



City Attorney's Office

515 Clark Avenue, P. O. Box 811
Ames, IA 50010
Phone: 515-239-5146 • Fax: 515-239-5142

October 22, 2010

The Honorable Ann Campbell, Mayor,
and Members of the City Council
of the City of Ames, Iowa

Re: Amendment to T-Mobile Cell Tower Lease at Homewood Golf Course

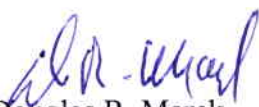
Dear Mayor Campbell and Council Members:

In 1996 the City of Ames entered into a lease agreement for a cellular telephone site at Homewood Golf Course. The original site lease was for a term of five years. The lease was renewed for additional five-year terms in 2001 and 2006, and it remains in effect today. The lease includes the grant of an easement to permanently install utilities across the Homewood Golf Course to serve the antenna facilities. No easement location is specified in the lease agreement, however, and no utility lines are currently extended to the antenna site.

The lease-holder, T-Mobile, has now requested that a specific easement location be described in the lease agreement so that fiber optic lines can be extended to the antenna site. The proposed easement area is adjacent to the asphalt driveway extending north from East 20th Street to the Homewood maintenance building and then along a gravel drive to the antenna site. Staff members of the Parks and Recreation Department have reviewed the proposed easement location and have determined that it is acceptable and will not interfere with golf course operations.

Copies of the request from T-Mobile and the utility easement exhibits are attached. Approval of T-Mobile's request will incorporate the easement exhibits into the current lease, but will not otherwise affect any of the terms or conditions.

Yours truly,


Douglas R. Marek
City Attorney

DRM:gmw
Attachments



T-Mobile Central LLC
2001 Butterfield Rd.
Downers Grove, IL 60515
(630) 960-8131

October 6, 2010

City of Ames
C/O Parks and Recreation
Mr. Kevin Shawgo
515 Clark Ave
Ames, IA 50010

Re: Lease Agreement dated December 3, 1996, by and between City of Ames and Western PCS I (T Mobile)
T-Mobile Site: DM1404A, 405 East 20th St

Dear Mr. Shawgo:

Please let this letter serve as a request to allow the drawings dated September 9, 2010 prepared by LandTech to be included with the lease dated December 3, 1996. The drawings will be shown as the Exhibit B and reference the T Mobile utility easement.

If you have any questions, please call Mark Holm at 952 833 4085

Sincerely,

Mark Holm
Development Manager



PROPERTY OWNER
 CITY OF AMES
 P.O. BOX 811
 AMES, IOWA 50010

PARENT PARCEL DESCRIPTION (as provided)
 THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 35, TOWN 84 NORTH,
 RANGE 24 WEST, 5th P.M.
PARCEL ID NUMBER: 0535250001

PROPOSED UTILITY EASEMENT DESCRIPTION

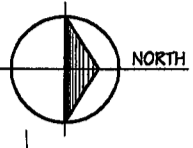
A SIX (6) FOOT WIDE EASEMENT FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES OVER/UNDER AND ACROSS ALL THAT PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 35, T84N, R24W, 5th P.M., CITY OF AMES, STORY COUNTY, IOWA, HAVING A CENTERLINE DESCRIBED AS: COMMENCING AT A FOUND 1/2" REBAR AT THE NORTHEAST CORNER OF LOT 2 OF GUNDERLAND HEIGHTS 2nd ADDITION; THENCE SOUTH 87°45'07" WEST A DISTANCE OF 336.28 FEET TO A FOUND 1/2" REBAR AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF E. 20th STREET WITH THE WEST RIGHT OF WAY LINE OF GEORGE ALLEN AVENUE; THENCE NORTH 16°12'18" EAST A DISTANCE OF 69.58 FEET TO THE NORTH RIGHT OF WAY LINE OF E. 20th STREET AND THE POINT OF BEGINNING; THENCE NORTH 52°53'04" EAST A DISTANCE OF 34.41 FEET; THENCE NORTH 17°11'05" WEST A DISTANCE OF 75.36 FEET; THENCE NORTH 29°31'45" WEST A DISTANCE OF 40.55 FEET; THENCE NORTH 11°11'24" EAST A DISTANCE OF 30.89 FEET; THENCE NORTH 30°23'22" EAST A DISTANCE OF 135.10 FEET; THENCE NORTH 64°55'54" EAST A DISTANCE OF 21.94 FEET; THENCE NORTH 12°50'45" EAST A DISTANCE OF 69.49 FEET; THENCE NORTH 01°38'25" WEST A DISTANCE OF 69.41 FEET; THENCE NORTH 16°23'51" WEST A DISTANCE OF 50.63 FEET; THENCE NORTH 53°22'25" WEST A DISTANCE OF 55.94 FEET; THENCE NORTH 30°43'25" WEST A DISTANCE OF 37.45 FEET; THENCE NORTH 19°24'53" EAST A DISTANCE OF 45.80 FEET; THENCE NORTH 30°42'04" EAST A DISTANCE OF 36.48 FEET; THENCE SOUTH 68°27'34" EAST A DISTANCE OF 47.65 FEET; THENCE NORTH 26°11'52" EAST A DISTANCE OF 70.78 FEET; THENCE NORTH 73°34'43" EAST A DISTANCE OF 33.80 FEET TO THE WEST LINE OF AN EXISTING T-MOBILE LEASE AREA AND THE POINT OF ENDING. THE SIDE LINES OF SAID EASEMENT ARE LENGTHENED AND/OR SHORTENED TO BEGIN AT THE NORTH RIGHT OF WAY LINE OF E. 20th STREET AND TERMINATE AT THE WEST LINE OF AN EXISTING T-MOBILE LEASE AREA. THE CENTERLINE OF SAID EASEMENT IS ADJUSTED TO COINCIDE WITH THE BURIED UTILITIES AS INSTALLED.

