



## Legislation Text

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**File #:** RES 15-1643, **Version:** 1

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Approving and authorizing execution of an Amendment No. 2 to Site Lease Agreement between the Board of Water Commissioners and Verizon Wireless (VAW) LLC d/b/a Verizon Wireless to provide for the installation of underground fiber optic cable at the Cottage Avenue Standpipe site located at 2095 Clear Avenue in Saint Paul.

WHEREAS, the City of Saint Paul does possess fee simple title to the water tower site commonly known as the Cottage Avenue Standpipe located at 2095 Clear Avenue, Saint Paul, Minnesota (the "Property"), such possession of title being for benefit of the Board of Water Commissioners of the City of Saint Paul (the "Board"); and

WHEREAS, the Board approved a Water Tower Site Lease Agreement dated March 10, 1998 whereby the Board leased space to US West Wireless L.L.C. for the operation of wireless communication equipment at the Property (the "Lease"); and

WHEREAS, Verizon Wireless (VAW) LLC d/b/a Verizon Wireless ("Verizon") assumed the Lease in 2005 and has since 2007 been operating its own wireless equipment within the leased premises; and

WHEREAS, the parties entered into Amendment No. 1 to Water Tower Site Lease Agreement dated September 3, 2014, which provided for additional wireless equipment and a proportionate increase in annual rent; and

WHEREAS, the Board did adopt Resolution No. 15-1627 approving an Amendment No. 2 to Water Tower Site Lease Agreement, which provides for the installation of a fiber optic cable within a non-exclusive easement, and which requests that the Honorable Council of the City of Saint Paul approve said Amendment No. 2; now, therefore, be it

RESOLVED, that Amendment No. 2 to Site Lease Agreement between the Board of Water Commissioners of the City of Saint Paul and Verizon Wireless (VAW) LLC d/b/a Verizon Wireless providing for the installation of a fiber optic cable at the Board's Cottage Avenue Standpipe site located at 2095 Clear Avenue in Saint Paul, Minnesota is hereby approved, and that the proper officers are hereby authorized and directed to execute said Amendment No. 2 on behalf of the City of Saint Paul.