

DC03XC069

AMENDMENT TO LICENSE AGREEMENT

This Amendment to License Agreement ("Amendment"), being made this 18th day of June, 2002, between **MONTGOMERY COUNTY, MARYLAND**, 101 Monroe Street, Rockville, Maryland 20850, a body corporate and politic and a political subdivision of the State of Maryland, (hereinafter designated as the "COUNTY") and **APC REALTY AND EQUIPMENT COMPANY, LLC**, a Delaware limited liability company, as successor in interest to American PCS, L.P. with a principal mailing address at 6905 Rockledge Drive, Suite 100, Bethesda, Maryland 20817 (hereinafter designated as the "LICENSEE"). (COUNTY and LICENSEE, together, the "PARTIES")

WHEREAS, the COUNTY and LICENSEE entered into a License Agreement dated November 25, 1996 for property located at 12100 Darnestown Road, Gaithersburg, Maryland (the "Agreement"); and

WHEREAS, the PARTIES desire to amend that Agreement to permit one (1) five (5) year extension term and to increase the annual fee during said extension term.

NOW THEREFORE, in consideration of the premises and intending to be legally bound hereby, the PARTIES hereto agree to the following changes and modifications to the Agreement.

1. The PARTIES hereby agree to one (1) five (5) year extension term, which shall commence on July 1, 2002 and expire on June 30, 2007.

2. The annual fee for the five (5) year extension term is listed in the following table:

	<u>ANNUAL FEE</u>	<u>MONTHLY FEE</u>
7/1/02	\$24,975.85	\$2,081.32
7/1/03	\$25,725.13	\$2,143.76
7/1/04	\$26,496.88	\$2,208.07
7/1/05	\$27,291.79	\$2,274.32
7/1/06	\$28,110.54	\$2,342.55

3. Except as modified herein, all other terms and conditions of the Agreement will remain in full force and effect.

IN WITNESS WHEREOF, the PARTIES hereto have set their hands and affixed their respective seals the day and year above written.

COUNTY:
MONTGOMERY COUNTY, MARYLAND

Rebecca S. Domaruk
Witness

By: William M. Mooney
Name: William M. Mooney

Title: Assistant Chief Administration Officer

Date: 6/18/02

LICENSEE:
APC REALTY AND EQUIPMENT
COMPANY, LLC

Ben W. Klyn
Witness

BY: Don Muller
Name: Don Muller

Title: Regional Director

Date: 5/16/02

APPROVED AS TO FORM AND
LEGALITY OFFICE OF THE
COUNTY ATTORNEY

By: Gileen J. Baseman

Date: 4/30/2002

RECOMMENDED BY:

By: J. Ronald Smith
for J. Ronald Smith, Chief
Facilities Services Section
Date: 4/2/02

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