

RESOLUTION
of the
HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY (“HTMUA”)
regarding
APPROVAL OF FIRST AMENDMENT TO LEASE AGREEMENT

WHEREAS, the HTMUA entered into a lease agreement dated December 15, 2000 with AT&T Wireless PCS, LLC regarding the lease of portion of the property known as Block 16, Lot 34 on the Hardyston Township Tax Map; and

WHEREAS, New Cingular Wireless PCS, LLC, the successor in interest to AT&T Wireless PCS, LLC (the “Tenant”) has requested that the HTMUA enter into a written agreement entitled, “First Amendment to Lease Agreement, ” which would amend the terms of said lease agreement; and

WHEREAS, the “First Amendment to Lease Agreement” provides the Tenant the right to expand its equipment compound located below the Crystal Springs Water Tank in order to accommodate newer technology and to improve its wireless communication services; and Tenant has proposed to provide additional monetary compensation to the HTMUA for the increase in the area leased; and

WHEREAS, the HTMUA has negotiated the terms of the “First Amendment to Lease Agreement” with the Tenant and has calculated that the terms of the First Amendment to Lease Agreement will benefit the ratepayers of the HTMUA without harming the property of the HTMUA;

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the HTMUA as follows:

1. The HTMUA approves the “First Amendment to Lease Agreement” with the Tenant in the form attached hereto, subject to final review and approval of the attorney for the HTMUA, and authorizes the Chairman to execute said agreement.

Moved by: Kula
Seconded by: Albanese
Approving: Cicerale, Kula, Marples and Albanese (4)
Opposing: None
Abstaining: None
Recusing: None

Certified as a true copy of the Resolution adopted by the Hardyston Township Municipal Utilities Authority at its regular meeting held on January 6, 2014.

Gail C. Hensal, Secretary