



RESOLUTION

APPROVING A FIRST AMENDMENT TO THE TOWER COMMUNICATIONS SITE LEASE AGREEMENT WITH METROPCS MASSACHUSETTS, LLC RELATIVE TO ITS WIRELESS COMMUNICATIONS SITE LOCATED IN MINE FALLS PARK (10 WHIPPLE STREET)

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. 1", in substantially the same form as the attached, to the "Tower Communications Site Lease Agreement" with MetroPCS Massachusetts, LLC for modifications to its wireless communications site located on the city's cell tower at Mine Falls Park (10 Whipple Street).

LEGISLATIVE YEAR 2012

RESOLUTION: R-12-067

PURPOSE: Approving a first amendment to the Tower Communications Site Lease Agreement with MetroPCS Massachusetts, LLC relative to its wireless communications site located in Mine Falls Park (10 Whipple Street)

SPONSOR(S): Mayor Donnalee Lozeau

**COMMITTEE
ASSIGNMENT:**

FISCAL NOTE: The amendment provides for a \$500 per month rent increase to the city.

ANALYSIS

This resolution approves a first amendment to the Tower Communications Site Lease Agreement between MetroPCS Massachusetts, LLC and the City of Nashua. The Lease Agreement is for a wireless communications site located on the city's cell tower at Mine Falls Park (10 Whipple Street). Under the proposed amendment, the lessee will be performing modifications to their site facilities and have agreed to increase their monthly rent by \$500.00.

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

Approved as to form: Office of Corporation Counsel

By: Dorothy Clarke

Date: August 9, 2012

Site No: MAN0017A
Site Name: Nashua Whipple

AMENDMENT NO. 1

This First Amendment to the Lease Agreement (the "Amendment") is made this ____ day of _____, 2012, by and between City of Nashua, New Hampshire, a municipal corporation in the State of New Hampshire ("Lessee").

WITNESSETH

WHEREAS, Lessor and Lessee entered into a Lease Agreement on October 7, 2008 (the "Agreement") for the placement of a wireless communications facility within Lessor's Real Property located at/on: Sheet E, Lot 1487, commonly known as Mine Falls Park, located in the City of Nashua, County of Hillsborough, State of New Hampshire and having an address of 10 Whipple Street.

WHEREAS, Lessor and Lessee desire and intend to amend and supplement the Agreement as provided for herein.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto covenant, agree and bind themselves to the following modifications to the Agreement:

1. Whereas, Lessee will be performing modifications to Lessee's Facilities located on the Premises by installing Two, additional, (1ft) microwave dishes to its existing sector frame and One additional, (2ft) microwave dish at a Rad Center of 172' (to be pipe mounted directly to Monopole), and related equipment including conduit and fiber, as depicted in the attached site plan Exhibit A-1. Exhibit A shall be deleted and replaced with Exhibit A-1 attached hereto
2. In consideration of the proposed modifications the rent will increase by Five Hundred dollars (\$500.00) a month, effective on the date that Lessee installs the Modifications and payable with the next Rent payment.
3. This Amendment may be executed in counterparts, each of which shall be deemed an original document, but all of which will constitute a single document.
- 4) This Amendment shall not be binding on or constitute evidence of a contract between the parties hereto until such time as a counterpart of this document has been executed by each party and a copy thereof delivered to each other party of this Amendment.
- 5) Except as specifically amended herein, the remaining terms of the Agreement shall remain unmodified, binding upon Lessor and Lessee and remain in full force and effect.
- 6) No future amendment or modification to the Agreement shall be valid unless made in writing and agreed to and signed by the appropriate parties who have attested and executed the amendment or modification.

Site No: MAN0017A
Site Name: Nashua Whipple

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed on this day of _____, 2012.

