

FIRST AMENDMENT TO COMMUNICATIONS SITE LICENSE AGREEMENT

THIS FIRST AMENDMENT TO COMMUNICATIONS SITE LICENSE AGREEMENT (First Amendment) is made and entered into on April 2, 2019 (Effective Date), by and between the City of Fresno, a municipal corporation (Licensor), and T-Mobile West LLC., a Delaware limited liability company, formerly known as T-Mobile West Corporation, as successor-in-interest to TMO CA/NV LLC., formerly known as Pacific Bell Wireless, LLC., a Nevada limited liability company, d/b/a Cingular Wireless (Licensee).

RECITALS

The parties hereto recite, declare and agree as follows:

A. Licensor and Licensee entered into a Communications Site License Agreement (the License), dated November 1, 2002 located at the Fresno City Parking Garage #7 (Fresno County Assessor's Parcel Numbers 468-255-11T and 468-255-015T) (the Premises).

B. Licensor and Licensee desire to enter into this First Amendment in order to modify and amend certain provisions of the License.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Licensor and Licensee covenant and agree as follows:

1. Licensor Consent. Licensor hereby grants Licensee the right and consents to Licensee's expansion of the Premises and the installation of communications equipment as described and depicted on **Exhibit B-1**, which is attached hereto and by this reference incorporated herein, which equipment shall be considered part of the *Licensee's Facilities* under the License. The attached **Exhibit B-1** shall replace in its entirety the **Exhibit B** currently attached to the Lease.

2. Interference with Communications. The License is hereby modified such that the first paragraph of Section 7 is deleted in its entirety and replaced with the following:

"Licensee's Facilities shall not disturb the communications configurations, equipment and frequency which exist on Licensor's Property on the Effective Date (Pre-existing Communications). Licensee's Facilities shall comply with all non-interference rules of the Federal Communications Commission (FCC) and all Licensee's radio transmission frequencies used at this site shall be between the ranges of:

2110-2155 MHz (Tx) and 1710-1755 MHz (Rx)
1955-1990 MHz (Tx) and 1875-1910 MHz (Rx)
728-734 MHz (Tx) and 698-704 MHz (Rx)
668-683 MHz (Tx) and 622-637 MHz (Rx)

Any broadcasting equipment installed at Licensee's Facilities that will operate outside the aforementioned range will require approval of the City of Fresno, and may require prior submission of intermodulation studies."

3. Licensee's Notice Address. Licensee's notice addresses in Sections 5 and 17(c) of the License are deleted in their entirety and replaced with the following:

If to Licensee: T-Mobile USA, Inc.
12920 S.E. 38th Street
Bellevue, WA 98006
Attn.: Lease Compliance/SC08734A

4. Terms; Conflicts. The terms and conditions of the License are incorporated herein by this reference, and capitalized terms used in this Amendment shall have the same meanings such terms are given in the License. Except as specifically set forth herein, this Amendment shall in no way modify, alter or amend the remaining terms of the License, all of which are ratified by the parties and shall remain in full force and effect. To the extent there is any conflict between the terms and conditions of the License and this Amendment, the terms and conditions of this Amendment will govern and control.

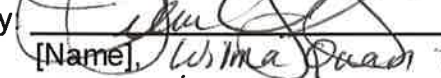
5. Approvals. Licensor represents and warrants to Licensee that the consent or approval of no third party, including, without limitation, a lender, is required with respect to the execution of this First Amendment, or if any such third party consent or approval is required, Licensor has obtained any and all such consents or approvals.

6. Authorization. The persons who have executed this First Amendment represent and warrant that they are duly authorized to execute this First Amendment in their individual or representative capacity as indicated.

[SIGNATURES FOLLOW ON THE NEXT PAGE.]

IN WITNESS WHEREOF, the parties have executed this First Amendment on the day and year first written above.

City of Fresno,
A California municipal corporation

By: 
[Name] Wilma Pagan-Schechter
[Title] City Manager

T-Mobile West LLC.,
a limited liability company

By: 
Name: Anthony Howard
Market Manager

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By:  3/28/19
Brandon m. Collet Date
Senior Deputy City Attorney

Title: _____
(If corporation or LLC., Board Chair,
Pres. or Vice Pres.)

By: _____
Name: _____

ATTEST:
YVONNE SPENCE, CRM MMC
City Clerk

By:  4/1/19
Deputy Maxwell Carlson Date

Title: _____
(If corporation or LLC., CFO,
Treasurer, Secretary or Assistant
Secretary)

TMO 2019.02.1
1 16:18:54
Legal -05'00'

Attachment: Exhibit B-1

EXHIBIT B-1

DESCRIPTION OF PREMISES

Subject to the terms and conditions of this License, the location of the Premises is generally described and depicted as shown below or in the immediately following attachment(s).

However, it is expressly agreed and understood by and between Licensor and Licensee that the exact and precise location of Licensee's Facilities are subject to review and approval by the planning and/or zoning Boards having jurisdiction over the Property.

Notwithstanding anything to the contrary, the specific number and type of equipment described in this Exhibit B-1 is for illustrative purposes only and in no way limits Licensee's ability to alter, replace, add to, expand, enhance, modify, supplement, replace, refurbish, relocate or upgrade any such equipment within the Premises.

EXHIBIT B-1 INCLUDES THE ATTACHED THREE (3) SHEETS

PREPARED FOR:

T-Mobile-
WEST LLC

1735 CRENSHAW DRIVE
SACRAMENTO, CA 95833

CONSULTING FIRM:

