

RESOLUTION

WHEREAS, on or about February 28, 2006, the Township of West Orange (the “Township”) entered into a Lease Agreement (the “Lease”) and Co-Location Agreement, annexed hereto as Exhibit “A,” with Omnipoint Communications, Inc. (“Omnipoint”) which allowed Omnipoint to install a 150-foot cellular tree monopole (the “Monopole”) on the property adjacent to the West Orange Recycling Center on block 170, Lot 5.01 on the West Orange Tax Map; and

WHEREAS, Omnipoint merged into Omnipoint Facilities Network 1, LLC then again into T-Mobile Northeast LLC, and

WHEREAS, T-Mobile Northeast then assigned its interest in the Lease and Co-Location Agreement to T-Mobile USA Tower LLC; and

WHEREAS, T-Mobile USA Tower LLC then subleased to CCTMO LLC who has power of attorney for T-Mobile USA Tower LLC (“CCTMO”); and

WHEREAS, pursuant to Paragraph 6 of the Lease, CCTMO requires the Township’s consent prior to the subleasing of space on the Monopole; and

WHEREAS, CCTMO has requested the Township’s consent to sublease space on the Monopole to Sprint Spectrum, L.P. (“Sprint”) as set forth in a letter annexed hereto as Exhibit “B;” and

WHEREAS, CCTMO has advised that the expected rent from Sprint will be \$1,950 per month; and

WHEREAS, pursuant to paragraph 2(b) of the Co-Location Agreement, the Township is entitled the rent from any sublease of space on the Monopole.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE that the Township is authorized to consent to the sublease as set forth in Exhibit “B;” and be it further

RESOLVED that the Mayor shall be authorized to execute the letter annexed hereto as Exhibit **“B.”**

Karen J. Carnevale, R.M.C.
Township Clerk

Susan McCartney
Council President

Adopted: October 16, 2018