

SITE NAME: MIN Germanium

AMENDMENT NO. 2 TO SITE LEASE AGREEMENT

This AMENDMENT NO. 2 TO SITE LEASE AGREEMENT ("Amendment") is made this _____ day of _____, 2015, by and between the Board of Water Commissioners of the City of Saint Paul, a Minnesota municipal corporation ("LESSOR"), and Verizon Wireless (VAW) LLC d/b/a Verizon Wireless, a Delaware limited liability company ("LESSEE"), with its principal office located at One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey 07920 (telephone number 866-862-4404), with reference to the facts set forth in the Recitals below:

RECITALS

A. LESSOR and LESSEE, or their predecessors in interest, are parties to a Water Tower Site Lease Agreement dated March 10, 1998 ("Agreement") whereby LESSOR has leased ground space and water tower space to LESSEE at LESSOR'S Cottage Avenue Standpipe site for a wireless communication system.

B. The parties entered into Amendment No. 1 to Site Lease Agreement dated September 3, 2014 to allow for revisions to system and to provide an increase in the annual rent payable to LESSOR under the Agreement.

C. The parties desire to further amend the Agreement at this time to provide for the installation of a fiber optic cable line within a non-exclusive easement.

AGREEMENT

NOW, THEREFORE, in consideration of the facts contained in the Recitals above, the mutual covenants and conditions below, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. EFFECTIVE DATE.

The effective date of this Amendment shall be the date last signed below ("Effective Date").

2. REVISED INSTALLATION.

LESSEE shall have the right to modify its Communications Facilities to install a fiber optic cable from the public right of way to the Leased Premises as described and depicted on Exhibit A (Construction Drawings dated August 12, 2015), attached hereto and incorporated herein.

a. LESSEE shall have the right to modify its Communications Facilities as described and depicted on Exhibit A.

b. Exhibit B-1 of the Agreement is hereby supplemented by Exhibit A, attached hereto and incorporated herein.

3. LIMITED TERM NON-EXCLUSIVE UTILITY EASEMENT.

LESSOR hereby grants to LESSEE a limited term non-exclusive utility easement for the installation of utilities and said fiber optic cable, as described in Exhibit B, attached hereto and incorporated herein, and depicted in site survey dated August 10, 2015, attached hereto as Exhibit C and incorporated herein. The easement shall be extinguished upon the expiration or termination of the Agreement.

4. CONSIDERATION.

As consideration for the rights granted herein, LESSEE shall make a one-time payment to LESSOR in the amount of One Thousand Dollars (\$1000.00) at the following address:

Board of Water Commissioners
Attn: Accounting
1900 Rice Street, Office Building
Saint Paul, Minnesota 55113

LESSOR acknowledges that such payment has been received and that no additional payments are owing for purposes of this Amendment.

5. RATIFICATION OF THE AGREEMENT.

a. Except as specifically modified by this Amendment, the parties agree that all of the terms and conditions of the Agreement are in full force and effect and remain unmodified, and the parties hereby ratify and reaffirm the terms and conditions of the Agreement and agree to perform and comply with the same.

b. In the event of a conflict between any term or provision of the Agreement and this Amendment, the terms and provisions of this Amendment shall control.

c. Except as otherwise stated in this Amendment, all initially capitalized terms will have the same respective defined meaning stated in the Agreement. All captions are for reference purposes only and shall not be used in the construction or interpretation of this Amendment.

Signatures on following page

IN WITNESS WHEREOF, LESSOR and LESSEE have caused this Amendment to be executed by each party's duly authorized representative as of the Effective Date.

For LESSOR:

Approved:

**BOARD OF WATER COMMISSIONERS
OF THE CITY OF SAINT PAUL**

Stephen P. Schneider, General Manager
Saint Paul Regional Water Services

Matt Anfang, President

Approved as to Form:

Mollie Gagnelius, Secretary

Assistant City Attorney

Todd Hurley, Director
Office of Financial Services

CITY OF SAINT PAUL

Kristin Beckmann, Deputy Mayor

Shari Moore, City Clerk

For LESSEE:

**VERIZON WIRELESS (VAW) LLC
d/b/a Verizon Wireless**

By: _____
Aaron Glass

Its: Regional Network Executive Director

Date: _____

ACKNOWLEDGEMENTS

BOARD OF WATER COMMISSIONERS OF THE CITY OF SAINT PAUL

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

On _____, 2015, before me, _____, Notary Public, personally appeared Matt Anfang, President, Board of Water Commissioners of the City of Saint Paul, a Minnesota municipal corporation, on behalf of the corporation.