SINGLE SOURCE

2025 SOUTH 116 STREET,
GARDEN GROVE, CA 92641
PHONE: 652-910-6030 FAX: 481-278-1271

PROJECT NO: 0000

DRAWN BY: CH

CHECKED BY: CH

REV	DATE	DESCRIPTION
0	10/15/18	ISSUE FOR SUBMITTAL
A	3/22/19	ISSUE FOR REVIEW



FRESNO GRIZZLIES
SC08734A

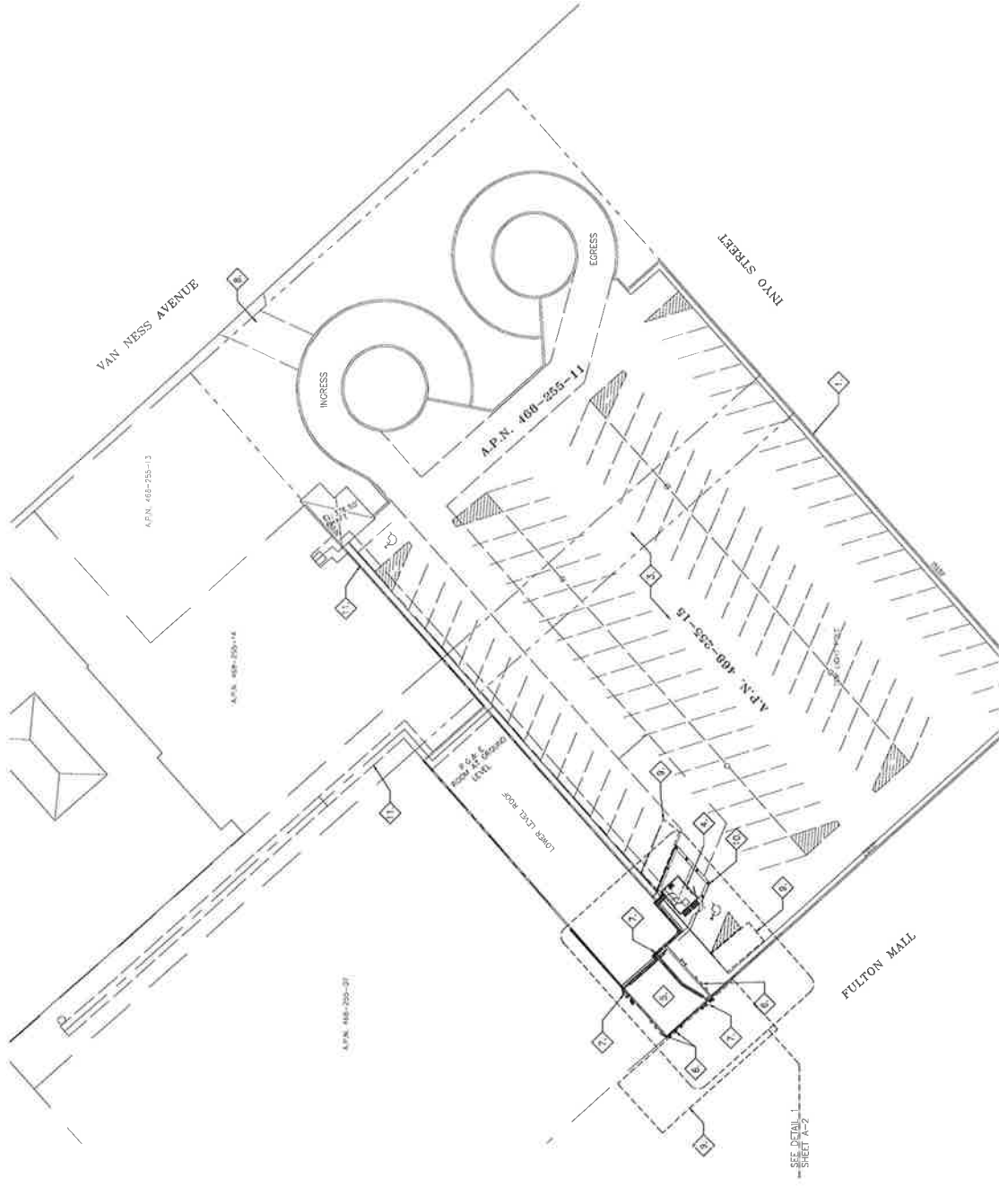
883 VANNESSA AVE
FRESNO, CA 93711

SHEET TITLE

SITE PLAN

SHEET NUMBER

A-1



SITE PLAN KEY NOTES:

- 1. (E) PARKING GARAGE
- 2. (E) PROPERTY LINE
- 3. (E) PARKING LOT
- 4. (E) T-MOBILE SHELTER
- 5. (E) PENHOUSE
- 6. (E) ANTENNA OTHER CARRIER
- 7. (E) T-MOBILE ANTENNAS
- 8. (E) T-MOBILE INGRESS & EGRESS FROM PUBLIC R/W TO LEASE AREA
- 9. (P) LOCATION FOR T-MOBILE TEMPORARY SHARPOUR FOR MAIN LIFT
- 10. (E) T-MOBILE 20' X 20' LEASE AREA
- 11. (E) T-MOBILE 9' WIDE UTILITY EASEMENT

24"x36" SCALE: 1" = 20'-0"
11"x17" SCALE: 1" = 40'-0"

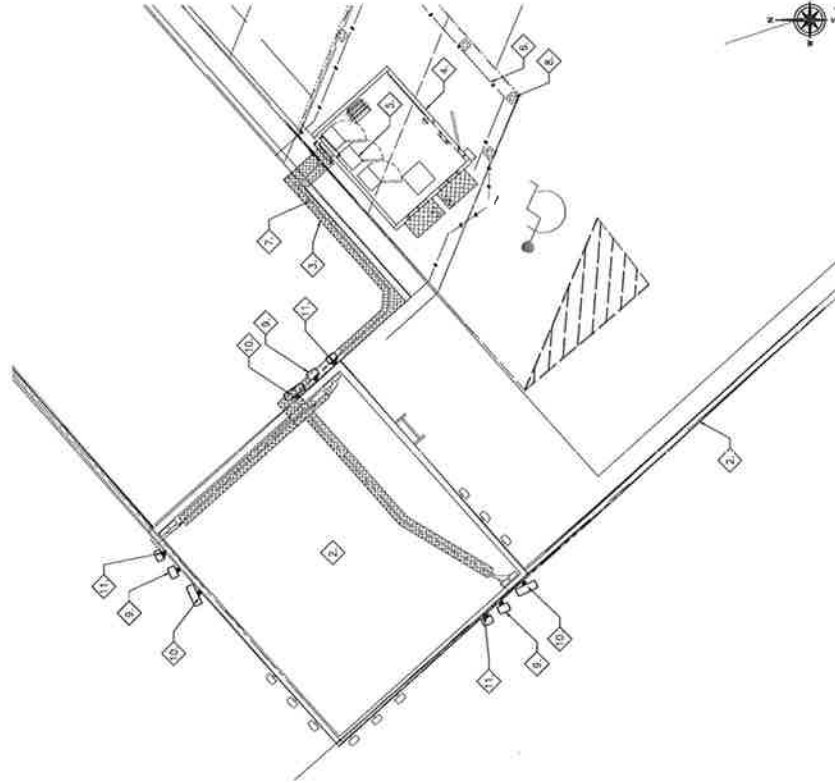
SITE PLAN



SITE PLAN KEY NOTES:

- 1 (E) PARKING GARAGE
- 2 (E) PENHOUSE
- 3 (E) CABLE TRAY
- 4 (E) T-MOBILE EQUIPMENT SHELTER
- 5 (E) T-MOBILE EQUIPMENT
- 6 (E) CHAIN LINK FENCE
- 7 (E) DC POWER CABLE REEL BANK, 500M 40-50M & (12) 7/8" COAX, (3) HCS CABLES & LOOSE FIBER
- 8 (E) BOLLARDS

- 9 (E) (3) ANTENNAS PER SECTOR (TOTAL OF 9 ANTENNAS)
- 10 (E) (1) RRU'S PER SECTOR (TOTAL OF 3 RRUS)
- 11 (E) (1) TMA'S PER SECTOR (TOTAL OF 3 TMAS)
- 12 (N) (1) ANTENNA PER SECTOR (TOTAL OF 3 ANTENNAS)
- 13 (N) (3) 6X12 HCS CABLES
- 14 (P) LOCATION FOR T-MOBILE TEMPORARY BARRIQUADE FOR MAN LIFT
- 15 (E) T-MOBILE 20' X 20' LEASE AREA
- 16 (P) T-MOBILE TEMPORARY PARKING DURING CONSTRUCTION FOR EQUIPMENT STAGING



24"X36" SCALE 3/16" = 1'-0"
11"X17" SCALE 3/32" = 1'-0"

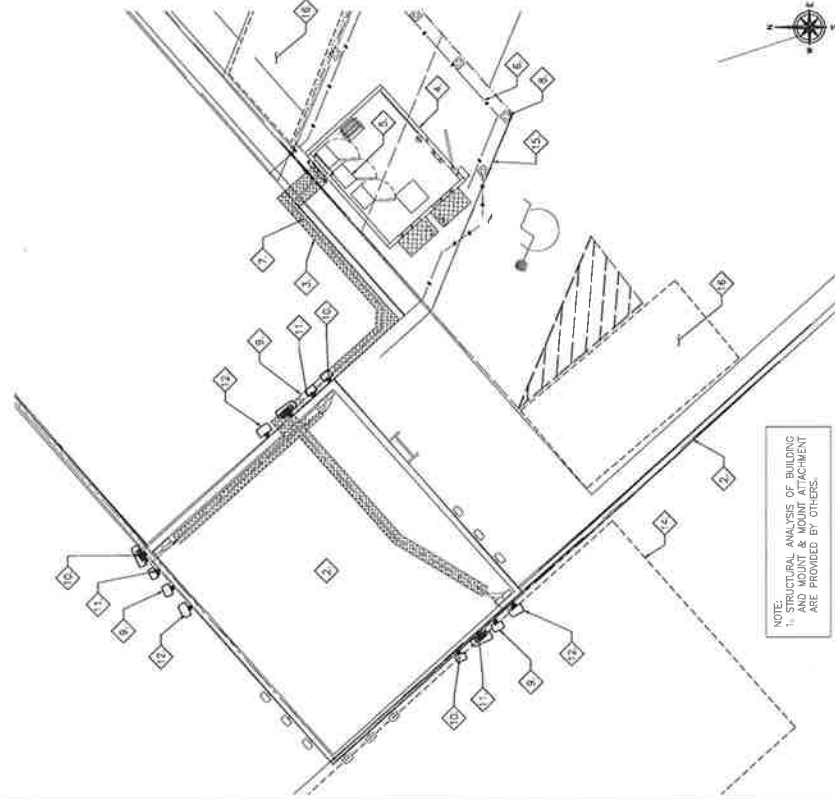
EXISTING ENLARGED SITE PLAN

2

SITE PLAN KEY NOTES:

- 1 (E) PARKING GARAGE
- 2 (E) PENHOUSE
- 3 (E) CABLE TRAY
- 4 (E) T-MOBILE EQUIPMENT SHELTER
- 5 (E) T-MOBILE EQUIPMENT
- 6 (E) CHAIN LINK FENCE
- 7 (E) DC POWER CABLE REEL BANK, 500M 40-50M & (12) 7/8" COAX, (3) HCS CABLES & LOOSE FIBER
- 8 (E) BOLLARDS

- 9 (E) (3) ANTENNAS PER SECTOR (TOTAL OF 9 ANTENNAS)
- 10 (E) (1) RRU'S PER SECTOR (TOTAL OF 3 RRUS)
- 11 (E) (1) TMA'S PER SECTOR (TOTAL OF 3 TMAS)
- 12 (N) (1) ANTENNA PER SECTOR (TOTAL OF 3 ANTENNAS)
- 13 (N) (3) 6X12 HCS CABLES
- 14 (P) LOCATION FOR T-MOBILE TEMPORARY BARRIQUADE FOR MAN LIFT
- 15 (E) T-MOBILE 20' X 20' LEASE AREA
- 16 (P) T-MOBILE TEMPORARY PARKING DURING CONSTRUCTION FOR EQUIPMENT STAGING



24"X36" SCALE 3/16" = 1'-0"
11"X17" SCALE 3/32" = 1'-0"

PROPOSED ENLARGED SITE PLAN

1

PREPARED FOR:



1755 REDWOOD GARDEN DRIVE
SACRAMENTO, CA 95833

CONSULTING FIRM



2000 PLYMOUTH 12 STREET
2000 PLYMOUTH 12 STREET
FRESNO, CA 93721
PHONE: 402-912-0030 FAX: 402-279-1271

PROJECT NO: 0000

DRAWN BY: CH

CHECKED BY: BR

REV	DATE	DESCRIPTION
0	10/18/18	ISSUE FOR SUBMITTAL
A	9/22/18	ISSUE FOR REVIEW



FRESNO GRIZZLIES
SC08734A

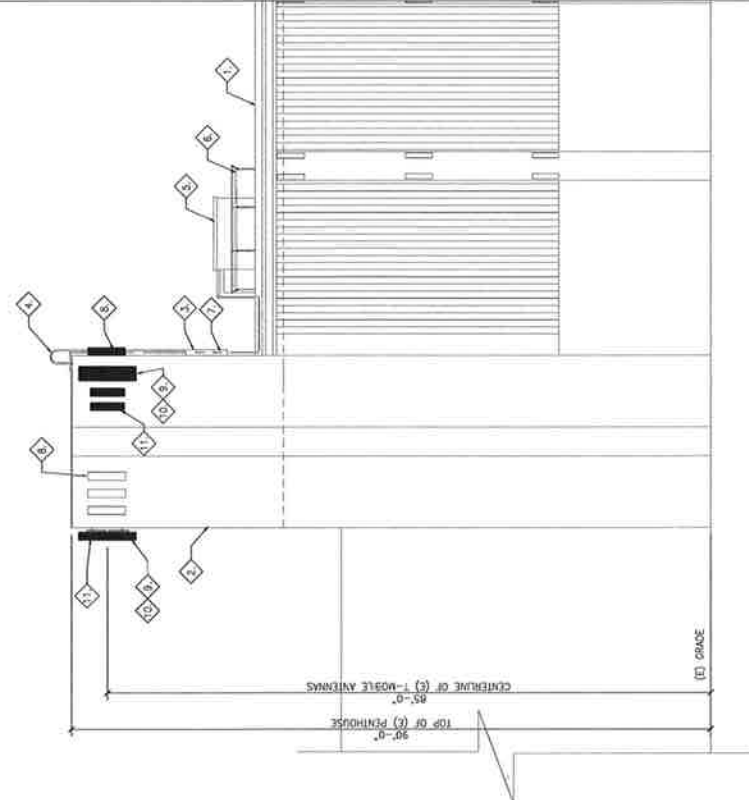
800 VAN NESS AVE
FRESNO, CA 93721

SHEET TITLE
ENLARGED SITE PLAN

SHEET NUMBER
A-2

SITE PLAN REL. NOTES.

