

**A RESOLUTION APPROVING THE SALE
OF CERTAIN TELECOMMUNICATION
EASEMENTS AND ASSIGNMENT
AGREEMENTS FOR THE CITY OF FORT
WAYNE, INDIANA THROUGH ITS BOARD
OF PUBLIC WORKS**

WHEREAS, the City of Fort Wayne, Indiana, by its Board of Public Works/Division of City Utilities desires to sell five (5) cell site easements and assignment agreements for wireless communication sites, specifically described in "Exhibit "A," attached hereto and made a part hereof, to Landmark Infrastructure Holding Company, LLC; and

WHEREAS, the sale price for the five (5) cell site easements and assignment agreements for wireless communications sites is TWO MILLION, THREE HUNDRED FIFTEEN THOUSAND AND 00/100 DOLLARS – (\$2,315,000.00); and

WHEREAS, the term of the sale of the telecommunication easements and assignment agreements is thirty-seven (37) years (June 28, 2053); and

WHEREAS, the five (5) cell site easements and assignment agreements are located on three (3) City Utilities water towers; Aboite Water Tower, 9810 Bronco Drive, Fort Wayne, Indiana, 46804; Covington Water Tower, 14501 Covington Road, Fort Wayne, Indiana 46814; and Dupont Water

Tower, 1016 Dupont Road, Fort Wayne, Indiana, 46825; and

WHEREAS, Sec. 37-25 of the City of Fort Wayne Code of Ordinances, requires the Common Council approval of any purchase or conveyance of real estate by the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The sale of five (5) cell site easements and assignment agreements for wireless communication sites, is hereby approved and agreed to. The appropriate officials of the City are hereby authorized to execute all documents necessary to accomplish said purchase.

SECTION 2. This Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol Helton, City Attorney