

RESOLUTION

WHEREAS, on Tuesday, April 14, 2015, the Township Council passed Resolution 115-15 whereby it approved the execution of a Land Lease Agreement with New York SMSA Limited Partnership d/b/a Verizon Wireless (“Verizon”) to utilize the 125 foot stealth tree telecommunications monopole (the “Monopole”) at the West Orange Woodlands Fire House located at 280 Pleasant Valley Way, Block 152.07, Lot 1 within the Township of West Orange as a co-tenant utilizing the Monopole; and

WHEREAS pursuant to the terms of the original Ground Lease Agreement with Sprint Spectrum, LP that governs the addition of co-tenants utilizing the Monopole, any new co-tenants must execute a Co-Location agreement with Sprint Spectrum, LP subject to approval and execution by the Township; and

WHEREAS Verizon and Sprint Spectrum, LP and negotiated and agreed to terms for a co-location agreement (the “Co-Location Agreement”) annexed hereto as Attachment “**A**,” and

WHEREAS the Co-Location agreement states that Verizon and Sprint shall remain primarily liable for their respective obligations under their respective Land Lease Agreements; and

WHEREAS the Co-Location agreement does not create any new or additional obligations for the Township of West Orange beyond the terms and conditions within the Ground Lease Agreement with Sprint Spectrum, LP and the Land Lease Agreement with Verizon; and

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, that the Mayor shall be and hereby is authorized to execute the Co-Location Agreement annexed hereto as Attachment “**A**”, and the Municipal Clerk shall be and hereby is authorized to attest to the Mayor’s signature; and

BE IT FURTHER RESOLVED, that the original fully executed copy of the Co-Location Agreement shall be maintained by the Municipal Clerk.

Karen J. Carnevale
Municipal Clerk

Jerry Guarino
Council President

Adopted: April 28, 2015