

AMENDMENT TO TOLLING AGREEMENT

**BETWEEN NEW YORK SMSA LIMITED PARTNERSHIP D/B/A VERIZON
WIRELESS,
T-MOBILE NORTHEAST LLC, NEW CINGULAR WIRELESS PCS, LLC AND
TOWNSHIP OF CRANFORD ZONING BOARD OF ADJUSTMENT**

Whereas, New York SMSA Limited Partnership d/b/a Verizon Wireless, T-Mobile Northeast LLC and New Cingular Wireless PCS, LLC (the "Applicants") and the Township of Cranford, Zoning Board of Adjustment (the "Board") entered into a certain Tolling Agreement that was dated December 16, 2019, but executed by the parties on various dates; and

Whereas, the parties wish to amend the Tolling Agreement to add additional hearing dates and to extend the date for the Board's decision on the Applicants' Application until March 16, 2020, and the date for the adoption of the resolution on the Application until March 23, 2020.

IT IS NOW, THEREFORE, AGREED AS FOLLOWS:

1. The Applicants and Board agree that the time for Board action with respect to the Application shall be tolled until March 16, 2020, upon the following revised schedule of additional hearing dates:

- (i) February 10, 2020;
- (ii) February 24, 2020;
- (iii) February 26, 2020;
- (iv) March 2, 2020;
- (v) March 9, 2020; and
- (vi) March 16, 2020.

The Board agrees to act on, the Application and render a decision on or before March 16, 2020.

2. The Board shall be permitted to consider and adopt a resolution memorializing the Board's decision on or before March 23rd, 2020.

3. It shall be deemed a violation of the presumptive 150-day deadline and violation of Applicants' rights for a municipal decision on the Application, if the Board does not act upon the Application on or before March 23, 2020; and in such case, the Applicants shall be permitted to

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BOARD OF ADJUSTMENT**

enforce their rights for a resolution approving the Application, which may allow the Applicants, thereafter, to proceed with the filing of construction permits for the facility in conformity with the Applicants' site plans.


4. The terms and conditions of the Tolling Agreement remain in full force and effect except as to the additional hearing dates, and the new dates for decision and resolution as set forth herein. The parties remain free to amend this tolling agreement, but the amendments must be in writing and signed by all parties. The parties will use their best efforts to resolve scheduling conflicts.

5. This Agreement shall not alter any right not specifically set forth herein and the parties' assent to the terms of this Agreement shall not be deemed to be a waiver of any right, or claim, or defense a party may legally have or otherwise be permitted to advance.

NEW YORK SMSA LIMITED PARTNERSHIP
D/B/A VERIZON WIRELESS

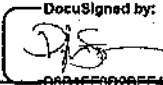
TOWNSHIP OF CRANFORD ZONING BOARD
OF ADJUSTMENT

By: 

By: 

Dated: 3-2-20

Dated: 2/24/2020

T-MOBILE NORTHEAST LLC
By: 
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NEW CINGULAR WIRELESS PCS, LLC
By: 

Dated: 3/2/2020 | 3:38 PM PST

Dated: 3/3/2020

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