

RESOLUTION APPROVING LICENSE AGREEMENT WITH CELLCO PARTNERSHIP (d/b/a VERIZON WIRELESS) FOR USE OF SPACE ON TELECOMMUNICATIONS TOWER LOCATED AT 5306 SPRUCE DRIVE AND AUTHORIZING THE ENTRY INTO A CONTRACT FOR THE SAME

WHEREAS, the City of Fayetteville owns certain real property not within a public right of way, located at 5306 Spruce Drive, Fayetteville, North Carolina, which Fayetteville Public Works Commission (PWC) exclusively controls and manages, and upon which a communications tower is located (the “Tower”);

WHEREAS, Fayetteville PWC is a public authority authorized by North Carolina General Statutes Section 160A-272, et al., to enter into a license agreement granting Cellco Partnership d/b/a Verizon Wireless the right to locate and operate certain telecommunications equipment on or about the Tower; and

WHEREAS, Fayetteville PWC and/or the City of Fayetteville by and through Fayetteville PWC have previously entered prior agreements granting Cellco Partnership d/b/a Verizon Wireless the right to operate its equipment on or about the Tower; and

WHEREAS, Fayetteville PWC and Cellco Partnership d/b/a Verizon Wireless have negotiated a renewed agreement (the “Tower License Agreement”) with updated terms and conditions, for the right to continue locating and operating certain telecommunications equipment on or about the Tower, a copy of which is attached hereto as Exhibit A and incorporated herein by reference;

WHEREAS, the Commissioners of PWC, at a public meeting held on December 11, 2024, approved the Tower License Agreement, authorizing its CEO/General Manager to execute and deliver the same;

WHEREAS, it is in the City of Fayetteville’s best interest to enter into the Tower License Agreement with Cellco Partnership d/b/a Verizon Wireless, jointly with Fayetteville PWC, and that the City Council of the City of Fayetteville authorize entry into the same.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Fayetteville that it hereby approves and authorizes entry into the Tower License Agreement for by and between the City of Fayetteville, Fayetteville PWC, and Cellco Partnership d/b/a Verizon Wireless.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, on this the ____ day of January, such meeting having been held in compliance with the Open Meetings Act, and at which meeting a quorum was present and voting.

CITY OF FAYETTEVILLE

Mitch Colvin, Mayor

ATTEST:

_____, City Clerk