

**RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN OPTION AND
LEASE AGREEMENT WITH VOGUE TOWERS II, LLC FOR A WIRELESS
COMMUNICATION TOWER IN SHAFFNER PARK**

WHEREAS, Vogue Towers II, LLC, has requested that the City allow it to construct and maintain a monopole wireless communication tower in a portion of Shaffner Park (tax PIN 6815-28-5351); and

WHEREAS, Vogue Towers II, LLC proposes to lease from the City two areas of Shaffner Park: (1) approximately 3,600 sq. ft. for the tower structure itself, and (2) approximately 29,038 sq. ft. for an access and utility easement; and

WHEREAS, the two easement areas are shown on Exhibit A hereto; and

WHEREAS, Vogue Towers II, LLC has offered to pay the City \$1,000 in exchange for the City granting it an option period of one year, with a potential one-year extension (for another \$1,000), as it considers moving forward with this project; and

WHEREAS, if Vogue Towers II, LLC decides to exercise its option and move forward with the construction of the tower, then it would lease the easement areas above from the City for \$1,350 per month for an initial term of five years, with the option for seven additional five-year renewal periods; and

WHEREAS, the monthly rent would increase by 1.5% each year during the term of the lease (including any renewal periods).

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Winston-Salem, following a public hearing by the City/County Planning Board and upon the recommendation of both the Recreation and Parks Commission and Committee of the Whole, hereby authorize the City entered into an Option and Lease Agreement with Vogue Towers II, LLC for a wireless communication tower in Shaffner Park.

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to execute the Option and Lease Agreement on behalf of the City, with the City Attorney approving as to form and legality.