

**BOARD OF FIRE COMMISSIONERS
DISTRICT #13
TOWNSHIP OF CHERRY HILL**

RESOLUTION #22-12-06-04

Meeting Date: December 6, 2022
First Reading: December 6, 2022

Adopted: DEC 6 2022

**RESOLUTION AUTHORIZING TO ENTER INTO AGREEMENT WITH SPECTRASITE
COMMUNICATIONS, L.L.C.**

WHEREAS, the Board of Fire Commissioners, District #13, Township of Cherry Hill, County of Camden, State of New Jersey ("BOFC") is a party to a certain lease (and amendments thereto) with SpectraSite Communications, L.L.C., a Delaware limited liability company (*or its predecessor in interest*), ("Buyer") under a Standard Option and Lease Agreement, originally dated June 22, 1994 (as the same may have been amended, the "Lease"); and

WHEREAS, BOFC and Buyer desire to enter into an Option Agreement to Purchase Communications Easement and an Easement and Assignment Agreement which will grant Buyer a perpetual easement in, over, under, across and through land owned by the BOFC and Buyer will provide a one-time, lump-sum payment to the BOFC in the amount of \$1.745 Million as more fully set forth in the Easement and Assignment Agreement.

NOW THEREFORE, BE IT RESOLVED, that the Board of Fire Commissioners, District #13 of the Township of Cherry Hill hereby resolve as follows:

1. BOFC is a legal entity and in full compliance with all applicable laws required by the State of New Jersey; and
2. The Board of Fire Commissioners is authorized to enter into the above-referenced agreements with the Buyer and hereby consents to the Option Agreement to Purchase Communications Easement Agreement and the Easement and Assignment Agreement (providing for payment to the District of \$1.745 Million) and authorizes the Chairperson to execute said agreements to effectuate the above-described transaction in a form or forms to be approved by District legal counsel and to take any and all further actions to consummate and/or formalize said transaction; and
3. The Board of Fire Commissioners declares that it has full legal authority to bind the BOFC under the laws of the State of New Jersey and has the full authority to execute any and all agreements on behalf of the BOFC and to nominate the Chairperson to act on BOFC's behalf; and
4. The BOFC hereby nominates the Chairperson (the "Nominee") as attorney-in-fact to execute the above-described Agreements on behalf of the BOFC, as well as any other documents necessary to complete the easement transaction and comply with the provisions therein. The Nominee shall have full power and authority to act on behalf of the BOFC for the sole purpose of completing the easement transaction. In addition, the Nominee shall have full authority to direct the manner in which all payments will be made by Buyer to BOFC pursuant to the easement, including identifying which bank accounts to transfer funds to in the event a wire payment is made by Buyer.

NOMINEE: Chairperson Ryan M. Doran
1100 Markkress Road
Cherry Hill, NJ 08003

The following Resolution #22-12-06-04
seconded by Commissioner

was introduced by Commissioner
. Motion carried.

and it was

Doran
Kelly
Lipsett
McCargo
Mulholland

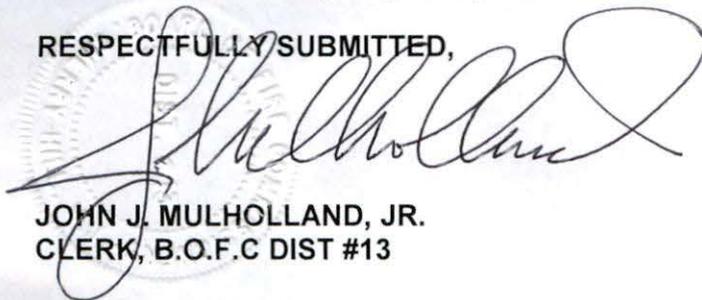
Doran
Kelly
Lipsett
McCargo
Mulholland

RESOLUTION #22-12-06-04				
	AYE	NAY	ABSTAIN	ABSENT
DORAN	X			
KELLY	X			
LIPSETT	X			
MCCARGO	X			
MULHOLLAND	X			

Certification

I, John J. Mulholland, Jr., Clerk of the Board of Fire Commissioner, Fire District #13, Township of Cherry Hill, County of Camden, State of New Jersey, hereby certify that the foregoing Resolution #22-12-06-04 was duly adopted by the Commissioners at the meeting held on December 6, 2022.

RESPECTFULLY SUBMITTED,



JOHN J. MULHOLLAND, JR.
CLERK, B.O.F.C DIST #13

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