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2006 047974

STATE OF INDIANA  
LAKE COUNTY  
FILED

2006 JUN -6 PM 1:21

MICHAEL JORDAN  
RECORDED

**MEMORANDUM OF AMENDMENT TO SITE AGREEMENT**

TC 6051458

This Memorandum of Amendment to Site Agreement evidences and, when recorded, shall serve as notice that pursuant to a certain Amendment to Site Agreement of 3/30/2006 ("Amendment to Site Agreement"), SprintCom, Inc. ("Sprint") and Horvath Communications Towers, LLC ("Company") have amended certain terms and provisions of that Site Agreement entered into by and between the Company and Sprint, as the lessee thereunder, which Site Agreement is memorialized by that certain Memorandum of Agreement of record at 2005-007294 in the applicable office of land records in Porter County, Indiana. Initialed capitalized terms used but not otherwise defined in this Memorandum of Amendment to Site Agreement shall have the meaning ascribed to it in the Amendment to Site Agreement. The Amendment to Site Agreement provides in part as follows:

1. The Company hereby permits additional equipment and leases to Sprint additional property described on Exhibit "A" attached hereto, located at 3100 Calumet Ave., Valparaiso, IN 46383 and incorporated herein by reference (the "Additional Leased Premises"). The Additional Leased Premises are in addition to the Leased Premises. The Leased Premises and the Additional Leased Premises constitute all of the real property at this location leased to Sprint.

The terms and provisions of the Amendment to Site Agreement are incorporated herein by reference. The terms of the Amendment to Site Agreement shall govern all matters referenced herein.

Executed as of the 30<sup>th</sup> of March, 2006.

SPRINT:

SprintCom, Inc.  
A Kansas Corporation

By: Shannon Nichols

Name: Shannon Nichols

Title: SR. Site Development Mgr

COMPANY:

HORVATH COMMUNICATIONS TOWERS,  
LLC  
an Indiana limited liability company

By: Steven F. Chandler

Name: Steven F. Chandler

Title: Member

Sprint Site Number: CH60XC203-A  
Nextel Site Number: IN-7112

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28068

STATE OF Illinois )  
 )  
COUNTY OF Will )

SS:

On 3-31-06, before me, Rizza Domingo, a Notary Public, Shannon Nichols personally appeared, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity as S. Site Dev. Manager (title) for SprintCom, Inc., a Kansas corporation, and that by his/her signature on the instrument, the entity upon behalf of which the person acted, executed the instrument.

Rizza Domingo  
Signature of Notary

Rizza Domingo  
Printed Name of Notary

Notary Public in and for the State of Illinois

My commission expires: 3-1-10



STATE OF Tennessee )  
 )  
COUNTY OF Shelby )

SS:

On March 30, 2006, before me, Patricia Ann Blackwell, a Notary Public, Steven F. Chandler personally appeared, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity as Member (title) for Horvath Communications Towers, LLC, an Indiana limited liability company, and that by his/her signature on the instrument, the entity upon behalf of which the person acted, executed the instrument.

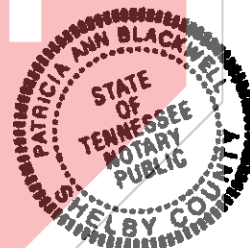
Patricia Ann Blackwell  
Signature of Notary

Patricia Ann Blackwell  
Printed Name of Notary

Notary Public in and for the State of Tennessee

My commission expires: \_\_\_\_\_

My Commission Expires Sept 16, 2009



**After recording return to:**  
Nationwide Appraisal Services Corp  
380 Southpointe Blvd  
Canonsburg, PA 15317  
800-920-0050

