

Contact: Jean Friedrich

INSTITUTIONAL AGREEMENTS, LEASES AND EASEMENTS

Actions Requested: Consider approval of the following easements and leases as summarized below, subject to approval of the final documents by the Board Office and Attorney General's Office:

1. Easements for the benefit of the University of Iowa; and
2. Leases for the benefit of the University of Northern Iowa.

(ROLL CALL VOTE)

Executive Summary: Iowa Code §262.11 requires that certain agreements, leases, and easements be approved by the Board of Regents by roll call vote. The easements and leases have been reviewed by the Attorney General's Office and are subject to approval. An indemnification clause is included in the easements and leases.

University of Iowa with Board as Owner for the following easements:

City of Coralville

At its February 2007 meeting, the Board (as lessor) approved a lease with the City of Coralville (Coralville) for approximately 1.75 acres of land adjacent to the University's Laundry facility on the University of Iowa Oakdale campus. The city intends to construct a new fire station on the property. A map is attached for reference (Attachment A).

In the interest of clearly defining property lines, easements, and rights-of-way, the University has worked with Coralville to subdivide the immediate area, creating three lots as shown on Attachment B. Lot 1 is the site of the University Laundry, Lot 2 will be the site of the new Coralville Fire Station and Lot 3 will remain available for future development.

The University is seeking approval for the following easements and rights-of-way identified on map (Attachment C):

1. A sixty foot wide access easement for the mutual benefit of Coralville and the University for shared vehicular and pedestrian access from Holiday Court to Lots 2 and 3;
2. A twenty-five foot wide sanitary sewer easement (to be granted to Coralville);
3. A fifty foot wide trail and water main easement (to be granted to Coralville);
4. A fifteen foot wide pedestrian walkway or trail easement (to be granted to Coralville);
5. A fifty foot wide underground utility easement (to be granted to Linn County Rural Electric Cooperative (REC), MidAmerican Energy Company, Mediacom Cable, and South Slope Cooperative and their successors). This easement is superimposed over an existing forty-foot wide electric transmission line easement;
6. A one-hundred foot wide strip of right-of-way (Coral Ridge Avenue – to be granted to Coralville); and,
7. Existing Holiday Court right-of-way as shown on the Plat drawing.

University of Northern Iowa with Board as Tenant for the following leases:

Construction of the KUNI repeater station requires adoption of leases with American Tower Corporation (ATC), and with the Eastern Iowa Community College District (EICCD). The lease with ATC will establish a transmission site for the FM repeater station in Orion, Illinois, while the lease with EICCD will establish a microwave link from an Iowa Communications (ICN) location to the ATC tower in Orion, Illinois.

The new FM station will serve the Quad Cities area, including the Iowa cities of Davenport, Bettendorf, LeClaire, Riverdale, and Pleasant Valley.

The total project is budgeted for \$621,036. The Public Telecommunications Facilities Program has granted the project \$310,518, and the balance of \$310,518 will be covered by institutional funds. The lease payments will be funded by Friends of KHKE/KUNI.

Eastern Iowa Community College District (EICCD)

Lease with EICCD for a ten-year term, commencing on the Site Commencement Date (the first day of the month that installation is started) at the rate of \$230 per month for an annual rental of \$2,760. The term of the lease will automatically extend for three additional ten-year periods, unless either party provides 180-days written notice of termination.

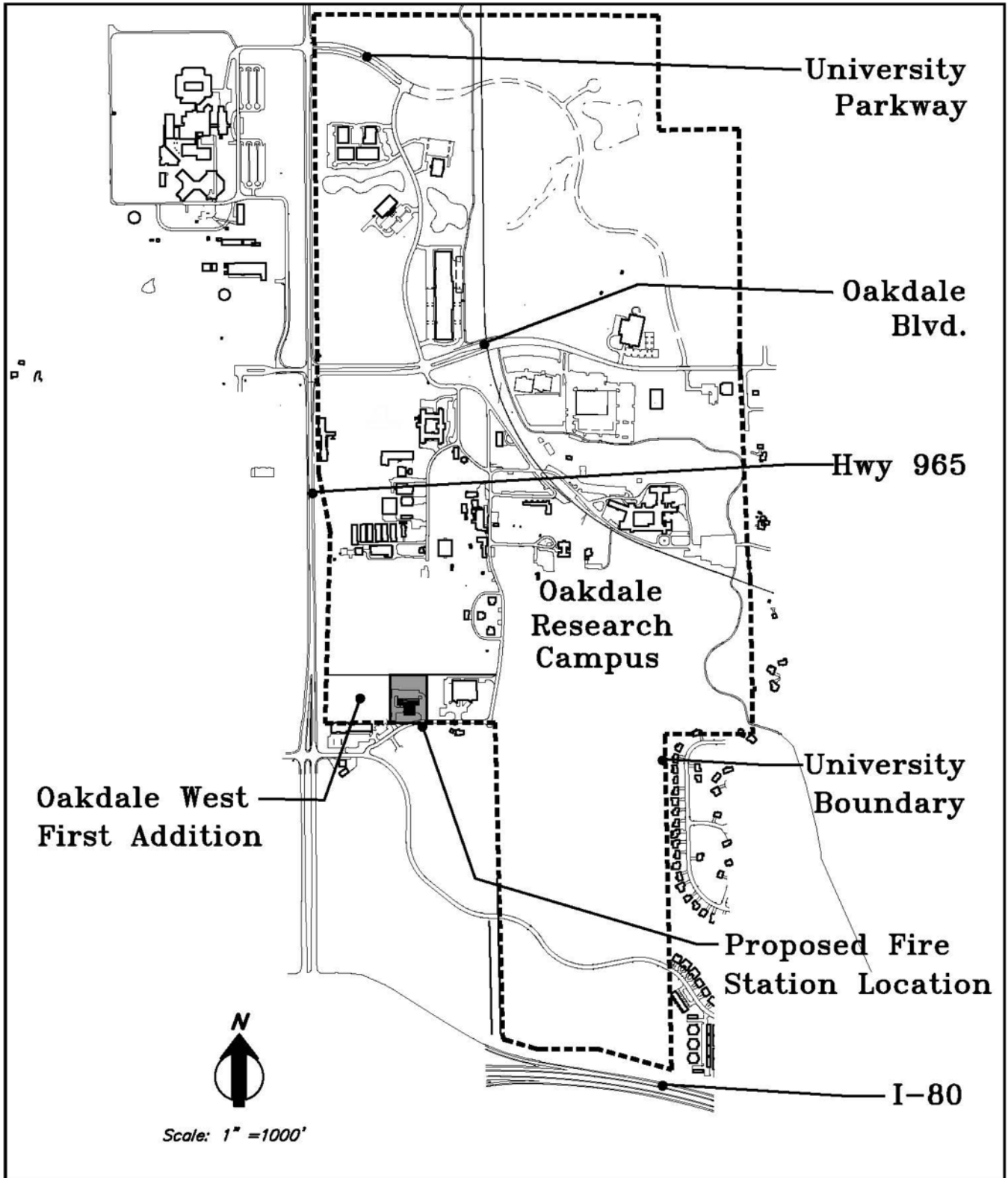
The lease provides space on the College's tower in Riverdale tower for KUNI's microwave antenna, space inside of an equipment shelter near the tower base, and use of 2 single-mode fiber optic strands to provide a communications link between the equipment shelter and the ICN Fiber Optic Transport System room on the EICCD campus in Riverdale.

American Tower Corporation (ATC)

Lease with ATC for a ten-year term, commencing on the Site Commencement Date (the term of the lease will automatically extend for three additional ten-year periods, unless either party provides 180-days written notice of termination) at the rate of \$1,400 per month for an annual rental of \$16,800. Tenant's monthly fee will be adjusted each year by an amount equal to 3% over the Base Fee payable for the immediately preceding year.

The lease provides space on the Orion tower for KUNI's radio antennas and ground space for KUNI's transmitting equipment and shelter.

Additional information is available from the Board Office.

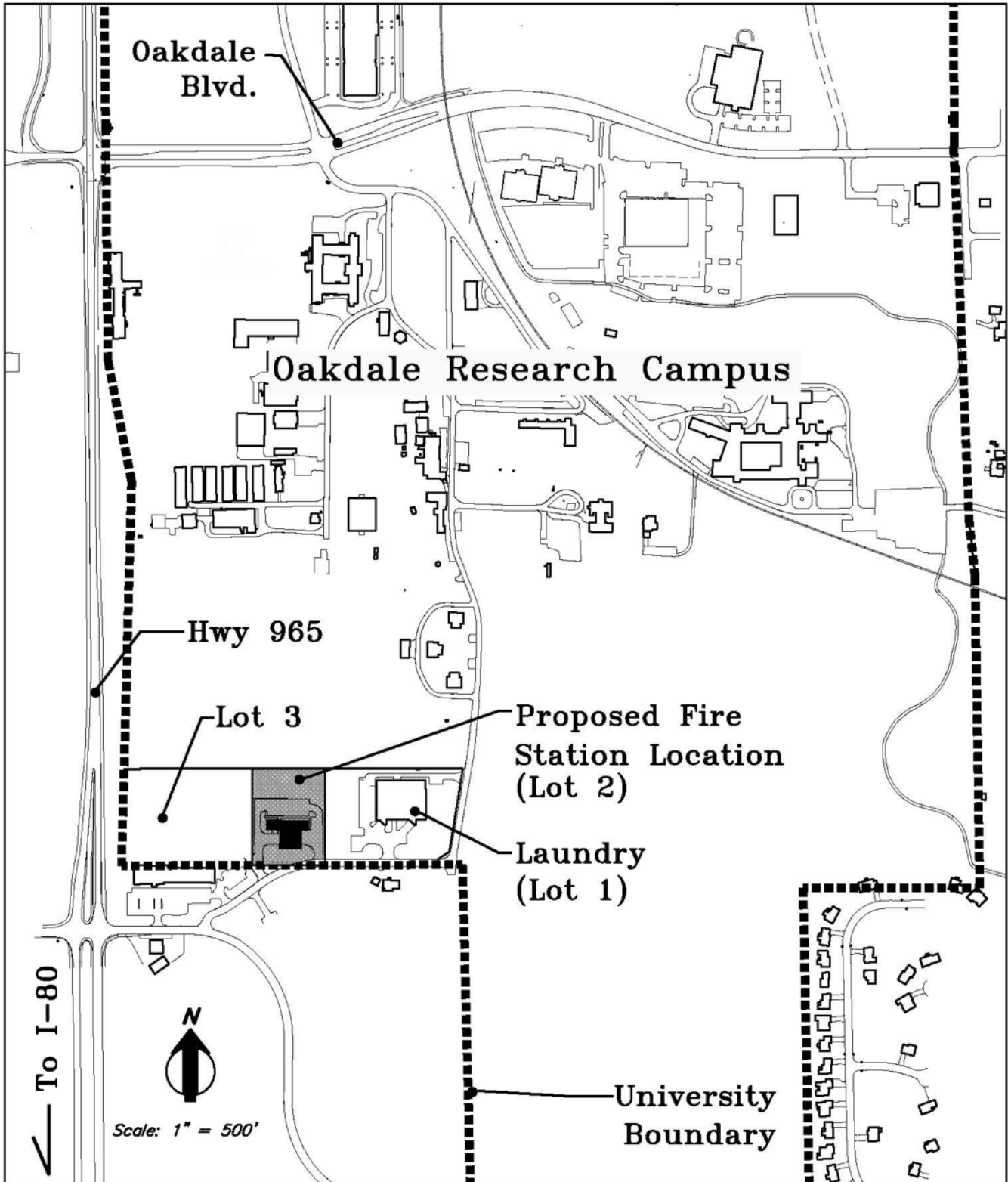


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PLOTTED 1-05-09
OakEasement2009.dwg

Location Map

Permanent Easements & Right-of-Way



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