



Legislation Text

File #: 20-1050, **Version:** 1

Agenda Item Name:

First Amendment to Lease between NexTower and the BoCC; Amendment to Memorandum of Lease between NexTower and the BoCC

Presenter:

Keith Godwin, County 911 Coordinator, ACFR, 338-7361

Description:

The original warranty deed on the tract the tower was built did not contain the NexTower site specific easements and legal descriptions. Due to this shortcoming, NexTower could not file the lease agreement with the title company.

Recommended Action:

Sign the first amendment to the agreement between the BoCC and NexTower; sign the Amended Memorandum of Lease document between the BoCC and NexTower.

Prior Board Motions:

27 June 2018; Option and ground lease agreement between BoCC and NexTower signed

Fiscal Consideration:

This amendment does not alter the financial terms of the original agreement.

Background:

The legal description and site survey were provided by the County. NexTower conducted a survey of the site for placement of the tower and guy lines. The lease agreement contained a scrivener's error in that the legal description of the leased premises and the easements were incorrect.

The County 911 Coordinator sent the first amendment and the amended memorandum of lease to the County Surveyor to validate the changes to the legal description before being submitted to the Chair for signature. On 10 November 2020, County Surveyor Charles Bracken advised there was no issue with either the first amendment or the memorandum of lease documents he reviewed.