Sprint Site Number: CH60XC203-A  
Nextel Site Number: IN-7112

## EXHIBIT A

### LEGAL DESCRIPTION OF PARENT TRACT:

The North 249.0 feet of the following described parcel: Commencing at the Southeast corner of the Southwest Quarter of the Southwest Quarter of Section 7, Township 35 North, Range 5 West of the Second Principal Meridian; thence North along the East line of said Southwest Quarter of the Southwest Quarter on an assumed bearing of North 0°42' East 992.6 feet to the Northeast corner of Vale Park Subdivision; thence West along the North line of said subdivision a distance of 800.80 feet to the 30' right-of-way line on the East side of State Road 49; thence North 26°25' 30" East along said right-of-way line a chord distance of 322.15 feet; thence North 26°50' East along said right-of-way line a distance of 239.11 feet; thence East a distance of 808.0 feet to the East line of the Southwest Quarter of the Southwest Quarter of said Section 7; thence South 0°42' West along said East line a distance of 498.0 feet to the point of beginning; the whole containing 8.43 acres more or less, subject to all existing easements and rights-of-way; said North 249.0 feet containing 3.88 acres, more or less, subject to all existing easements and rights-of-way.

### LEASE AREA

A parcel of land in the Southwest Quarter (SW 1/4) and the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 7, Township 35 North, Range 5 West, more particularly described as follows:

Commencing at the Southeast corner of said Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4); thence N 0°21'47" E along the East line of said Quarter Quarter, 1480.60 feet; thence S 89°39'19" W, 256.81 feet; thence S 0°00'00" E, 91.31 feet to the Point of Beginning of this lease area; thence S 0°29'34" E, 33.00 feet; thence S 89°25'24" W, 35.00 feet; thence N 0°29'34" W, 33.00 feet; thence N 89°25'24" E, 35.00 feet to the Place of Beginning, containing 1155 square feet more or less. Subject to all rights of way, easements and restrictions of record.

### 12' ACCESS EASEMENT

A parcel of land in the Southwest Quarter (SW 1/4) and the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 7, Township 35 North, Range 5 West, more particularly described as follows:

Commencing at the Southeast corner of said Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4); thence N 0°21'47" E along the East line of said Quarter Quarter, 1480.60 feet; thence S 89°39'19" W, 256.86 feet; thence S 0°00'00" E, 108.82 feet to the Point of Beginning of this 12 foot Access Easement; thence N 89°25'24" E, 48.14 feet; thence S 0°34'20" E, 69.91 feet; thence S 89°23'07" W, 239.90 feet; thence N 0°29'34" W, 23.77 feet; thence N 89°54'00" W, 243.13 feet; thence N 28°15'43" E, 13.61 feet; thence S 89°54'00" E, 245.59 feet; thence S 0°28'34" E, 23.62 feet; thence N 89°23'07" E, 215.88 feet; thence N 0°34'20" W, 45.82 feet; thence S 89°25'24" W, 38.16 feet; thence N 0°29'34" W, 12.00 feet to the Place of Beginning, containing 7170 square feet more or less. Subject to all rights of way, easements and restrictions of record.

Sprint Site Number: CH60XC203-A  
Nextel Site Number: IN-7112

**8' UTILITY EASEMENT**

A parcel of land in the Southwest Quarter (SW 1/4) and the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 7, Township 35 North, Range 5 West, more particularly described as follows:

Commencing at the Southeast corner of said Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4); thence N 0°21'47" East along the East line of said Quarter Quarter, 1480.60 feet; thence S 89°38'18" W, 237.58 feet to the Point of Beginning of this 8' Utility Easement; thence S 8°18'01" E, 105.83 feet; thence S 89°25'24" W, 34.30 feet; thence N 0°28'34" W, 8.00 feet; thence N 88°25'24" E, 25.14 feet; thence N 8°18'01" W, 87.59 feet; thence N 89°38'18" E, 8.08 feet to the Place of Beginning, containing 1055 square feet more or less.  
Subject to all rights of way, easements, and restrictions of record.



Sprint Site Number: CH60XC203-A  
Nextel Site Number: IN-7112