

RESOLUTION NO. _____

A RESOLUTION TO RATIFY THE MAYOR'S SIGNATURE ON A
CONSENT LETTER FROM T-MOBILE FOR THE TOWER AT 1640
BAYS MOUNTAIN PARK ROAD

WHEREAS, on July 18, 2000, the board approved Ordinance No. 4790 authorizing the city to enter into a lease agreement with Pinnacle Towers, Inc., for a tower on Bays Mountain; and

WHEREAS, since that time, Pinnacle Towers, Inc. has been purchased by Crown Castle; and

WHEREAS, Crown Castle and T-Mobile have been in agreement to use the towers leased to Crown Castle in order to better serve the public and to minimize the amount of towers; and

WHEREAS, Crown Castle has requested the city sign a consent letter allowing T-Mobile to modify the tower leased by Crown Castle which will include installing (2) cabinets, (1) ice bridge, (2) 2" conduits and a 200-amp breaker; and

WHEREAS, under the original lease, Crown Castle is permitted to make alterations to the tower provided consent of the City is obtained.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That the Consent Letter from Crown Castle regarding the modification of the leased cell tower located at 1640 Bays Mountain Park Road by T-Mobile, executed by the mayor on May 18, 2023, is ratified, including the execution of the same by Mayor Patrick W. Shull, said agreement being as follows:

CITY OF KINGSPORT
225 WEST CENTER STREET
ATTN: CUSTOMER SERVICE
KINGSPORT, TN 37660

Re: BU 871270 / "Kingsport" / 1640 BAYS MOUNTAIN PARK ROAD, KINGSPORT, TN 37660
("Site")

Lease Agreement, dated August 2, 2000, as it may have been amended and assigned ("Lease")
Consent for modifications

Dear CITY OF KINGSPORT,

In order to better serve the public and minimize the amount of towers in an area where this property is located, T-Mobile intends to modify its equipment at the wireless communication facility (the "Modification"). The modifications included installing (2) cabinets, (1) ice bridge, (2) 2" conduits and a 200 amp breaker.

Under the Lease, Landlord's consent cannot be unreasonably withheld, conditioned, or delayed. Please provide your consent **on or before June 9, 2023** by signing below and returning to Fatimah.McKnight.Contractor@crowncastle.com so that we may install T-Mobile's equipment as permitted under the Lease.

If you have any questions concerning this request, please contact Fatimah McKnight at (240) 346-3717 or Fatimah.McKnight.Contractor@crowncastle.com

[Acknowledgements Deleted for Inclusion in this Resolution]

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized and directed to execute, in a form approved by the city attorney and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, all other documents necessary and proper and take any and all action as may be required on the part of the city to carry out, give effect to, and consummate the transactions contemplated by the consent letter and this resolution.

SECTION III. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 6th day of June, 2023.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY