

NEW JERSEY INSTITUTE OF TECHNOLOGY
RESOLUTION TO AUTHORIZE THE LEASE OF ROOFTOP SPACE
ON CYPRESS HALL FOR DISH WIRELESS CELLULAR ANTENNAE

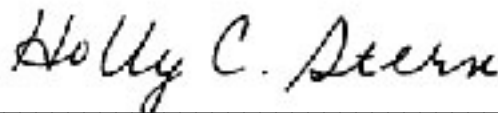
WHEREAS, New Jersey Institute of Technology (NJIT), endeavors to provide access to reliable and cost-effective cellular telephone and internet services to its students, faculty, and staff; and,

WHEREAS, the Institute wishes to enter into a Rooftop Lease (the “Lease”) with DISH Wireless L.L.C., a Colorado limited liability company having a place of business at 9601 S. Meridian Blvd., Englewood, Colorado 80112, as lessee (the “Lessee”), pursuant to which the Lessee shall have the exclusive right, at its expense, to erect and maintain on approximately 35 square feet of the property, improvements, personal property and facilities necessary to operate its communications system described in Exhibit B to the Lease, including radio transmitting and receiving antennas, and related cables and utility lines and a location-based system, as such location-based system may be required by any county, state or federal agency/department, including, without limitation, additional antenna(s), coaxial cable, base units and other associated equipment (collectively, the “Antenna Facilities”); and

WHEREAS, the Antenna Facilities will be used for the transmission and reception of radio communication signals and for the installation, operation, maintenance, repair, removal, or replacement of antennas and required related facilities as described and depicted in Exhibit B to the Lease; and

WHEREAS, the Board of Trustees of New Jersey Institute of Technology has determined that it is in the best interests of the Institute to enter into the Lease and Consent Agreement; and

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of New Jersey Institute of Technology hereby authorizes the Administration to execute a lease agreement substantially in the forms reviewed with the Buildings and Grounds Committee of the Board and approved by the General Counsel for the purposes of the installation of a cellular antenna on the rooftop of Cypress Hall.



Holly C. Stern, Esq.
General Counsel/Vice President of
Legal Affairs and
Secretary to the Board of Trustees
New Jersey Institute of Technology