

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2024 Legislative Session

Resolution No. CR-030-2024
Proposed by The Chair (by request--Planning Board)
Introduced by Council Chair Ivey
Co-Sponsors _____
Date of Introduction April 16, 2024

RESOLUTION

A RESOLUTION concerning

Maryland-National Capital Park and Planning Commission – Lease Agreements
For the purpose of approving, by legislative action of the District Council in accordance with State law, an Affirmation and First Amendment to Agreement between CELLCO PARTNERSHIP d/b/a Verizon Wireless and The Maryland-National Capital Park and Planning Commission.

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

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

WHEREAS, on March 28, 2002, M-NCPPC and Washington D.C. SMSA Limited Partnership, now operated by its successor in interest CELLCO PARTNERSHIP, also known as Verizon Wireless ("Verizon"), executed a lease agreement ("Original Lease Agreement") whereby a portion of M-NCPPC-owned land located at the Prince George's Stadium was leased to Verizon as a pad site for purposes of installing, operating, maintaining, repairing, and replacing certain communications equipment under specified terms, covenants, and conditions recited within said Original Lease Agreement, together with a grant of certain access, utility and/or maintenance easements and/or rights of way on the subject property in furtherance of the provision of telecommunications utility services in the County; and

WHEREAS, the stated contractual term (with renewals) of the Original Lease Agreement was from December 1, 2001, until December 1, 2021, and is consistent with park purposes; and

WHEREAS, M-NCPPC and Verizon now desire to amend the terms of the Original Lease Agreement to provide for additional renewal terms and to modify the rent; and

WHEREAS, as a result, the parties seek to execute a First Amendment to the Original Lease Agreement in order to provide for four (4) additional extension terms of five (5) years each, or twenty (20) years beyond the term of the Original Lease Agreement, with a potential expiration date of December 1, 2041; and

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

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

WHEREAS, the District Council has reviewed the terms of the Original Lease and First Amendment, attached hereto as Attachment A and incorporated herein; and

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

NOW, THEREFORE, BE IT RESOLVED by the 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, that the proposed First Amendment to the Original Lease Agreement by and between The Maryland-National Capital Park and Planning Commission and Verizon Wireless, including all related document(s) as set forth in Attachment A and incorporated as if set forth fully herein, be and the same are hereby APPROVED.

BE IT FURTHER RESOLVED that, in approving the proposed First Amendment to the Original Lease agreement, the District Council further approves and authorizes The Maryland-National Capital Park and Planning Commission to execute such related document(s) that are necessary and/or desirable by the M-NCPPC in furtherance of effectuating the specific terms of the First Amendment.

Adopted this 4th day of June, 2024.

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: _____
Jolene Ivey
Chair

ATTEST:

Donna J. Brown
Clerk of the Council