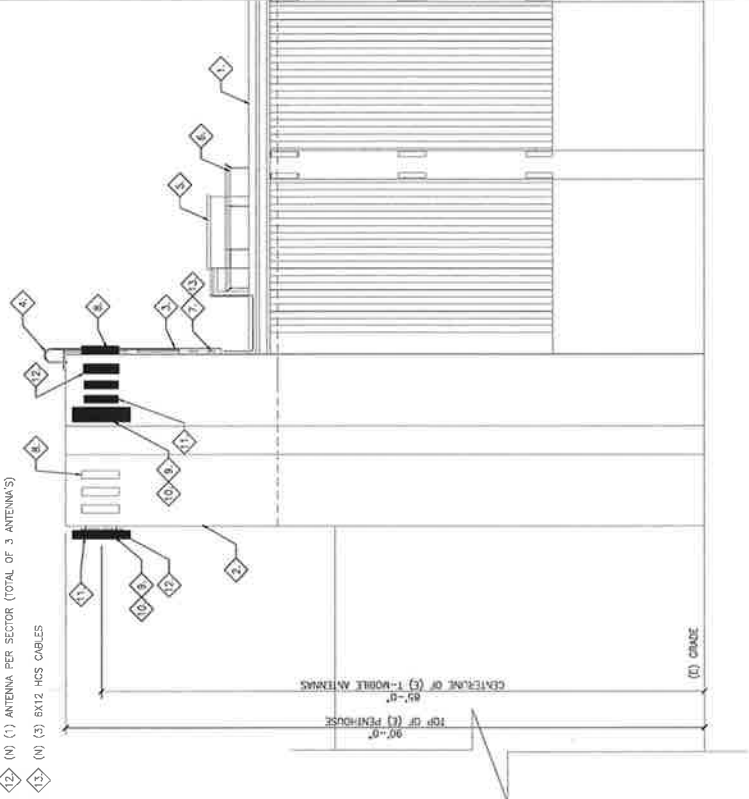
- 1. (E) PARKING GARAGE
- 2. (E) PENHOUSE
- 3. (E) CABLE TRAY
- 4. (E) ACCESS LADDER
- 5. (E) T-MOBILE EQUIPMENT SHELTER
- 6. (E) CHAIN LINK FENCE
- 7. (E) DC POWER CABLE REEL BAWG 500M 40-80M & (12) 7/8" COAX.
- 8. (E) HCS CABLES & LOOSE FIBER
- 9. (E) ANTENNAS (OTHER CARRIER)
- 10. (E) (3) ANTENNAS PER SECTOR (TOTAL OF 9 ANTENNAS)
- 11. (E) (1) RRUS PER SECTOR (TOTAL OF 3 RRUS)
- 12. (E) (1) TMA'S PER SECTOR (TOTAL OF 3 TMA'S)



EXISTING NORTH ELEVATION

SITE PLAN REL. NOTES.

- 1. (E) PARKING GARAGE
- 2. (E) PENHOUSE
- 3. (E) CABLE TRAY
- 4. (E) ACCESS LADDER
- 5. (E) T-MOBILE EQUIPMENT SHELTER
- 6. (E) CHAIN LINK FENCE
- 7. (E) DC POWER CABLE REEL BAWG 500M 40-80M & (12) 7/8" COAX. (3) HCS CABLES & LOOSE FIBER
- 8. (E) ANTENNAS (OTHER CARRIER)
- 9. (E) (3) ANTENNAS PER SECTOR (TOTAL OF 9 ANTENNAS)
- 10. (E) (1) RRUS PER SECTOR (TOTAL OF 3 RRUS)
- 11. (E) (1) TMA'S PER SECTOR (TOTAL OF 3 TMA'S)
- 12. (N) (1) ANTENNA PER SECTOR (TOTAL OF 3 ANTENNAS)
- 13. (N) (3) BX12 HCS CABLES



PROPOSED NORTH ELEVATION

PREPARED FOR:



1735 CRENSHAW BLVD. SUITE 200
SACRAMENTO, CA 95833

CONSULTING FIRM



2025 SOUTH 183 STREET,
SUITE 1000, SACRAMENTO, CA 95834
PHONE: 916-973-8000 FAX: 916-973-1271

PROJECT NO: 0000
DRAWN BY: CH
CHECKED BY: CH

REV	DATE	DESCRIPTION
0	10/19/18	ISSUE FOR SUBMITTAL
A	9/22/18	ISSUE FOR REVIEW



FRESNO GRIZZLIES
SC08734A

800 VANNESS AVE
FRESNO, CA 93721

SHEET TITLE
ELEVATIONS

SHEET NUMBER
A-3

PREPARED FOR:
**T-Mobile-
 WEST, LLC**
 1755 ORENSE DRIVE DRIVE
 SACRAMENTO, CA 95833

CONSULTING FIRM:
**SINGLE
 SOURCE**
 2679 SOUTH 182 STREET,
 SUITE 2000, SACRAMENTO, CA 95814
 PHONE: 916-933-8000 FAX: 916-933-1771