Witness my hand and official seal.

Notary Public

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

On _____, 2015, before me, _____, Notary Public, personally appeared Mollie Gagnelius, Secretary, Board of Water Commissioners of the City of Saint Paul, a Minnesota municipal corporation, on behalf of the corporation.

Witness my hand and official seal.

Notary Public

CITY OF SAINT PAUL

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

On _____, 2015, before me, _____, Notary Public, personally appeared Kristin Beckmann, Deputy Mayor of the City of Saint Paul, a Minnesota municipal corporation, on behalf of the corporation.

Witness my hand and official seal.

Notary Public

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

On _____, 2015, before me, _____, Notary Public, personally appeared Shari Moore, City Clerk, City of Saint Paul, a Minnesota municipal corporation, on behalf of the corporation.

Witness my hand and official seal.

Notary Public

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

On _____, 2015, before me, _____, Notary Public, personally appeared Todd Hurley, Director, Office of Financial Services of the City of Saint Paul, a Minnesota municipal corporation, on behalf of the corporation.

Witness my hand and official seal.

Notary Public

[illegible]

Dated: _____

Notary Public

Exhibit A

(Attached CDs Rev 0 dated 8/12/2015)

INSTALLATION OF PROPOSED VZW OWNED MEET ME POINT HANDLOE MMHMY ON PRIVATE PROPERTY, PROPOSED HANDLOE ME POINT SHALL BE 30'x11'x2'x2'.

INSTALLATION OF DARK FIBER FROM PROPOSED MEET ME POINT HANDLOE (MMHMY) TO THE PROPOSED FIBER DISTRIBUTION PANEL (FDP). FIBER TYPE SHALL BE OSP RATED PER ZAYO GROUP, LLC. (CONFIRM FIBER TYPE PRIOR TO CONSTRUCTION).

EXHIBIT B

Legal Description of Limited Term Non-Exclusive Utility Easement

A 5.00 foot wide easement for utility purposes over, under and across the Southeast Quarter of Section 23, Township 29 North, Range 22 West of the Fourth Principal Meridian, Ramsey County, Minnesota, the centerline of said easement is described as follows:

Commencing at the northeast corner of said Southeast Quarter; thence South 89 degrees 34 minutes 08 seconds West along the North line of said Southeast Quarter, a distance of 1832.24 feet; thence South 0 degrees 25 minutes 52 seconds East, a distance of 724.11 feet to the Point of Beginning of the centerline to be described; thence North 60 degrees 19 minutes 33 seconds West, a distance of 5.00 feet; thence North 13 degrees 11 minutes 18 seconds East, a distance of 34.00 feet to the south right of way line of East Cottage Avenue and said centerline there terminating.

The sidelines of said easement shall be shortened or lengthened to terminate as said south right of way line of East Cottage Avenue.

Exhibit C
(Attached Survey)

SITE SURVEY

PROPERTY DESCRIPTION: (on fourth, little box, corner and circumference of pool, latitude of tile No. 118893 dated May 7, 2015)

[illegible]

SUBJECT TO THE FOLLOWING:

- Memoir Bureau of Leuze dated July 11, 1965 as Document No. 4106271

PROPOSED UTILITY EASEMENT DESCRIPTION:

A 500-ton ash, deposited in utility depressions, lower under and across the southern half of the University of Toronto campus, is described. The ash is composed of fine-grained, siliceous, highly vesicular, and somewhat rounded particles, with a maximum diameter of 1.5 mm. The ash is composed of fine-grained, siliceous, highly vesicular, and somewhat rounded particles, with a maximum diameter of 1.5 mm. The ash is composed of fine-grained, siliceous, highly vesicular, and somewhat rounded particles, with a maximum diameter of 1.5 mm.

with an average of 1.5 to 2.0

SHEET 1 OF 2 SHEETS

SITE NAME:
MINC GERANIUM DARK
FIBER PROJECT
Ramsey County, MN

[illegible]

I HEREBY CERTIFY THAT THIS DOCUMENT WAS
PREPARED BY ME OR UNDER MY DIRECT SUPERVISION
AND THAT I AM A DULY LICENSED LAND SURVEYOR
UNDER THE LAWS OF THE STATE OF MINNESOTA.

Shan m Kyak



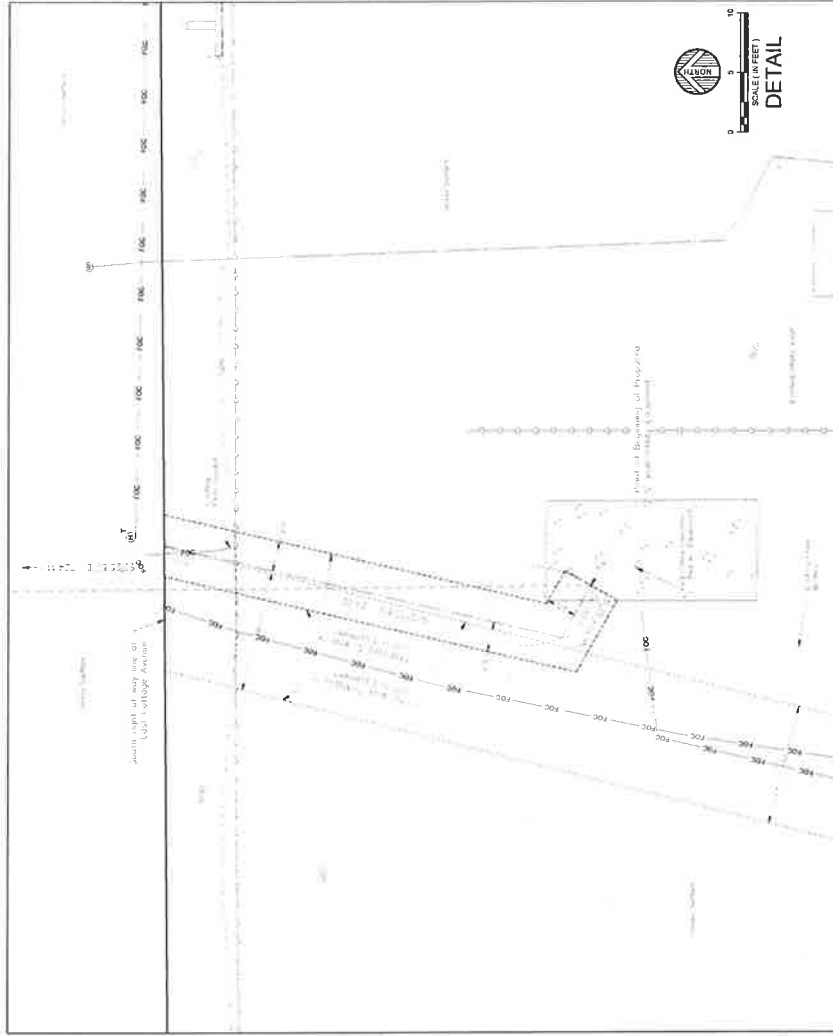
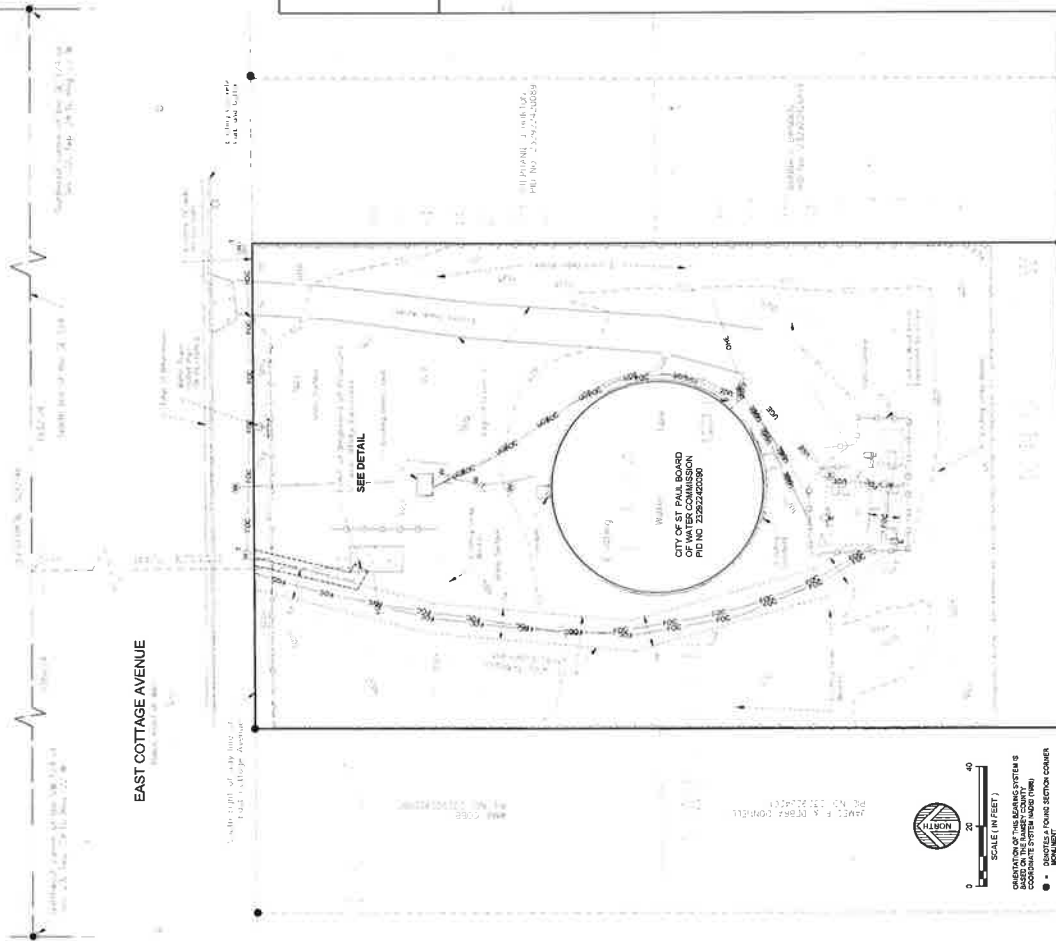
WIDSETH SMITH NOLTING
Engineering | Architecture | Surveying | Environmental

