

THIRD AMENDMENT TO LICENSE AGREEMENT

This Third Amendment to License Agreement ("Third Amendment"), being made this 30th day of September 2011, 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 25, 1996, for property located at 12100 Darnestown Road, Rockville, Maryland (the "Agreement"); and

WHEREAS, the COUNTY and LICENSEE entered into an Amendment to License Agreement dated June 18, 2002 (the "First Amendment");

WHEREAS, the COUNTY and LICENSEE entered into a Second Amendment to License Agreement dated January 9, 2007 (the "Second Amendment");

WHEREAS, a copy of the Agreement, First Amendment, and Second Amendment is 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 July 1, 2012, and expire on June 30, 2017.

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
7/1/2012-6/30/2013	\$34,549.56	\$2,879.13
7/1/2013-6/30/2014	\$35,586.12	\$2,965.51
7/1/2014-6/30/2015	\$36,653.64	\$3,054.47
7/1/2015-6/30/2016	\$37,753.32	\$3,146.11
7/1/2016-6/30/2017	\$38,885.88	\$3,240.49

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.

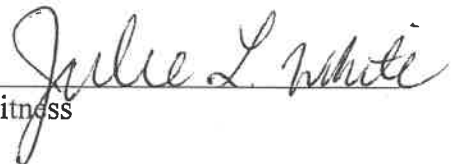
LICENSEE:
APC REALTY AND EQUIPMENT COMPANY, LLC



Witness

BY: 
Name: Nathan Olson
Title: Authorized Representative

Date: 9-16-2011


COUNTY:
MONTGOMERY COUNTY, MARYLAND


Witness

By: 
Name: Diana L. Schwartz
Title: Assistant Chief Administration Officer


Date: 9/30/11

APPROVED AS TO FORM AND
LEGALITY OFFICE OF THE
COUNTY ATTORNEY

By: 
Associate County Attorney

Date: 9/27/11

RECOMMENDED BY:

By: 
Cynthia Brenneman, Director
Office of Real Estate

Date: 9/22/11