

FACILITY USE AGREEMENT AMENDMENT III

This FACILITY USE AGREEMENT AMENDMENT III ("Amendment") is made this ____ day of _____, 20__, by and between the County of El Dorado, a body corporate and politic of the State of California ("County"), and Cellco Partnership d/b/a Verizon Wireless ("Verizon Wireless"), with reference to the facts set forth in the Recitals below:

RECITALS

A. The County and Verizon Wireless, or their predecessors in interest, are parties to that certain Facility Use Agreement, dated November 2, 1999 ("Lease"), as amended by that certain Facility Use Agreement Amendment I dated August 13, 2004 and as further amended by that certain Facility Use Agreement Amendment II dated December 12, 2006 (together, the "Facility Use Agreement"), whereby the County granted Verizon Wireless authorization to use a portion of County's property located at 1360 Johnson Blvd., South Lake Tahoe, California (the "Property") to construct, operate and maintain a communications facility, including required antennas and antenna support structure(s).

B. Verizon Wireless desires to lease additional ground space on the Property for the installation of a generator. Therefore, County and Verizon Wireless agree to expand Verizon Wireless's leased premises.

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. LEASED PREMISES. The County and Verizon Wireless acknowledge and agree that the location Verizon Wireless's leased premises was adjusted in connection with the construction of Verizon Wireless's communication facility, and that the survey attached hereto as Exhibit "A" shows the location of the as-built leased premises.

2. EXPANSION. County hereby leases to Verizon Wireless an additional 9' X 13' parcel containing 117 square feet in addition to its existing 11' X 27' parcel containing 297 square feet, for the purpose of installing a generator. Therefore, Exhibit "A" attached to the Lease is hereby deleted and replaced with Exhibit "A" attached hereto and incorporated herein by this reference. All references to Exhibit "A" in the Lease shall hereinafter refer to Exhibit "A" attached hereto.

3. CONTINUED EFFECT. Except as specifically modified by this Amendment, all of the terms and conditions of the Lease shall remain in full force and effect. In the event of a conflict between any term and provision of the Lease and this Amendment, the terms and provisions of this Amendment shall control. In addition, except as otherwise stated in this Amendment, all initially capitalized terms will have the same respective defined meaning stated in the Lease. 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, County and Verizon Wireless have caused this FACILITY USE AGREEMENT AMENDMENT III to be executed by each party's duly authorized representative effective as of the date first above written.

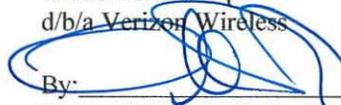
County:

County of El Dorado
a body corporate and politic of the State of California

By: _____
Name: _____
Title: Chair
Date: _____

Verizon Wireless:

Cellco Partnership
d/b/a Verizon Wireless

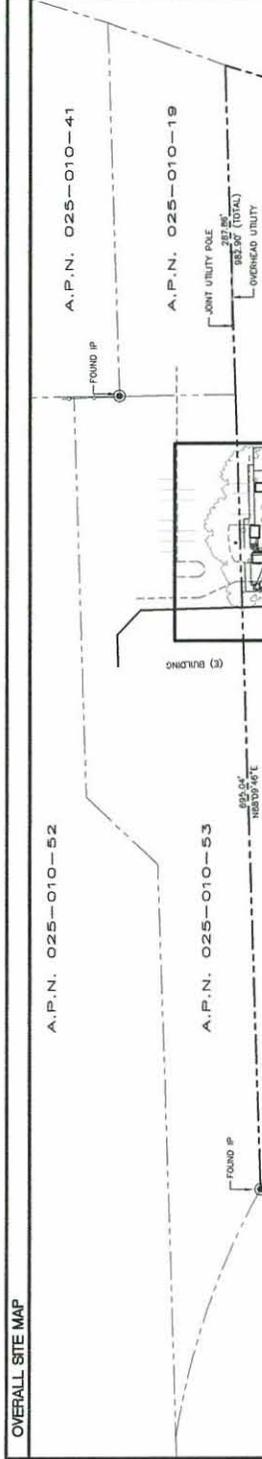
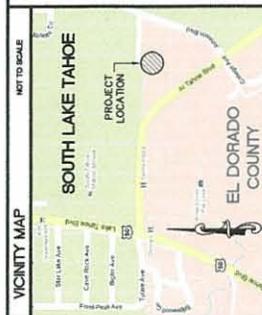
By:  _____
Name: Walter L. Jones, Jr.
Title: Area Vice President Network
Date: 8/13/12

