

ORDINANCE NO. O2015.03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AUTHORIZING A THIRD AMENDMENT TO COMMUNICATIONS SITE LEASE WITH AMERICAN TOWER ASSET SUB, LLC (SUCCESSOR IN INTEREST TO C-CALL CORP.)

R E C I T A L S:

WHEREAS, Section 2.11(g), Tempe City Charter, requires an ordinance to convey or authorize the conveyance or lease of any lands in the City of Tempe; and

WHEREAS, it is in the best interests of the City of Tempe to lease to American Tower Asset Sub, LLC (“American Tower”) the City owned real property as described in attached Exhibit A in return for the consideration specified in the attached Third Amendment to Communications Site Lease;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

Section 1. That the Third Amendment to Communications Site Lease with American Tower Asset Sub, LLC (“Third Amendment”) for the real property described on the attached Exhibit A presented to the City Council is hereby authorized, approved, and ratified.

Section 2. That the Mayor of the City of Tempe is hereby authorized and directed to execute the Third Amendment and other such documents deemed necessary and/or desirable, for the lease of the real property.

Section 3. Pursuant to City Charter, Section 2.12, this ordinance will be effective thirty (30) days after adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, this _____ day of January, 2015.

Mark W. Mitchell, Mayor

ATTEST:

Brigitta M. Kuiper, City Clerk

APPROVED AS TO FORM:

Judith R. Baumann, City Attorney