

THIS INSTRUMENT PREPARED BY
AND RECORD AND RETURN TO:
BERT C. SIMON, ESQ.
GARTNER, BROCK AND SIMON, LLP
1300 RIVERPLACE BLVD., SUITE 525
JACKSONVILLE, FL 32207

NexTower Development Group, LLC Site ID: NXFL-125
Site Name: Alachua County Fire Rescue Headquarters (ACFR)

AMENDED MEMORANDUM OF LEASE

This Amended Memorandum of Lease is made on _____, 2020, by and between **Alachua County**, a charter county and political subdivision of the State of Florida, as Lessor, whose address is P. O. Box 5477, Gainesville, Florida 32627, and **NexTower Development Group, LLC**, a Delaware limited liability company, as Lessee, whose address is 4210 NW 37th Place, Suite 600, Gainesville, Florida 32606.

Preliminary Statement

Lessor and Lessee entered into that certain Memorandum of Lease dated February 22, 2019 recorded March 17, 2019 in Official Records Book 4668, page 20787 of the Public Records of Alachua County, Florida (the "Memorandum of Lease").

A. The Memorandum of Lease contained a scrivener's error in that the legal description of the "Leased Premises" attached as Exhibit "A" and the legal descriptions of the easements for ingress, egress and utilities and for ground and air rights for guy wires and anchors attached as Exhibit "B" to the Memorandum of Lease were incorrect.

B. Lessor and Lessee desire to replace Exhibit "A" and Exhibit "B" attached to the Memorandum of Lease with the correct legal descriptions of the Leased Premises and the easements for ingress, egress and utilities and for ground and air rights for guy wires and anchors.

C. Now therefore, in consideration of the foregoing premises and other good and valuable consideration, Lessor and Lessee amend the Memorandum of Lease by deleting Exhibits "A" and "B" to the Memorandum of Lease and replacing them with Exhibits "A" and Exhibit "B" attached hereto which correctly describe the Leases Premises and the easements for ingress, egress and utilities and for ground and air rights for guy wires and anchors.

Except as amended herein, the Memorandum of Lease has not been otherwise been amended and remains in full force and effect.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties hereto have executed this Amended Memorandum of Lease as of the date first written above.

Attest:

LESSOR: BOARD OF COUNTY
COMMISSIONERS OF ALACHUA
COUNTY, FLORIDA, a charter county and
political subdivision of the State of Florida

Jesse K. Irby II, Clerk

By: _____

Print Name: _____

Title: Chair, Alachua County Board of County
Commissioners

Date: _____

APPROVED AS TO FORM:

DocuSigned by:

Robert C Swain

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Alachua County Attorney

Witness:

Patricia S. Bugos
Signature

Print Name: Patricia S. Bugos

LESSEE: NexTower Development Group,
LLC
A Delaware limited liability company

By: David H. Boeff

Print Name: David H. Boeff

Title: President/CEO

Date: 10/27/2020

Jodi Boeff
Signature

Print Name: Jodi Boeff

STATE OF FLORIDA
COUNTY OF Alachua

The foregoing instrument was acknowledged before me by means of ☒ physical presence
or ☐ online notarization, this 27th day of October, 2020, by David H. Boeff, as
CEO/President of **NexTower Development Group, LLC**, a Delaware limited liability company,
on behalf of the company, who is personally known to me or produced
_____ as identification.