ATTEST:
James S. Mitrisin
Clerk of the Board of Supervisors

By: _____
Deputy Clerk

Date: _____

Exhibit A



REVISIONS

NO.	DATE	DESCRIPTION
1	06/23/11	ISSUED FOR REVIEW
2	08/01/11	REV. #1 PER EMAIL
3	10/24/11	REV. #2 PER EMAIL
4	11/10/11	REV. #3 PER EMAIL
5	01/18/12	REV. #4 PER EMAIL
6	01/23/12	REV. #5 PER EMAIL

GENERAL NOTES

PROPERTY INFORMATION
CITY OF SOUTH LAKE TAHOE
ADDRESS: 160189 TAHOE PD
SOUTH LAKE TAHOE, CA 96150
SITE: 160189 TAHOE PD
ASSESSOR'S PARCEL NUMBER: 025-010-21
EXISTING GROUND ELEVATION: ELEV=8201.84MILL

LESSOR'S LEGAL DESCRIPTION
LEGAL DESCRIPTION IS FOUND IN PLACER TITLE COMPANY, PRELIMINARY TITLE REPORT ORDER NUMBER 204-27187 DATED JULY 18, 2011.

TITLE REPORT
TITLE REPORT WAS UNAVAILABLE AT THE TIME OF FIELD SURVEY. THE SURVEYOR HAS REVIEWED THE PRELIMINARY TITLE REPORT ORDER NUMBER 204-27187 DATED JULY 18, 2011.

BASIS OF BEARING
BEARINGS SHOWN HEREIN ARE BASED UPON U.S. STATE PLANE NORTH COORDINATE SYSTEM, NAD 83, REFERENCE COORDINATE ZONE 2, ELEVATIONS BASED UPON GPS DERIVED ORTHOMETRIC HEIGHTS (MAD83).

BENCHMARK
ELEVATIONS BASED UPON GPS DERIVED ORTHOMETRIC HEIGHTS (MAD83).

FLOOD ELEVATION
FLOOD PLAIN ELEVATION OF PROJECT AREA IN ZONE X AN AREA WITH A 1% ANNUAL FLOOD CHANCE IS SHOWN ON FEMA FIRM MAP COMMUNITY PANEL NUMBER 060170038E, DATED SEPTEMBER 26, 2008.

SURVEY DATE
9/19/11

SURVEYOR'S NOTES
ALL EASEMENTS CONTAINED WITHIN SAID TITLE REPORT HAVE BEEN REVIEWED. SURVEYOR HAS NOT PERFORMED A SEARCH OF PUBLIC RECORDS TO DETERMINE ANY DEFECT IN TITLE COVERED BY SAID TITLE REPORT. SURVEYOR'S REVIEW OF SAID TITLE REPORT INFORMATION DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE PROPERTY.

UTILITY NOTES
SURVEYOR DOES NOT GUARANTEE THAT ALL UTILITIES ARE SHOWN. THE SURVEYOR HAS REVIEWED THE RECORDS AND IS RESPONSIBLE FOR THE CONTRACTOR AND DEVELOPER TO CONTACT U.S.A. AND ANY OTHER INVOLVED AGENCIES TO LOCATE AND/OR REPAIR UTILITIES. THE SURVEYOR'S REVIEW OF SAID INFORMATION AND/OR REPLACEMENT IS THE RESPONSIBILITY OF THE CONTRACTOR.

LEGEND
PROPERTY LINE
FENCE LINE
EDGE OF PAVEMENT
FOUND MONUMENT
ABOVE GROUND LEVEL
ABOVE MEAN SEA LEVEL
BOLLARD
A/L
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EXHIBIT "A"

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