

SWITCH BUSINESS SOLUTIONS, LLC

FIRST AMENDMENT TO REVOCABLE RIGHTS-OF-WAY LICENSE AGREEMENT

This First Amendment to Revocable Rights-of-Way License Agreement (this "Amendment") is made as of January 5, 2009 (the "Effective Date"), by and between Clark County, Nevada, a political subdivision of the State of Nevada ("County") and Switch Business Solutions, LLC, a Nevada limited liability company ("Licensee") authorized to do business in the State of Nevada.

RECITALS

A. Whereas, Licensee and County are parties to that certain Revocable Rights-of-Way License Agreement effective as of October 21, 2008 (the "ROW Agreement"); and

B. Whereas, pursuant to Section 2.5 of the ROW Agreement, the Licensee desires to expand its license to include additional rights-of-way by submitting in writing to the County Manager a request to amend the ROW Agreement and including an amendment to the map labeled as Exhibit B, identifying rights-of-way approved in this ROW Agreement and the expanded rights-of-way being requested.

C. Whereas, pursuant to Section 2.5 of the ROW Agreement, the County Manager may approve a request for expansion of license based on rights-of-way availability, street cut limitations and public improvements planned in the rights-of-way requested

NOW THEREFORE, in consideration of the mutual promises, covenants and conditions hereinafter set forth, the parties hereto agree to as follows:

1. Defined Terms and Recitals. Capitalized terms not defined herein shall have the meaning given to them in the ROW Agreement.
2. Supplement to Exhibit B. Exhibit B is hereby amended to include the streets and rights-of-way located within the area bounded by, and including the streets of, Badura Avenue, Decatur Boulevard, Warm Springs Road and Lindell Road, as further identified in Exhibit 1 attached hereto.
3. Section 2.7. Section 2.7 is hereby removed and replaced with following language:

"Licensee acknowledges that this Agreement is for installation of facilities in the rights-of-way as identified in Exhibit B to provide interconnectivity and power for its data center colocation facilities and, other than Licensee's customers, does not authorize Licensee, or permit the use by other persons, to provide any other services, without first amending this Agreement or applying for a franchise agreement and complying with the provisions of NRS 709.050 through 709.170."

4. Ratification. Except as modified by this Amendment, the ROW Agreement is hereby ratified and remains in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the Effective Date.

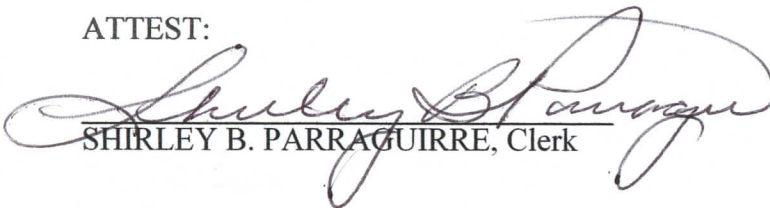
CLARK COUNTY BOARD OF COMMISSIONERS

By



RORY REID, Chairman

ATTEST:



SHIRLEY B. PARRAGUIRRE, Clerk

APPROVED AS TO FORM:
DISTRICT ATTORNEY

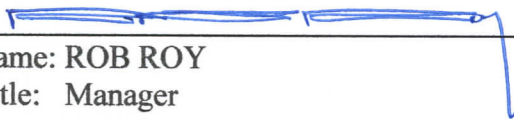


By: MARK E. WOOD

Deputy District Attorney

SWITCH BUSINESS SOLUTIONS, LLC

By:



Name: ROB ROY

Title: Manager

EXHIBIT B



Switch Business Solutions, LLC
ROW License Agreement Area
Boundary of Lindell Rd., W. Badura Ave., S. Decatur Blvd. and W. Warm Springs Rd.

EXHIBIT A

September 3, 2008

Clark County Administrative Services
Franchise Services Division
500 S. Grand Central Parkway, 6th Floor
Las Vegas, NV 89155-1712

Re: Clark County Franchise Application

Dear Sir/Madam,

I am writing today in connection with the application by Switch Business Solutions, LLC ("SBS") to Clark County for a Rights-of-Way License Agreement (the "License Agreement"). The License Agreement would permit SBS to install fiber optic cable within certain public rights of way located in the Beltway Business Park in Las Vegas, Nevada (the "Licensed Area").

SBS's parent company, Switch Communications Group L.L.C. ("Switch"), is the owner of an existing data center located at 4495 East Sahara Ave., Las Vegas, Nevada, 89104 and commonly known as "NAP4." Switch is also constructing a new data center located at 7135 South Decatur Blvd., Las Vegas, Nevada 89118 and commonly known as "NAP7". The purpose of the requested License Agreement is to facilitate the installation of fiber optic cable interconnecting NAP4 and NAP7.

SBS is licensed by the Clark County Business License Department to provide internet and data services within Clark County (license no. 2000067-413-103).

SBS has no agreements or understandings with respect to SBS acting as an agent or representative of another person regarding the Licensed Area.

SBS is a limited liability company organized under the laws of the State of Nevada. The following is a list of certain current officers: Rob Roy, Chief Executive Officer; Jeff Ames, Chief Technology Officer; Darren Adair, Chief Financial Officer; Thomas Morton, General Counsel.

None of the officers of SBS or Switch has had a franchise or rights-of-way license declined, suspended or revoked.

Switch Business Solutions, LLC
P.O. Box 42250, Las Vegas, NV 89116

Phone: 702-444-4000 Fax 702-444-9546
4495 E. Sahara Avenue, Las Vegas, NV 89104

Clark County Administrative Services
Franchise Services Division
September 3, 2008
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No persons at this time will be using SBS's facilities within the License Area to provide subscription service.

Rob Roy, Chief Executive Officer, makes this application on behalf of SBS. The License Agreement is to be exercised within Las Vegas, Nevada.

SBS respectfully requests that the security for performance bond be set by the Clark County Board of Commissioners at twenty-five thousand dollars (\$25,000). This is SBS' first application for a License Agreement and it is for a small area. SBS does not plan to make any additional requests of this nature in the foreseeable future.

Thank you for your time and consideration of this application.

Respectfully submitted,



Rob Roy
Chief Executive Officer
Switch Business Solutions, LLC

EXHIBIT B

