

**ORDINANCE NO. 43-2017**

**TITLE: AMEND AGREEMENT  
NEW CINGULAR WIRELESS PCS, LLC**

**AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO AMEND THE GROUND LEASE AGREEMENT BETWEEN THE CITY OF BARBERTON AND NEW CINGULAR WIRELESS PCS, LLC FOR THE CONTINUED USE OF THE CITY OWNED PARCEL AS A CELLULAR COMMUNICATIONS TOWER SITE.**

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Barberton, State of Ohio:

**SECTION 1.** That the Mayor, or his designee, is hereby authorized and directed to amend the ground lease agreement between the City of Barberton and New Cingular Wireless PCS, LLC for the continued use of the City owned parcel as a cellular communications tower site.

**SECTION 2.** That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public in compliance with the law.

**SECTION 3.** That this ordinance shall be in full force and effect from and after the earliest period allowed by law.

Passed \_\_\_\_\_ 2017

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Clerk of Council

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President of Council

Approved \_\_\_\_\_ 2017

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Mayor