

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number \_\_\_\_\_

Meeting Type: Regular

Meeting Date: 10/24/2013

Action Requested By:  
Legal

Agenda Item Type  
Resolution

Subject Matter:

Resolution authorizing the five-year extension of a Sublease Agreement between the City of Huntsville and Crown Castle GT Company, L.L.C., concerning the communications tower at the Metro Sportsplex.

Exact Wording for the Agenda:

Resolution authorizing the five-year extension of a Sublease Agreement between the City of Huntsville and Crown Castle GT Company, L.L.C., concerning the communications tower at the Metro Sportsplex.

**Note: If amendment, please state title and number of the original**

Item to be considered for: Action

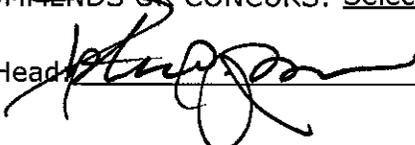
Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

Associated Cost: N/A

Budgeted Item: Not applicable

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: 

Date: 10-15-13

**RESOLUTION NO. 13-\_\_\_\_**

**WHEREAS**, on or about December 17, 1998, the City of Huntsville, Alabama (“City”) entered into that certain sublease entitled: *Sublease Agreement between the City of Huntsville and GTE Mobilnet of Huntsville, Incorporated* (“Sublease”); and

**WHEREAS**, with the consent of the City, GTE Mobilnet of Huntsville, Inc. transferred and assigned its rights and obligations under the Sublease to Crown Castle GT Company, L.L.C. (Crown Castle”); and

**WHEREAS**, in accordance with the Sublease, Crown Castle, subject to the City’s permission, has requested that the term of the Sublease be extended for an additional five (5) years commencing on December 17, 2013, and ending on December 17, 2018; and

**WHEREAS**, the City Council for the City of Huntsville, Alabama, desires to give its permission to extend the term of the Sublease for another 5 years; and

**WHEREAS**, the Subleased premises are a part of premises which were leased to the City by the Alabama Space Science Exhibit Commission (“ASSEC”) under an original lease dated April 23, 1981, and under a now-current long-term lease recorded in the Real Estate Records of the Probate Judge’s Office of Madison County, Alabama as Document No. 20100805000436200 (“Lease”), which expires according to its terms on July 31, 2084; and

**WHEREAS**, the Sublease is and shall remain subject to the Lease, its covenants, terms, and conditions.

**NOW THEREFORE BE IT RESOLVED**, that, based on the foregoing premises which are specifically incorporated herein and made a part hereof, the City Council for the City of Huntsville, Alabama, hereby gives its express permission to extend the Sublease term for an additional five-year term commencing on December 17, 2013, and ending on December 17, 2018, unless otherwise further extended in accordance with the terms of the Sublease, subject to the Lease, its covenants, terms, and conditions.

**ADOPTED** this the \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
President of the City Council of the  
City of Huntsville, Alabama

**APPROVED** this the \_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Mayor of the City of  
Huntsville, Alabama