

CITY OF ALAMEDA RESOLUTION NO _____

CONFIRMING A THIRD AMENDMENT TO A SUBLEASE AGREEMENT WITH SBA 2012 TC ASSETS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, FOR USE OF A PORTION OF 625 WEST RANGER AVENUE TO INSTALL AND MAINTAIN CELL TOWER(S) AND RELATED EQUIPMENT

WHEREAS, SBA 2012 TC Assets, LLC (TC Assets) entered into a sublease agreement October 1, 2000 for use of a portion of 625 West Ranger to install and maintain cell tower(s) and related equipment; and

WHEREAS, TC Assets and the City of Alameda entered into a first amendment to the sublease on October 1, 2007 which extended the term of the agreement to September 30, 2014; and

WHEREAS, TC Assets and the City of Alameda entered into a second amendment to the sublease on August 23, 2010 which amended and expanded the leased premises area; and

WHEREAS, on May 9, 2014 TC Assets exercised the option to renew the agreement for an additional 7 years extending the term to September 30, 2021; and

WHEREAS, TC Assets and the City of Alameda have agreed to enter into a third amendment to sublease which will amend the agreement to include two (2) additional successive terms of 5 years each providing the option to extend the term of this agreement to October 1, 2030; and

WHEREAS, the first additional term of this third amendment will commence on October 1, 2021.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Alameda that the Third Amendment to an agreement with TC Assets, LLC, a Delaware Limited Liability Company, with any modifications as directed by the Council following the closure of the Public Hearing, is hereby confirmed.

* * * * *

I, the undersigned, hereby certify that the foregoing resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the 20th day of February 2018, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSECTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 21st day of February 2018.

Lara Weisiger, City Clerk
City of Alameda

Approved as to Form:

Janet C. Kern, City Attorney
City of Alameda