, 2016 (the "Master Lease"), for the lease of a portion of that certain lot or parcel being identified by the Fulton County Property Tax Records for tax purposes as Parcel Identification Number 14- 0095LL0131, including all improvements thereupon (collectively, the "Premises");

WHEREAS, Landlord and Tenant desire to amend the descriptions of the Premises and add descriptions of Easements;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Section 1 is stricken in its entirety and replaced with the following:

PREMISES. The property hereby leased to Tenant is a portion of that certain lot or parcel being identified by the Fulton County Property Tax Records for tax purposes as Parcel Identification Number 14- 0095LL0131, including all improvements thereupon (collectively, the "Premises"). A description of the Premises is attached hereto and by this reference incorporated herein as Exhibit A. A description of easements upon the Premises is attached hereto and by this reference incorporated herein as Exhibit C.

2. Exhibit A attached to the Lease Agreement is hereby deleted and replaced with Exhibit A and Exhibit A-1 attached hereto and by this reference incorporated herein.

3. Exhibit C is hereby attached hereto and incorporated herein.

4. Section 2, **TERM**, is stricken in its entirety and replaced with the following:

TERM. The Lease Term shall commence on the date that the Towercom Agreement is executed (the "Commencement Date"), and shall continue so long as the lease contemplated in the Towercom Agreement (the "Towercom Lease") remains in effect (the "Expiration Date"). However, in no event shall the Lease Term exceed fifty (50) years. Subject to the terms, covenants and agreements contained herein, Tenant shall have and hold the Premises for the entire Term.

5. **Agreement in Effect.** Except as herein expressly modified and amended, the Lease Agreement shall remain in full force and effect pursuant to each and every term and

condition. This Amendment shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment under seal as of the date and year first above written.

LANDLORD:

City of Hapeville, Georgia

(SEAL)

By: _____

Print Name: _____

Title: Mayor

Attest

By: _____

Clerk

TENANT:

Hapeville Development Authority

(SEAL)

By: _____

Print Name: _____

Title: Chairman

Attest

By: _____

Title: _____

EXHIBIT A

The Site/Leased Premises

LEASE AREA #1

All that tract or parcel of land lying and being in Land Lot 95, 14th District, City of Hapeville, Fulton County, Georgia and being more particularly described as follows:

To find the point of beginning, commence at a ¼-inch rebar found at the northwest corner of the lands of the City of Hapeville, being Lot 13 of Central Park Subdivision as per plat recorded in Plat Book 201, Page 111, Fulton County, Georgia records; thence, South 21°28'19" West, 5.70 feet to a point and the true POINT OF BEGINNING; Thence running, South 21°28'19" West, 70.00 feet to a point; Thence, North 69°07'21" West, 39.27 feet to a point; Thence, North 20°52'39" East, 70.00 feet to a point; Thence, South 69°07'21" East, 40.00 feet to a point and the POINT OF BEGINNING.

Said tract contains 0.064 acres (2,775 square feet), more or less, as shown in a survey prepared for TowerCom V, LLC and First American Title Insurance Company by Point To Point Land Surveyors, Inc. dated July 21, 2016 and last revised September 14, 2016.

LEASE AREA #2

All that tract or parcel of land lying and being in Land Lot 95, 14th District, City of Hapeville, Fulton County, Georgia and being more particularly described as follows:

To find the point of beginning, commence at a ¼-inch rebar found at the northwest corner of the lands of the City of Hapeville, being Lot 13 of Central Park Subdivision as per plat recorded in Plat Book 201, Page 111, Fulton County, Georgia records; thence, South 21°28'19" West, 5.70 feet to a point and the true POINT OF BEGINNING; Thence running, South 69°07'21" East, 30.05 feet to a point; Thence, South 20°52'39" West, 60.00 feet to a point; Thence, North 69°07'21" West, 30.67 feet to a point; Thence, North 21°28'19" East, 60.00 feet to a point and the POINT OF BEGINNING.

Said tract contains 0.042 acres (1,822 square feet), more or less, as shown in a survey prepared for TowerCom V, LLC and First American Title Insurance Company by Point To Point Land Surveyors, Inc. dated July 21, 2016 and last revised September 14, 2016.

EXHIBIT B
Developer Lease

Exhibit C

Easements

10' UTILITY EASEMENT #1

Together with a proposed 10-foot wide utility easement lying and being in Land Lot 95, 14th District, City of Hapeville, Fulton County, Georgia and being described by the following centerline data:

To find the point of beginning, commence at a ¼-inch rebar found at the northwest corner of the lands of the City of Hapeville, being Lot 13 of Central Park Subdivision as per plat recorded in Plat Book 201, Page 111, Fulton County, Georgia records; thence, South 21°28'19" West, 5.70 feet to a point; thence, North 69°07'21" West, 5.00 feet to a point and the true POINT OF BEGINNING; Thence running, North 21°27'58" East, 10.75 feet to a point; Thence, South 68°32'02" East, 29.94 feet to the ENDING at a point.

