

FIRST AMENDMENT TO PERMIT

This First Amendment to that Right of Entry Permit (Permit) is entered into by and between THE CITY OF SAN DIEGO ("CITY") and UNITED STATES DEPARTMENT OF JUSTICE, Immigration and Naturalization Service ("PERMITTEE"), with reference to the facts set forth in the Recitals below:

RECITALS

- A. CITY and PERMITTEE are parties to Right of Entry Permit dated March 4, 1999, whereby CITY has permitted a portion of CITY'S property commonly known as Mt. Woodson (as defined in the Permit) to PERMITTEE for placement of a microwave radio receiver facility. The equipment, location and placement of the facility is more specifically described in Exhibit "C" attached to the Permit.
- B. PERMITTEE wishes to add one (1) additional equipment rack and one (1) 23-foot omnidirectional broadband collinear antenna to existing facility, and seeks CITY'S prior written approval in accordance with Section 3 of the Permit.

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 CITY and PERMITTEE agree:

- 1. Adjustment of Rent Amount (Section 3 of the Permit) The currently effective monthly permit fee shall be increased by \$400 per month commencing on June 1, 2001, and is subject to the annual fee increases described in Section 17 of the Permit. 15, MR
- 2. Exhibit "C" - Block "B" Equipment. Exhibit "C" - Block "B" Equipment, attached hereto and incorporated herein by this reference, defines the location of the additional equipment more particularly described as: one (1) 7.5' rack to be installed within the CITY vault and one (1) 23' omnidirectional broadband collinear antenna to be installed at the approximately 150-foot level of the tower. The original Exhibit "C", pages 1-4, shall henceforth be identified as Exhibit "C" - Block "A" Equipment.

3. Nothing contained herein is intended to alter or amend any other covenant or condition of the Permit

IN WITNESS WHEREOF, this First Amendment to Right of Entry Permit is executed by CITY, acting by and through its City Manager, and by PERMITTEE, acting by and through its lawfully authorized officers.

THE CITY OF SAN DIEGO

Date 7-11-01

By [Signature]
Real Estate Assets Director

UNITED STATES DEPARTMENT OF JUSTICE, Immigration and Naturalization Service,
Border Patrol ("PERMITTEE")

Date 5/18/01

By Manuel A. Rede
MANUEL A. REDE

Printed _____

Title CONTRACTING OFFICER

Approved as to form and legality:

