

CLINTON COUNTY BOARD OF COMMISSIONERS

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Robert Showers

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Jack Enderle

Jamie Clover Adams

Bruce DeLong

David Pohl

Adam C. Stacey

**COURTHOUSE
100 E. STATE STREET
ST. JOHNS, MICHIGAN 48879-1571
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Administrator
Ryan L. Wood
Clerk of the Board
Diane Zuker

RESOLUTION 2011-7 APPROVING GROUND LEASE FOR CLINTON COUNTY CENTRAL DISPATCH TOWER

This Resolution is made and adopted at a regular meeting of the Clinton County Board of Commissioners, County of Clinton, State of Michigan, held at 100 East State Street, St. Johns, Michigan 48879 on May 19, 2011 at 9:00 o'clock a.m.

PRESENT: Jamie Clover Adams, Bruce DeLong, Jack Enderle, Larry Martin, David Pohl, Robert Showers and Adam Stacey

ABSENT: None

The following Resolution was offered by Commissioner Showers, and seconded by Commissioner Enderle.

WHEREAS, Clinton County (the "County") has adopted as agreement establishing the Clinton County Central Dispatch Authority (the "Authority") pursuant to the Emergency Telephone Enabling Act, 1986, P.A.32, as amended;

WHEREAS, the Authority has determined that radio coverage is lacking in certain areas of the County, including the southwest quadrant of the County, and has recommended the acquisition of a tower site in said quadrant to improve radio coverage.

WHEREAS, Clinton County voters recently approved an increase to the monthly 911 fee on landline telephones, cell phones, and other devices that can call 911, which surcharge can be used for the construction of a new radio tower in the southwest quadrant of the County.

WHEREAS, representatives of the County have negotiated a favorable long term ground lease from civic minded property owners for property located in the southwest quadrant of the County on the south side of Chadwick Road, in the northwest one-quarter of the northwest one-quarter of Section 35, T6N, R3W, Riley Township, Clinton County, Michigan, suitable for such a tower;

WHEREAS, the County has investigated the proposed tower site and obtained permits and approvals necessary to construct said tower, including but not limited to a Tall Structures permit from the Michigan Department of Transportation, a Determination of No-hazard To Air and Navigation from the Federal Aviation Administration, a Phase I Environmental Site Assessment, and a Phase I Cultural Resources Survey relative to the proposed ground lease site regarding suitability and acceptability of the proposed ground lease location;

WHEREAS, the Board of Commissioners has determined that construction of the Clinton County Central Dispatch Tower in the southwest quadrant of the County is in the best interest of the County and its residents, and promotes the health, safety, and welfare of its residents;

NOW THEREFORE, be it resolved by the Clinton County Board of Commissioners, Clinton County, Michigan as follows:

1. The Clinton County Board of Commissioners hereby approve the Ground Lease between Gerald G. Selden, Trustee of the Revocable Living Trust Agreement of Gerald G. Selden, dated January 13, 1997, and Beverly R. Selden, Trustee of the Revocable Living Trust Agreement of Beverly R. Selden, dated January 13, 1997, as Landlord, and the County of Clinton, as Tenant, for certain premises in the northwest one-quarter of the northwest one-quarter of Section 35, T6N, R3W, Riley Township, Clinton County, Michigan, in the form attached to this Resolution as Exhibit A.

2. The Clinton County Board of Commissioners hereby authorizes the execution of the Ground Lease by the Clinton County Board Chairperson and the County Clerk (the "Authorized Signatories").

3. The Authorized Signatories are also authorized to execute any other documents deemed necessary or desirable in connection with the Ground Lease, including but not limited to a Memorandum of Lease, or affidavits for title insurance coverage.

4. Any prior resolution or portion of any prior resolution inconsistent with this Resolution are hereby appealed.

ADOPTED:

YEAS: Seven (7) NAYS: Zero (0)

STATE OF MICHIGAN)

) ss:

COUNTY OF CLINTON)

I, the undersigned duly qualified and acting Secretary of the Clinton County Board of Commissioners, Clinton County, Michigan DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Clinton County Board of Commissioners of said County at a regular meeting held on the 19th day of May, 2011

Diane Zuker, Clinton County Clerk