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RESOLUTION NO. R2019-70

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**A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL
AUTHORIZING THE MAYOR AND CLERK TO EXECUTE
THE FIRST AMENDMENT TO THE LICENSE AGREEMENT
AND THE AMENDED MEMORANDUM OF THE LICENSE
AGREEMENT WITH CELLCO PARTNERSHIP D/B/A
VERIZON WIRELESS ALLOWING FOR THE
INSTALLATION OF NEW EQUIPMENT, REPLACEMENT
AND ABANDONMENT OF THE PREVIOUS EASEMENT
AND ENHANCEMENTS TO SECURITY AND ENTRY
PROVISIONS CONTAINED IN THE PREVIOUS
AGREEMENTS FOR THE TELECOMMUNICATIONS
TOWER LOCATED AT 1100 WELLINGTON TRACE,
WELLINGTON, FLORIDA; AND PROVIDING AN
EFFECTIVE DATE .**

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WHEREAS, in 2001, through Resolution R2001-145, Council authorized execution of the License Agreement with Verizon Wireless which provided for the construction of a new 265 foot communications tower on the site of the Village's Water Treatment Plant located at 1100 Wellington Trace; and

WHEREAS, the tower is maintained by the Village and houses antennas for the Village, the Florida Highway Patrol and amateur radio operators; and

WHEREAS, through Ordinance 2001-13 and Resolution R2001-144, Council approved construction of a replacement tower at the Water Treatment Plant; and

WHEREAS, the 2001 Agreement permitted Verizon wireless to install, maintain and access equipment within the Water Treatment Plant site and on the tower; and

WHEREAS, the Village Council has determined that it is in the best interest of the Village to enter into an Amendment to the License Agreement and Amended Memorandum of License Agreement with Cellco Partnership d/b/a Verizon Wireless, copies of which are attached hereto, providing for installation of new equipment, replacement and abandonment of the previous easement and enhancement to security and entry provisions contained with the original License Agreement; and

NOW, THEREFORE, BE IT RESOLVED BY WELLINGTON, FLORIDA'S COUNCIL that:

SECTION 1. The foregoing recitals are hereby affirmed and ratified as being true and correct.

SECTION 2. The Wellington Council hereby accepts and approves the attached First Amendment to License Agreement and Amended Memorandum of License

1 Agreement between the Village of Wellington and Cellco Partnership d/b/a Verizon
2 Wireless and hereby authorizes the Mayor and Clerk to execute the Agreements.

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4 **SECTION 3.** This Resolution shall become effective immediately upon adoption.

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6 **PASSED AND ADOPTED** this 10th day of December, 2019.

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8 **ATTEST:**

WELLINGTON

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11 By: _____
12 Chevelle D. Nubin, Village Clerk

By: _____
Anne Gerwig, Mayor

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14 **APPROVED AS TO FORM**
15 **AND LEGAL SUFFICIENCY**

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18 By: _____
19 Laurie S. Cohen, Village Attorney