

FOURTH AMENDMENT TO TOWER SITING LICENSE AGREEMENT

This Fourth Amendment to Tower Siting License Agreement (“Fourth Amendment”) is made and entered into by and between the City of Hollywood, a Florida municipal corporation (“City”), and T-Mobile South LLC, as successor in interest to Omnipoint Communications Enterprises, Inc., a Delaware corporation (“OCE”).

Recitals

The parties hereto recite, declare and agree as follows:

A. City and OCE entered into a Tower Siting License Agreement (the “Agreement”) dated July 23, 1997, with respect to Premises located at 2900 Sheridan Street, Hollywood, Florida 33020.

B. City and OCE have amended the Agreement three times and now desire to enter into this Fourth Amendment in order to modify and amend certain provisions of the Agreement, as amended.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained in this Fourth Amendment and other good and valuable consideration, the receipt and sufficiency of which are acknowledged by this Amendment, City and OCE covenant and agree as follows:

1. Effective upon full execution of this Fourth Amendment, OCE will have the right to modify its Antenna Facilities as described and depicted on Exhibit A, which is attached hereto and by this reference incorporated in this Fourth Amendment, and City hereby consents to and approves of the modifications described and depicted on Exhibit A in all respects.

2. The terms and conditions of the Agreement, as amended, are incorporated in this Fourth Amendment by this reference, and capitalized terms used in this Fourth Amendment shall have the same meanings such terms are given in the Agreement, as amended. Except as specifically set forth in this Fourth Amendment, this Fourth Amendment shall in no way modify, alter or amend the remaining terms of the Agreement, as amended, 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 Agreement, as amended, and this Fourth Amendment, the terms and conditions of this Fourth Amendment will govern and control.

3. City represents and warrants to OCE that the consent or approval of no third party, including, without limitation, a lender, is required with respect to the execution of this Fourth Amendment, or if any such third party consent or approval is required, City has obtained any and all such consents or approvals.

IN WITNESS WHEREOF, the parties have executed this Fourth Amendment effective as of the date of execution by the last party to sign.

T-Mobile South, LLC

Witnesses:

Print Name: _____

Print Name: _____

By: _____

Name: _____

Title: _____

Date: _____

City of Hollywood, a municipal
corporation of the State of Florida

By: _____

Name: _____

Title: _____

Date: _____

Witnesses:

Print Name: _____

Print Name: _____

Approved as to form and legal sufficiency
for the use and reliance of the
City of Hollywood, Florida, only.

By: _____

Douglas R. Gonzales, City Attorney