LESSOR

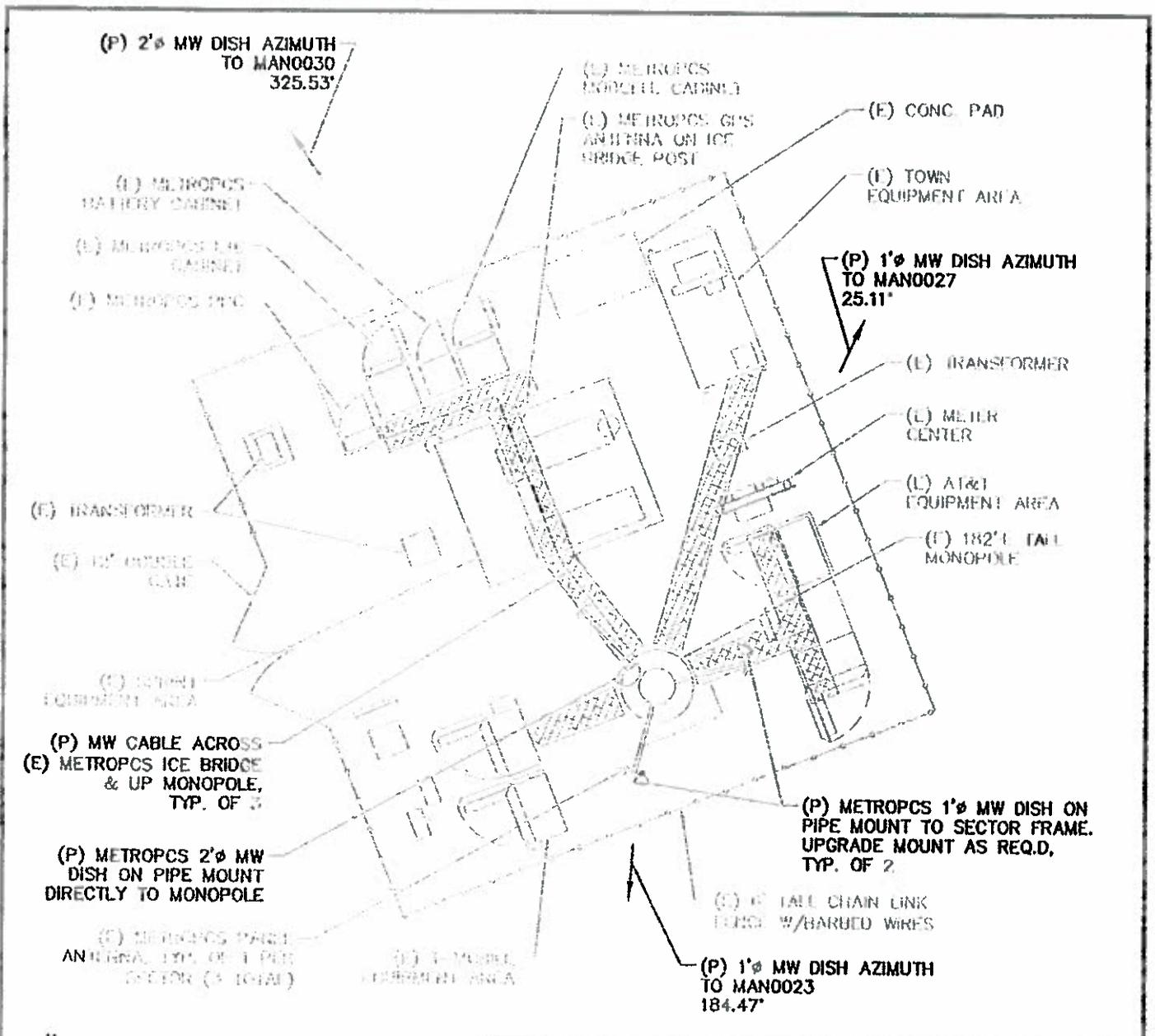
City of Nashua, NH,
a municipal corporation in the State of New
Hampshire

By: _____
Title: _____
Date: _____

LESSEE:

MetroPCS Massachusetts, LLC, a
Delaware limited liability company

By: _____
Title: _____
Date: _____



COMPOUND PLAN

SCALE: 1"=10'



- NOTES:**
1. ALL EQUIPMENT LOCATIONS ARE APPROXIMATE AND ARE SUBJECT TO APPROVAL BY METROPCCS STRUCTURAL & ICE BRIDGE DIV.

