

STATE OF GEORGIA  
COUNTY OF HENRY  
CITY OF STOCKBRIDGE

RESOLUTION NO. B13-563

A RESOLUTION AUTHORIZING THE CITY OF STOCKBRIDGE TO ENTER INTO A SECOND AMENDMENT TO ITS PCS SITE AGREEMENT RELATING TO THE LEASE OF CERTAIN SPACE ON AND NEAR THE CITY'S WATER TOWER; AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THE PURPOSES OF THIS RESOLUTION, AUTHORIZING THE CITY CLERK TO ATTEST SIGNATURES AND AFFIX THE OFFICIAL SEAL OF THE CITY, AS NECESSARY, PROVIDING FOR SEVERABILITY, REPEALING INCONSISTENT RESOLUTIONS, PROVIDING FOR AN EFFECTIVE DATE OF THIS RESOLUTION, AND FOR OTHER PURPOSES.

WHEREAS, the City of Stockbridge ("City") is a municipal corporation located within Henry County, Georgia duly organized and existing under the laws of the State of Georgia and is charged with providing public services to residents located within the corporate limits of the City; and

WHEREAS, the City of Stockbridge owns a water tower and real property located at 4617 North Henry Boulevard, Stockbridge, Georgia 30281 that requires periodic maintenance and upkeep; and

WHEREAS, on or about February 16, 1998, the City entered into a PCS site agreement with Sprintcom, Inc. to lease space on and near the water tower to Sprint PCS to place cell tower equipment on and near the water tower; and

WHEREAS, on or about April 25, 2007 the City entered into the First Amendment to its PCS site agreement which changed the terms of the original agreement; and

WHEREAS, the City has determined a second amendment to the PCS site agreement, as reflected in Exhibit "A" attached hereto and incorporated herein, which changes the terms of the original agreement as amended would be in the best interests of the City, and promote the welfare of its citizens and businesses; and

WHEREAS, after due consideration, the City wishes to approve the attached Second Amendment to PCS Site Agreement, and finds that entering into said agreement promotes fiscal savings for City government and the general welfare of City taxpayers, and is in the best interests of the City.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF STOCKBRIDGE  
HEREBY RESOLVES AS FOLLOWS;

Section 1.     **Approval** - The City Council of the City of Stockbridge hereby approves the attached Second Amendment to PCS Site Agreement with Sprintcom, Inc. under the terms of the Second Amendment attached hereto as Exhibit "A".

Section 2.     **Approval of Execution** - The Mayor is hereby authorized to sign all documents necessary to effectuate this Resolution.

Section 3.     **Documents** – The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this Resolution, subject to approval as to form by the City Attorney.

Section 4.     **Severability** - To the extent any portion of this Resolution is declared to be invalid, unenforceable, or non-binding, that shall not affect the remaining portions of this Resolution.

Section 5.     **Repeal of Conflicting Provisions** - All City resolutions inconsistent with this Resolution are hereby repealed.

Section 6.     **Effective Date** - This Resolution shall be effective on the date of its approval by the City Council and Mayor as provided in the City Charter.

[Signatures on following page.]

SO RESOLVED, this the 9th day of December, 2013.

**CITY OF STOCKBRIDGE, GEORGIA**

Mark A. Alarcon  
MARK A. ALARCON, MAYOR

ATTEST:

Rhonda A. Blackmon  
RHONDA A. BLACKMON, CITY CLERK

APPROVED AS TO FORM:

William J. Linkous, III  
WILLIAM J. LINKOUS, III, CITY ATTORNEY  
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