

FIRST AMENDMENT TO LEASE

This First Amendment to Lease is executed by and between THE CITY OF SAN DIEGO ("CITY") and AIRTOUCH CELLULAR ("LESSEE")

WHEREAS, the parties entered into that certain contract executed by CITY on May 14, 1996, and filed as Document No. OO-18299 on May 06, 1996 in the Office of the City Clerk.

WHEREAS, the parties wish to amend said contract with reference to the facts set forth in the recital below:

RECITALS

- A. CITY and LESSEE are parties to a certain lease agreement commencing on June 01, 1996 ("Agreement"), whereby CITY has leased a portion of CITY'S property (as defined in the Agreement) to LESSEE to construct, operate and maintain a communication facility, including required antennas and antenna support structure(s) situated substantially as shown in Section 9.3 attached to the Agreement.
- B. CITY and LESSEE have agreed that LESSEE may remove, modify, add, substitute, reconfigure and replace LESSEE'S equipment and improvements on the Premises, as more fully provided below.

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 recipient and sufficiency of which are hereby acknowledged, the CITY and LESSEE agree:

- 1. Substitution of Section 9.3 - Building Plans and Floor Plans and Section 9.5 - Site Plan in SECTION 9: EXHIBITS of the Agreement. Section 9.3 - Building Plans and Floor Plans and Section 9.5 - Site Plan of the Agreement are hereby deleted in their entirety and are replaced with the drawings prepared by Di Donato Associates approved July 12, 2000 ("HWY 56 / PENASQUITOS") attached hereto and by this reference incorporated into the Agreement as modified by this Amendment. The Substituted Sections 9.3 and 9.5 depict the existing cellular communications facility site plans and the proposed improvement changes which include the removal of an existing antenna screen and addition of a thirty (30)-foot tall monopalm with 15 antennas and a two (2)-foot diameter digital dish, along with four (4) real palm trees to create a grove effect.
- 2. Addition of Section 9.6 - Equipment List to SECTION 9: EXHIBITS of the Agreement, which defines the allowed equipment in place at the subject site at the time of this Amendment.
- 3. Nothing contained herein is intended to alter or amend any other covenant or condition of said Agreement.

THE CITY OF SAN DIEGO

Date 7-31-07

By [Signature]
Real Estate Assets Director

LESSEE:

AIRTOUCH CELLULAR

Date 11-13-00

By [Signature]
Printed ROBERT F. SWAINE
Title A.V.P. NETWORK

PARK AND RECREATION DEPARTMENT

Date 1/24/01

By [Signature]

PLANNING AND DEVELOPMENT REVIEW/ EAS

Date 12/1/00

By [Signature]
96-0960-20

Approved as to form and legality:

CASEY GWINN, City Attorney

Date 3/20/01

By [Signature]
Deputy City Attorney

CRH
08/18/00



SCALE: 1"=300' 1



SITE ADDRESS:
WESTERN PENASOLTES
BLACK MOUNTAIN RD
SAN DEGO, CA 92128

FWNFO.
CITY OF SAN DIEGO
1200 3RD ST. STE 1700
SAN DIEGO, CA
(619) 234-8753
JIM LOVEWELL

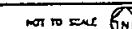
APR 3 1964

ANTHONY CELLUM
2325 WIRA SORRENTO PLACE
SUITE 500
SAN DIEGO, CA 92121
PHONE: (619) 625-7878

AIRTEL/NEW CONTACT:
 MARYBETH MOOLS - SITE DEVELOPMENT
 PHONE (762) 367-3213
 JIM KEMNEY - PLANNER
 PHONE (762) 367-3263
 STEVE JORGENSEN - ARCHITECT/CONGT. &
 PHONE (762) 367-3220

(1) EXISTING UNARMED EQUIPMENT SHOTTER AND A CELLULAR ANTENNA SYSTEM CONSISTING OF (12) DIRECTIONAL CELLULAR ANTENNAS AND (1) DIGITAL DSH ANTENNA LOCATED ON A NEW 30' MONOPOL.

