



## Legislation Text

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**File #:** 86576, **Version:** 1

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### **Fiscal Note**

The resolution authorizes an option and license agreement between the City and DISH Wireless LLC. Under the agreement, Dish Wireless LLC will pay rent to the City for the installation of telecommunications equipment on a tower owned by the City. The monthly rent is \$2,550 in the first year and will increase by 3% annually. The revenue from this license agreement will be deposited into the General Fund. The rent schedule is described in the attached Exhibit A.

### **Title**

Authorizing the execution of an Option and License Agreement with DISH Wireless L.L.C., a Colorado limited liability company, for premises at the Larkin Communications Tower located at 125 Larkin Street. (District 5)

### **Body**

WHEREAS, the City is the owner of the communications tower located at 125 Larkin Street, Madison, Wisconsin ("Tower"), and depicted on attached Exhibit B ("Property"); and

WHEREAS, DISH Wireless L.L.C. ("Licensee") has requested that the City allow it to install telecommunications equipment on the Tower; and

WHEREAS, the terms of a license have been negotiated between Licensee and City of Madison Office of Real Estate Services staff, which allows Licensee to license a certain portion of the Property containing approximately seventy five (75) square feet, including the air space above such ground space, and a certain portion of the Tower (the "Premises") for the placement of a Communication Facility; and

WHEREAS, the City Attorney's office has reviewed and approved the license as to form.

NOW, THEREFORE, BE IT RESOLVED that the City's Common Council hereby authorizes the Mayor and Clerk to execute the Option and Licensee Agreement attached hereto as Exhibit C, substantially on the terms, conditions and obligations contained therein, and take any further action required to accomplish the purpose of this resolution in a form approved by the City Attorney.

BE IT FURTHER RESOLVED, the Mayor and Clerk are authorized to execute any other documents as may be necessary to carry out the purposes of this resolution in a form approved by the City Attorney.

BE IT FURTHER RESOLVED, that the Manager of the Office of Real Estate Services is authorized to sign a Memorandum of Lease, in a form approved by the City Attorney, to be recorded at the office of the Register of Deeds.