

**FIRST AMENDMENT TO THE  
OPTION AND LAND LEASE AGREEMENT**

THIS FIRST AMENDMENT (“First Amendment”) is made and entered into this 16<sup>th</sup> day of July, 2013, by and between the City of Maricopa, an Arizona municipal corporation (“LESSOR”), and Gila River Cellular General Partnership, d/b/a Verizon Wireless, by Cellco Partnership, its managing general partner (“LESSEE”). The LESSOR and LESSEE are referred to collectively as the “Parties”.

**RECITALS**

WHEREAS, on January 15, 2013, the Maricopa City Council approved an Option and Land Lease agreement with LESSEE for a portion of the Property located at 18800 N. Porter Road, Maricopa, Arizona for the purpose of constructing, maintaining, repairing and operating a communications facility and uses incidental thereto (“Agreement”); and

WHEREAS, the Parties now desire to amend the Agreement to allow for an additional Utilities Right-of-Way as part of the leased Premises.

**AGREEMENT**

THEREFORE, the Parties specifically agree to amend the Agreement approved on January 15, 2013 as follows:

A. The definition of Premises, as set forth in the Option Agreement and Section 1 of the Land Lease Agreement, shall be amended to add the following to the Utilities Right-of-Way to be used for fiber and conduit:

**A 5.00' WIDE STRIP OF LAND SITUATED WITHIN THE EAST  
HALF OF SECTION 26, TOWNSHIP 4 SOUTH, RANGE 3 EAST, OF  
THE GILA AND SALT RIVER MERIDIAN, PINAL COUNTY,  
ARIZONA, LYING 2.50 FEET ON EITHER SIDE OF THE  
FOLLOWING DESCRIBED CENTERLINE:**

**COMMENCING AT THE EAST QUARTER CORNER OF SECTION  
26 FROM WHICH POINT THE NORTHEAST CORNER OF SAID  
SECTION 26 BEARS NORTH 00°04'44" EAST A DISTANCE OF  
2681.78 FEET; THENCE NORTH 00°04'44" EAST, ALONG THE EAST  
LINE OF THE NORTHEAST QUARTER OF SAID SECTION 26, 27.66  
FEET; THENCE NORTH 90°00'00" WEST, 726.75 FEET; THENCE  
NORTH 00°00'00" EAST, 18.00 FEET; THENCE NORTH 90°00'00"  
WEST, 17.64 FEET; THENCE NORTH 54°59'07" WEST, 11.15 FEET  
TO THE POINT OF BEGINNING; THENCE NORTH 12°39'40" EAST,  
21.45 FEET; THENCE NORTH 90°00'00" EAST, 616.68 FEET TO THE  
POINT OF TERMINUS.**

**CONTAINS 3,191 SQUARE FEET ±**

This additional property to be used as a Utilities Right-of-Way is as substantially described herein in Exhibit “A” attached hereto and made a part hereof.

B. All other terms and conditions of the Agreement are to continue in full force and effect as stated and agreed to in the Agreement as if fully set forth herein.

IN WITNESS WHEREOF, the parties have caused this First Amendment to be signed by their duly authorized representatives as of the day and year first above written.

LESSEE:

Gila River Cellular General Partnership,  
d/b/a Verizon Wireless

By: Cellco Partnership  
Its: Managing General Partner

By: \_\_\_\_\_  
Walter L. Jones, Jr.  
Area Vice President Network

LESSOR:

City of Maricopa,  
a municipal corporation

By: \_\_\_\_\_  
Christian Price  
Mayor

ATTEST:

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Vanessa Bueras  
City Clerk

APPROVED AS TO FORM:

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Denis Fitzgibbons  
City Attorney

**EXHIBIT A**  
**Additional Utility Right-of-Way**



126 W. GEMINI DR., TEMPE, AZ. 85283

INTERNAL REVIEW	
CONSTRUCTION SIGNATURE	DATE
RF SIGNATURE	DATE
REAL ESTATE SIGNATURE	DATE



4835 E. INDIGO ST., #104 MESA, AZ. 85205  
PHONE: (480) 204-1412 FAX: (480) 830-9353



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REVISIONS		
	09.05.12	90% CLIENT REVIEW
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	01.31.13	COUNTY COMMENTS



