North Carolina
Caldwell County

FIRST AMENDMENT OF LEASE

THIS FIRST AMENDMENT OF LEASE (the "Amendment") is made and entered into as of the date of the last to sign below, and is by and between:

HIBRITEN MOUNTAIN, LLC, a North Carolina limited liability company,
Mailing address: 118 N. Sterling Street, Morganton, North Carolina 28655
("Lessor")
and
CALDWELL COUNTY, a political subdivision of the State of North Carolina,
Mailing address: 905 West Avenue, NW, Lenoir, North Carolina 28645
("Lessee").

WHEREAS, Walter James Hogan and wife, Marie B. Hogan (collectively, the "Hogans"), and Lessee entered into a Lease dated March 27, 2007 (the "Lease"), whereby the Hogans leased to Lessee the Leased Premises (as such term is defined in the Lease) solely for the purpose of installing and operating communication facilities; and

WHEREAS, pursuant to an Assignment dated December 22, 2011, the Hogans assigned all their right, title, and interest in the Lease to Lessor;and

WHEREAS, Lessee consented to said Assignment by instrument dated September 12, 2011, which was signed by the Chairman of the County Commissioners; and

WHEREAS, the initial term of the Lease began on April 1, 2007 and ended on February 28, 2017; and

WHEREAS, Lessee had an option to renew the Lease for an additional five year term (the "extension term") from March 1, 2017 through February 28, 2022, and Lessee exercised said option; and

WHEREAS, the parties desire to extend the lease for twenty-two years and four months from March 1, 2022 to June 30, 2044.

NOW THEREFORE, for and in consideration of the foregoing premises and agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Lessor and Lessee, intending to be bound hereby, do hereby amend the Lease, as follows:

1) The term of the Lease shall be extended to a Second Extended Term, beginning March 1, 2022 and ending on June 30, 2044; and

2) The rent shall be:

Last 2 years and four months:	3/1/2022 – 6/30/2024:	$1,983.75/mo.
Next 5 years:	7/1/2024 – 6/30/2029:	$2,330.00/mo.
Next 5 years:	7/1/2029 – 6/30/2034:	$2,740.00/mo.
Next 5 years:	7/1/2034 – 6/30/2039:	$3,220.00/mo.
Next 5 years:	7/1/2039 – 6/30/2044:	$3,780.00/mo.

3) Either party can terminate this lease at the end of any of the five year periods shown above, by giving written notice of termination at least sixty (60) days prior to the end of a 5 year period.

4) Except as amended by this First Amendment, the terms of the Lease are hereby ratified and affirmed in all respects.

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to be executed this the day and year first above written.

LESSOR:
HIBRITEN MOUNTAIN, LLC

James B. Hogan, Manager 5/31/2024
Date

LESSEE:
CALDWELL COUNTY

Signature *Title* *Date*