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Daneen Schindler, RECORDER/REGISTRAR  
DELAWARE COUNTY IOWA

After Recording Please Return To:

Roberts & Eddy, P.C.

(X) Attn: Stephanie A. Sailer, Associate Attorney  
2349 Jamestown Avenue, Suite 4  
Independence, IA 50644  
(319) 334-3704

PARCEL ID: 140330002230 & 140330002209

**WAIVER OF RIGHT OF FIRST REFUSAL**

THIS WAIVER OF RIGHT OF FIRST REFUSAL ("Waiver") is dated September 8, 2021, by TV6 Holdings LLC, a Delaware limited liability company, ("SBA"), having its principal office and place of business located at 8051 Congress Avenue, Boca Raton, Florida, 33487.

A. Curtis D. Maurer and Mary A. Maurer, husband and wife, as Grantor, and SBA, as Grantee, entered into that certain Easement Agreement, recorded June 8, 2017, in Book 2017, Page 1581 in the Office of the Recorder of Delaware County, Iowa ("Easement Agreement"), for SBA's use of a portion of the real property located at 1881 215<sup>th</sup> Street, Manchester, Iowa 52057 ("Premises"), more particularly described in Exhibit "A" for the construction and operation of a wireless communication facility;

B. Pursuant to Section 27 of the Easement Agreement, Grantor granted to SBA certain rights of first refusal ("ROFR") to purchase the Premises;

C. Grantor is under contract to sell the Premises to Al Krogmann, pursuant to that certain Offer to Buy Real Estate and Acceptance, dated May 2, 2021, and has requested that SBA waive its ROFR; and

D. SBA hereby agrees to waive its ROFR solely for the referenced transaction and only as such transaction is described and referenced above. This Waiver does not apply to future transactions on any part of the Premises and does not waive or restrict any rights of SBA, its successors and/or assigns.

**[The remainder of this page is intentionally left blank. Signatures to follow.]**

IN WITNESS WHEREOF, this Waiver of Right of First Refusal has been signed and delivered as of the date and year set forth above.

SBA:

TV6 HOLDINGS LLC, a Delaware limited liability company

Michelle Pamplona  
Print Name: Michelle Pamplona

Denise M. Scherer  
Print Name: DENISE M. SCHERER

By: Martin Aljovin  
Martin Aljovin  
Vice President – Asset Optimization

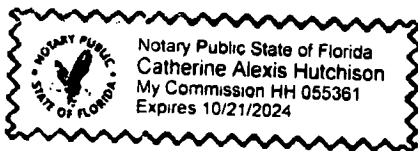
STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of [X] physical presence or [ ] online notarization, this 8<sup>th</sup> day of September, 2021 by Martin Aljovin, Vice President – Asset Optimization of TV6 Holdings LLC, a Delaware limited liability company. He is personally known to me and did not take an oath.

Catherine Hutchison  
Notary Public  
Print Name: Catherine Hutchison  
My Commission Expires: 10.21.24

(NOTARY SEAL)



## EXHIBIT "A"

### Premises

All that part of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section Thirty Three (33) lying North of the center of Delhi and West Union State Road and South of the Dubuque and Sioux City Railroad right-of-way, except that part described as commencing at the center of said Section Thirty Three (33) and running thence North 570.7 feet, thence South 53° 46' East 70.7 feet, thence South 76° 08' East 1167.0 feet to the point of beginning, thence South 7° 22' West 33.2 feet, thence South 76° 08' East 178.8 feet, thence North 6° 22' East 218.3 feet, thence North 82° 38' West 174.8 feet, thence South 7° 22' West 163.6 feet to the point of beginning, and further except that part described as Parcel A, Part of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section Thirty-three (33), Township Eighty-nine (89) North, Range Five (5) West of the Fifth Principal Meridian, Delaware County, Iowa, containing 10.24 acres, according to plat recorded in Book 6 Plats, Page 145; and all that part of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) lying North of the center of the Delhi and West Union State Road; all in Section 33, Township Eighty Nine (89) North, Range Five (5) West of the 5th P.M., Except: Lot Six (6) of Maurer Family Subdivision, a Subdivision of part of the NE $\frac{1}{4}$  and SE $\frac{1}{4}$  of Section 33, a Subdivision of part of the NW $\frac{1}{4}$  and SW $\frac{1}{4}$  of Section 34, all in T89N, R5W of the Fifth P.M., Delaware County, Iowa, also known as Lot 5 of Maurer Family Subdivision, according to plat recorded in Book 2009, Page 1713.

AND BEING the same property conveyed to Curtis D. Maurer and Mary A. Maurer from Donald E. Maurer and Gail M. Maurer by Warranty Deed - Joint Tenancy dated April 13, 2010 and recorded April 16, 2010 in Deed Book 2010, Page 1110.

Tax Parcel Nos. 140330002230, 140330002209