

BILL NO. 21-226

AN ORDINANCE AUTHORIZING THE FIRST AMENDMENT TO REAL PROPERTY AND TOWER SITE LEASE BY AND BETWEEN THE CITY OF LEE'S SUMMIT AND T-MOBILE CENTRAL, LLC ADJUSTING EQUIPMENT MOUNTING LOCATIONS FOR TELECOMMUNICATION EQUIPMENT INSTALLED ON THE CITY'S WATER STORAGE TOWER LOCATED AT 1251 SE RANSON ROAD AND AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR THE SAME.

WHEREAS, the City of Lee's Summit, Missouri ("City") currently owns a parcel of land at 1251 SE Ranson Road in the City of Lee's Summit Missouri ("Property"); and,

WHEREAS, the City currently owns a water storage tower located on said Property; and,

WHEREAS, T-Mobile Central LLC ("T-Mobile") currently leases from the City a portion of the Property and Tower Facilities for the purpose of constructing, installing, maintaining, operating, and removing at T-Mobile's expense, a directional antenna, connecting cables, support structures, and related site equipment for communication facilities; and,

WHEREAS, T-Mobile wishes to change the location of its equipment from the location shown in the exhibit of the April 24, 2007 Lease, to the location shown in Exhibit A in the Amendment to said lease attached hereto as Exhibit 1; and,

WHEREAS, said original location was approved by the City Council and therefore requires Council approval for modification.

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

SECTION 1. The City Council of the City of Lee's Summit, Missouri, hereby approves the First Amendment to Real Property and Tower Site Lease for 1251 SE Ranson Road by and between the City of Lee's Summit and T-Mobile Central LLC, substantially similar to said addendum agreement attached hereto as "Exhibit 1".

SECTION 2. The City Council of the City of Lee's Summit, Missouri, hereby authorizes the Mayor, to execute the same on behalf of the City of Lee's Summit, Missouri.

SECTION 3. The Mayor, is further authorized to take such further action and execute such documents as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

SECTION 4. This Ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

SECTION 5. 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.

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PASSED by the City Council of the City of Lee's Summit, Missouri, this ____ day of _____, 2021.

Mayor *William A. Baird*

ATTEST

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this _____ day of _____, 2021.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*