

RESOLUTION NO. 8-2018

A RESOLUTION AUTHORIZING THE RICHFIELD JOINT RECREATION DISTRICT TO AMEND CELL TOWER LEASE

WHEREAS, the Board of Trustees of the Richfield Joint Recreation District has concluded negotiations with American Tower, as agent and representative for GTP Towers IV, LLC, the Delaware limited liability company which is the successor to AT&T Wireless PCS, Inc., the tenant under the cell tower lease (the "Lease") affecting property at the southwest corner of Richfield Heritage Preserve (the "Park") and originally dated July 31, 1996; and

WHEREAS, the terms of the amendment include (a) the temporary reduction of monthly rent under the Lease to \$612.16 per month, continuing until such time as the tenant secures a user for space on the tower (and increasing, in any event, by fifteen percent (15%), on March 22, 2022, and at five year intervals thereafter), at which time monthly rent will increase by the sum of \$262.25; (b) giving the tenant additional, optional, five (5) year renewal terms which, if exercised, could extend the term for thirty years after its scheduled expiration in February, 2027, (c) increasing rent payable under the Lease by an amount equal to fifteen percent (15%) of the rent payable by the second and each subsequent user of space on the tower (and establishing procedures necessary for the calculation and verification of such additional users and additional rent), and (d) permitting the Board to have access to the tower, free of rent or other usage charges but subject to customary operational requirements applicable to all other tower users, for communications or security devices useful for Park operations, following the date on which a commercial user for tower space is secured by the tenant.

BE IT RESOLVED by the Board of Trustees of the Richfield Joint Recreation District, County of Summit, State of Ohio:

SECTION 1. That the Board of Trustees authorizes the Chairman or any Trustee designated by the Chairman to complete the amendment of the Lease on the terms described above by signing the Third Amendment to Option and Site Lease Agreement in the form attached as Exhibit A to this Resolution, and by taking such other actions consistent with the foregoing that the Chairman or such Trustee may determine to be necessary or appropriate in connection therewith.

SECTION 2. That this Board finds and determines that all formal actions of this Board concerning and relating to this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in those formal actions were in meetings open to the public in compliance with applicable law.

SECTION 3. That this Resolution shall be in full force and effect from and immediately upon its adoption.

4-23-18

Date Passed

Robert J. Bl

Chairman

Attest:

W. S. C.

Secretary