

CITY OF MARGATE, FLORIDA

RESOLUTION NO. 9590

A RESOLUTION OF THE CITY OF MARGATE, FLORIDA,
APPROVING AMENDMENT NO. 1 TO LEASE AGREEMENT
WITH OMNIPOINT HOLDINGS, INC. AND AUTHORIZING
SUBLEASE OF THE PREMISES TO VERIZON WIRELESS.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF
MARGATE, FLORIDA:

SECTION 1: That the City Commission of the City of
Margate, Florida hereby approves Amendment No. 1 to Lease
Agreement with Omnipoint Holdings, Inc. to delete Section 20 in
its entirety of the original agreement, and authorizes sublease
of the premises to Verizon Wireless.

SECTION 2: That the Mayor and City Manager are hereby
authorized and directed to execute said agreement on behalf of
the City of Margate, a copy of which is attached and made a part
of this Resolution.

SECTION 3: That this Resolution shall become effective
immediately upon its passage.

PASSED, ADOPTED AND APPROVED THIS 19TH day of JUNE, 2002.

ATTEST:


CITY CLERK DEBRA THOMAS


MAYOR ARTHUR J. BROSS

RECORD OF VOTE

Donovan	<u>AYE</u>
Talerico	<u>AYE</u>
Schwartz	<u>AYE</u>
Varsallone	<u>AYE</u>
Bross	<u>AYE</u>



April 4, 2001

Emilio Esteban
City Manager
City of Margate
5790 Margate Blvd.
Margate, FL 33063

RE: FB1101D (Vinson Park)
Omnipoint Holdings, Inc. Site Lease Agreement with the City of Margate
Located at 851 N.W. 66th Ave., in the City of Margate, Broward County, FL

Dear Mr. Esteban:

Pursuant to Paragraph 10.03., Assignment, of the Lease Agreement ("Lease"), dated December 26, 1997, by and between The City of Margate ("Landlord") and Omnipoint Holdings, Inc., a Delaware corporation, ("VoiceStream") ("Tenant"), VoiceStream hereby requests your written approval to sublease the premises to Verizon Wireless ("Sublessee").

The Sublessee will be bound by the terms and conditions of the Lease.

Please indicate your acceptance in the space provided to the undersigned (2 copies of this letter enclosed) and return one original to me. Retain the second copy for your files.

Any questions or requests for additional information should be directed to Roberta Petish at 813-348-2520.

Thank you for your cooperation in this matter.

Roberta Petish
Site Marketing Program Coordinator
VoiceStream Wireless Corporation

cc: Purchasing Administrator, City of Margate
Verizon Wireless

LANDLORD CONSENT:

In consideration of the terms, provisions, conditions, covenants, and agreements of that Lease Agreement, by and between The City of Margate ("Landlord") and Omnipoint Holdings, Inc., a Delaware corporation ("Tenant"), landlord hereby agrees and consents to the above sublease, including but not limited to the uses, rights-of-way and other rights and responsibilities granted to the tenant.

City Manager, City of Margate

APPROVED BY RESOLUTION NO. 9590 - 6/19/2002
Mayor, City of Margate

By:

Signature

Leonard B. Golub

~~(Print name and title if different from above)~~

Arthur J. Gross

Date: June 19, 2002

AMENDMENT NO. 1 TO LEASE AGREEMENT

This Amendment No. 1 to Lease Agreement ("Amendment") is entered into, and modifies and amends the Lease Agreement dated December 26, 1997 (the "Original Agreement") by and between the City of Margate, Florida ("CITY") and Omnipoint Holdings, Inc., successor to Omnipoint Communications MB Operations, Inc. ("TENANT").

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

Section 20 of the Original Agreement is hereby deleted in its entirety.

Except as expressly set forth above, all provisions of the Original Agreement remain unchanged and in full force and effect. Unless otherwise defined herein, the terms and conditions contained herein have the same meaning as in the Original Agreement.

