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**THE CITY OF ROCHELLE**  
**Ogle County, Illinois**

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**RESOLUTION**  
**NO. \_\_\_\_\_**

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**RESOLUTION AUTHORIZING THE EXECUTION OF FIBER OPTIC CABLE LEASE  
AGREEMENT WITH ZAYO GROUP, LLC**

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**CHET OLSON, Mayor**  
**SUE MESSER, City Clerk**  
**TOM MCDERMOTT**  
**BIL HAYES**  
**DON BURKE**  
**JOHN BEARROWS**  
**DAN MCDERMOTT**  
**KATE SHAW-DICKEY**  
**City Council**

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Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle  
Peterson, Johnson, and Murray Chicago, LLC, City Attorneys  
200 W. Adams, Suite 2125 Chicago, IL 60606

**RESOLUTION AUTHORIZING THE EXECUTION OF FIBER OPTIC CABLE LEASE AGREEMENT WITH ZAYO GROUP, LLC**

**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, the City of Rochelle (“City”) is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5-1-1, et seq.; and

**WHEREAS**, The City owns and operates, for its telecommunications needs and to enhance the services it offers to its residents, a fiber optic cable network through the Rochelle Municipal Utilities (“RMU”) Tech Center, a department of the City;

**WHEREAS**, Zayo Group, LLC desires to license the use of certain dark fibers owned by the City and operated by the RMU; and

**WHEREAS**, RMU staff have negotiated a dark fiber lease with Zayo Group, LLC and recommends that the City enter into Lease Agreement with Zayo Group, LLC; and

**WHEREAS**, the Mayor and City Council finds that it is in the best interest of the City and its residents for the City of Rochelle to enter into a Fiber Optic Cable Lease Agreement between the City and Zayo Group, LLC (attached hereto as Exhibit 1).

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ROCHELLE, ILLINOIS** as follows:

SECTION ONE. The foregoing Recitals are not mere preparatory language, but are hereby incorporated in this Section 1 as if said Recitals were fully set forth.

SECTION TWO. The City Manager is authorized to execute a Fiber Optic Cable Lease Agreement, in a form substantially similar to Exhibit 1, attached hereto, subject to review and revision as to form by the City Attorney.

SECTION THREE: All prior Ordinances, Resolutions and Personnel Policies in conflict or inconsistent herewith are hereby expressly repealed but only to the extent of such conflict or inconsistency.

SECTION FOUR: This Resolution shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED THIS \_\_\_\_\_ day of September, 2018.

AYES:

NAYS:

ABSENT:

APPROVED THIS \_\_\_\_\_ day of September, 2018.

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MAYOR

ATTEST:

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CITY CLERK

STATE OF ILLINOIS        )  
                                      )  
COUNTY OF OGLE        )        SS.

CERTIFICATE

I, \_\_\_\_\_, City Clerk of the City of Rochelle, County of Ogle and State of Illinois, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. \_\_\_\_\_, “RESOLUTION AUTHORIZING THE EXECUTION OF FIBER OPTIC CABLE LEASE AGREEMENT WITH ZAYO GROUP, LLC” which was adopted by the Mayor and City Council of the City of Rochelle on \_\_\_\_\_, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_

CITY CLERK