

BILL NO. 22-82

AN ORDINANCE APPROVING THE SECOND AMENDMENT TO A REAL PROPERTY AND MONOPOLE LEASE AGREEMENT BETWEEN THE CITY OF LEE'S SUMMIT AND T-MOBILE CENTRAL, LLC, TO INCREASE THE ANNUAL RENT, AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME.

WHEREAS, the City of Lee's Summit (the "City") and T-Mobile Central LLC's ("T-Mobile"), the predecessor company to APT Kansas City, Inc., entered into a real property and monopole lease agreement executed on April 23, 1997 ("Lease") authorizing T-Mobile to build a monopole at the Fire Department Headquarters addressed as 207 SE Douglas Street and attach telecommunications facilities to such monopole; and,

WHEREAS, the Lease was amended on August 23, 2017, pursuant to Ordinance No. 8226, to extend the Lease term and increase the annual rent; and,

WHEREAS, the City and T-Mobile desire to further amend the Lease to increase T-Mobile's annual rent to cover the additional facilities it is attaching to the monopole.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. The City Council approves the Second Amendment to a Real Property and Monopole Lease Agreement between the City of Lee's Summit and T-Mobile Central, LLC, attached as Exhibit A and incorporated herein by reference, and authorizes the Mayor to execute the same, in substantially the same form as the attached, on behalf of the City.

SECTION 2. This Ordinance shall be in full force and effect from and after the date of its passage, adoption, and approval by the Mayor.

SECTION 3. Should any section, sentence, or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences or clauses.

PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2022.

ATTEST:

Mayor *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

BILL NO. 22-82

APPROVED by the Mayor of said city this _____ day of _____, 2022.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*