PROJECT NO: 0000
 DRAWN BY: CH
 CHECKED BY: CH

REV	DATE	DESCRIPTION
0	10/14/18	ISSUE FOR SUBMITTAL
1	8/29/18	ISSUE FOR REVIEW



FRESNO GRIZZLIES
 SC08734A
 803 W WESSLAVE
 FRESNO, CA 93721

SHEET TITLE:
**ANTENNA PLAN
 AND ANTENNA
 SCHEDULE**

SHEET NUMBER:
A-4

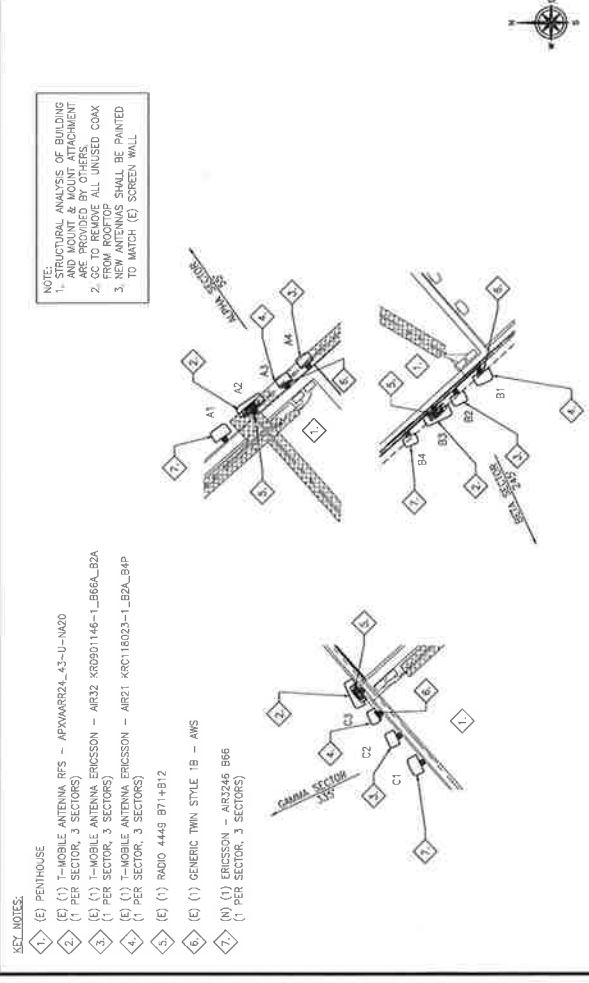
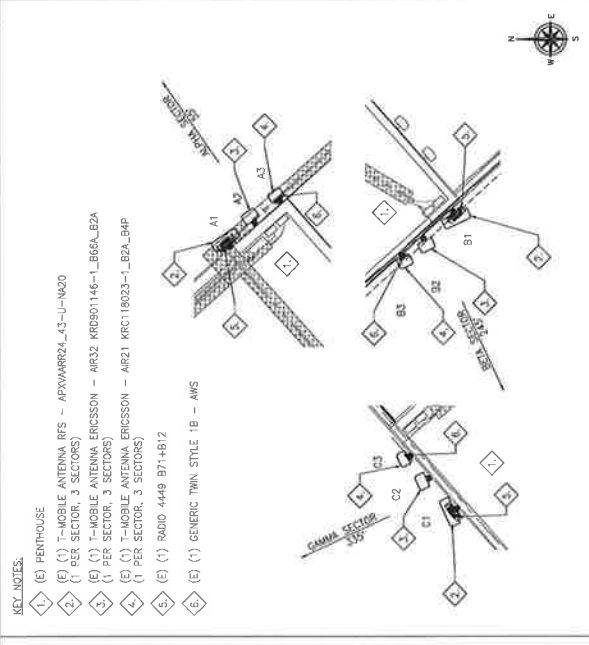
ANTENNA POSITION	ANTENNA MODEL	ANTENNA LENGTH	RAD. CENTER	AZIMUTH	RFR. MODEL	TMA MODEL	SMART BIAS-T. MODEL	ACTIVE TECHNOLOGY	JUMPER CABLE LENGTH (#5')	COAX CABLE TYPE	COAX/FIBER CABLE LENGTH (#4')
SECTOR A	A1 (N) ERICSSON - AR3246 B66	58.66"	85°-0"	35°	(E) (1) R900 449 B71+512	(E) (1) GENERIC TWIN STYLE 1B	-	L2100/L2100/L2100/L2100	(4) 16' FIBER	(N) (1) 8012 HSE CABLE	-
	A2 (E) RFS - APXWARR24_43-U-NA20	95.9"	85°-0"	55°	(E) (1) R900 449 B71+512	(E) (1) GENERIC TWIN STYLE 1B	-	L1700/L1700	(9) 16' FIBER	(N) (1) 8012 HSE CABLE	-
	A3 (E) ERICSSON - AR21 KRC118023-1_B2A_B4P	55.98"	85°-0"	55°	-	(E) (1) GENERIC TWIN STYLE 1B	-	U1920/U1920/U2100	(2) 16' FIBER	(E) (4) 7/8" COAX	70'
	A4 (E) ERICSSON - AR32 KRC901146-1_B66A_B2A	58.6"	85°-0"	55°	-	(E) (1) GENERIC TWIN STYLE 1B	-	L1920/L1920	(2) 16' FIBER	-	-
SECTOR B	B1 (E) ERICSSON - AR21 KRC118023-1_B2A_B4P	55.98"	85°-0"	245°	-	(E) (1) GENERIC TWIN STYLE 1B	-	U1920/L2100/L2100/L2100	(4) 16' FIBER	(N) (1) 8012 HSE CABLE	85'
	B2 (E) ERICSSON - AR32 KRC901146-1_B66A_B2A	58.6"	85°-0"	245°	-	(E) (1) GENERIC TWIN STYLE 1B	-	L1920/L1920	(2) 16' FIBER	-	-
	B3 (E) RFS - APXWARR24_43-U-NA20	95.9"	85°-0"	245°	(E) (1) R900 449 B71+512	(E) (1) GENERIC TWIN STYLE 1B	-	L1700/L1700	(9) 16' FIBER	(E) (4) 7/8" COAX	-
	B4 (E) ERICSSON - AR3246 B66	58.66"	85°-0"	245°	-	(E) (1) GENERIC TWIN STYLE 1B	-	L2100/L2100/L2100/L2100	(4) 16' FIBER	-	-
SECTOR C	C1 (N) ERICSSON - AR3246 B66	58.66"	85°-0"	335°	(E) (1) R900 449 B71+512	(E) (1) GENERIC TWIN STYLE 1B	-	L2100/L2100/L2100/L2100	(4) 16' FIBER	(N) (1) 8012 HSE CABLE	95'
	C2 (E) ERICSSON - AR32 KRC901146-1_B66A_B2A	58.6"	85°-0"	335°	-	(E) (1) GENERIC TWIN STYLE 1B	-	U1920/L1920	(2) 16' FIBER	-	-
	C3 (E) ERICSSON - AR21 KRC118023-1_B2A_B4P	55.98"	85°-0"	335°	-	(E) (1) GENERIC TWIN STYLE 1B	-	U1920/U1920/U2100	(2) 16' FIBER	(E) (4) 7/8" COAX	-
	C4 (E) RFS - APXWARR24_43-U-NA20	95.9"	85°-0"	335°	(E) (1) R900 449 B71+512	(E) (1) GENERIC TWIN STYLE 1B	-	L1700/L1700	(9) 16' FIBER	-	-