NOT TO SCALE



MONASQUETTE PARK MOBILE HOMES UNIT 23 (ON HWY) LOT A

ANTHONY PROPOSES TO CONSTRUCT, OPERATE AND MAINTAIN AN UNOCCUPIED CELLULAR TELECOMMUNICATIONS FACILITY CONSISTING OF AN EXISTING UNMANNED 12' x 24' EQUIPMENT SHELTER AT CRUCC, AN ANTENNA SYSTEM CONSISTING OF (12) DIRECTIONAL CELLULAR ANTENNAS AND (1) 2' DIGITAL DISH ON A NEW 30' MONOPOL, AND FOUR LIVE PALMS TO BE PLANTED AROUND MONOPOL. LIVE PALMS SHALL CONSIST OF ONE DATE PALM AND THREE FAN PALMS.

111	-	TITLE SHEET PLAN
112	-	AREA SITE PLAN
113	-	SECTION PLANS

Approved 7-12-00
(date)

Permit No. 99-0960-20

HWY 56 / PENASQUITOS

ACCOUNTING RD., SAN DIEGO, CA
TITLE SHEET
PROJECT NAME

11



AIRTOUCH
Cellular

3333 WIRA SOMMUTO PLACE
SUITE 300
SAN DIEGO, CA 92121
(616) 623-7978

ISSUE DATES

100

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2025 RELEASE UNDER E.O. 14176

