

ORDINANCE 2017-18

ORDINANCE AUTHORIZING LEASE OF PROPERTY TO CCATT, LLC, FOR 50 SQUARE FEET OF GROUND SPACE AT THE MUNICIPAL COMMUNICATIONS TOWER SITE IDENTIFIED ON THE TAX MAP OF THE TOWNSHIP OF HILLSBOROUGH AS A PORTION OF BLOCK 149.01, LOT 1.02

WHEREAS, the Township of Hillsborough and New Cingular Wireless PCS, LLC, entered into a Communications Site Lease Agreement dated November 1, 2006 whereby the Township leased to New Cingular a portion of the property located at 379 South Branch Road and identified on the Tax Map of the Township of Hillsborough as Block 149.01, Lot 1.02, for a Communications Tower; and

WHEREAS, CCATT, LLC, is a successor in interest to the Lease Agreement between the Township and New Cingular; and

WHEREAS, the Township retained all rights to the ground space not subject to the Lease Agreement; and

WHEREAS, CCATT desires to lease from the Township 50 square feet of ground space at the Municipal Communications Tower site identified on the Tax Map of the Township of Hillsborough as a portion of Block 149.01, Lot 1.02, for installation of a generator pursuant to the terms and conditions set forth in a First Amendment to Communications Site Lease Agreement; and

WHEREAS, N.J.S.A. 40A:12-14 authorizes a municipality to lease real property not needed for public use; and

WHEREAS, the Township Committee has determined that the portion of property to be leased is not needed for public use.

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, as follows: (1) the lease to CCATT of 50 square feet of ground space at the Municipal Communications Tower site identified on the Tax Map of the Township of Hillsborough as a portion of Block 149.01, Lot 1.02, for installation of a generator is hereby authorized; (2) the Mayor and Clerk are authorized to execute a First Amendment to Communications Site Lease Agreement consistent with this Ordinance in a form approved by the Township Attorney; (3) the Mayor and Clerk are

authorized to execute a Memorandum of First Amendment to Communications Site Lease Agreement consistent with this Ordinance in a form approved by the Township Attorney; (4) the Township Attorney is authorized to prepare, execute and record all documents to effectuate the purpose of this Ordinance; and (5) this Ordinance shall take effect upon adoption and publication according to law.

ATTEST:

TOWNSHIP OF HILLSBOROUGH

Pamela Borek, Clerk

Carl Suraci, Mayor

Introduced: 9/26/17
Published: 10/06/17
Public Hearing: 10/24/17
Adopted:
Published: