

Memorandum

To: William T. Lichter, Village Manager of Lombard

From: David A. Hulseberg, AICP, Assistant Village Manager

Date: February 6, 2007

Subject: Release and Settlement Agreement with Cingular Wireless (Previously Cell One) at Well House No. 11

The Village of Lombard entered into a lease agreement in February of 1996 with New Cingular Wireless Services PCS, LLC (Cingular) to lease a portion of Well House No. 11 for placement of wireless antennae equipment. The agreement provided a monthly monetary payment in the amount of \$600 for the Third Term of the agreement. Said agreement was to expire on February 12, 2011. Cingular now desires to terminate that agreement and to pay the remaining amount due as a lump sum of \$30,000. This amount represents the full value of the agreed upon contract.

Cingular has removed all equipment from the property and restored it to an acceptable manner. Village Counsel has reviewed the Release and Settlement Agreement and finds it to be acceptable.

Recommendation: Staff recommends that the Village Board authorize the Village President and the Village Clerk to sign a Release and Settlement Agreement with Cingular.