



# MOUNTAINS RECREATION & CONSERVATION AUTHORITY

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## MEMORANDUM

TO: The Governing Board

FROM:  Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Officer

DATE: November 9, 2011

SUBJECT: **Agenda Item XII: Consideration of resolution authorizing sale of cellular tower and communications easements at Ritter Ranch, Palmdale.**

Staff Recommendation: That the Governing Board adopt the attached resolution authorizing sale of cellular tower and communications easements at Ritter Ranch, Palmdale.

### Background:

American Tower Corporation ("American Tower"), a national cellular and communications tower owner and operator, currently holds a master lease for a communications tower on a small portion of land at the MRCA-owned Ritter Ranch in Palmdale. The MRCA leases the tower site to American Tower in exchange for a monthly lease payment based on the revenue generated at the site.

In response to fluctuations in the wireless communications industry, American Tower approached the MRCA with an offer to purchase an exclusive perpetual easement for communications and associated uses at the tower site, along with non-exclusive easements for ancillary purposes such as access, utilities, and maintenance over adjacent portions of the property. Consideration for granting the easement would be a one time lump sum payment.

Under the terms of the proposed sale, the current lease agreement would terminate and American Tower would effectively assume the role of landlord to current and future tenants utilizing the communications towers.

Staff has reviewed the proposed purchase agreement and easement document and has no immediate concerns with either. Approval of this resolution would authorize staff to complete its due diligence and finalize the sale and transfer of the subject easements.