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SITE NAME  
**AZ5  
GLENNWILDE  
GROVE**

SITE ADDRESS

11. *What is the primary purpose of the following statement?*

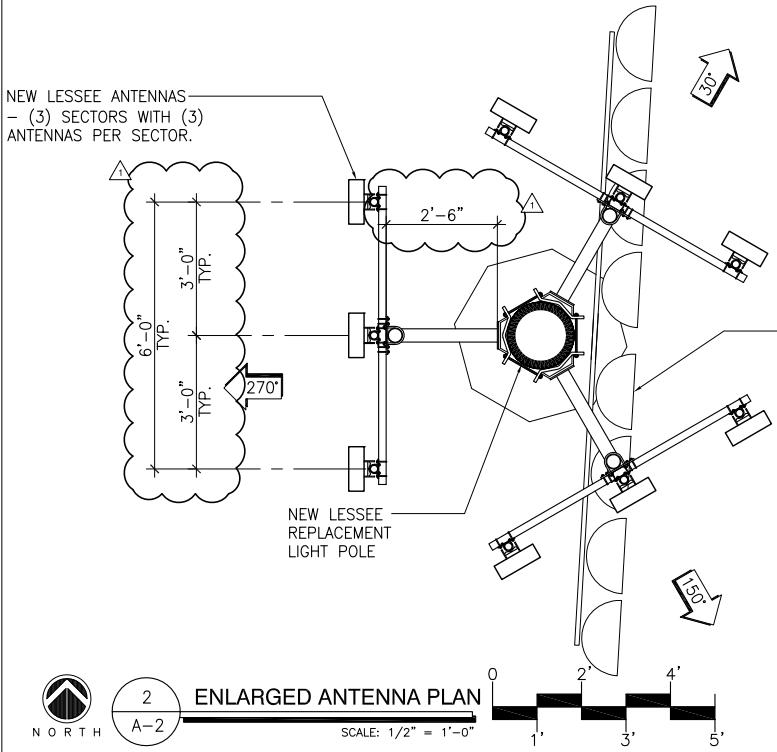
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## SITE PLAN

SHEET NUMBER



A-1



COAXIAL CABLE TABLE					
SECTOR	AZIMUTH	LENGTH	NO.	SIZE	TYPE
ALPHA	30°	+/- 105'-0"	(6)	7/8"	AVA5-50
BETA	150°	+/- 105'-0"	(6)	7/8"	AVA5-50
GAMMA	270°	+/- 105'-0"	(6)	7/8"	AVA5-50

NOTES:

- BALL FIELD LIGHTS TO BE MOUNTED AT SAME HEIGHT AS EXISTING BALL FIELD LIGHTS
- ANY DAMAGE TO THE PAK SIDEWALK, IRRIGATION/SPRINKLER SYSTEMS, ETC. IS THE SOLE RESPONSIBILITY OF VERIZON WIRELESS AND MUST BE REPAIRED TO THE SATISFACTION OF CITY OF MARICOPA'S BUILDING INSPECTOR AND PARK SUPERVISOR.
- VERIZON WIRELESS MUST PROVIDE REMOVAL AND CAPPING OF IRRIGATION LINES.
- VERIZON WIRELESS MUST PROVIDE REMOVAL OR RELOCATION OF LANDSCAPING.
- THE WORK TO REMOVE THE EXISTING POLE AND REPLACE IT WITH THE NEW ONE MUST BE COORDINATED AND CARRIED OUT WITH MINIMUM DISRUPTION TO PARK FUNCTIONS.

