

RESOLUTION NO. 2021-110

RESOLUTION OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN ADDENDUM TO THE LAND LEASE AND TOWER REVENUE SHARING AGREEMENT WITH CTI TOWERS ASSETS II, LLC

WHEREAS, the Township of Little Egg Harbor and Council Tree Communications, LLC, previously entered into a Land Lease and Tower Revenue Sharing Agreement (the “Agreement”) on February 24, 2000, after public auction and bid, pursuant to Resolution 2000-085, for the purpose of leasing certain property within the Township for the construction and maintenance of a communications tower; and

WHEREAS, the Agreement was amended pursuant to Resolution 2000-199, by Addendum dated July 5, 2000; and

WHEREAS, by Resolution 2014-229, the Township authorized the execution of a further Addendum to said Agreement with the successor to Council Tree Communications, LLC, namely, Telemundo Mid-Atlantic, LLC, so as to memorialize terms relating to the Township’s obligation to hold payments made by the Lessee for a fund to underwrite tower removal and demolition expenses; and

WHEREAS, pursuant to the original Agreement, Paragraph 2(A), the term of the lease was for twenty (20) years with a right to renew the lease for two ten (10) year terms and the commencement date of the lease began on August 30, 2000, the date the Township building permit 00-1636 was issued; and

WHEREAS, under the terms of the Agreement, written notice of each renewal shall be at least six months prior to the expiration of the prior term; and

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WHEREAS, on February 3, 2020, CTI, as successor to Telemundo MidAtlantic, formally notified the Township of its intent to renew the lease, which was at least six months prior to August 30, 2020, the expiration of the prior term ; and

WHEREAS, the Township desires to extend the Agreement for ten (10) years, until August 30, 2030; and

WHEREAS, it is the desire of the governing body to execute the Addendum to the Agreement and Tower Revenue Sharing Agreement with CTI, the Lessee.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, as follows:

1. That the governing body does hereby authorize the execution of an Addendum to the Land Lease and Tower Revenue Sharing Agreement with CTI, in a form acceptable to the Township Attorney.
3. That the Mayor is hereby authorized to execute and the Township Clerk to attest to the Addendum to the Land Lease and Tower Revenue Sharing Agreement with CTI.
4. That a certified copy of this resolution shall be forwarded to the Chief Financial Officer, the interim Township Administrator and CTI.

CERTIFICATION

I, SUSAN M. FARRELL, RMC, Deputy Municipal Clerk of the Township of Little Egg Harbor do hereby certify that the foregoing resolution was duly adopted by the Township of Little Egg Harbor Township Committee at a meeting held on the **13th** day of **May, 2021**.



Susan M. Farrell, Deputy Township Clerk
Little Egg Harbor Township

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