

RESOLUTION NO. R-12-18

A RESOLUTION AUTHORIZING THE ASSIGNMENT OF A LAND LEASE AGREEMENT FROM SMITH COMMUNICATIONS, LLC TO AMERICAN TOWERS, LLC FOR THE TOWER AND WIRELESS COMMUNICATIONS FACILITY AT CAROL ANN CROSS PARK AND AUTHORIZING THE MAYOR TO EXECUTE DOCUMENTS PERTAINING THERETO

WHEREAS, the City adopted Resolution No. R-6-14 authorizing a Land Lease Agreement with Smith Communications, LLC for the purpose of constructing a communications tower in Carol Ann Cross Park; and

WHEREAS, Smith Communications, LLC intends to assign all rights and obligations of said Land Lease Agreement to American Towers, LLC; and

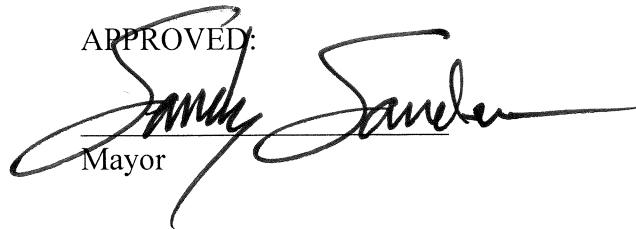
WHEREAS, the Land Lease Agreement specifies that any assignment of the Land Lease Agreement shall require the written consent of the city.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City of Fort Smith, Arkansas, that the assignment of the Land Lease Agreement from Smith Communications, LLC to American Towers, LLC for the tower and wireless communications facility at Carol Ann Cross Park, maintaining all rights and obligations of the City and the assignee, is hereby approved.

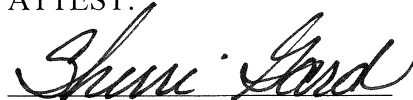
BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the attached "Consent to Assignment" form indicating such approval.

This Resolution passed this 16<sup>th</sup> day of January, 2018.

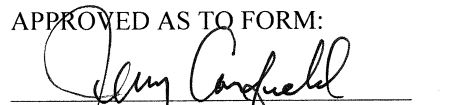
APPROVED:

  
Mayor

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
City Attorney (No Publication Required)