SEE OWNER	CONSTRUCTION MANAGER
SEE ENGINEER	ZONING
SEE ACQUISITION	FRICSSON

Pro Terra
 DESIGN GROUP, LLC
 1 Short Street, Suite 3 Ph: (413)320-4918
 Northampton, MA 01060 Fax: (413)320-4917

metro
 100 WHIPPLE STREET
 NASHUA, NH 03060
 TEL: (603) 882-2200
 FAX: (603) 882-2200

LEASE EXHIBIT	DATE: 7/27/12
SITE #: MAN0017A	REVISION: 1
100 WHIPPLE STREET NASHUA, NH 03060	JOB NO. 12-024
	SHEET: 1E-1

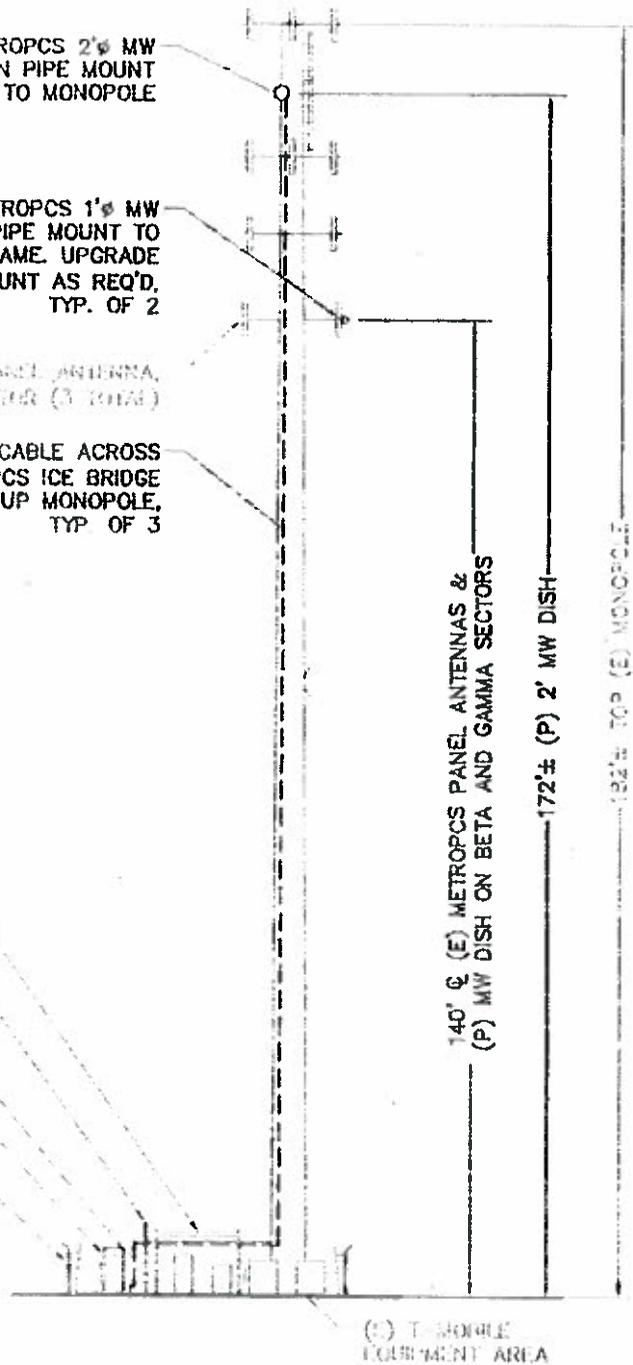
(P) METROPICS 2' Ø MW DISH ON PIPE MOUNT DIRECTLY TO MONOPOLE

(P) METROPICS 1' Ø MW DISH ON PIPE MOUNT TO SECTOR FRAME. UPGRADE MOUNT AS REQ'D. TYP. OF 2

(E) METROPICS PANEL ANTENNA, TYP. OF 1 PER SECTOR (3 TOTAL)

(P) MW CABLE ACROSS
(E) METROPICS ICE BRIDGE & UP MONOPOLE, TYP. OF 3

(E) SITE/EQUIPMENT AREA
(E) METROPICS OPS ANTENNA ON ICE BRIDGE POST
(E) METROPICS PFD
(E) METROPICS LIC CABINET
(E) 4" TALL CHAIN LINK FENCE WITH ALUMINUM WIRING



140' Ø (E) METROPICS PANEL ANTENNAS & (P) MW DISH ON BETA AND GAMMA SECTORS

172'± (P) 2' MW DISH

182'± TOP (E) MONOPOLE

(E) T-RODLE EQUIPMENT AREA

SOUTHWEST ELEVATION

SCALE: 1" = 25'



Pr Terra
DESIGN GROUP, LLC



200 WASHINGTON STREET
SUITE 4500
NASHUA, NH, NH
03040
TEL: (603) 244-9200
FAX: (603) 244-9200

LEASE EXHIBIT

SITE #: MAN0017A

100 WHIPPLE STREET
NASHUA, NH 03060

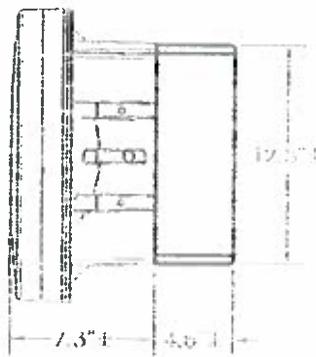
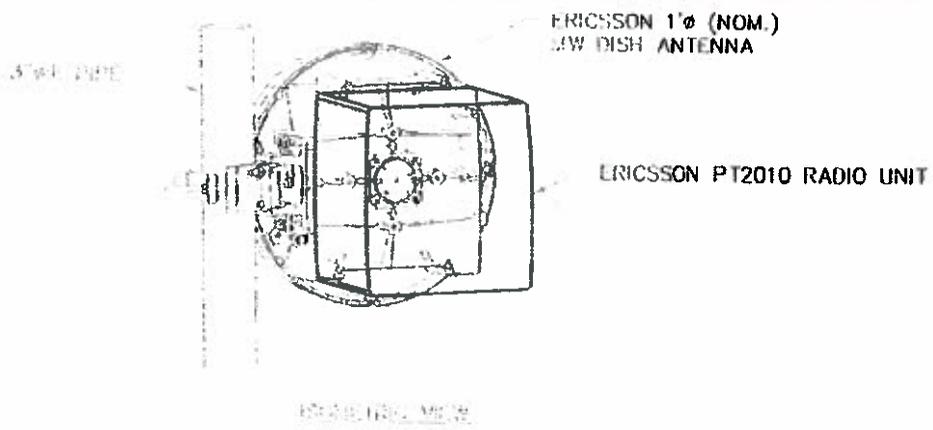
DATE: 7/27/12

REVISION: 1

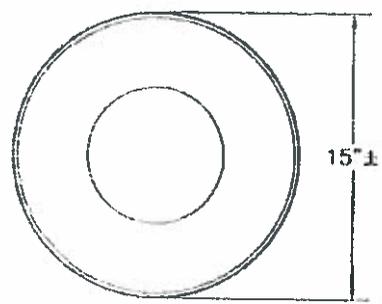
JOB NO. 12-024

SHEET: LE-2

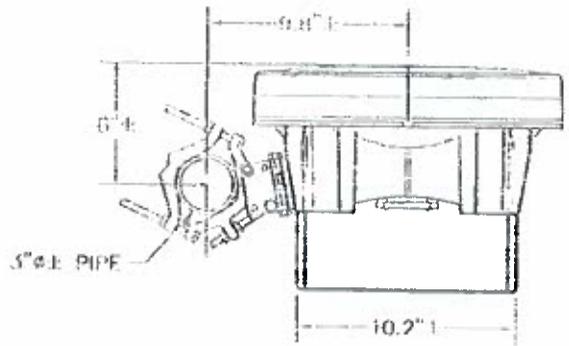
1 West Street, Suite 3, Nashua, NH 03040
Nashua, NH 03060 Tel: (603) 244-9200



SIDE VIEW



FRONT VIEW



TOP VIEW

1' MW DISH (ANT2 0.3HP)

