



## **RESOLUTION**

**APPROVING A FIRST AMENDMENT TO THE SITE LEASE AGREEMENT WITH  
SPRINT SPECTRUM L.P. RELATIVE TO ITS WIRELESS COMMUNICATIONS SITE  
LOCATED IN MINE FALLS PARK**

### ***CITY OF NASHUA***

*In the Year Two Thousand and Twelve*

**RESOLVED** by the Board of Aldermen of the City of Nashua that the Mayor is authorized to enter into an "Amendment No. One to Site License Agreement", in substantially the same form as the attached, to the "Site Lease Agreement" with Sprint Spectrum Realty Company L.P. for modification of its installation of antennas and other equipment at its wireless communications site located on the city's cell tower at Mine Falls Park off Whipple Street.

**LEGISLATIVE YEAR 2012**

**RESOLUTION:** R-12-077

**PURPOSE:** Approving a first amendment to the Site Lease Agreement with Sprint Spectrum L.P. relative to its wireless communications site located in Mine Falls Park

**SPONSOR(S):** Mayor Donnalee Lozeau

**COMMITTEE  
ASSIGNMENT:**

**FISCAL NOTE:** The amendment provides for a \$250 per month rent increase to the city.

---

**ANALYSIS**

This resolution approves a first amendment to the Site Lease Agreement between Sprint Spectrum L.P. and the City of Nashua. The Lease Agreement is for a wireless communications installation located on the city's cell tower at Mine Falls Park off Whipple Street. Under the proposed amendment, the lessee will be performing a modification of its installation of antennas and other equipment at the site and have agreed to increase their monthly rent by \$250.00.

This resolution should be referred to the Board of Public Works.

---

**Approved as to form:** Office of Corporation Counsel

By: Dowley Clarke

Date: October 4, 2012



With a mandatory copy to:

Sprint/Nextel Law Department  
Sprint Site ID: BS43XC821  
Mailstop KSOPHT0101-Z2020  
6391 Sprint Parkway  
Overland Park, Kansas 66251-2020  
Attn.: Real Estate Attorney

4. **General Terms and Conditions.**

a. All capitalized terms used in this Amendment, unless otherwise defined herein, will have the same meaning as the terms contained in the Agreement.

b. In case of any inconsistencies between the terms and conditions contained in the Agreement and the terms and conditions contained in this Amendment, the terms and conditions herein will control. Except as set forth below, all provisions of the Agreement are ratified and remain unchanged and in full force and effect.

c. This Amendment may be executed in duplicate counterparts, each of which will be deemed an original.

d. Each of the parties represents and warrants that it has the right, power, legal capacity and authority to enter into and perform its respective obligations under this Amendment.

**\*\*\*SIGNATURES ON FOLLOWING PAGE\*\*\***

The parties have executed this Amendment as of the Effective Date.

**Lessor:**  
City of Nashua

**Lessee:**  
Sprint Spectrum Realty Company, L.P

By: \_\_\_\_\_

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_  
(Date must be completed)

Date: \_\_\_\_\_  
(Date must be completed)

**Exhibit B-1**

**Equipment**

**The following Equipment together with any associated wires, cables, pipes, related ancillary equipment and conduit attached thereto and supporting structures associated therewith shall be located on the Leased Premises.**

- **Up to Nine (9) panel antennas measuring approximately 6' in height mounted at the 150' tower height and one GPS antenna mounted on the Tower.**
- **Up to Two (2) microwave dish antennas mounted at the 150' tower height.**
- **Up to Six (6) RRH's mounted behind the antennas.**
- **Up to Three (3) cables measuring 1-1/4".**
- **Up to Eighteen (18) cables measuring 1-5/8".**

**RESOLUTION R-12-077**

**Approving a first amendment to the Site Lease Agreement with Sprint Spectrum L.P. relative to its wireless communications site located in Mine Falls Park**

**IN THE BOARD OF ALDERMEN**

1<sup>ST</sup> READING OCTOBER 9, 2012

Referred to:

FINANCE COMMITTEE  
BOARD OF PUBLIC WORKS

2<sup>nd</sup> Reading OCTOBER 23, 2012

3<sup>rd</sup> Reading \_\_\_\_\_

4<sup>th</sup> Reading \_\_\_\_\_

Other Action \_\_\_\_\_

Passed OCTOBER 23, 2012

Indefinitely Postponed \_\_\_\_\_

Defeated   

Attest: [Signature]  
City Clerk

\_\_\_\_\_  
President

Approved [Signature]  
Mayor's Signature

October 27, 2012  
Date

**Endorsed by**

_____	MAYOR
_____	TABACSKO
<u>[Signature]</u>	DOWD
_____	MELIZZI-
_____	GOLJA
_____	SHEEHAN
_____	PRESSLY
<u>[Signature]</u>	CRAFFEY
_____	
_____	
_____	
_____	
_____	
_____	
_____	
_____	
_____	
_____	
_____	

Vetoed: \_\_\_\_\_

Veto Sustained: \_\_\_\_\_

Veto Overridden: \_\_\_\_\_

Attest: \_\_\_\_\_  
City Clerk

\_\_\_\_\_  
President