

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DENTON, TEXAS AUTHORIZING THE CITY MANAGER TO APPROVE AND EXECUTE A "THIRD AMENDMENT TO TOWER/GROUND LEASE AGREEMENT" BY AND BETWEEN THE CITY AS LESSOR, AND NEW CINGULAR WIRELESS, PCS, LLC., AS LESSEE FOR THE LEASE OF TOWER SPACE ON THE MCKENNA PARK TOWER AND ON THE GROUNDS; AUTHORIZING THE EXPENDITURE AND RECEIPT OF FUNDS THEREFOR; PROVIDING AN EFFECTIVE DATE (APPROVAL RECOMMENDED BY THE PUBLIC UTILITIES BOARD BY A VOTE OF ____ TO ____.

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The City Manager is hereby authorized to execute a Third Amendment to Tower/Ground Lease Agreement (the "Second Amendment") on behalf of the City of Denton, Texas, as Lessor, with New Cingular Wireless, PCS, LLC., a Delaware Limited Liability Company, as Lessee, for the continued lease of tower space on the McKenna Park Tower and grounds, a copy of which Third Amendment is attached hereto and incorporated by reference herein.

SECTION 2. The expenditure and the receipt of funds as provided in the attached Second Amendment are hereby authorized.

SECTION 3. This ordinance shall become effective immediately upon its passage and approval

PASSED AND APPROVED this the _____ day of _____, 2016.

CHRIS WATTS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

By: _____

APPROVED AS TO LEGAL FORM:
ANITA BURGESS, CITY ATTORNEY

By: _____

