

FIRST AMENDMENT TO AND TERMINATION OF AGREEMENT

THIS FIRST AMENDMENT TO AND TERMINATION OF AGREEMENT (“First Amendment”) is made and entered into on the date of the City’s signature page by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado, acting for and on behalf of its Department of Aviation (“**City**”) and **SPRINT SPECTRUM LLC**, a limited liability company organized and existing under and by virtue of the laws of the State of Delaware, and authorized to do business in the State of Colorado (collectively, the “**Parties**”).

WITNESSETH:

WHEREAS, on January 29, 2021, the City entered into a Standard Wireless License Agreement with Sprint Spectrum L.P., Contract No. 202054668-00 (the “**Sprint Agreement**”);

WHEREAS, as noted in the records of the Colorado Secretary of State, Sprint Spectrum L.P. changed its name to Sprint Spectrum LLC; and

WHEREAS, on April 1, 2020, Sprint Spectrum LLC was acquired by **T-MOBILE WEST LLC**, a limited liability company organized and existing under and by virtue of the laws of the State of Delaware, and authorized to do business in the State of Colorado; and

WHEREAS, the City and Sprint Spectrum LLC wish to terminate the Sprint Agreement, and so terminate all rights, obligations, and liabilities of that agreement, so the City may amend Contract 202054670 (the “**T-Mobile Agreement**”) to extend the term of that Agreement and further amend that Agreement’s Exhibit A to include the areas formerly included in the Sprint Agreement. The T-Mobile Agreement first amendment will have the Contract No. 202474530-01;

NOW, THEREFORE, for and in consideration of the premises and other good and valuable consideration, the sufficiency of which is acknowledged, the parties hereto agree as follows:

1. Notwithstanding any other provision in Contract 202054668-00, the Parties agree that the Sprint Agreement shall be terminated effective as of the date that Contract No 202474530-01, which is the First Amendment to Contract 202054670, is fully executed by the City. Upon this termination, the City waives any provision in the Sprint Agreement requiring Sprint Spectrum LLC to remove its equipment installed on DEN property.

2. This First Amendment to the Agreement shall not be effective or binding on the City until approved and fully executed by all signatories of the City and County of Denver.

[SIGNATURE PAGES TO FOLLOW]

Contract Control Number: PLANE-202477528-01 / LEGACY-202054668-01
Contractor Name: SPRINT SPECTRUM LP

IN WITNESS WHEREOF, the parties have set their hands and affixed their seals at Denver, Colorado as of:

SEAL

CITY AND COUNTY OF DENVER:

ATTEST:

By:

APPROVED AS TO FORM:

REGISTERED AND COUNTERSIGNED:

Attorney for the City and County of Denver

By:

By:

By:

Contract Control Number:
Contractor Name:

PLANE-202477528-01 / LEGACY-202054668-01
SPRINT SPECTRUM LP

By: DocuSigned by:
Kristen Fienberg
D4E87621727F4A6... _____

Name: Kristen Fienberg
(please print)

Title: Manager, NSC
(please print)



ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)