CASEY GWINN, City Attorney

Date 7/24/01

By [Signature]
Deputy City Attorney

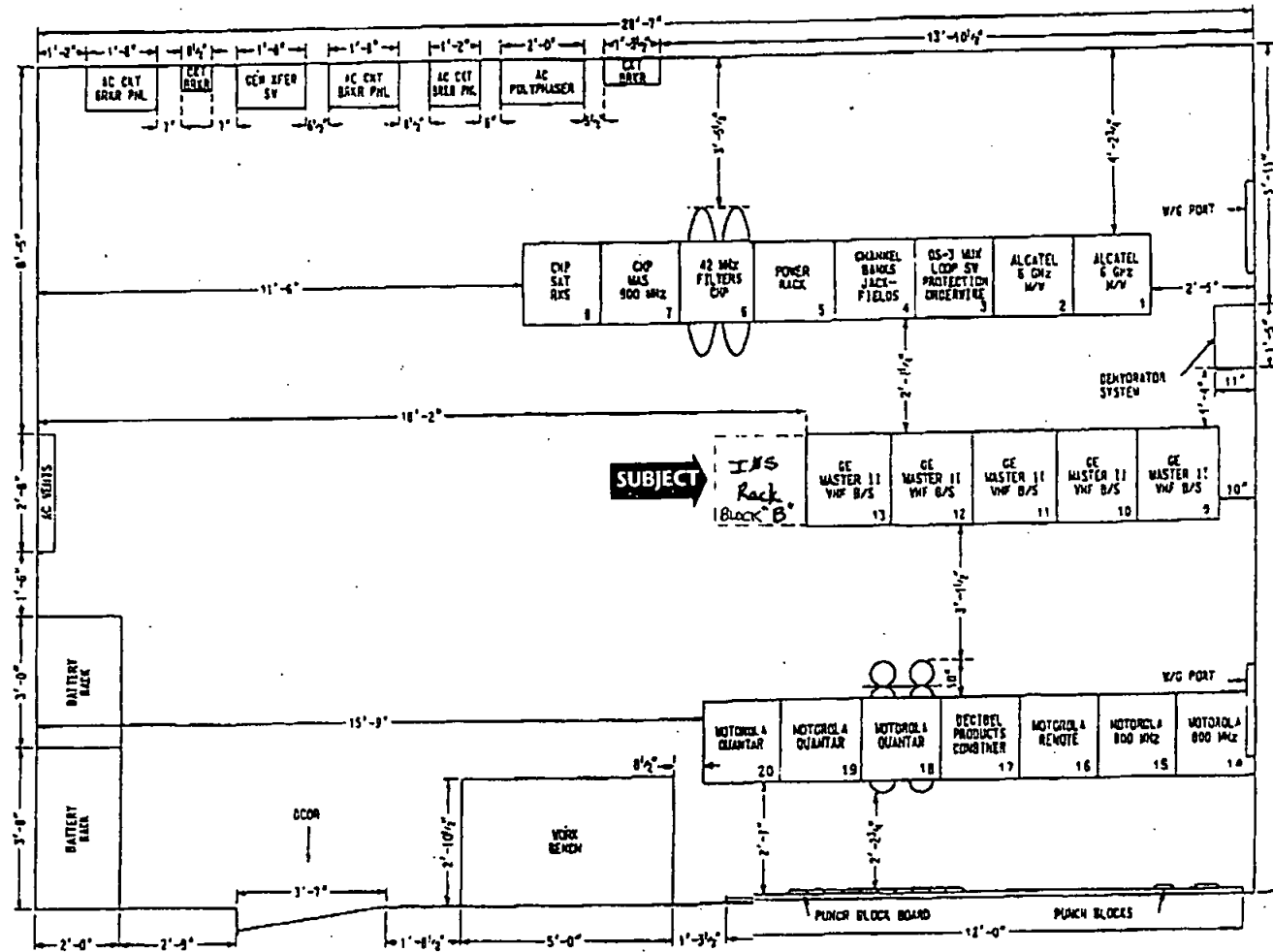
JPA

4/27/2001

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LESSOR INITIAL TCA
GOV'T INITIAL MAN

LESSOR INITIAL *TR*
GOVT INITIAL *TR*



UPPER BUILDING

BLOCK "B" - Equipment Rack Location

Handwritten signature

MT. WOODSON UPPER BLOCKHOL EQUIPMENT ROOM LAYOUT			
DRAWN: A.U.E./P.S.	DATE: 11/17/88		
CHECKED: A.U.E.	SCALE: 1/4" = 1'-0"		
APPROVED: A.U.E.	SHEET: 1 OF 1		
JOB NUMBER			
803-40001			

TOTAL P. 38

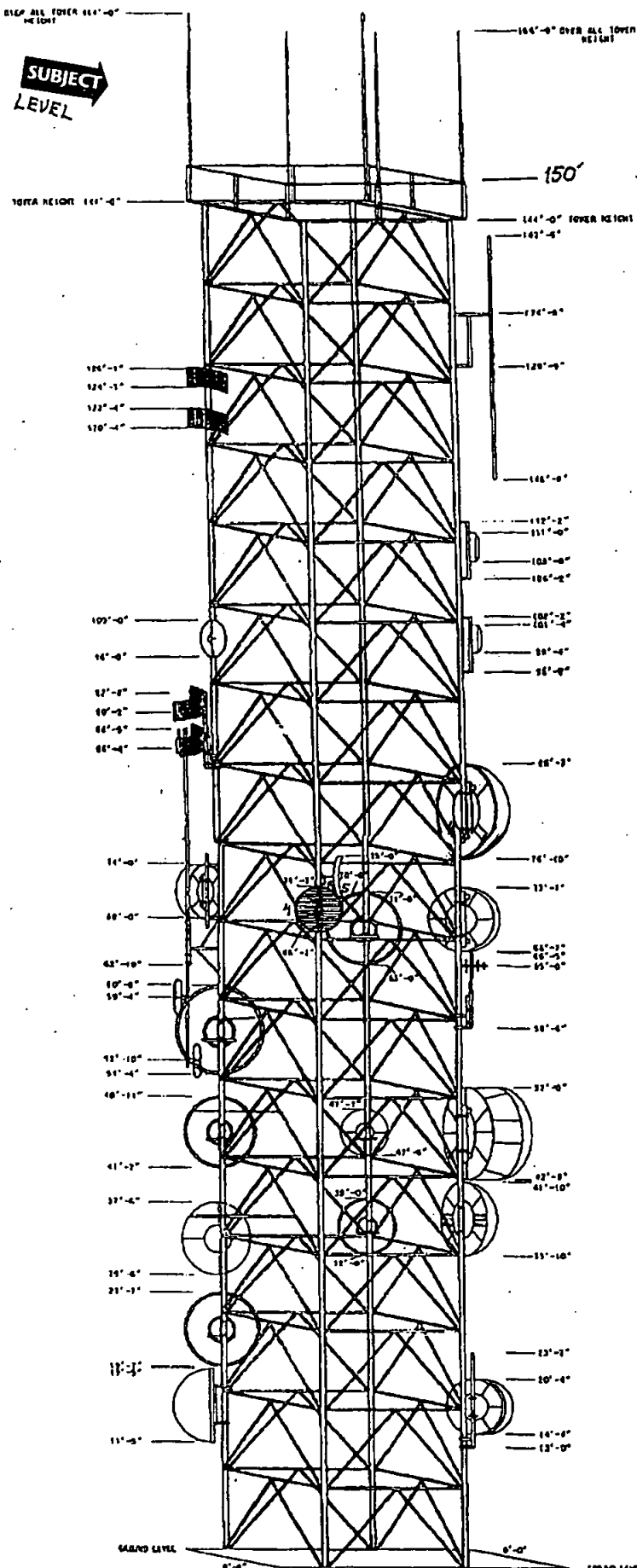
one (1) 7.5' rack to be installed within the CITY vault

EXHIBIT C

1052

**SUBJECT
LEVEL**

BLOCK "B" **Antenna Location**



*Antenna to be mounted @ 150' level
KRAMER HAN
SME*

LESSOR INITIAL *TK*
GOV'T INITIAL *TK*

*KRAMER HAN
SME*

MT. WOODSON SELF-SUPPORT TOWER	
DESIGNED: A.U.E. R.S.	DATE: 11/21/88
CHECKED: A.S.	SCALE: 1/4" = 1'-0"
APPROVED: L.S.S.	SHEET 2 OF 2
TOWER-004	JOB NUMBER 70408042

PER-11-2001 10:01
1/5-RCLFRE
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one (1) 23' omnidirectional broadband collinear antenna to be installed at the approximately 150-foot level of the tower.

EXHIBIT C