

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2022 Legislative Session

Resolution No. CR-029-2022
Proposed by The Chair (by request—Planning Board)
Introduced by Council Members Hawkins, Glaros, Davis, Taveras, and Streeter
Co-Sponsors _____
Date of Introduction April 12, 2022

RESOLUTION

1 A RESOLUTION concerning

2 Maryland-National Capital Park and Planning Commission – Lease Agreements

3 For the purpose of approving, by legislative action of the District Council in accordance with
4 State law, a First Amendment Agreement between STC Three LLC and the Maryland-National
5 Capital Park and Planning Commission.

6 WHEREAS, Title 17, Land Use Article, Annotated Code of Maryland, authorizes the
7 Maryland-National Capital Park and Planning Commission (“M-NCPPC”) to sell, convey,
8 transfer, lease, or exchange any land held by it and deemed by M-NCPPC as not needed for park
9 purposes or other authorized purposes; and

10 WHEREAS, the Land Use Article authorizes M-NCPPC to own, control, develop,
11 maintain, and operate a public park system within the Maryland-Washington Metropolitan
12 District; and

13 WHEREAS, on January 4, 2002, M-NCPPC and ATP Realty and Equipment Company
14 LLC, now operated by its successor in interest STC Three LLC, also known as Crown Castle
15 USA Inc. (“STC”) executed a lease agreement (“Original Lease Agreement”), whereby a portion
16 of M-NCPPC-owned land located at 8001 Sheriff Road was leased to STC for purposes of
17 installing, operating, maintaining, repairing, and replacing certain communications equipment
18 under specified terms, covenants, and conditions recited within said Original Lease Agreement,
19 together with a grant of certain access, utility and/or maintenance easements and/or rights of way
20 on the subject property in furtherance of the provision of telecommunications utility services in
21 the County; and

1 WHEREAS, the stated contractual term of the Original Lease Agreement was from
2 February 1, 2002, until January 31, 2022, and is consistent with park purposes; and

3 WHEREAS, M-NCPPC and STC now desire to amend the terms of the Original Lease
4 Agreement to provide for additional Renewal Terms beyond the Original Term of the agreement,
5 and to make other changes; and

6 WHEREAS, M-NCPPC has considered and determined that the proposed terms and
7 improvements will not be inconsistent with its purposes, and is further agreeable to STC request
8 for an extension of the term stated in the most recently executed lease agreement; and

9 WHEREAS, as a result, the parties seek to execute a First Amendment to the Original
10 Lease Agreement in order to extend the term of the lease agreement for three (3) additional five
11 (5) year terms, or fifteen (15) years beyond the term of the Original Lease Agreement, with an
12 expiry date of January 31, 2037; and

13 WHEREAS, M-NCPPC has considered and determined that the terms of the proposed First
14 Amendment satisfactory, and transmitted its recommendation of approval to the Clerk of the
15 Council for consideration and final action as to same by the District Council; and

16 WHEREAS, pursuant to Section 17-204(a)(2), Land Use Article, Annotated Code of
17 Maryland, the proposed terms of the lease agreement must be legislatively approved by the
18 District Council in order to proceed; and

19 WHEREAS, the District Council has reviewed the terms of the Original Lease and First
20 Amendment, attached hereto as Attachment A and incorporated is if fully stated herein; and

21 WHEREAS, the Council has determined that the proposed First Amendment to the Original
22 Lease Agreement should be approved in accordance with State law.

23 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
24 County, Maryland, sitting as the District Council for that part of the Maryland-Washington
25 Regional District in Prince George's County, Maryland, that the proposed First Amendment to
26 the Original Lease Agreement by and between the Maryland-National Capital Park and Planning
27 Commission and STC Three LLC, including all related document(s) as set forth in Attachment A
28 and incorporated as if set forth fully herein, be and the same are hereby APPROVED.

29 BE IT FURTHER RESOLVED that, in approving the proposed Third Addendum to the
30 Original Lease agreement, the District Council further approves and authorizes the Maryland-
31 National Capital Park and Planning Commission to execute such related document(s) that are

1 necessary and/or desirable by the Commission in furtherance of effectuating the specific terms of
2 the executed lease agreement.

Adopted this 3rd day of May, 2022.

COUNTY COUNCIL OF PRINCE GEORGE’S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE’S COUNTY,
MARYLAND

BY: _____
Calvin S. Hawkins, II
Chair

ATTEST:

Donna J. Brown
Clerk of the Council