REVISIONS

1. NAME : MR. K. S. SINGH

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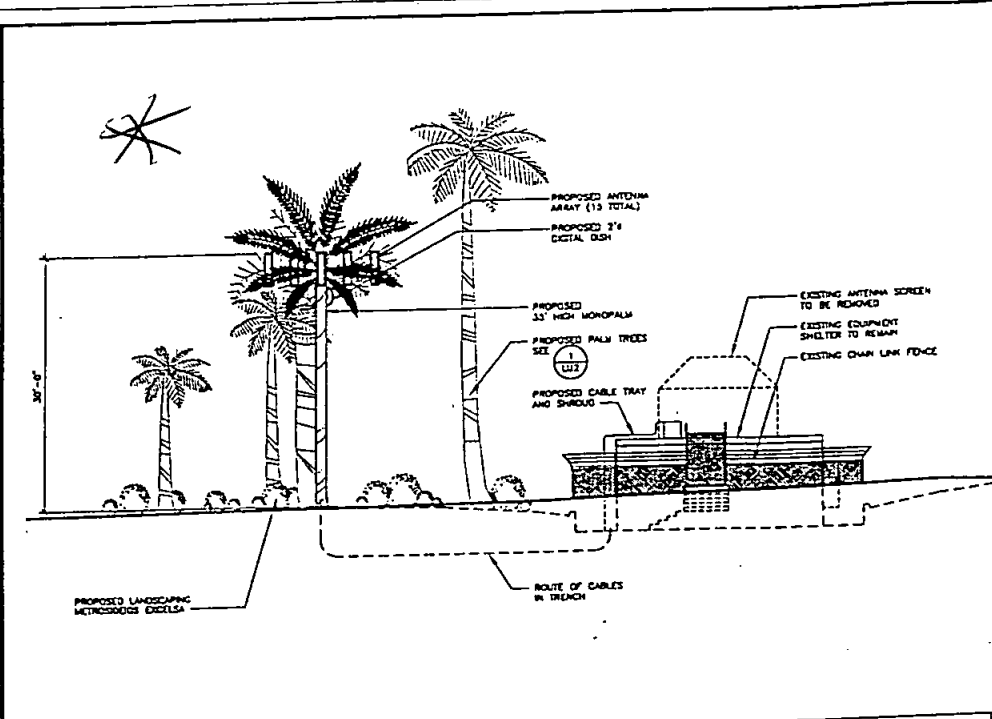
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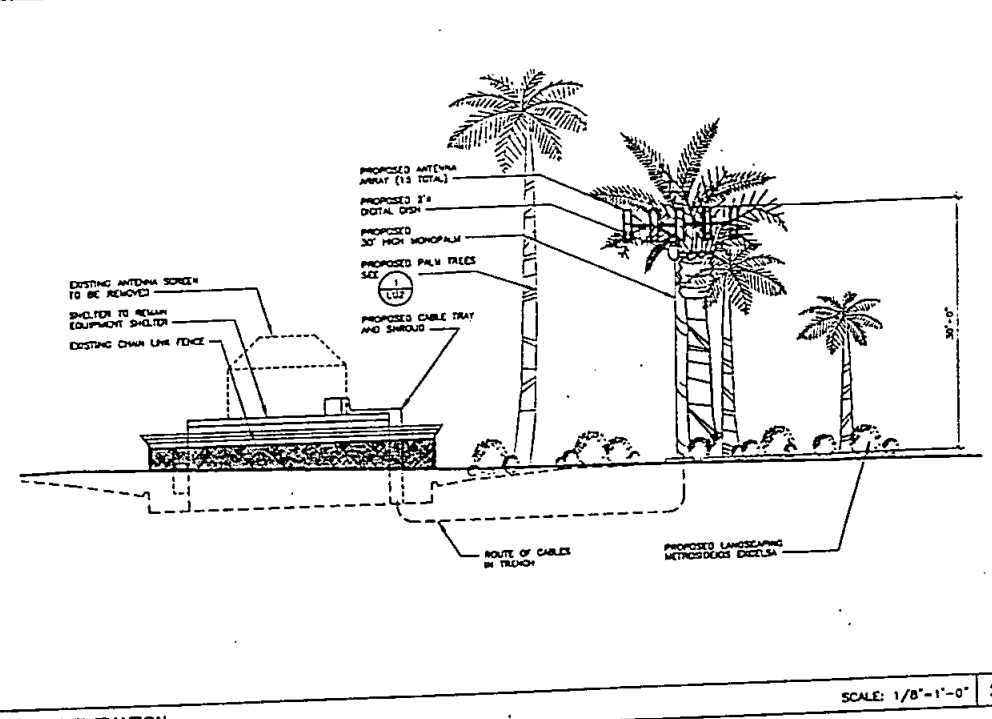
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ISSUE DATES 1. DATE TIME LOCATION WIND TEMP HUMID SEA WAVE SWELL STATE COUNTY CITY ZIP PHONE FAX E-MAIL WEBSITE OTHER 2. DATE TIME LOCATION WIND TEMP HUMID SEA WAVE SWELL STATE COUNTY CITY ZIP PHONE FAX E-MAIL WEBSITE OTHER		REVISIONS 1. DATE TIME LOCATION WIND TEMP HUMID SEA WAVE SWELL STATE COUNTY CITY ZIP PHONE FAX E-MAIL WEBSITE OTHER 2. DATE TIME LOCATION WIND TEMP HUMID SEA WAVE SWELL STATE COUNTY CITY ZIP PHONE FAX E-MAIL WEBSITE OTHER	



SOUTH ELEVATION

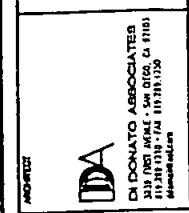
SCALE: 1/8"=1'-0"

1 NORTH ELEVATION



SCALE: 1/8"=1'-0"

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HWY 56 / PENASQUITOS
BLACK MOUNTAIN RD. SAN DIEGO, CA 92121
EXTERIOR ELEVATIONS

AIRTOUCH[™] Cellular
3333 MIRIA SORRENTO PLACE
SUITE 300
SAN DIEGO, CA 92121
(619) 425-7979

ISSUE DATES	
1	01/15/00 ZONING REVIEW
2	01/15/00 JIM KENNEDY
REVISIONS	
1	01/15/00 JIM KENNEDY

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9.6 Equipment List (Exhibit D)

- One (30) foot tall monopalm with fifteen antennas
- One (2) feet diameter digital dish
- Four real palms
- Existing Equipment shelter to remain

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