ALL UTILITIES AS SHOWN ARE APPROXIMATE LOCATIONS DERIVED FROM ACTUAL MEASUREMENTS AND AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATION NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THE AREA.

- IRON FOUND
- P.K. NAIL FOUND
- P.K. NAIL SET
- BRG MONUMENT
- MONUMENT FOUND
- MONUMENT SET
- RECORDED
- MEASURED
- STORM MANHOLE
- CATCH BASIN
- SQUARE CATCH BASIN
- SANITARY MANHOLE
- SANITARY CLEAN-OUT
- MONITOR WELL
- TELCO. MANHOLE
- POWER POLE
- LIGHT POLE
- SECTION TRANSPIRERS
- SECTION MARKER
- SECTION MANHOLE
- WATER VALVE
- HYDRANT
- GAS METER
- GAS VALVE
- TELEPHONE FERRISWHEEL
- IRON POST
- ◆ BENCHMARK

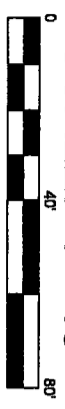
LEGEND

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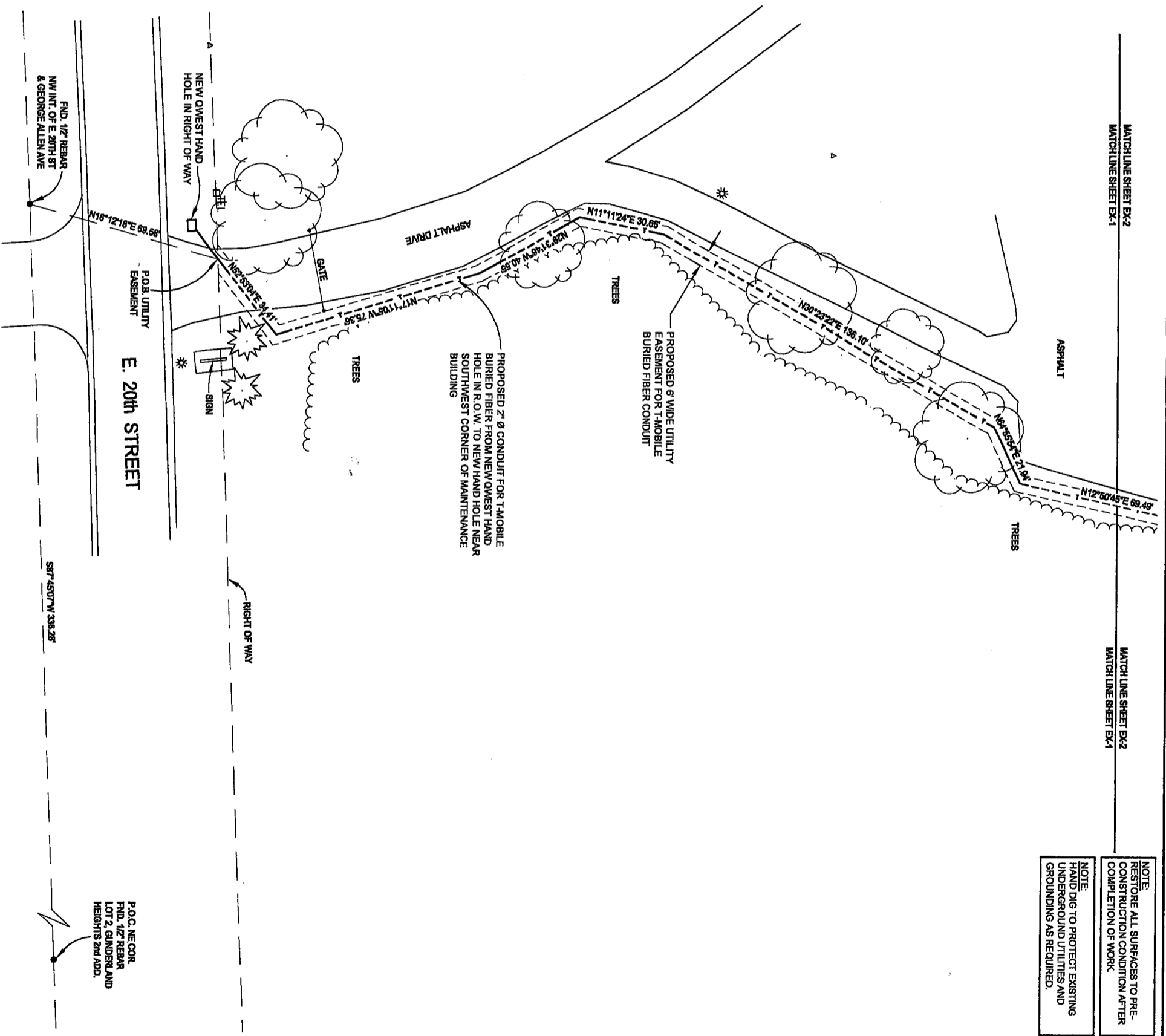


Utility Exhibit

SCALE: 1"=40'



CENTERLINE OF EASEMENT
 NOTE: THE EASEMENT CENTERLINE MAY VARY IF FIELD CONSTRUCTION PROBLEMS ARISE. THEREFORE, THE EASEMENT CENTERLINE SHALL COINCIDE WITH THE AS-INSTALLED CONDUIT CENTERLINE.



NOTE: RESTORE ALL SURFACES TO PRE-CONSTRUCTION CONDITION AFTER COMPLETION OF WORK.
 NOTE: HAND DIG TO PROTECT EXISTING UNDERGROUND UTILITIES AND GROUNDING AS REQUIRED.

T-Mobile
 3580 109th STREET
 URBANDALE, IOWA 50322
 Phone: (515) 334-2200
 CONTACT: MATT ENGEL

| REV. | DATE | DESCRIPTION | BY |
|------|----------|----------------------|-----|
| 0 | 08/20/10 | PRELIMINARY DRAWINGS | DAM |

NOTE: THESE DRAWINGS ARE TO SCALE WHEN PLOTTED ON 11x17" SHEETS. REFER TO GRAPHIC SCALES ON REPRODUCTIONS.



