

FIRST AMENDMENT TO PERMIT AGREEMENT

PIGEON POINT COMMUNICATIONS

Lease No. 5212

This First Amendment, dated, for reference purposes only, this 2nd day of Oct, 2002, between the COUNTY OF SAN MATEO, a political subdivision of the State of California "County", and Bay Area Cellular Telephone Company, d/b/a AT&T WIRELESS "Permittee", who mutually agree as follows:

WHEREAS, on October 13, 1994 the Board of Supervisors adopted Resolution No. 58802, authorizing Permit Agreement No. 5212 (the "Permit Agreement") for the operation by Permittee of a communication site at Pigeon Point, San Mateo County, California; and

WHEREAS, it is now the mutual desire of the parties to amend the Permit Agreement,

NOW, THEREFORE IN CONSIDERATION OF THE PARTIES ONGOING RELATIONSHIP AND PAYMENTS MADE BY PERMITTEE TO COUNTY THE PARTIES AGREE THAT PERMIT AGREEMENT NO. 5212, DATED OCTOBER 13, 1994, IS AMENDED AS FOLLOWS:

1. Section 4. (TERM) is amended to extend the date on which the term expires from April 30, 2002 to April 30, 2005.
2. Commencing on May 1, 2002, Section 5A (BASE RENT) is hereby amended to increase the monthly rent from \$598.43 to \$704.57.

Except as set forth in this First Amendment, all the other provisions of the Permit Agreement shall remain unchanged and in full force and effect.

PERMITTEE:

Bay Area Cellular Telephone Company, a California General Partnership, dba AT&T Wireless

COUNTY:

COUNTY OF SAN MATEO, a political subdivision of the State of California

By: CMT Partners, a Delaware general partnership, its General Partner

By: AT&T Wireless Services of California, LLC, a Delaware limited liability company, its General Partner

By: AT&T Wireless Services, Inc., its Member

BY: 
NAME: Craig Bloom
Its: System Development Manager

BY: _____
President, Board of Supervisors

RESOLUTION NO. _____
ATTEST:

Clerk of the Board