

08/06/2002

73-O-02

**AN ORDINANCE**

**Authorizing the City Manager to  
Execute a Lease Agreement with  
Voicestream Wireless Corporation, L.L.C.,  
For Certain Mobile Communications Uses on the  
Water Tower at 2536 Gross Point Road**

WHEREAS, the City is the owner of certain real property at 2536 Gross Point Road; and

WHEREAS, said property is improved with a water tank, known as the North Evanston Water Tank, owned and operated by the City in connection with its water supply; and

WHEREAS, Voicestream Wireless Corporation, L.L.C. ("Voicestream"), is a provider of mobile communications services; and

WHEREAS, antennas to transmit and receive radio communications signals are among the equipment necessary to the provision of Voicestream's mobile communications; and

WHEREAS, Voicestream is desirous of leasing a portion of said real property and a portion of the surface of the water tank to provide a base upon which to place said antennas and related equipment; and

WHEREAS, the City Council has determined that it is neither necessary, appropriate, required for the use of, profitable to, nor in the best interests of the City that it retain the use of said property; and

WHEREAS, said Lease Agreement is in the best interest of the citizens of Evanston,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

**SECTION 1:** That the City Manager is hereby authorized and directed to enter into and sign, and the City Clerk is hereby authorized and directed to attest on behalf of the City, a lease by and between the City, an Illinois municipal corporation, as lessor, and Voicestream GSM I Operating Company, L.L.C., a limited liability corporation, as lessee.

The lease agreement shall be in substantial conformity with the lease marked as Exhibit A and attached hereto and incorporated herein by reference.

**SECTION 2:** That the City Manager is hereby authorized and directed to negotiate additional terms or conditions as may be in the best interest of the City.

**SECTION 3:** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 4:** That this ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: August 12, 2002

Adopted: September 9, 2002

Approved: September 10, 2002

Lorraine H. Martin  
Mayor

ATTEST:

Mary J. Morris  
City Clerk

Approved as to form:

[Signature]  
Corporation Counsel

