

ORDINANCE 4466

TO AMEND THE LEASE TO T-MOBILE SOUTH, LLC AS SUCCESSOR IN INTEREST TO TRITON PCS PROPERTY COMPANY LLC D/B/A T-MOBILE USA, INC. TO EXTEND THE TERM OF THE AGREEMENT BY ADDING ADDITIONAL RENEWAL TERMS.

WHEREAS, T-Mobile South, LLC has made a proposal for a Fourth Amendment to the original lease agreement dated July 18, 2002; and,

WHEREAS, the proposal conforms to the guidelines listed in article VI (D) of the City Zoning Code which regulates the placement of towers for communications use within the city limits; and,

WHEREAS, the amendment would allow for four (4) additional five (5) year Renewal Terms under the Agreement, such that should Licensor utilize all of the new additional Renewal Terms, the final expiration date of the Agreement shall be August 29, 2047. Each new additional Renewal Term shall be under the same terms and conditions as the Agreement. Licensee shall also pay Licensor, within thirty (30) days after the execution of this Amendment, Forty Thousand Dollars (\$40,000), as a one-time payment for renewing the Agreement for an extension of twenty (30) years, which fees will be deposited in the Utility Fund.

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Council of the City of Hartsville that T-Mobile South, LLC is hereby granted Fourth Amendment to lease.

NOW, THEREFORE BE IT FURTHER ORDAINED, that the City Manager is hereby authorized to execute the negotiated lease agreement document.

NOW, THEREFORE BE IT FINALLY ORDAINED IN MEETING DULY ADVERTISED AND ASSEMBLED on the _____th day of _____, 2023 and to become effective upon final reading.

Casey Hancock, Mayor

ATTEST: _____
Andrea D. Crenshaw, CMC, City Clerk

First Reading: November 14, 2023
Public Hearing:
Final Reading: