

Councilmember introduced the following resolution and moved for its adoption:

**RESOLUTION #15-10-265**

**RESOLUTION RECONFIRMING LEASE WITH SBA MONARCH TOWERS II, LLC WITH RESPECT TO CERTAIN REAL PROPERTY LOCATED AT 6600 ALPINE DRIVE NW, RAMSEY, MN 55303 – SITE ID #: MN41323-A – SITE NAME: ALPINE PARK AND AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE THE PROPER DOCUMENTS**

**WHEREAS**, in June 2008, the City of Ramsey, A Minnesota municipal corporation, as lessor, entered into a lease with T-Mobile Central, LLC, a Delaware limited liability company, as lessee, for the purpose of constructing a 165-foot high monopole communications tower and locating broadcast facilities equipment, together with a non-exclusive easement across the Property for access, and non-exclusive easements to run utility lines and cables; and

**WHEREAS**, in November 2008, as assigned by an Assignment and Assumption of Prime Lease, by T-Mobile Central, LLC, a Delaware limited liability company, as assignor, to Mobilitie Investments II, LLC, a Delaware limited liability company, as assignee, as may have been, or may hereafter be assigned or amended; and

**WHEREAS**, Mobilitie Investments II, LLC, a Delaware limited liability company, has been recently acquired by SBA Communications Corporation, and changed its name to SBA Monarch Towers II, LLC, a Delaware limited liability company (SBA); and

**WHEREAS**, SBA is recording the rights of the Tenant Leases on their Cell Tower which requires a resolution from the City of Ramsey confirming the lease and directing the Mayor and the City Clerk to execute the proper documents, as required for Torrens property; and

**WHEREAS**, the Ramsey City Council adopted Resolution #14-05-087 on May 13, 2014, confirming the terms of the lease and authorizing the Mayor and City Clerk to execute the paperwork; and

**WHEREAS**, the paperwork was actually executed by the Mayor and City Administrator; therefore, the Anoka County Recorder's Office was unable to allow the document to be recorded; and

**WHEREAS**, Ramsey City staff contacted Anoka County to determine what steps needed to be taken to allow for recording of the lease and the two options were to have the lease re-signed or to have the Ramsey City Council adopt a new resolution authorizing the Mayor and City Administrator to execute the land lease. This resolution confirms the latter option.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:**

1. That the City Council of the City of Ramsey hereby reconfirms the terms of the lease as outlined in the Confirmation and Memorandum of Lease and was first confirmed on May 14, 2014.

2. That the Mayor and City Administrator are directed to execute the proper documents to confirm the terms of the lease.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember , and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

Whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 27<sup>th</sup> day of October, 2015.

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Mayor

ATTEST:

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City Clerk