

USE AND OCCUPANCY PERMIT PURSUANT TO THE TERMS OF THE MASTER USE AND OCCUPANCY AGREEMENT

This FIRST USE AND OCCUPANCY PERMIT PURSUANT TO THE TERM OF THE MASTER USE AND OCCUPANCY AGREEMENT (UOP) which is entered into this July 1, 2019 ("Effective Date"), by and between the City of San Diego, a California municipal corporation ("CITY"), and NEW CINGULAR WIRELESS PCS, LLC, a Delaware limited liability company ("PERMITTEE").

RECITALS

A. CITY and PERMITTEE entered into that certain Master Use and Occupancy Agreement dated and effective as of July 1, 2019 ("MUOA"), pursuant to which PERMITTEE is allowed to install specific Communications Equipment as shown in the Master Structural Plan which is attached as Exhibit A to the MUOA, on up to 1,500 CITY Sites at certain Permit Areas.

B. The MUOA sets forth the general terms and conditions under which the CITY will prepare and execute subsequent UOPs to provide PERMITTEE a license to attach its equipment to Approved Sites once PERMITTEE has obtained all necessary regulatory permits to install, construct, maintain and operate on specific Approved Sites.

C. The MUOA also establishes the process by which PERMITTEE will request UOPs, including the type of information PERMITTEE must provide, and the standard for review of that request and the timelines for processing such a request.

D. Exhibit A of the MUOA is an approved Master Structural Plan which describes the equipment that will be placed on the Site and the location on the Site where the equipment will be installed. The MUOA also contains provisions that allow PERMITTEE to request modifications to the authorized Communications Equipment and sets forth the standard and timing requirements for reviewing and processing request for modifications.

E. Prior to entering into this UOP, the Parties have executed 0 (ZERO) UOPs under the MUOA, which include a total of N/A Approved Sites.

F. PERMITTEE and CITY now desire to enter into this UOP authorize PERMITTEE to enter upon, install, construct, maintain and operate its Communications Equipment within the Permit Areas on the Approved Sites, attached hereto as Exhibit A, in compliance with all of the terms and conditions as set forth herein and in the MUOA;

NOW THEREFORE, for valuable consideration, the sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Grant. Subject to the terms of this UOP and the terms of the MUOA which are all incorporated into this UOP by this reference without the necessity of restating those terms and conditions, CITY hereby grants to PERMITTEE, its officers, employees, agents, and contractors the right to enter upon and occupy the Permit Areas on the Approved Sites as more particularly identified in Exhibit A attached hereto, solely for the purpose of the Permit Use seven (7) days a week, twenty-four (24) hours a day.
2. UOP Term. The term of this UOP shall commence on the Effective Date of this UOP, and shall terminate ten (10) years following that date minus one day, for example, if the UOP has an Effective Date of February 15, 2020, the UOP shall terminate on February 14, 2030.
3. Authorized Communications Equipment. PERMITTEE acknowledges that the Communications Equipment being installed is in compliance with and authorized by the Master Structural Plan attached to the MUOA as Exhibit A.
4. Defined Words and Phrases. Capitalized words and phrases in this UOP not otherwise defined herein shall have the meaning given to those terms in the MUOA.
5. Survival of the Incorporation of MUOA. The terms and conditions of the MUOA as incorporated herein shall be applicable and enforceable by either Party as a term and condition of this UOP, regardless of the expiration of the MUOA itself.
6. Authority to Execute and Deliver UOP. Each individual executing this UOP on behalf of another person or legal entity represents and warrants that he or she is authorized to execute and deliver this UOP on behalf of such person or entity in and accordance with duly adopted resolutions or other authorizing actions which are necessary and proper and under such legal entity's articles, charter, bylaws, or other written rules of conduct or governing agreements, and that this UOP is binding upon such person or entity in accordance with its terms. Each person executing this UOP on behalf of another person or legal entity shall provide CITY with evidence, satisfactory to CITY, that such authority is valid and that such entity is a valid, qualified corporation, limited liability company, partnership, or other unincorporated association, in good standing in its home state, and that such entity is qualified to do business in the State of California.
7. Signed in Counterparts. This UOP may be executed in one or more counterparts, all of which taken together shall constitute one and the same original document and shall become effective when one or more counterparts have been signed by each of the parties.

IN WITNESS WHEREOF, this UOP is executed by CITY and PERMITTEE, to be effective as of the Effective Date.

