

**A RESOLUTION AUTHORIZING AN AMENDMENT TO THE GROUND LEASE AGREEMENT BETWEEN THE TOWNSHIP OF NORTH BRUNSWICK AND NCWPCS MPL 19 – YEAR SITES TOWER HOLDINGS, LLC FOR THE CELL TOWER LOCATED AT 1925 THIRD STREET, ALSO KNOWN AS BLOCK 145 LOTS 11 AND 12, ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF NORTH BRUNSWICK**

**WHEREAS**, the Township of North Brunswick (the “Landlord”) entered into a ground lease agreement (the “Agreement”) for the construction and operation of a wireless telecommunications monopole (the “Premises”) at 1925 Third Street, North Brunswick, also known as Block 145 Lots 11 and 12 on the Official Tax Map of the Township of North Brunswick (“North Brunswick”) by agreement dated March 16, 2009 between the Township of North Brunswick and New Cingular Wireless PCS, LLC (“New Cingular”); and

**WHEREAS**, NCWPCS MPL 19 – Year Sites Holdings, LLC, by and through CCATT LLC, a Delaware limited liability company, (the “Tenant”) is successor in interest to the Agreement with New Cingular Wireless PCS, LLC; and

**WHEREAS**, the Tenant desires to amend the terms of the Agreement through all Renewal Terms that will expire on March 15, 2029, through a “First Amendment to Ground Lease Agreement” (the “Amendment”); and

**WHEREAS**, the Amendment will, among other items permit the Tenant to directly sublease or license a portion of the Premises under financial terms substantially similar to the March 16, 2009 agreement which provides the Landlord with payments equal to 50% of what the Tenant receives in rental, license or similar payments, and subject to the review and approval of the Township attorney;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of North Brunswick, County of Middlesex, State of New Jersey that it hereby consents to the First Amendment to Ground Lease Agreement between the Township of North Brunswick and NCWPCS MPL 19 – Year Sites Holdings, LLC, by and through CCATT LLC, a Delaware limited liability company, for the construction and operation of a wireless telecommunications monopole at 1925 Third Street, North Brunswick, also known as Block 145 Lots 11 and 12 on the Official Tax Map of the Township of North Brunswick.

**TITLE**

This Resolution shall be known and may be cited as the Resolution Authorizing a First Amendment to the Ground Lease for the cell tower at 1925 Third Street

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Michael C. Hritz  
Director of Community Development

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Justine Progebin  
Business Administrator

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Ronald Gordon, Esq.  
Township Attorney (Approved legal form)

**RECORDED VOTE**

<b>COUNCIL MEMBER</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>NOTES</b>
MEHTA				
LOPEZ				
GUADAGNINO				
ANDREWS				
DAVIS				
SOCIO				
MAYOR WOMACK				

**CERTIFICATION**

I hereby certify that the above Ordinance was duly adopted by the Township Council of the Township of North Brunswick, County of Middlesex, at its meeting held on April 11, 2022.

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Lisa Russo, Township Clerk