



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 18-1077, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF OCTOBER 18, 2018

COMMITTEE ON REAL ESTATE

Mr. John P. Murray, Acting Executive Director

Authority to amend easement agreement dated August 6, 1998, between the District and STC Two LLC to construct and operate an antenna tower and appurtenances related thereto on an approximate 600 sq. ft. portion of Main Channel Parcel 34.10 in Summit, Illinois to: (1) add an additional 180 sq. ft. portion of Parcel 34.10 to the easement premises and (2) extend the easement an additional 25 years. Consideration shall be an increase in the current annual easement fee by \$6,074.00 from \$20,248.00 to \$26,322.00

Dear Sir:

On August 6, 1998, the Board of Commissioners granted a 25-year, 600 sq. ft. non-exclusive easement to SprintCom, Inc., predecessor in interest to STC Two LLC ("STC Two"), to construct and operate an antenna tower and appurtenances related thereto on Main Channel Parcel 34.10 in Summit, Illinois. Parcel 34.10 is the site of the District's LaGrange Avenue Solids Management Area (LASMA). The easement expires October 18, 2023. The current annual easement fee is \$20,248.00 and increases 4% every five years.

The easement allows other telecommunication providers to collocate their antennas and appurtenances on the easement premises, subject to payment by STC Two of 50% of the collocation fees that it receives from such providers. Currently, Denali Spectrum Operations LLC d/b/a Cricket Communications collocates on the easement premises. The District's current annual 50% share of collocation fees for this site is \$9,980.00.

STC Two has requested an amendment to the easement to: (1) add an additional 180 sq. ft. portion of Parcel 34.10 to the easement premises and (2) extend the easement, including any collocations granted therein, an additional 25 years to October 18, 2048. STC Two is requesting the additional 180 sq. ft. for extra space to store tower-related equipment, and to extend the easement in order to continue to enter into collocation agreements and maintain the existing collocation agreement. The District's technical departments have reviewed STC Two's requests and have no objections thereto.

An increase in STC's current annual easement fee by \$6,074.00 from \$20,248.00 to \$26,322.00 is recommended, which represents the pro-rata increase of its current annual fee based upon the increased size of the easement premises. Also, to make this easement consistent with other easements granted to STC Two for operating antenna towers on District land, the annual easement fee will increase 4% every year, instead of every five years, after October 18, 2023, when the easement's current term expires.

It is requested that the Acting Executive Director recommend to the Board of Commissioners that it authorize an amendment of the easement agreement dated August 6, 1998, between the District and STC Two LLC to construct and operate an antenna tower and appurtenances related thereto on an approximate 600 sq. ft. portion of Main Channel Parcel 34.10 in Summit, Illinois to: (1) add an additional 180 sq. ft. portion of Parcel 34.10 to the easement premises and (2) extend the easement an additional 25 years. Consideration shall be an increase in the current annual easement fee by \$6,074.00 from \$20,248.00 to \$26,322.00.

It is also requested that the Acting Executive Director recommend to the Board of Commissioners that it authorize and direct the Chairman of the Committee on Finance and the Clerk to execute the easement amendment after it has been approved by the General Counsel as to form and legality.

Requested, Susan T. Morakalis, General Counsel, STM:CMM:npe

Recommended, John P. Murray, Acting Executive Director

Respectfully Submitted, David J. Walsh, Chairman Committee on Real Estate Development

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for October 18, 2018

Attachment