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Eureka, Nevada

September 21, 2009

RESOLUTION**FOR THE LEASE OF COUNTY REAL PROPERTY TO SUPPORT
ECONOMIC DEVELOPMENT PURSUANT TO N.R.S. 244.2815**

WHEREAS, Alltel, by and through Alltel Communications, LLC, is a Delaware limited liability company in good standing, and Alltel has described its ownership interest pursuant to N.R.S. 237.023; and

WHEREAS, this Board of County Commissioners has been aware for some time of the lack of reliable cell phone service in the Crescent Valley area; and

WHEREAS, Alltel has proposed to install a telecommunication service cell phone tower near Crescent Valley, Nevada; and

WHEREAS, Alltel has offered to Eureka County the opportunity to work cooperatively to place and use the tower for the establishment, retention or expansion of public, quasi-public or other facilities or operations within the County; and

WHEREAS, Eureka County has real property near the town of Crescent Valley that Alltel considers suitable for placement of a telecommunication service cell phone tower; and

WHEREAS, N.R.S. 244.2815 provides that before the Board may lease real property for the purpose of economic development, which is defined to include the establishment, retention or expansion of public, quasi-public or other facilities or operations within the County, the Board must obtain an appraisal pursuant to N.R.S. 244.2795; and

WHEREAS, N.R.S. 244.2795 requires appraisal "except for the sale or lease of real property to a public utility, as defined in N.R.S. 704.020, to be used for a public purpose", and N.R.S. 704.020 provides that a public utility includes "any person, ..., that provides a telecommunication service to the public"; and

WHEREAS, Alltel provides a telecommunication service to the public, and is therefore a public utility for purposes of N.R.S. 704.020 and N.R.S. 244.2795, and as such no appraisal is required for the County to lease real property to Alltel for the purposes of establishing, retaining or expanding public or quasi-public facilities for telecommunication service in and around Eureka County; and

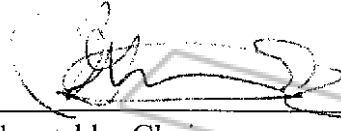
WHEREAS, after considering the facts and circumstances, IT IS HEREBY RESOLVED and the Board finds that:

1. Alltel's telecommunication service cell phone tower project involves the establishment, retention or expansion of public, quasi-public or other facilities or operations within the County, and as such falls within the definition of economic development pursuant to N.R.S. 244.2815(3); and
2. Alltel's placement of a telecommunication service cell phone tower in the area of Crescent Valley, Nevada, will improve the cell phone service of Eureka County to residents and commercial enterprise; and
3. If the property to be used as a telecommunication service cell phone tower site is offered to the public, there is no assurance that a cell phone tower will be located in the area of Crescent Valley, Nevada; and
4. The fair market value of the property need not be determined by appraisal because of the exception to the appraisal requirement contained in N.R.S. 244.2795; and
5. The fair market value of the property for lease will be satisfied by Alltel improving the site consistent with the Agreement for lease, which requires construction to be complete by a date certain, prohibits the storage of hazardous materials, requires the emplacement of the tower and related infrastructure to be in compliance with all applicable statutes and codes, including the County's wellhead protection plan, and allows for use of the tower by the County and County related agencies; and



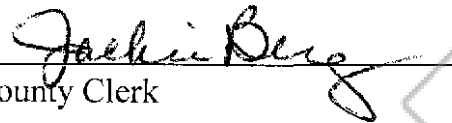
6. It is in the best interest of the public to lease the real property to Alltel without offering the real property to the public and for less than fair market value, in order to secure reliable cell phone service and permit the improvement of County communications by use of Alltel's tower.

Adopted this day of September 21, 2009.



J.P. Ithurrealde, Chairman
Board of the Eureka County Commissioners

Attest:


County Clerk