**RETENTION CALCULATIONS**

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$$V_{\text{REQ'D.}} = 7200 * C * I * A$$

C = WEIGHTED RUNOFF COEFFICIENT  
 I = RAINFALL INTENSITY (IN/HR)  
 A = TOTAL AREA (ACRES)

$$V_{\text{REQ'D.}} = 7200 * (0.75) * (1.20) * (0.023)$$

$$V_{\text{REQ'D.}} = 149 \text{ cu ft}$$

$$V_{\text{PROVIDED}} = 11 * 17 * 0.833 = 156 \text{ cu ft}$$



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031	AS	BK

EVISIONS		
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 B	12.05.12	ISSUE FOR SUBMITTAL
 C	01.31.13	COUNTY COMMENTS



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**AZ5  
GLENNWILDE  
GROVE**

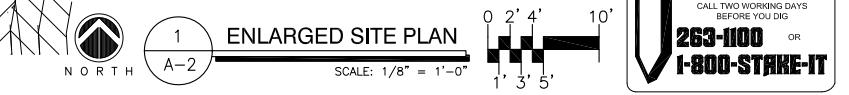
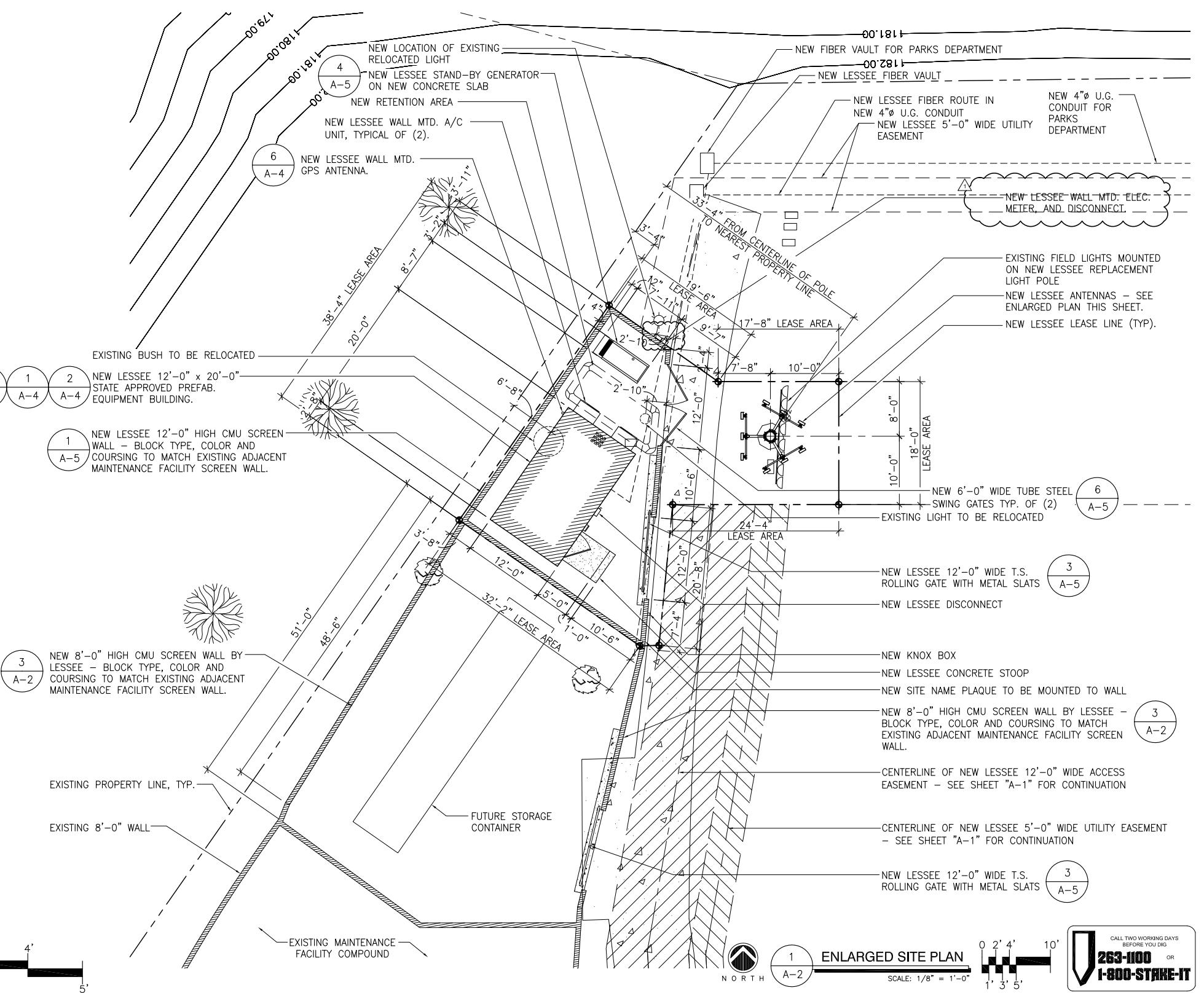
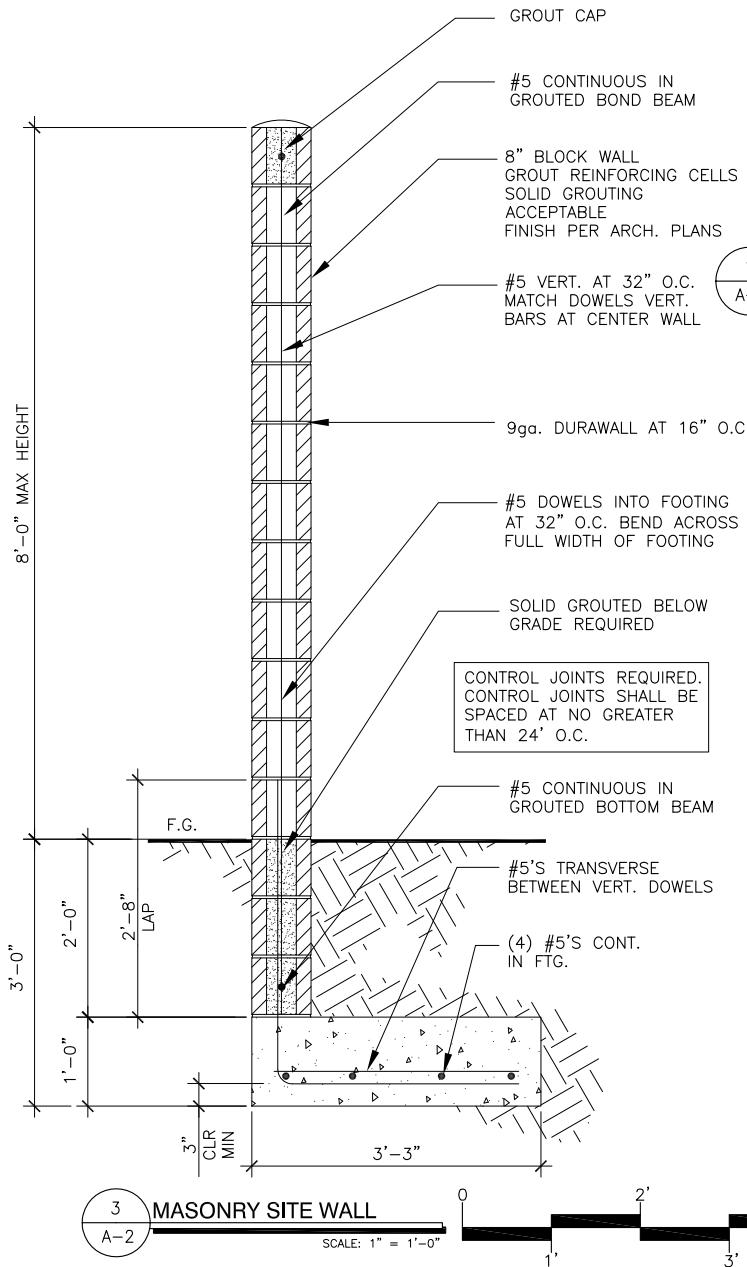
ITE ADDRESS

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## ENLARGED SITE PLAN

SHEET NUMBER



A-2



