



RESOLUTION

concerning

LEASE OF SPACE AT SOUTHERN CONNECTICUT STATE UNIVERSITY TO NEXTEL COMMUNICATIONS

December 10, 1999

WHEREAS, Section 4b-38 of the Connecticut General Statutes provides that the Board of Trustees may lease land or buildings, and facilities under their control and supervision, and

WHEREAS, Nextel Communications has requested permission from Southern Connecticut State University to lease approximately 240 square feet in the penthouse of Jennings Hall for the installation and maintenance of wires, cable, conduits and pipes associated with antenna structures, and

WHEREAS, It has been determined by Southern that the space is not needed for use by the university, and

WHEREAS, The lease agreement stipulates that use of the property is contingent upon meeting all policies, regulations and laws of local, state and federal agencies, therefore be it

RESOLVED, That the Board of Trustees for the Connecticut State University System approve the lease of space to Nextel Communications at Southern Connecticut State University's Jennings Hall, and be it further

RESOLVED, That the rental agreement may be automatically extended for three (3) additional six (6) year terms unless formally terminated by either the lessee or the lessor.

A Certified True Copy:

[Handwritten signature of William J. Cibes, Jr.]
William J. Cibes, Jr.
Chancellor

ITEM

Lease of space at Southern Connecticut State University to Nextel Communications

BACKGROUND

The Board of Trustees under its statutory authority - Section 4b-38 - may lease land or buildings, or both, and facilities under its control and supervision when such land, buildings or facilities are otherwise not used or needed for use by the university and such action seems desirable to produce income or is otherwise in the public interest, provided the Treasurer of the State of Connecticut has determined that such action will not affect the status of any tax-exempt obligations issued or to be issued by the State of Connecticut.

ANALYSIS

Nextel Communications has requested permission from management at Southern Connecticut State University to lease approximately two hundred forty (240) square feet in the penthouse of Jennings Hall. Nextel would like to lease this space for the installation and maintenance of wires, cable, conduits and pipes associated with antenna structures. All improvements and alterations made to the space, as part of the installation of the antennas will be at Nextel's expense and subject to approval by Southern. Typically these antennas do not extend above the roof line, and therefore will not be visible from the grounds surrounding Jennings Hall.

The lease agreement stipulates that Nextel's ability to use the property is contingent upon meeting all obligations of compliance with any and all environmental laws, including permits, regulations, guidelines, standards, or policies of all local, state and federal agencies. The agreement will be reviewed by the Office of the State Treasurer to ensure that the agreement does not affect tax-exempt status. Once it has received approval from the Treasurer, it will be reviewed for approval as to form by the Office of the Attorney General.

The initial term of the lease is for six (6) years with an annual rental of \$18,000. The agreement can be automatically extended for three (3) additional six (6) year terms unless terminated by either the lessee or lessor by giving written notice of at least six (6) months. Upon termination the lessee will remove all equipment and restore the penthouse to its original condition within 90 days.

CHANCELLOR'S RECOMMENDATION

Approve the lease of space at Southern Connecticut State University to Nextel Communications.