

Contact: John Nash

INSTITUTIONAL AGREEMENTS, LEASES AND EASEMENTS

Action Requested: Recommend the Board approve the:

Item #1: University of Iowa Easement to the City of Coralville: The UI would transfer 0.25 acres of land for a 33-foot wide right-of-way and grant a standard permanent 15-foot wide utility easement to the City of Coralville to facilitate a future apartment development, next to the University's Coralville campus.

Item #2: University of Iowa Easement to the City of Iowa City: The UI would grant a permanent utility easement to the City of Iowa City, allowing the City to construct a new storm sewer on University property at no cost to the University.

Item #3: Iowa State University Lease with US Cellular: ISU would lease space to US Cellular for 15 new "Small Cell" cell phone reception structures to improve cell phone reception at no cost to ISU.

Item #4: Iowa State University Lease with ISU Foundation: ISU would lease space from the ISU Foundation for space to teach the ISU Department of Horticulture's EARTH program on the island of St. John for \$1,000 per year.

- *Iowa Code* §262.11 and the Board's *Policy Manual* §2.3, section 2, part B require Board approval of all acts relating to the management, purchase, disposition or use of land and property.

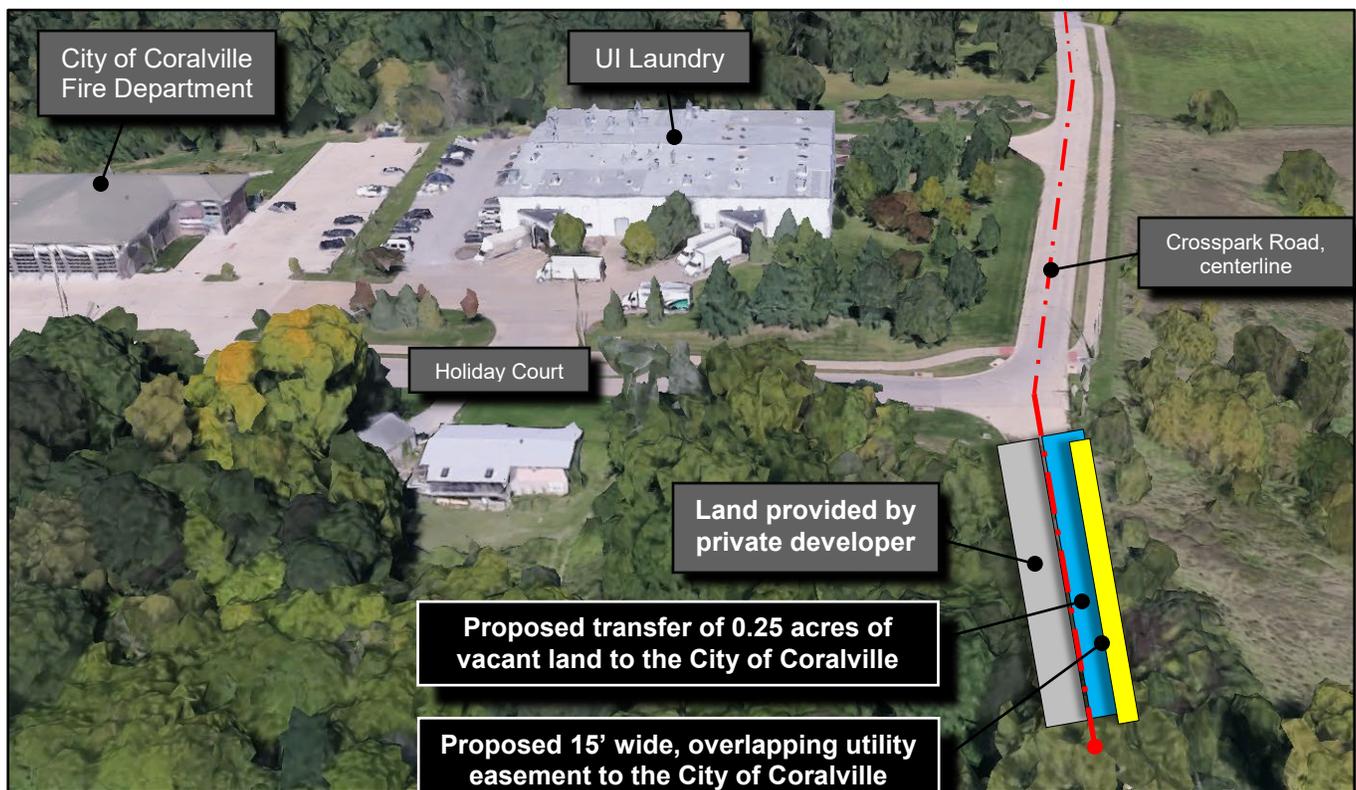
Item #1 of 4: University of Iowa Easement to the City of Coralville

Executive Summary: The University of Iowa requests Board approval to transfer 0.25 acres of vacant land, 33 feet wide x 300 feet long, for a road right-of-way and grant a permanent utility easement, 15 feet wide x 300 feet long, overlapping that right-of-way to the City of Iowa City for a future public street. The street would facilitate a future apartment development, next to the University's Coralville campus.

Background: The University would provide the eastern half of the road through this land transfer and easement, while a private developer would provide the western half. The private developer would also pay for all design and construction costs for the entire width of the 300 foot road. Upon completion of the road and acceptance by the City, the road would become a public street.

University and City masterplans both call for a public street at this location, south of the Crosspark Road and Holiday Court intersection.

Term: In perpetuity



Northern Coralville, looking north



Item #2 of 4: University of Iowa Easement to the City of Iowa City

Executive Summary: The University of Iowa requests Board approval to grant a permanent easement to the City of Iowa City, allowing the City to construct a new storm sewer, that is part of a larger City of Iowa City street and utility renovation project south of the Fieldhouse. There would be no cost to either party for the easement.

Background: This would allow the City to improve drainage, control erosion and alleviate ponding of water during heavy rains. It requires the City and associated utility firms to indemnify and hold harmless the State of Iowa, the Board of Regents and the University of Iowa from any future claims or liability.

Term: In perpetuity



University of Iowa campus, west side

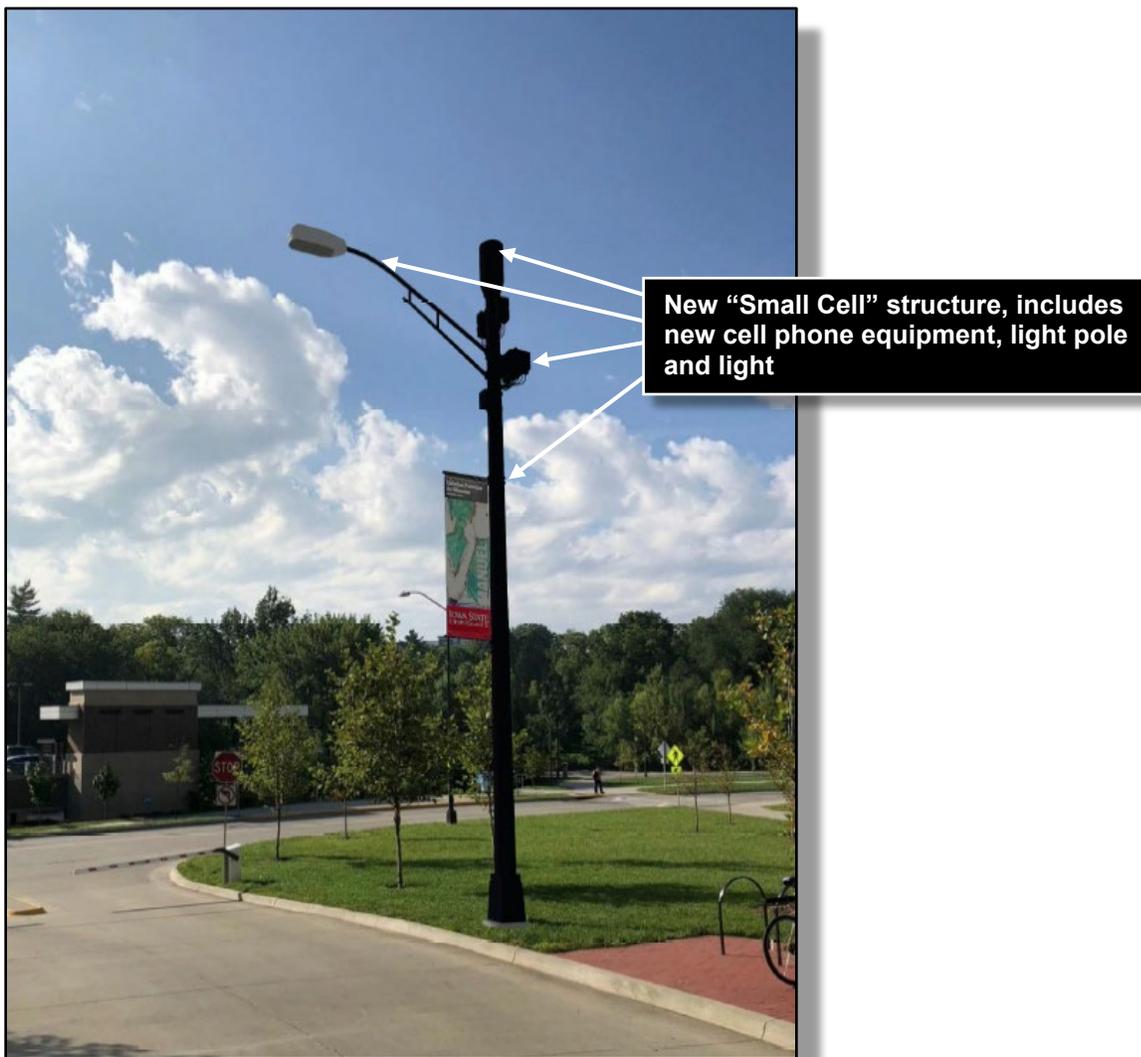


Item #3 of 4: Iowa State University Lease with US Cellular

Action Requested: Recommend the Board approve a lease between Iowa State University and US Cellular to install new “Small Cell” cell phone reception structures throughout campus. These would provide improved cell phone reception, higher data speeds and fewer dropped calls for students, faculty, staff and the public at no cost to ISU.

➤ *Iowa Code* §262.11 and the Board’s *Policy Manual* §2.3/2/B/ii require the Board approve all acts relating to the management, purchase, disposition or use of land and property.

Executive Summary: US Cellular would provide all labor and materials to install “Small Cell” cell phone reception structures. Each structure would include new cell phone equipment and a new light and light pole, improving lighting and replacing some lights and light poles that have reached the end of their useful lives.



Typical “Small Cell” cellular phone structure

Background: ISU and US Cellular have identified the need to improve cell phone reception and coverage on campus, and plan for the expansion to 5G technology in 2021. “Small Cell” technology would be implemented through this lease, where communication equipment is installed 30-35 feet high on parking lot and roadway light poles, initially at the following 15 campus locations:

- eight in parking lots between Hilton Coliseum and Jack Trice Stadium,
- three in parking lots east and south of Jack Trice Stadium,
- two east of the Southeast Recreation Fields and
- two near the College of Veterinary Medicine.

The lease agreement would be written to allow for additional Small Cell structures as needed and does not preclude ISU from entering into agreements with other cell phone service providers.

In February 2019, the Board approved a similar lease between ISU and Verizon for “Small Cell” structures.

US Cellular Rent: \$0

All US Cellular labor, material and equipment would be provided to ISU at no cost. All equipment provided by US Cellular becomes ISU property upon installation, except for cellular radios and antennas.

Each of the “Small Cell” sites would include a payment by US Cellular to cover any costs incurred by ISU. US Cellular would also pay ISU for any energy consumption and data service connections at current monthly rates per terms of the agreement.

Term: 25-year term for the overall agreement with a five-year initial term for each “Small Cell” site, plus possible additional five-year terms. US Cellular would have the option to add the first five-year term at any “Small Cell” site. Beyond that, both US Cellular and ISU would mutually agree to each additional five-year term.

Item #4 of 4: Iowa State University Lease with ISU Foundation

Executive Summary: Iowa State University would lease property from the ISU Foundation for \$1,000 per year for the ISU Department of Horticulture's EARTH program on the island of St. John.

Background: The Iowa State University EARTH program operates on the island of St. John in the U.S. Virgin Islands. The EARTH program provides educational and service learning programs for ISU students and the U.S. Virgin Islands communities; increases knowledge of food, agriculture, natural resources, and the environment in the U.S. Virgin Islands; and supports diverse and underrepresented populations.

The property includes buildings for teaching, meeting space and housing of students and staff. The property also includes garden and environmental demonstration areas.

The EARTH program currently operates on this property and leases it from the owner, Fork in the Road, LLC. Fork in the Road, LLC desires to donate the property to the ISU Foundation or one of its subsidiaries for the benefit of the ISU Department of Horticulture's EARTH program. The ISU Foundation anticipates the legal transfer of this property would occur prior to June 30, 2021. The ISU Foundation is willing to accept the gift, and then lease the property to ISU for \$1,000 per year.

A donor pledge consisting of annual expendable gifts through fiscal year 2025 would facilitate the operational and programmatic use of the property.

ISU's Rent: \$1,000 per year. ISU would be responsible for maintenance, utilities and janitorial services. The ISU Foundation and ISU would mutually agree as to which party is to be responsible for securing and maintaining property and liability insurance.

Term: Five-year initial term, followed by an annual option-to-renew