



**MEMORANDUM**

TO: Board of Education  
Daniel Nerad, Superintendent

FROM: Matthew W. Bell, Associate General Counsel

DATE: February 25, 2010

RE: Telecommunications Tower Lease Proposals

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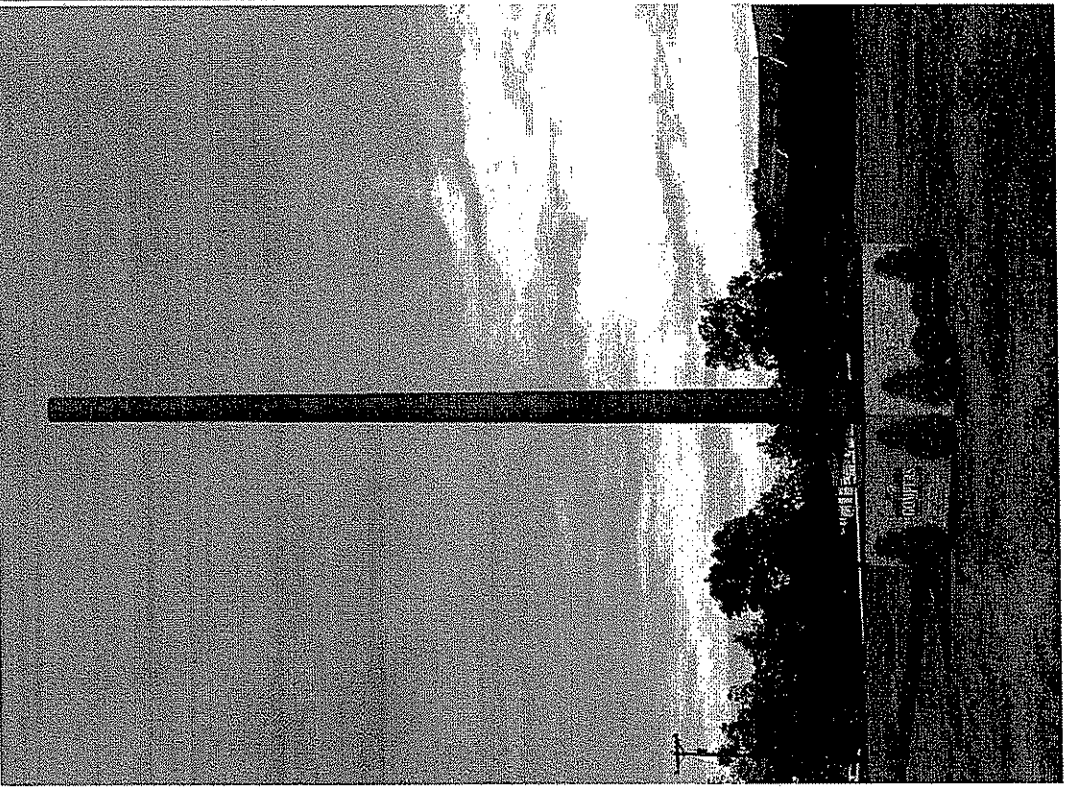
Recently, the Madison Metropolitan School District was approached by the Madison Cellular Telephone Company ("MCTC") seeking to place cellular communication equipment on MMSD property. MCTC is requesting to enter into a lease with the MMSD for the purpose of erecting a telecommunications tower at Blackhawk/Gompers. MCTC is seeking to lease ground space from the District in order to erect an 80 ft. pole and a fenced area surrounding the pole consisting of 1,600 sq. ft. (See attached rendition provided by MCTC). By way of comparison, the American Tower lease previously approved by the Board and located at Memorial High School consists of a tower at 95 ft. above ground level and approximately 1,500 sq. ft. of ground space.

The terms of the lease proposed by MCTC include an "initial option term" of 18 months for which MCTC would reimburse the District \$1,000. The lease states that the "initial option term" may be extended for an additional 6 months upon notification and payment of an additional \$1,000. Should MCTC exercise the option, the initial term of the lease would run for 5 years at a proposed rental rate of \$1,500 per month. Also by way of comparison, the American Tower lease previously approved by the Board and located at Memorial High School contains an initial term lease rate of \$1,800 per month. The lease also proposes that after the initial term, the lease "shall automatically extend for up to five (5) additional terms of five (5) years each . . . unless Tenant gives Landlord written notice of Tenant's intention to terminate the lease." Finally, the lease proposes a 10% increase over the lease rate for the prior term for each successive term.

The current memo is intended to advise the Board of the current offer. At a later date, and if the Board wishes to pursue a lease with MCTC, Legal Services will seek authority from the Board to negotiate specific terms of the lease. Please feel free to contact Legal Services regarding any questions or concerns.



