

**CITY OF O'FALLON, ILLINOIS
RESOLUTION 2008 -**

**AUTHORIZING THE MAYOR TO SIGN AN ACKNOWLEDGEMENT AND
AMENDMENT AGREEMENT WITH TOWERCO ASSETS, LLC**

WHEREAS, Tower Co. Assets, LLC, has acquired the lease rights from Sprint Spectrum, L.P., on the existing cell tower flag pole on Green Mount road and desires to lease back the antenna array to Sprint.

WHEREAS, a proposed Acknowledgement and Amendment Agreement has been filed with the City of O'Fallon by Tower Co Assets, LLC, a Delaware limited liability company, for the purpose of amending the lease between the City of O'Fallon and Spring Spectrum L.P., a Delaware corporation; and

WHEREAS, the lease has been reviewed by the City and found to be beneficial to the public welfare; and

**NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL
OF THE CITY OF O'FALLON, ILLINOIS THAT:**

- 1) The Mayor is authorized to sign an Acknowledgement and Amendment Agreement between the City of O'Fallon and TowerCo Assets, LLC, in substantially the form of the agreement attached to and made an integral and continuing part of this resolution by reference.
- 2) The City of O'Fallon hereby agrees with all terms and conditions as indicated therein.
- 3) This resolution shall be come effective immediately upon its adoption by the City Council.

Resolved by the Mayor and City Council of the City of O'Fallon this _____ day of _____, 2008.

Approved:

Gary L. Graham, Mayor

Attest:

Philip A. Goodwin, City Clerk