

ATTACHMENT A

**A RESOLUTION APPROVING A NEW LEASE RATE FOR THE TOWN'S
TELECOMMUNICATIONS TOWER LOCATED AT 301 W. MAIN STREET**

Resolution No. 96/2006-07

WHEREAS, the Town of Carrboro owns a telecommunications tower located between Town Hall and the Fire Department (at 301 W. Main St., Carrboro, NC 27510), and

WHEREAS, the Board of Aldermen seek to maximize revenue from such rental property, and

WHEREAS, the current lease rates are deemed to be low for a densely populated area such as Carrboro, and

WHEREAS, the current lease rates are individually negotiated based on all kinds of factors,

NOW THEREFORE BE IT RESOLVED that the Carrboro Board of Aldermen do hereby institute a simpler lease rate that should simplify negotiations for new leases as well as re-negotiation of existing leases while increasing overall revenue for the Town.

ATTACHMENT B

PROPOSED LEASE RATES FOR TOWN TELECOMMUNICATIONS TOWER LOCATED AT 301 W. MAIN ST. (BETWEEN CARRBORO TOWN HALL AND THE CARRBORO FIRE DEPARTMENT)

During the initial term of a lease agreement, the locator (hereinafter "licensee") of any antenna on the Town of Carrboro telecommunications tower shall pay the Town of Carrboro (hereinafter "licensor") a sum of \$30,000 per annum to be paid annually. A first payment for a partial year may be pro-rated from the Commencement Date of the lease to June 30, the final day of the fiscal year in which the lease agreement is signed. All subsequent payments shall be made by July 1st, the first day of the town's fiscal year, and shall be made directly to Town of Carrboro Finance Department.

The Base Fee set forth above is inclusive of any associated ground equipment, provided there is space for it beneath the tower, and is exclusive of charges for the furnishing of any utilities such as, but not limited to, electricity, gas, water, sewer or telephone, which are the responsibility of Licensee.

The License Fee for any Renewal Term shall be an amount that is at least equal to the Base Fee, but shall be adjusted upward at the commencement of each Renewal Term as follows: The License Fee shall be equal to the Base Fee times a fraction, the numerator of which is the Index for the month of December immediately preceding the month in which such Renewal Term begins and the denominator of which is the Base Index. For the purposes hereof, the term "Base Index" means the Index for January in the year of the Commencement Date, and the term Index means the Consumer Price Index For All Urban Consumers - U.S. City Average, All Items, not seasonally adjusted, (1982-84 equals 100) as published by the Bureau of Labor Statistics of the United States Department of Labor. In the event that the Index ceases to use a 1982-1984 average of 100 as the basis for calculation, a substantial change is made in the method of computing the Index, or the publishing of the Index is discontinued, such other most nearly comparable index or statistic as shall be published by an agency of the United States Government shall be used in computing the License Fee for any Renewal Term.