Date: 11/13/2020

THE CITY OF SAN DIEGO, a California municipal corporation

By Kristin Geitz
Kristin Geitz
Interim Director, Real Estate Assets

Date: 11/3/2020

NEW CINGULAR WIRELESS PCS, LLC,
a Delaware limited liability company

By: AT&T Mobility Corporation

By Jarrod Bess
(Print Name) Jarrod Bess
(Title) C.E. Director

APPROVED AS TO FORM:

Date: 11/30/2020

MARA W. ELLIOTT, City Attorney

By Melissa Ahles
Melissa Ahles, Deputy City Attorney

Exhibit A: Approved Sites List

PACE ID	Site Number	USID	Pace FA	ADDRESS	CITY	State	City SD Cluster	BP Receive Date		
MRSDL017729	CAL06680F_R01	183804	14805958	9410 Mira Mesa Blvd	San Diego	CA	A	8/7/18	\$ 4,000.00	\$ 3,666.67
MRSDL017736	CAL06683F_R02	183811	14806017	10444 Regan Rd	San Diego	CA	A	5/18/18	\$ 4,000.00	\$ 4,000.00
MRSDL017740	CAL06684F_R01	183812	14806018	8160 Valdosta Ave	San Diego	CA	A	5/18/18	\$ 4,000.00	\$ 4,000.00
MRSDL017744	CAL06681F_R01	183806	14805958	8758 Westmore Road	San Diego	CA	A	8/7/18	\$ 4,000.00	\$ 3,666.67
MRSDL017748	CAL06640F_R02	183874	14806679	9440 Scranton Road	San Diego	CA	A	8/7/18	\$ 4,000.00	\$ 3,666.67
MRSDL017752	CAL06682F_R01	183808	14805960	10558 Greenford Drive	San Diego	CA	A	8/7/18	\$ 4,000.00	\$ 3,666.67
MRSDL023529	CAL06640F_R03	210892	14818765	6405 Mira Mesa Blvd	San Diego	CA	A-2	7/3/18	\$ 4,000.00	\$ 4,000.00
MRSDL023531	CAL06641F_R03	210314	14818796	9980 Huennekens Street #140	San Diego	CA	A-2	7/3/18	\$ 4,000.00	\$ 4,000.00
MRSDL023532	CAL06733F_R03	210322	14818848	10140 Mesa Rim Road	San Diego	CA	A-2	7/3/18	\$ 4,000.00	\$ 4,000.00
MRSDL023535	CAL06642F_R03	210321	14818849	10190 McKellar Court	San Diego	CA	A-2	7/3/18	\$ 4,000.00	\$ 4,000.00
MRSDL023658	CAL06737F_R03	210901	14818850	5745 Pacific Center Boulevard	San Diego	CA	A-2	9/13/18	\$ 4,000.00	\$ 3,333.33
MRSDL022444	CAL06811F_R01	210282	14817429	9540 Mira Mesa Boulevard	San Diego	CA	A-3	10/31/18	\$ 4,000.00	\$ 3,000.00
MRSDL017762	CAL06913F_R02	183767	14806207	10804 Calle Mar De Mariposa	San Diego	CA	B	5/18/18	\$ 4,000.00	\$ 4,000.00
MRSDL017766	CAL06631F_R01	183745	14806032	3857 Pell Pl	San Diego	CA	B	5/18/18	\$ 4,000.00	\$ 4,000.00
MRSDL017905	CAL06637F_R01	183757	14806197	3875 Carmel View Road	San Diego	CA	B	8/13/18	\$ 4,000.00	\$ 3,666.67
MRSDL017909	CAL06914F_R01	183761	14806201	3799 Carmel Mountain Road	San Diego	CA	B	5/18/18	\$ 4,000.00	\$ 4,000.00
MRSDL017919	CAL06636F_R01	183755	14806042	12501 Ruelle Alliente	San Diego	CA	B	8/13/18	\$ 4,000.00	\$ 3,666.67
MRSDL017920	CAL06635F_R02	183754	14806041	12670 High Bluff Drive	San Diego	CA	B	5/18/18	\$ 4,000.00	\$ 4,000.00
MRSDL023617	CAL06639F_R03	210313	14817452	5290 Harvest Run Drive	San Diego	CA	B-2	9/26/18	\$ 4,000.00	\$ 3,333.33
MRSDL017731	CAL06673F_R01	183738	14805625	4058 National Avenue	San Diego	CA	C	8/14/18	\$ 4,000.00	\$ 3,666.67
MRSDL017776	CAL06810F_R01	183742	14805629	504 Elizabeth St	San Diego	CA	C	8/14/18	\$ 4,000.00	\$ 3,666.67
MRSDL017866	CAL06672F_R01	183735	14805622	610 South 30th Street	San Diego	CA	C	5/18/18	\$ 4,000.00	\$ 4,000.00
MRSDL017890	CAL06674F_R01	183740	14805627	4437 Logan Avenue	San Diego	CA	C	8/14/18	\$ 4,000.00	\$ 3,666.67
MRSDL017901	CAL06674F_R02	183741	14805628	4424 National Avenue	San Diego	CA	C	8/14/18	\$ 4,000.00	\$ 3,666.67
MRSDL023477	CAL06810F_R03	210351	14817476	122 Willie James Jones Avenue	San Diego	CA	C-2	9/6/18	\$ 4,000.00	\$ 3,333.33
MRSDL017757	CAL06639F_R02	183763	14806203	11025 Vista Sorrento Pkwy	San Diego	CA	D	9/11/18	\$ 4,000.00	\$ 3,333.33
MRSDL017795	CAL06630F_R02	183744	14806031	3865 Townsgate Dr	San Diego	CA	D	9/11/18	\$ 4,000.00	\$ 3,333.33
MRSDL017869	CAL06633F_R01	183749	14806036	12780 El Camino Real	San Diego	CA	D	9/11/18	\$ 4,000.00	\$ 3,333.33
MRSDL017903	CAL06636F_R02	183756	14806196	12640 El Camino Real	San Diego	CA	D	9/11/18	\$ 4,000.00	\$ 3,333.33
MRSDL017914	CAL06634F_R02	183752	14806039	12655 El Camino Real	San Diego	CA	D	9/11/18	\$ 4,000.00	\$ 3,333.33
MRSDL017918	CAL06639F_R01	183762	14806202	11280 Vista Sorrento Pkwy	San Diego	CA	D	9/11/18	\$ 4,000.00	\$ 3,333.33
MRSDL017735	CAL06687F_R02	183819	14806025	8185 Goldcoast Drive	San Diego	CA	E	5/30/18	\$ 4,000.00	\$ 4,000.00
MRSDL017739	CAL06687F_R01	183818	14806024	8031 Flanders Drive	San Diego	CA	E	5/30/18	\$ 4,000.00	\$ 4,000.00
MRSDL017741	CAL06685F_R01	183814	14806020	10850 Montongo St	San Diego	CA	E	8/29/18	\$ 4,000.00	\$ 3,666.67
MRSDL017743	CAL06684F_R02	183813	14806019	10910 Summerdale Way	San Diego	CA	E	8/29/18	\$ 4,000.00	\$ 3,666.67
MRSDL017745	CAL06686F_R01	183816	14806022	7981 Berwyn Road	San Diego	CA	E	8/29/18	\$ 4,000.00	\$ 3,666.67
MRSDL017749	CAL06685F_R02	183815	14806021	10923 Parkdale Avenue	San Diego	CA	E	8/29/18	\$ 4,000.00	\$ 3,666.67
MRSDL017750	CAL06688F_R01	183820	14806026	10283 Parkdale Avenue	San Diego	CA	E	8/29/18	\$ 4,000.00	\$ 3,666.67
MRSDL017775	CAL06909F_R01	183822	14806028	10810 Parkdale Ave	San Diego	CA	E	5/30/18	\$ 4,000.00	\$ 4,000.00