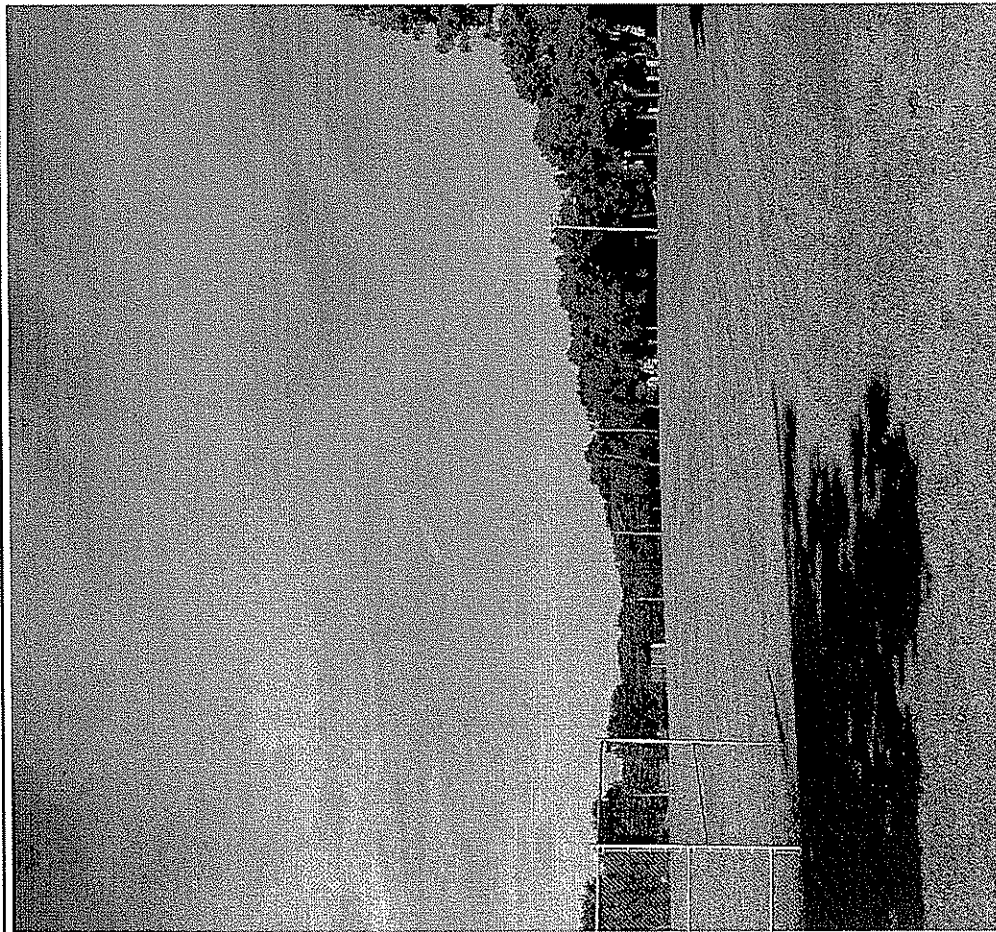
Before




After

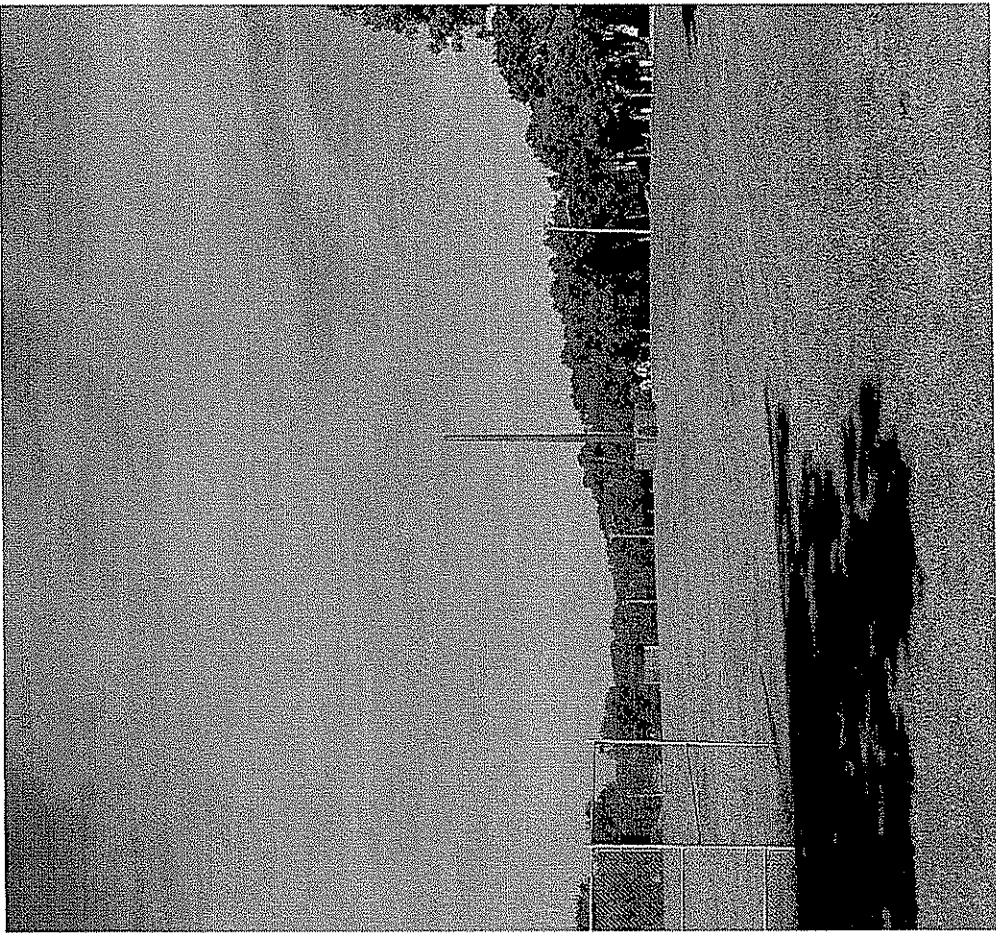


Cherokee - Gompers Elementary (From West)



Before

 U.S. Cellular



After

Cherokee - Gompers Elementary  
(From East)

