

FIRST AMENDMENT TO LEASE AGREEMENT

This First Amendment (First Amendment) dated February 13, 2024 is an amendment to the Lease Agreement dated April 2021 by and between Community Internet Providers, LLC (CIP) and Hopkins County (Lessor) (Agreement), (each a "Party" and, collectively, the "Parties"), and is hereby made a part of and incorporated into the Agreement.

WHEREAS, Point Broadband Fiber Holding, LLC (Point Broadband/Lessee) now owns the assets of CIP;

The Parties wish to amend the Agreement as stated herein;

The Parties agree to perform and comply with the duties, terms, obligations, and responsibilities set forth herein and in the Agreement;

NOW THEREFORE, in consideration of the above recitals, all of which are material to this First Amendment and incorporated herein, and the covenants and conditions contained in this First Amendment, the Parties mutually agree as follows.

1. **Consent.** Lessor acknowledges its consent to the assignment and transfer of the Agreement to Point Broadband effective June 1, 2023. "Point Broadband Fiber Holding, LLC" shall be listed as assignee, have and hold all rights and interests, and perform all duties and responsibilities under the Agreement.

2. **Rent.** Section 5 of the Agreement is replaced in its entirety as follows – Point Broadband shall pay to Lessor monthly Rent totaling \$1,000 during the Term of the Agreement for use of the Site. Rent is allocated as follows:

Hopkins County Commission "North Tower" a/k/a Cooper Lake - \$0.00/month
4040 CR 4772, Sulphur Springs, Texas 75482

Hopkins County Commission "South Tower" a/k/a Coal Mine - \$1,000/month
1120 CR 2309, Sulphur Springs, Texas 75482

3. **Notice.** Notices to Point Broadband shall be sent to:
Billing information to ap@point-broadband.com; and
All other mailings and notices be addressed to –

- donna.mcgriff@point-broadband.com; and
- tom.woody@point-broadband.com; with CC
- john.kemp@point-broadband.com.

4. **Equipment.** CIP shall add a connection to its Equipment at the Site.

5. **General.** If any provision of this First Amendment is inconsistent or conflicting with the Agreement, the following order of priority applies: (1) First Amendment; (2) Agreement. Except as provided in this First Amendment: (1) all terms, covenants, and conditions of the Agreement remain unchanged; (2) these terms supersede and replace all other oral and written representations, understandings, or agreements relating to the amendments herein; and (3) these terms may not be amended except by the mutual written agreement of the Parties. This First Amendment may be executed in separate counterparts, each such counterpart being deemed to be an original instrument, and all counterparts constitute the same agreement.

IN WITNESS WHEREOF, the Parties hereto have the necessary and proper authority and execute this First Amendment on the dates below.

HOPKINS COUNTY, Lessor

Robert Newson
Signature

Robert Newson
Print Name and Position County Judge

2-12-24
Date

POINT BROADBAND FIBER HOLDING, LLC, Lessee

Tom Woody
Signature

Tom Woody, COO - Fixed Wireless
Print Name and Position

2/13/2024
Date

Hopkins County Fire Department



To Whom It May Concern:

This letter serves to provide clarity concerning the Community Internet Provider (CIP)/ Point Broadband infrastructure on the radio communications tower near the Cooper Lake site.

Hopkins County currently does not assess any charges or fees to CIP/Point Broadband to house this internet providing infrastructure at the site. This infrastructure provides several benefits and serves many purposes, including:

- Provides internet service and access to the public safety radio communications infrastructure that is located at the site that provides public safety radio communications access to first responders.
- Provides internet access to the nearby underserved rural population.
- Provides internet access to the Texas Parks & Wildlife Department (TPWD) offices and infrastructure located nearby.
- Provides internet access to the campsites and tourists that visit the TPWD's Cooper Lake State Park, South Sulphur Unit at Jim Chapman Lake, which is a U.S. Army Corp of Engineer Lake.

Hopefully, this letter provides the comprehensibility of the necessity to have this critical communications link housed at this tower, at no cost to the provider, in order to provide the necessary wireless internet access to the critical infrastructure and populations served. Without this internet infrastructure present, a debilitating gap would exist in wireless internet services and public safety communications.

Respectfully,

Hopkins County Fire Marshal/Fire Chief/EMC

Hopkins County Fire Department /Hopkins County Homeland Security Department



February 8, 2024

To Whom It May Concern:

This letter serves to provide clarity concerning the Community Internet Provider (CIP)/ Point Broadband infrastructure on the radio communications tower near the Cooper Lake site.

Hopkins County currently does not assess any charges or fees to CIP/Point Broadband to house this internet providing infrastructure at the site. This infrastructure provides several benefits and serves many purposes, including:

- Provides internet service and access to the public safety radio communications infrastructure that is located at the site that provides public safety radio communications access to first responders.
- Provides internet access to the nearby underserved rural population.
- Provides internet access to the Texas Parks & Wildlife Department (TPWD) offices and infrastructure located nearby.
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Respectfully,

Sincerely,

Robert Newsom, County Judge

