

Business to Business



Verizon Wireless  
777 Nw 51st Street  
Suite 600  
Boca Raton, FL 33431

Phone 561 995-5500

January 29, 2013

City of Sanibel  
Jim Jordan-Planning Director  
800 Dunlop Road, Sanibel FL 33957.

RE: Verizon Wireless Cell Tower Design – 68996 Sanibel Donax Water Treatment Facility

Dear Mr. Jordan

Verizon Wireless is respectfully requesting an extension of the completed Building Permit Submittal date as outlined in the Tower Lease Agreement between VZW and the City of Sanibel, to June 30<sup>th</sup>, 2013 for the proposed wireless facility located at the Donax Water Treatment facility. As a result of the unique design and fabrication requirements of the stealth flagpole, the final structural design has been delayed with an expected completion date on or before June 30<sup>th</sup>, 2013.

We appreciate your consideration and review of this request. Please feel free to contact me directly with any questions or concerns you may have.

Sincerely,

A handwritten signature in blue ink that reads "Josephine Conde".

Josephine Conde  
Real Estate Manager – Verizon Wireless  
777 Yamato Road, Suite 600  
Boca Raton, FL 33431  
561 995 5553

**FIRST AMENDMENT TO  
LEASE AGREEMENT  
(SITE 68996 – SANIBEL DONAX WWTP)**

**THIS FIRST AMENDMENT** to Lease Agreement is entered into this 5<sup>th</sup> day of February, 2013, by and between the City of Sanibel, a municipal corporation (“Owner”) and Verizon Wireless Personal Communications LP d/b/a Verizon Wireless, a Delaware Limited Partnership (“Lessee”) and amends that certain Lease Agreement between Owner and Lessee dated the 22<sup>nd</sup> day of February, 2012 (hereinafter referred to as “Lease Agreement”).

**WHEREAS**, the Lease Agreement in Section 6(C), requires Lessee to file a completed Building Permit application with the City of Sanibel within twelve (12) months of the Execution Date of the Lease Agreement; and

**WHEREAS**, it appears that Lessee will need an extension to the twelve (12) month period in order to complete the Building Permit application filing process; and

**WHEREAS**, Owner is amenable to an extension in order to allow Lessee to complete the Building Permit application process and file a completed Building Permit application;

**NOW, THEREFORE**, in consideration of the sum of ten dollars (\$10.00), acknowledged by each party to have been paid and received, the mutual obligations and agreements set forth herein and other good and valuable consideration, the sufficiency of which is acknowledged by Owner and Lessee, Owner and Lessee agree as follows:

**SECTION I. Amendment to Section 6 entitled “Term; and Extensions”.**

Section 6, entitled “Term; and Extensions”, subsection C, is hereby amended as follows, with underlined language indicating additions and stricken through language indicating deletions:

C. Requirement for Permit. ~~within 12 Months~~. Notwithstanding any other provision of this Lease, Lessee shall be required to file a completed Building Permit application with the City of Sanibel ~~within 12 months of the Execution Date of this Lease~~ on or before June 30, 2013. Failure of Lessee to comply with this provision shall render this Lease null and void and shall require renegotiation and a new review and approval by Lessee and the Sanibel City Council.

**SECTION 2.** The amendment specified above shall be the only amendment to the Lease Agreement and all other terms, conditions, provisions, rights, obligations and requirements of the Lease Agreement shall be in full force and effect and shall remain "as is" and unchanged.

**IN WITNESS WHEREOF**, the parties have executed this First Amendment to Lease Agreement on the date first written hereinabove.

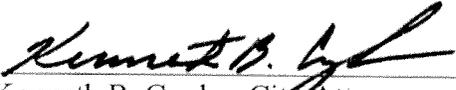
**OWNER:**

CITY OF SANIBEL

By: \_\_\_\_\_  
Kevin Ruane, Mayor  
800 Dunlop Road  
Sanibel, Florida 33957

ATTEST: \_\_\_\_\_  
Pamela Smith, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Kenneth B. Cuyler, City Attorney

Date: 1/25/13

**LESSEE:**

Verizon Wireless Personal Communications LP  
dba Verizon Wireless

By: \_\_\_\_\_  
Hans F. Leutenegger  
Area Vice President Network  
One Verizon Way  
Mail Stop 4AW100  
Basking Ridge, NJ 07920

Date: \_\_\_\_\_

Witnesses:

By: \_\_\_\_\_ By: \_\_\_\_\_  
Name: \_\_\_\_\_ Name: \_\_\_\_\_