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SW 1/4 OF NE 1/4,
 CITY OF AMES,
 STORY COUNTY,
 STATE OF IOWA

SITE #: DM01404A
 SITE NAME: HOMEWOOD
 SITE ADDRESS: 405 E. 20th STREET
 AMES, IOWA 50010

Sheet Title: **UTILITY EXHIBIT**

Sheet Number: **EX-1**

NOTE:
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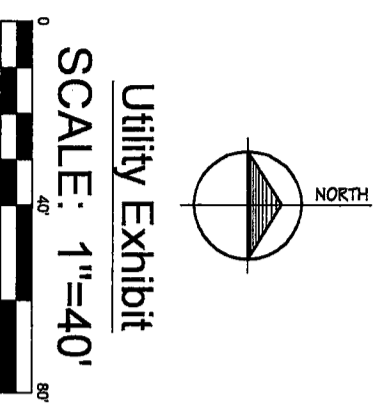
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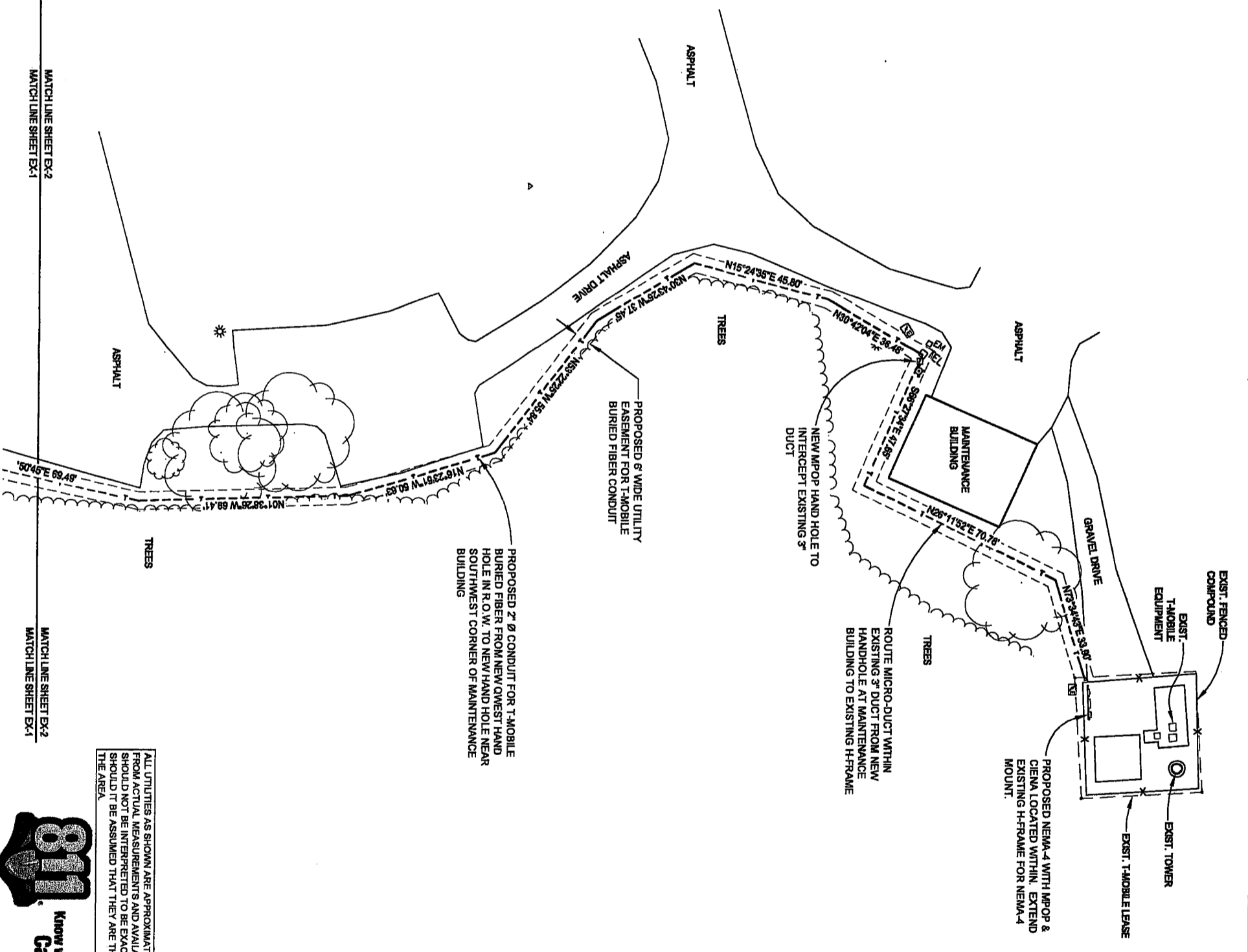
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- BATTERY CLEAN-OUT
- MONITOR WELL
- TELECOM MANHOLE
- POWER POLE
- LIGHT POLE
- ELEC. TRANSFORMER
- ELEC. METER
- ELEC. METER
- ELEC. METER
- WATER VALVE
- HYDRANT
- GAS METER
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- GAS VALVE
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- IRON POST
- FENCE LINE
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SW 1/4 OF NE 1/4,
CITY OF AMES,
STORY COUNTY,
STATE OF IOWA

SITE #:
DM01404A
SITE NAME:
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SITE ADDRESS:
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AMES, IOWA 50010

Sheet Title:
UTILITY EXHIBIT

Sheet Number:
EX-2



Know what's below.
Call before you dig.