

I, Amy T. Harvey, Deputy Town Clerk of the Town of Chapel Hill, North Carolina, hereby certify that the attached is a true and correct copy of (2019-03-20/R-2) adopted by the Chapel Hill Town Council on March 20, 2019.

This the 22nd day of March, 2019.

Amy T. Harvey

**Amy T. Harvey
Deputy Town Clerk**



A RESOLUTION APPROVING INSTALLATION OF A ROOFTOP WIRELESS COMMUNICATIONS ANTENNA AS A USE OF AND EXTERIOR MODIFICATION TO THE 140 WEST FRANKLIN BUILDING (2019-03-20/R-2)

WHEREAS, the 140 West Franklin Condominium Association, Inc. seeks to enter into a lease with Cellco Partnership, d/b/a Verizon Wireless, to install an antenna on the roof of the residential condominium building that it owns at 140 West Franklin Street; and

WHEREAS, the building is located on the Building Unit portion of the Lot 5 Land Condominium, for which the Town of Chapel Hill is the Declarant and owner of the underlying real property; and

WHEREAS, the Town ground leases the Building Unit to the 140 West Franklin Condominium Association, Inc.; and

WHEREAS, the Community Design Commission approved the rooftop antenna project on October 23, 2018 and Town staff issued a Certificate of Approval on November 30, 2018; and

WHEREAS, Town staff approved the project plans and issued a Wireless Communications Facilities Permit on December 7, 2018; and

WHEREAS, by authority duly given and pursuant to the Declaration of Condominium for the Lot 5 Land Condominium, for which the Town of Chapel Hill is the Declarant, the Executive Board of the Lot 5 Land Condominium Owners Association Inc. granted permission for installation of the exterior rooftop antenna on January 10, 2019; and

WHEREAS, pursuant to the General Development Agreement by and between the Town and RAM Development Company, predecessor in interest to 140 West Condominium Association, Inc., the Town, as Landlord for the Ground Lease, must approve improvements other than for retail and residential purposes as well as exterior building modifications.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council approve installation of a rooftop wireless communications antenna as a use of and exterior modification to the 140 West Franklin building and consent to a Rooftop, Antenna and Cabling Space Lease Agreement between 140 West Franklin Condominium Association, Inc. and Cellco Partnership, d/b/a Verizon Wireless.

This the 20th day of March, 2019.