

BILL NO. _____

ORDINANCE NO. _____

INTRODUCED BY ALDERMAN _____

AN ORDINANCE APPROVING A FIRST AMENDMENT TO AN AGREEMENT BETWEEN THE CITY OF CRESTWOOD, MISSOURI AND NEW CINGULAR WIRELESS PCS, LLC RELATING TO THE LEASING OF SPACE FOR AN EXISTING RADIO TRANSMISSION TOWER AND ACCESSORY FACILITIES.

WHEREAS, the City of Crestwood, Missouri and the predecessor-in-interest to New Cingular Wireless PCS, LLC (“Lessee”), entered into an Agreement dated July 10, 1997 whereby Crestwood leased to Lessee certain premises therein described, that are a portion of the real property located at 1495 South Sappington Road, Saint Louis, Missouri 63126 (hereinafter, referred to as the “Agreement”); and

WHEREAS, the term of the Agreement will expire on July 9, 2017, and the parties mutually desire to amend the Agreement, extend the term, adjust the rent, memorialize such extension of term and modify the Agreement in certain other respects, all on the terms and conditions contained herein; and

WHEREAS, City of Crestwood and Lessee, in their mutual interest, wish to amend the Agreement as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CRESTWOOD, MISSOURI, AS FOLLOWS:

SECTION 1: There is hereby approved a First Amendment to an Agreement between the City of Crestwood and New Cingular Wireless PCS, LLC. A copy of the First Amendment is attached hereto and incorporated herein by reference as Exhibit A.

SECTION 2: The Mayor and City Clerk are hereby authorized and directed to execute the First Amendment on behalf of the City, in substantially the form as attached hereto as Exhibit A, with such changes therein as shall be approved by the officers of the City executing same.

SECTION 3: This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and its approval by the Mayor.

PASSED AND SIGNED this _____ day of _____, 2013.

Mayor

ATTEST:

City Clerk

APPROVED this _____ day of _____, 2013.

Mayor