NOTE:
 (E) (2) HSE CABLES & LOOSE FIBER CABLES TO BE REMOVED &
 (E) (2) DC POWER CABLE REEL 6AWG 500W 40-80W TO REMAIN

IMPORTANT NOTES: INSTALLER TO VERIFY CURRENT REDS SECTOR SHEET PRIOR TO INSTALLATION.
 ANTENNA LAYOUT IS FROM THE BACK OF SECTOR FROM LEFT TO RIGHT

DESIGN BASED ON REDS DATED:
 8/08/18 VERSION: R6.1

PROPOSED ANTENNA SCHEDULE 2



NOTE:
 1. STRUCTURAL ANALYSIS OF BUILDING AND MOUNT & MOUNT ATTACHMENT
 2. CC TO REMOVE ALL UNUSED COAX FROM ROOFTOP
 3. NEW ANTENNAS SHALL BE PAINTED TO MATCH (E) SCREEN WALL

- KEY NOTES:
- 1. (E) PENHOUSE
 - 2. (E) (1) T-MOBILE ANTENNA RFS - APXWARR24_43-U-NA20 (1 PER SECTOR, 3 SECTORS)
 - 3. (E) (1) T-MOBILE ANTENNA ERICSSON - AR32 KRC901146-1_B66A_B2A (1 PER SECTOR, 3 SECTORS)
 - 4. (E) (1) T-MOBILE ANTENNA ERICSSON - AR21 KRC118023-1_B2A_B4P (1 PER SECTOR, 3 SECTORS)
 - 5. (E) (1) R900 449 B71+512
 - 6. (E) (1) GENERIC TWIN STYLE 1B - AWS
 - 7. (N) (1) ERICSSON - AR3246 B66 (1 PER SECTOR, 3 SECTORS)