LOCATION: NONE



Pro Terra
DESIGN GROUP, LLC

1 Short Street, Suite 201 • (413) 274-4115
Northampton, MA 01060 • Fax: (413) 274-4917

metro

185 BELLEGA ROAD
SECOND FLOOR
GREENSBORO, MA
978 (378) 214-7700
978 (978) 244-7740

LEASE EXHIBIT

SITE #: MAN0017A

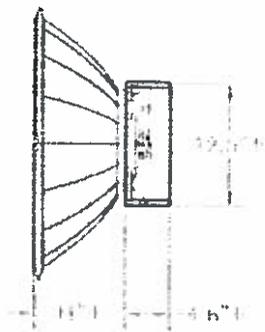
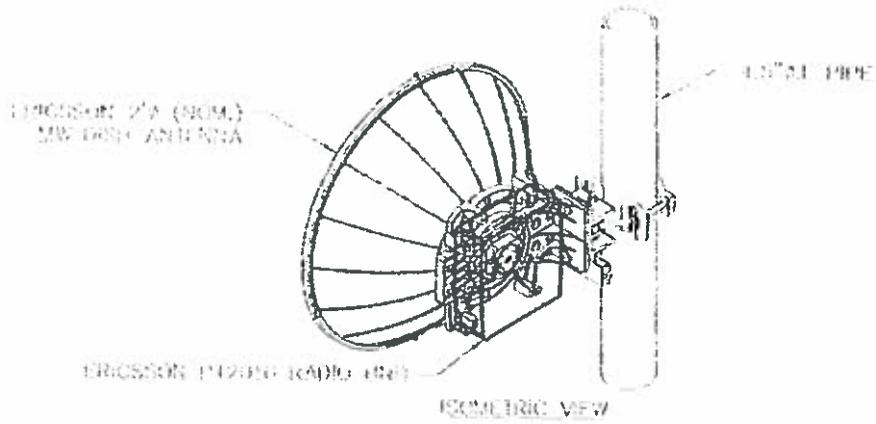
100 WHIPPLE STREET
MANASSA, NJ 03060

DATE: 7/27/12

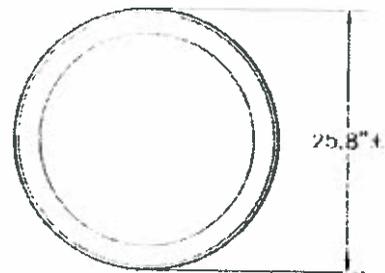
REVISION: 1

JOB NO. 12-024

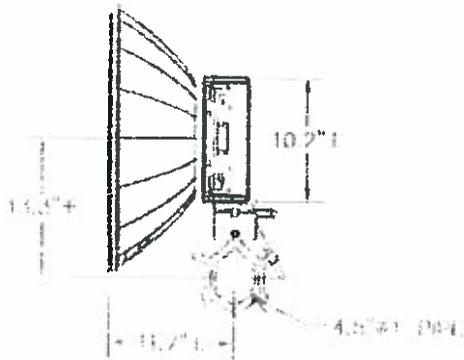
SHEET: 11-3



SIDE VIEW



FRONT VIEW



TOP VIEW

2' MW DISH (ANT2 0.6HP)

SCALE: NAD



Pro Terra
DESIGN GROUP, LLC

1 Stock Street, Suite 3 Tel: (913) 322-4310
Northampton, MA 01060 Fax: (413) 322-4311

metro

200 W. 10th Street, Suite 200
Des Moines, IA 50319
Tel: (515) 281-2200
Fax: (515) 281-2200

LEASE EXHIBIT

SITE #: MAN0017A

100 WHITTLE STREET
NASHUA, NH 03060

DATE: 7/21/12

REVISION: 1

JOB NO.: 12-024

SHEET: 1E-4

RESOLUTION R-12-067

**Approving a first amendment to the
Tower Communications Site Lease
Agreement with MetroPCS
Massachusetts, LLC relative to its
wireless communications site
located in Mine Falls Park (10
Whipple Street)**

Endorsed by

Michelle Logan

MAYOR

IN THE BOARD OF ALDERMEN

1st READING AUGUST 14, 2012

Referred to:

FINANCE COMMITTEE AND THE BOARD
OF PUBLIC WORKS

2nd Reading OCTOBER 9, 2012

3rd Reading _____

4th Reading _____

Other Action _____

Passed OCTOBER 9, 2012

Indefinitely Postponed _____

Defeated _____

Attest *David S. Berger*
City Clerk

Ben D. McLaughlin
President

Approved *Michelle Logan*
Mayor

October 11, 2012
Date

Vetoed: _____

Veto Sustained: _____

Veto Overridden _____

Attest _____
City Clerk

President