

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF WINTER PARK,
FLORIDA, AUTHORIZING THE LEASE OF CITY-OWNED
PROPERTY LOCATED AT 2525 CADY WAY PURSUANT
TO THE TOWER LEASE WITH OPTION AS AMENDED BY
THE FIRST AMENDMENT ATTACHED HERETO AS
EXHIBIT “A”; PROVIDING FOR CONFLICTS AND AN
EFFECTIVE DATE.**

WHEREAS, Section 2.11 of the Charter of the City of Winter Park, Florida (“City”), authorizes the City Commission, by ordinance to lease or authorize by administrative action the lease of any lands of the City; and

WHEREAS, the City owns fee simple title to real property identified as the “Property” in that certain Tower Lease with Option with T-Mobile South LLC referenced below, a portion of which Property is leased to T-Mobile South LLC as the “Premises”; and

WHEREAS, the City Commission deems it advisable and in the best interest of the public and citizens of the City to lease the Premises to T-Mobile South LLC pursuant to the terms of the Tower Lease with Option as amended by this First Amendment attached hereto as Exhibit “A” (“Amended Lease”).

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF WINTER PARK:

SECTION 1. The recitals stated hereinabove are incorporated herein by reference and are made fully a part of this Ordinance.

SECTION 2. The City Commission of the City of Winter Park hereby approves the Amended Lease, the terms and conditions of which are set forth in Exhibit “A” attached hereto, and which may be further negotiated by the City Manager and City Attorney and executed between the parties. This Ordinance is not intended to be a final acceptance to lease the Premises as such acceptance is subject to the negotiation and execution of a lease amendment in a form acceptable to the City Manager and City Attorney.

SECTION 3. This Ordinance shall constitute the authorization by the City Commission pursuant to Section 2.11 of the Charter of the City of Winter Park, Florida, for the lease of the Premises. The City Commission of the City of Winter Park hereby authorizes the City Manager and City Attorney to further negotiate lease, and authorizes the Mayor or City Manager to execute such lease amendment and other required documents on behalf of the City as may be required to effectuate the lease of the Premises.

SECTION 4. CONFLICTS. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage and adoption.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this ____ day of January, 2019.

Mayor Steven Leary

ATTEST:

City Clerk, Cynthia S. Bonham