MRSDL017732	CAL06641F_R02	183876	14806701	Mira Mesa Blvd	San Diego	CA	E-2
MRSDL017753	CAL06682F_R02	183809	14805961	8955 Mira Mesa Blvd	San Diego	CA	E-2
MRSDL015108	CAL06710F_R01	178196	14795985	1310 1st Avenue	San Diego	CA	F
MRSDL015117	CAL06711F_R01	178179	14795987	1057 Front Street	San Diego	CA	F
MRSDL015137	CAL06712F_R01	178178	14795989	1320 Columbia St	San Diego	CA	F
MRSDL015162	CAL06714F_R02	178188	14795994	1061 North Harbor Drive	San Diego	CA	F
MRSDL015176	CAL06716F_R01	178158	14795997	904 State Street	San Diego	CA	F
MRSDL015180	CAL06715F_R02	178159	14795996	598 W G Street	San Diego	CA	F
MRSDL015186	CAL06716F_R02	178193	14795998	848 Front Street	San Diego	CA	F
MRSDL015073	CAL06705F_R01	178172	14798509	1405 Park Boulevard	San Diego	CA	F-2
MRSDL015046	CAL06702F_R01	178195	14798503	2121 1st Ave	San Diego	CA	G
MRSDL015058	CAL06703F_R01	178170	14798505	598 Ivy Street	San Diego	CA	G
MRSDL015082	CAL06704F_R01	178202	14798507	2001 Sixth Avenue	San Diego	CA	G
MRSDL015308	CAL07022F_R01	264274	14805236	3701 Rosecrans St	San Diego	CA	G-2
MRSDL015312	CAL06745F_R01	178256	14805237	3215 Sports Arena Boulevard	San Diego	CA	G-2
MRSDL023623	CAL07022F_R03	257805	14818860	4050 Taylor Street	San Diego	CA	G-2
MRSDL023643	CAL06700F_R03	210373	14818857	4277 Taylor Street	San Diego	CA	G-2
MRSDL015305	CAL07022F_R02	178255	14805235	3221 Moore Street	San Diego	CA	H
MRSDL015326	CAL07025F_R01	178258	14805302	3699 Midway Drive	San Diego	CA	H
MRSDL015331	CAL07026F_R01	178280	14805303	5142 West Point Loma Boulevard	San Diego	CA	H
MRSDL015336	CAL07025F_R02	178252	14798971	3516 Sports Arena Boulevard	San Diego	CA	H
MRSDL015346	CAL07027F_R01	178281	14805305	5098 Santa Monica Avenue	San Diego	CA	H
MRSDL015357	CAL07028F_R01	178279	14805307	5001 Newport Avenue	San Diego	CA	H
MRSDL015377	CAL07028F_R02	178251	14798972	1984 Sunset Cliffs Boulevard	San Diego	CA	H
MRSDL022637	CAL07027F_R03	210352	14810337	4231 Voltaire Street	San Diego	CA	H-2
MRSDL023463	CAL07026F_R03	210378	14813563	4535 Point Loma	San Diego	CA	H-2
MRSDL023485	CAL07029F_R03	210356	14810341	2097 Catalina Boulevard	San Diego	CA	H-2
MRSDL023619	CAL07024F_R03	210344	14810340	3111 Lytton	San Diego	CA	H-2
MRSDL015179	CAL06732F_R02	178243	14798928	4243 Campus Point Court	San Diego	CA	I
MRSDL015183	CAL06732F_R01	178244	14798927	10398 Campus Point Drive	San Diego	CA	I
MRSDL015193	CAL06733F_R01	178245	14798929	9890 Towne Centre Drive	San Diego	CA	I
MRSDL015001	CAL06733F_R02	178212	14798930	9901 Genesee Ave	La Jolla	CA	I-2
MRSDL015006	CAL06734F_R02	178232	14798932	9564 Regents Road	La Jolla	CA	I-2
MRSDL015010	CAL06735F_R02	178237	14798934	9490 Genesee	San Diego	CA	I-2
MRSDL015017	CAL06736F_R01	178223	14798935	4126 Executive Drive	La Jolla	CA	I-2
MRSDL017797	CAL06660F_R01	183824	14806208	1084 Camino Del Rio South	San Diego	CA	J
MRSDL017878	CAL06660F_R02	183981	14806209	1168 Camino Del Rio South	San Diego	CA	J
MRSDL017815	CAL06663F_R01	183977	14806214	1200 Camino De La Reina	San Diego	CA	K
MRSDL017821	CAL06661F_R01	183825	14806210	1288 Camion Del Rio North	San Diego	CA	K
MRSDL023018	CAL06766F_R01	201571	14820933	4 Riverwalk Drive	San Diego	CA	K-2

9/6/18	\$	4,000.00	\$	3,333.33
9/6/18	\$	4,000.00	\$	3,333.33
8/13/18	\$	4,000.00	\$	3,666.67
8/13/18	\$	4,000.00	\$	3,666.67
8/13/18	\$	4,000.00	\$	3,666.67
8/13/18	\$	4,000.00	\$	3,666.67
8/13/18	\$	4,000.00	\$	3,666.67
8/13/18	\$	4,000.00	\$	3,666.67
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9/27/18	\$	2,000.00	\$	1,666.67
9/28/18	\$	2,000.00	\$	1,666.67
9/27/18	\$	2,000.00	\$	1,666.67
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6/15/18	\$	2,000.00	\$	2,000.00
8/14/18	\$	2,000.00	\$	1,833.33
9/11/18	\$	2,000.00	\$	1,666.67

MRSDL015021	CAL06738F_R01	178238	14798938	5476 Renaissance Avenue	San Diego	CA	S
MRSDL015043	CAL06738F_R02	178249	14798939	5307 Renaissance Avenue	San Diego	CA	S
MRSDL015052	CAL06740F_R01	178225	14798942	4448 Nobel Drive	San Diego	CA	S
MRSDL015086	CAL07040F_R01	178219	14798950	7624 Palmilla Drive	San Diego	CA	S
MRSDL015094	CAL07040F_R02	178240	14798951	31 La Jolla Colony Drive	San Diego	CA	S
MRSDL015083	CAL06741F_R02	178207	14798945	8301 Cargill Ave	San Diego	CA	S-2
MRSDL015150	CAL07046F_R01	178236	14798962	7920 Princess Street	La Jolla	CA	T
MRSDL015171	CAL07046F_R02	178218	14798963	1726 Soledad Avenue	La Jolla	CA	T
MRSDL015182	CAL07048F_R02	178228	14798967	7817 Herschel Avenue	La Jolla	CA	T
MRSDL015189	CAL07049F_R02	178239	14798969	849 Coast Boulevard	La Jolla	CA	T
MRSDL015182	CAL07049F_R01	178218	14798968	7825 Fay Avenue	La Jolla	CA	T
MRSDL022447	CAL07046F_R03	210343	14813559	5801 Soledad Mountain Roac	La Jolla	CA	T-2
MRSDL023417	CAL06855F_R03	210339	14818853	5280 Soledas Rancho Court	San Diego	CA	T-2
MRSDL023418	CAL06854F_R03	210376	14818852	5450 Soledad Mountain Roac	La Jolla	CA	T-2
MRSDL023571	CAL07047F_R03	210335	14813560	5692 Soledad Mountain Roac	La Jolla	CA	T-2
MRSDL023452	CAL06674F_R03	210340	14822742	5246 Churchward	San Diego	CA	U
MRSDL023473	CAL06888F_R02	210336	14822743	206 North Kenton Avenue	San Diego	CA	U
MRSDL023492	CAL06881F_R02	210902	14825509	3782 Chamoune Avenue	San Diego	CA	V
MRSDL023504	CAL06815F_R01	210903	14827123	8199 Claremont Mesa Boulevard	San Diego	CA	W
MRSDL023589	CAL06815F_R03	210280	14825003	7786 Balboa Avenue	San Diego	CA	W
MRSDL023572	CAL06814F_R02	210283	14827122	5414 Kearny Mesa Road	San Diego	CA	W
MRSDL023615	CAL06814F_R03	210288	14827125	4572 Convoy Street	San Diego	CA	W
MRSDL023583	CAL06812F_R02	210889	14817450	10000 Scripps Ranch Boulevard	San Diego	CA	X
MRSDL023565	CAL06871F_R03	210895	14817451	104225 Willow Creek Rd	San Diego	CA	X
MRSDL023474	CAL06811F_R03	210311	14817471	10097 Knight Dr	San Diego	CA	x Pending approval x

8/16/18	\$	1,250.00	\$	1,145.83
8/16/18	\$	1,250.00	\$	1,145.83
8/16/18	\$	1,250.00	\$	1,145.83
8/16/18	\$	1,250.00	\$	1,145.83
8/16/18	\$	1,250.00	\$	1,145.83
9/13/18	\$	1,250.00	\$	1,041.67
8/21/18	\$	1,250.00	\$	1,145.83
8/21/18	\$	1,250.00	\$	1,145.83
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9/27/18	\$	1,250.00	\$	1,041.67
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10/18/18	\$	1,250.00	\$	937.50
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10/4/18	\$	1,250.00	\$	937.50
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10/30/18	\$	1,250.00	\$	937.50
10/30/18	\$	1,250.00	\$	937.50
1/0/00				
			\$	315,583.33