

## NOTICE OF ADOPTION OF RESOLUTION

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Yorktown, Westchester County New York, at a meeting held on the 17th day of January 2023, duly adopted the resolution published herewith SUBJECT TO A PERMISSIVE REFERENDUM.

Dated: Yorktown Heights, New York  
January 18, 2023

Diana L. Quast, Town Clerk  
Town of Yorktown  
Master Municipal Clerk

RESOLUTION DATED JANUARY 17, 2023  
A RESOLUTION, SUBJECT TO PERMISSIVE REFERENDUM,  
AUTHORIZING THE SUPERVISOR TO SIGN AN AGREEMENT WITH  
HOMELAND TOWERS, LLC TO CONSTRUCT, MAINTAIN, AND OPERATE A  
COMMUNICATIONS TOWER AND RELATED ANCILLARY FACILITIES AND  
IMPROVEMENTS, AN ABSTRACT OF WHICH IS AS FOLLOWS:

A resolution to lease approximately 3,520 square feet of ground space of property located at 3101-3103 Quinlan Street, Town of Yorktown, County of Westchester, New York and shown on the Tax Map of the Town as Parcel 27.05-1-16 and 27.05-1-17 to Homeland Towers, LLC (“Tenant”) to construct, maintain and operate a communications tower and related ancillary facilities and improvements for the transmission and reception of communication signals and to accommodate the installations of wireless carriers and Town and local emergency service antennas and equipment, including without limitation, radio equipment cabinets, antennas and related equipment and utilities. In return the Town will receive \$2,000.00 per month or 35% of all gross rents collected by Tenant from subtenants, whichever is higher, paid monthly in advance. The Lease provides for a twelve-month option to Lease the premises, with two additional twelve-month options in exchange for a payment of \$500.00 per option period. The initial term of the lease will be ten (10) years from the commencement date and shall automatically renew for up to nine additional terms of five years each unless Tenant notifies the Town of its intention not to renew prior to commencement of the succeeding renewal term.

Pursuant to the Resolution of the Board the validity of the Lease is subject to a permissive referendum as set forth in Article 4, section 64(2) and Article 7, section 90 of the Town Law of the State of New York.

This resolution is subject to permissive referendum and shall be posted and advertised accordingly.

Upon this resolution taking effect, the same shall be published in The Yorktown News, which is hereby designated as the official newspaper of said Town for such purpose.

Diana L. Quast, Town Clerk  
Town of Yorktown  
Master Municipal ClerkR