IN WITNESS WHEREOF, each of the parties have executed this Amendment on the date below their respective signatures.

APPROVED BY RESOLUTION NO. 9590 - 6/19/2002

LANDLORD: CITY OF MARGATE, FLORIDA

By:

Printed Name: Arthur J. Bross

Its:

Mayor

By:

Printed Name: Leonard B. Golub

Its:

City Manager

ATTEST:

Printed Name: Debra Thomas

City Clerk

Approved as to Form:

By:

Printed Name: Eugene M. Steinfeld

Its: City Attorney

TENANT: Omnipoint Holdings, Inc.

By:

Printed Name: Bryan J. Fleming
Dir. Engineering & Operations

Its:

Date:

4/5/01

WITNESSES:

Printed Name: Roberta L. Petish

Printed Name: Caren L. Tully

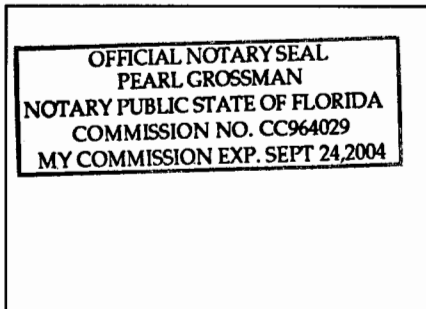
Site No.: FB1101D

Site Name: Vinson Park

[Notary block for Landlord]

STATE OF FLORIDA)
) ss.
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this 19th day of June, ~~2001~~ ²⁰⁰² by Arthur J. Gross, Mayor of the City of Margate, Florida, a municipal corporation, on behalf of said corporation. He/she is personally known to me or has produced _____ (type of identification) as identification.



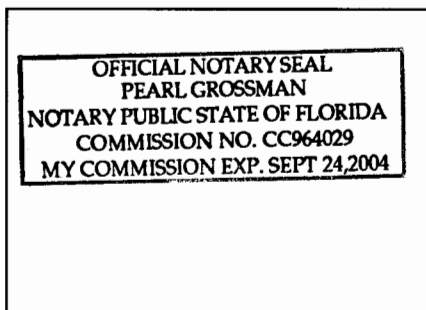
(Use this space for notary stamp/seal)

Pearl Grossman

Notary Public
Print Name PEARL Grossman
My commission expires 9/24/2004

STATE OF FLORIDA)
) ss.
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this 24th day of June, ~~2001~~ ²⁰⁰² by Leonard B. Golub, City Manager of the City of Margate, Florida, a municipal corporation, on behalf of said corporation. He/she is personally known to me or has produced _____ (type of identification) as identification.



(Use this space for notary stamp/seal)

Pearl Grossman

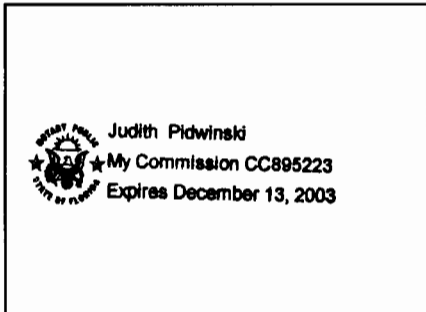
Notary Public
Print Name PEARL Grossman
My commission expires 9/24/2004

Site No.: FB1101D
Site Name: Vinson Park

[Notary block for Tenant]

STATE OF FLORIDA)
) ss.
COUNTY OF HILLSBOROUGH)

The foregoing instrument was acknowledged before me this 5th day of April 2001 by Bryan J. Fleming (name), Director, ETO (title) of Omnipoint Holdings, Inc., a Delaware corporation, on behalf of the corporation. He/she is personally known to me or has produced _____ (type of identification) as identification.



(Use this space for notary stamp/seal)

Judith P. Pidwinski
Notary Public
Print Name JUDITH PIDWINSKI
My commission expires 12/13/2003

Site No.: FB1101D
Site Name: Vinson Park