FULL SCALE ON 27x34
 HALF SCALE ON 11x17
0494A1647 001

SITE SURVEY

LEGEND

GUY ANCHOR	UNDERGROUND FIBER OPTIC
DECIDUOUS TREE	UNDERGROUND ELECTRIC
CONIFEROUS TREE	OVERHEAD ELECTRIC
SHRUB	WATERMAIN
1" WATER VALVE	EASEMENT LINE
WATER MANHOLE	CENTERLINE
ELECTRIC LIGHT POLE	CEDAR BUSHES
ELECTRIC METER	CHAINLINK FENCE
ELECTRIC POLE	WOOD FENCE
TELEPHONE PEDESTAL	CONCRETE SURFACE
FIBER HANDHOLE	GRAVEL SURFACE



SHEET 2 OF 2 SHEETS

SITE NAME:
MINC GERANIUM DARK
FIBER PROJECT
Ramsey County, MN

WIDSETH SMITH NOLTING
Engineering | Architecture | Surveying | Environmental



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I HEREBY CERTIFY THAT THIS DOCUMENT WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Signature: *Shawn M. Kopsch*
Shawn M. Kopsch
DATE: 8/10/13

SCALE: AS SHOWN
DATE: 8/10/13

NO.	DATE	REVISIONS	BY	CHKD	APPRO
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					

FIELD WORK: 2/26/13 & 5/13/13
CHECKED BY: SMC
DRAWN BY: NTC/SK

DATE: 8/10/13

PROJECT: MINC GERANIUM DARK FIBER PROJECT

LOCATION: Ramsey County, MN

DATE: 8/10/13

SCALE: AS SHOWN

DATE: 8/10/13

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DATE: 8/10/13

SCALE: AS SHOWN