Notary Public: Joel Rousseau

Print Name: Joel Rousseau

My Commission Expires: 9/12/2022

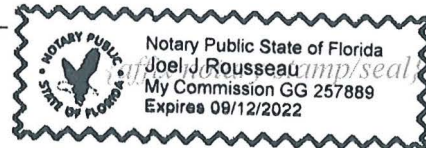


EXHIBIT "A"
AMENDED LEGAL DESCRIPTION
NEXTOWER LEASE PARCEL

EXHIBIT A

LEASED PREMISES

NEXTOWER LEASE PARCEL

A PARCEL OF LAND LYING IN SECTION 9, TOWNSHIP 10 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF SE 8TH PLACE (A 40-FEET RIGHT-OF-WAY) AND THE EASTERLY RIGHT-OF-WAY LINE OF SE 5TH STREET (A 30-FEET WIDE RIGHT-OF-WAY); THENCE S24° 44' 00"E ALONG SAID EASTERLY RIGHT-OF-WAY OF SE 5TH STREET FOR 258.23 FEET; THENCE N65° 36' 24"E FOR 204.60 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE N24° 23' 36"W FOR 95.00 FEET; THENCE N65° 36' 24"E FOR 85.00 FEET; THENCE S24° 23' 36"E FOR 95.00 FEET; THENCE S65° 36' 24"W FOR 85.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL OF LAND SITUATE, LYING AND BEING IN ALACHUA COUNTY, FLORIDA, CONTAINING 8,075 SQUARE FEET MORE OR LESS.

EXHIBIT "B"
AMENDED LEGAL DESCRIPTION OF LEASES AREA AND INGRESS AND EGRESS
EASEMENT

EXHIBIT B

DESCRIPTION OF INGRESS/EGRESS, UTILITIES AND GUY WIRE EASEMENTS

NEXTOWER INGRESS/EGRESS & UTILITIES EASEMENT

A 30-FEET WIDE EASEMENT STRIP OF LAND FOR THE PURPOSES OF INGRESS/EGRESS AND UTILITIES LYING IN SECTION 9, TOWNSHIP 10 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, SAID EASEMENT STRIP ALSO LYING 15.00 FEET ON BOTH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCE AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF SE 8TH PLACE (A 40-FEET RIGHT-OF-WAY) AND THE EASTERLY RIGHT-OF-WAY LINE OF SE 5TH STREET (A 30-FEET WIDE RIGHT-OF-WAY); THENCE S24° 44' 00"E ALONG SAID EASTERLY RIGHT-OF-WAY OF SE 5TH STREET FOR 258.23 FEET; THENCE N65° 36' 24"E FOR 189.60 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT CENTERLINE; THENCE N24° 23' 36"W FOR 91.30 FEET; THENCE N52° 08' 19"W FOR 129.06 FEET; THENCE S71° 47' 09"W FOR 131.59 FEET TO AN INTERSECTION WITH THE SAID EASTERLY RIGHT-OF-WAY LINE OF SE 5TH STREET AND THE POINT OF TERMINUS.

NEXTOWER GUY WIRE EASEMENTS

THREE 40-FEET WIDE EASEMENTS FOR CONSTRUCTION AND MAINTENANCE OF GUY WIRES LYING 20.00 FEET ON BOTH SIDES OF THE FOLLOWING DESCRIBED THREE EASEMENT CENTERLINES:

COMMENCE AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF SE 8TH PLACE (A 40-FEET RIGHT-OF-WAY) AND THE EASTERLY RIGHT-OF-WAY LINE OF SE 5TH STREET (A 30-FEET WIDE RIGHT-OF-WAY); THENCE S24° 44' 00"E ALONG SAID EASTERLY RIGHT-OF-WAY OF SE 5TH STREET FOR 258.23 FEET; THENCE N65° 36' 24"E FOR 204.60 FEET; THENCE N24° 23' 36"W FOR 95.00 FEET; THENCE N65° 36' 24"E FOR 70.00 FEET; THENCE S24° 23' 36"E FOR 30.20 FEET TO THE CENTER OF A PROPOSED GUYED TOWER AND TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED THREE (3) EASEMENT CENTERLINES:

- (1) THENCE FROM SAID POINT OF BEGINNING, N59° 09' 30"E FOR 180.00 FEET TO THE POINT OF TERMINUS;
- (2) THENCE FROM SAID POINT OF BEGINNING, S00° 50' 30"E FOR 180.00 FEET TO THE POINT OF TERMINUS;
- (3) THENCE FROM SAID POINT OF BEGINNING, N60° 50' 30"W FOR 180.00 FEET TO THE POINT OF TERMINUS.