

THIRD AMENDMENT TO LICENSE AGREEMENT

This Third Amendment to License Agreement (“Third Amendment”), being made this 1st day of July, 2015, between **MONTGOMERY COUNTY, MARYLAND**, 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, with a principal mailing address at 6391 Sprint Parkway, MailStop: KSOPHT0101-Z2650, Overland Park, Kansas 66251 (hereinafter designated as the “LICENSEE”). (LICENSEE and COUNTY, together, the “PARTIES”).

WHEREAS, the COUNTY and LICENSEE entered into a License Agreement dated November 23, 1999, for property located at 26149 Ridge Road, Damascus, Maryland (the “Agreement”); and

WHEREAS, the COUNTY and LICENSEE entered into a First Amendment to License Agreement dated October 1, 2004 (the “First Amendment”);

WHEREAS, the COUNTY and LICENSEE entered into a Second Amendment to License Agreement dated October 15, 2012 (the “Second Amendment”);

WHEREAS, the COUNTY and LICENSEE entered into another Second Amendment to License Agreement dated May 10, 2013 (the “2nd Second Amendment”);

WHEREAS, a copy of the Agreement, First Amendment, Second Amendment and 2nd Second Amendment are attached hereto and made a part hereof; and

WHEREAS, the PARTIES desire to extend the term of the Agreement and to adjust the rental terms.

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. **TERM EXTENSION:** The term of this Agreement shall extend for five (5) years to commence on January 17, 2015, and expire on January 16, 2020.


2. **RENTAL ADJUSTMENTS:** It is agreed between the PARTIES that the annual fee payable by LICENSEE to the COUNTY is as set forth in the following schedule:

EXTENDED TERM YEAR	ANNUAL FEE	MONTHLY FEE
Year 1	\$33,653.40	\$2,804.45
Year 2	\$34,663.08	\$2,888.59
Year 3	\$35,702.88	\$2,975.24
Year 4	\$36,774.00	\$3,064.50
Year 5	\$37,877.28	\$3,156.44

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.

LICENSEE:
APC REALTY AND EQUIPMENT COMPANY, LLC




Witness

By: BS
Name: ~~Michael Mizzell~~ Brian Schuber
Title: Manager - Vendor Management
Real Estate
Date: 5/28/15

COUNTY:
MONTGOMERY COUNTY, MARYLAND

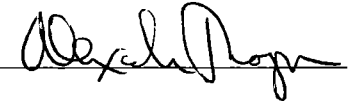


Witness

By: 

Name: Thomas Stett
Title: Assistant Chief Administration Officer
Date: 07/01/15

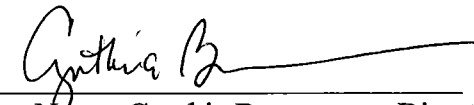
APPROVED AS TO FORM AND
LEGALITY OFFICE OF THE
COUNTY ATTORNEY

By: 

Associate County Attorney

Date: 6/29/15

RECOMMENDED BY:

By: 

Name: Cynthia Breneman, Director
Title: Office of Real Estate

Date: 6/29/15