As shown in a survey prepared for TowerCom V, LLC and First American Title Insurance Company by Point To Point Land Surveyors, Inc. dated July 21, 2016 and last revised September 14, 2016.

10' UTILITY EASEMENT #2

Together with a proposed 10-foot wide utility easement lying and being in Land Lot 95, 14th District, City of Hapeville, Fulton County, Georgia and being described by the following centerline data:

To find the point of beginning, commence at a ¼-inch rebar found at the northwest corner of the lands of the City of Hapeville, being Lot 13 of Central Park Subdivision as per plat recorded in Plat Book 201, Page 111, Fulton County, Georgia records; thence, South 21°28'19" West, 5.70 feet to a point; thence, South 69°07'21" East, 25.05 feet to a point and the true POINT OF BEGINNING; Thence running, North 20°52'39" East, 10.44 feet to a point; Thence, South 68°32'02" East, 155.06 feet to the ENDING at a point on the northwesterly right-of-way line of Central Park Drive (having a 50-foot right-of-way).

As shown in a survey prepared for TowerCom V, LLC and First American Title Insurance Company by Point To Point Land Surveyors, Inc. dated July 21, 2016 and last revised September 14, 2016.

20' INGRESS-EGRESS EASEMENT #1

Together with a proposed 20-foot wide ingress-egress easement lying and being in Land Lot 95, 14th District, City of Hapeville, Fulton County, Georgia and being described by the following centerline data:

To find the point of beginning, commence at a ¼-inch rebar found at the northwest corner of the lands of the City of Hapeville, being Lot 13 of Central Park Subdivision as per plat recorded in Plat Book 201, Page 111, Fulton County, Georgia records; thence, South 21°28'19" West, 5.70 feet to a point; thence, South 69°07'21" East, 30.05 feet to a point; thence, South 20°52'39" West, 50.00 feet to a point and the true POINT OF BEGINNING; Thence running, North 69°07'21" West, 30.56 feet to the ENDING at a point.

As shown in a survey prepared for TowerCom V, LLC and First American Title Insurance Company by Point To Point Land Surveyors, Inc. dated July 21, 2016 and last revised September 14, 2016.

20' INGRESS-EGRESS EASEMENT #2

Together with a proposed 20-foot wide ingress-egress easement lying and being in Land Lot 95, 14th District, City of Hapeville, Fulton County, Georgia and being described by the following centerline data:

To find the point of beginning, commence at a ¼-inch rebar found at the northwest corner of the lands of the City of Hapeville, being Lot 13 of Central Park Subdivision as per plat recorded in Plat Book 201, Page 111, Fulton County, Georgia records; thence, South 21°28'19" West, 5.70 feet to a point; thence, South 69°07'21" East, 30.05 feet to a point; thence, South 20°52'39" West, 50.00 feet to a point and the true POINT OF BEGINNING; Thence running, South 69°07'21" East, 149.44 feet to the ENDING at a point on the northwesterly right-of-way line of Central Park Drive (having a 50-foot right-of-way).

As shown in a survey prepared for TowerCom V, LLC and First American Title Insurance Company by Point To Point Land Surveyors, Inc. dated July 21, 2016 and last revised September 14, 2016.

20' TEMPORARY CONSTRUCTION EASEMENT

Together with a proposed 20-foot wide temporary construction easement lying and being in Land Lot 95, 14th District, City of Hapeville, Fulton County, Georgia and being described by the following centerline data:

To find the point of beginning, commence at a ¼-inch rebar found at the northwest corner of the lands of the City of Hapeville, being Lot 13 of Central Park Subdivision as per plat recorded in Plat Book 201, Page 111, Fulton County, Georgia records; thence, South 21°28'19" West, 5.70 feet to a point; thence, South 21°28'19" West, 70.00 feet to a point; thence, North 69°07'21" West, 19.54 feet to a point and the true POINT OF BEGINNING; Thence running, South

22°40'54" West, 47.17 feet to a point; Thence, South 42°26'50" West, 28.68 feet to a point; Thence, South 22°16'07" West, 144.25 feet to a point; Thence, South 00°44'04" West, 46.60 feet to a point; Thence, South 21°42'08" West, 48.06 feet to a point; Thence, South 25°13'31" West, 110.85 feet to a point; Thence, South 29°28'44" West, 60.16 feet to a point; Thence, South 19°37'38" West, 60.38 feet to a point; Thence, South 61°53'12" West, 49.44 feet to a point; Thence, South 26°23'39" West, 50.94 feet to the ENDING at a point on the easterly right-of-way line of King Arnold Street (having a 50-foot right-of-way).

As shown in a survey prepared for TowerCom V, LLC and First American Title Insurance Company by Point To Point Land Surveyors, Inc. dated July 21, 2016 and last revised September 14, 2016.