

RESOLUTION NO. 2025-158

A RESOLUTION OF CITY OF DELTONA, FLORIDA; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE THE THIRD AMENDMENT TO SITE AGREEMENT FOR LAND BETWEEN CITY OF DELTONA AND CELLCO PARTNERSHIP D/B/A VERIZON COMMUNICATIONS, INC; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Deltona (the “City”) entered into a Site Agreement for Land dated September 1, 1999 (“Original Lease”), as amended by that certain Amendment to Site Agreement for land dated April 17, 2000 (“First Amendment”) as amended by that certain Second Amendment to Site Lease for land dated November 14, 2016 (“Second Amendment”) (as the same may have been amended from time to time, collectively, the “Lease”) pursuant to which Cellco Partnership d/b/a Verizon Communications Inc. (“Tenant”) leases a portion the Parent Parcel and is the beneficiary of certain easements for access and utilities, all as more particularly described in the Lease (such portion of the Parent Parcel so leased along with such portion of the Parent Parcel so affected, collectively, the “Leased Premises”); and

WHEREAS, Tenant entered into a Management Agreement and a Master Prepaid Lease, both with an effective date of March 27, 2015, with ATC Sequoia LLC (“American Tower”), pursuant to which American Tower subleases, manages, operates and/or maintains, as applicable, the Leased Premises; and

WHEREAS, Tenant has granted American Tower a limited power of attorney (the “POA”) to, among other things, prepare, negotiate, execute, deliver, record and/or file certain documents on behalf of Tenant; and

WHEREAS, the City and Tenant desire to amend the terms of the Lease to extend the term, provide a one-time payment in the amount of Twenty-Seven Thousand Five Hundred Dollars (\$27,500.00) to the City, provide Tenant with the option to extend the Lease for each of four (4) additional five (5) year renewal terms, grant to Tenant an irrevocable option to expand the Leased Premises to include an additional five hundred

(500) square feet contiguous to the Leased Premises subject to City approval as to shape and location, providing the City the right to locate communications infrastructure on all towers located at the Leased Premises at no cost to the City, and to otherwise modify the Lease as expressly provided in the Third Amendment to Site Agreement for Land, which is attached hereto and incorporated herein as Exhibit "A" (the "Third Amendment"); and

WHEREAS, the City Commission desires to authorize the City Manager or his designee to execute the Third Amendment subject to any changes as to form or sufficiency as may be required by the City Attorney.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA:

Section 1. Recitals Adopted. That each of the above recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. Lease Approved. That the City Manager or his designee is authorized to execute the Third Amendment to the Site Agreement for Land between the City of Deltona and Cellco Partnership d/b/a Verizon Communications, Inc, which is attached hereto and incorporated herein as Exhibit "A" (the "Third Amendment"), subject to any changes which may be required by the City Attorney.

Section 3. Implementation. That the City Manager is hereby authorized to take any action which is necessary to implement this Resolution.

Section 4. Effective Date. That this Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, THIS _____ DAY OF _____, 2025.

BY: _____
Santiago Avila, Jr., MAYOR

ATTEST:

Joyce Raftery, CMC, MMC, CITY CLERK

Approved as to form and legality
for use and reliance of the City of
Deltona, Florida

TG Law PLLC, CITY ATTORNEY

Name	Yes	No
Avila-Vazquez		
Colwell		
Heriot		
Howington		
Nabicht		
Santiago		
Avila		