




Interoffice Memorandum


APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
MAY 05 2015 NP/KH

REAL ESTATE MANAGEMENT ITEM 1

DATE: April 14, 2015

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

THROUGH: Ann Caswell, Manager 
Real Estate Management Division

FROM: Ruby Fortson, Acquisition Agent 
Real Estate Management Division

CONTACT PERSON: Ann Caswell, Manager

DIVISION: Real Estate Management
Phone: 836-7082

ACTION REQUESTED: APPROVAL AND EXECUTION OF FIRST AMENDMENT TO
TOWER SITE LEASE BETWEEN OAKVILLE TOWER HOLDINGS,
LLC AND ORANGE COUNTY

PROJECT: Information Systems and Services Division Tower Lease –Southchase
Tower located at 13400 S. Orange Avenue, Orlando

District 4

PURPOSE: To provide for continued access, operation and maintenance of
telecommunication system and ground space for a shelter building and
related equipment.

ITEM: First Amendment to Tower Site Lease
Cost: \$4,144.68 per month
Term: Five years
Option: Two, 5-year renewals

BUDGET: Account No.: 0001-031-0565-3620

APPROVALS: Real Estate Management Division
County Attorney's Office
Information Systems Services Division
Risk Management Division

REMARKS: The original Lease Agreement was approved by the Orange County Board of County Commissioners on August 31, 2004. This First Amendment provides for Information Systems and Services Division's (ISSD) continued 911 services from the Southchase Tower located at 13400 S. Orange Avenue. ISSD has determined it more cost effective and environmentally sound to continue to lease the tower space in lieu of constructing its own tower. The County's current tower consultant does not have a tower available for relocation that meets ISSD's distance requirements.

This Amendment became effective January 1, 2015 and is subject to annual escalation adjustments of 4% per year. All other terms and conditions of the lease remain in full force and effect.

A file labeled "BCC Agenda Backup" containing a copy of this agenda item and all supporting documentation is in the top drawer of the BCC file cabinet in the supply room adjacent to Commissioner Thompson's office.

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Licensor Site Name/Number: ORLANDO - SOUTHCHASE FL / 282704

Licensor Contract Number: 434518

Licensee Site Name/Number: Orange County Information Systems
and Services Division – Southchase Tower

FIRST AMENDMENT TO TOWER SITE LEASE

This First Amendment (the “First Amendment”) to that certain Tower Site Lease dated August 31, 2004 by and between Oakville Tower Holdings, LLC and Orange County, a political subdivision of the State of Florida, (the “Agreement”) is made and entered into as of the latter signature date hereof, by and between Oakville Tower Holdings, LLC, a Delaware limited liability company (the “Licensor”) and Orange County, Florida, a charter county and political subdivision of the State of Florida, (the “Licensee”) (collectively, the “Parties”).

RECITALS

WHEREAS, Licensor owns a certain communications tower and leases a certain parcel of land located at 13400 S. Orange Ave, ORLANDO, FL 32824-6119 more commonly known to Licensor as the ORLANDO - SOUTHCHASE FL tower site (the “Tower Facility”); and

WHEREAS, Licensor and Licensee entered into the Agreement for the use of a certain portion of the Tower Site; and

WHEREAS, the Parties agree to extend the term of the Agreement, among other things, all on the terms and conditions as set forth herein.

NOW THEREFORE, in consideration of the foregoing promises and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereto agree as follows:

- 1) Licensor and Licensee agree to extend the term of the Agreement commencing on January 1, 2015 (the “Extension Term Commencement Date”) for a period of five (5) years (the “Extension Term”).
- 2) Licensor and Licensee agree and acknowledge that the Renewal Terms as defined on page one of the Agreement shall be modified to include two (2) additional option periods of five (5) years each.
- 3) Licensor and Licensee agree and acknowledge that the Annual Escalator as defined on page one of the Agreement shall be modified to be four percent (4%).
- 4) Radon is a naturally occurring radioactive gas that, when it has accumulated in a building in sufficient quantities may present health risks to persons who are exposed to it over time. Levels of radon that exceed federal and state guidelines have been found in buildings in Florida. Additional information regarding radon and radon testing may be obtained from your county public health unit.
- 5) Capitalized terms contained herein, unless otherwise defined, are intended to have

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Licensee Site Name/Number: Orange County Information Systems
and Services Division – Southchase Tower

the same meaning and effect as that set forth in the Agreement.

- 6) All other terms and provisions of the Agreement remain in full force and effect.

[SIGNATURES APPEAR ON THE NEXT PAGE]

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]

IN WITNESS WHEREOF, the Parties hereto have set their hands to this First Amendment to that certain Tower Site Lease as of the day and year written below:

Signed, sealed and delivered
in the presence of:

[Signature]
Witness

[Signature]
Witness

Agreed to and accepted by:
LICENSOR:
Oakville Tower Holdings, LLC, a
Delaware limited liability company

By: [Signature]

Name: Margaret Robinson
Senior Counsel

Title: _____

Date: 3-31-15

Agreed to and accepted by:
LICENSEE:
ORANGE COUNTY, FLORIDA
By Board of County Commissioners

(Official)



BY: [Signature]
Teresa Jacobs,
Orange County Mayor

DATE: 5.5.15

ATTEST: Martha O. Haynie, County
Comptroller, Clerk to the Board

BY: [Signature]
Deputy Clerk

Katie Smith

Printed Name