
THE CITY OF ROCHELLE
Ogle County, Illinois

RESOLUTION
NO. _____

**RESOLUTION AUTHORIZING THE EXECUTION OF FIBER OPTIC CABLE LEASE
AGREEMENT WITH OGLE COUNTY**

JOHN BEARROWS, Mayor
SUE MESSER, City Clerk

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DON BURKE

City Council

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AGREEMENT WITH OGLE COUNTY**

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, Ogle County 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 Ogle County and recommends that the City enter into Lease Agreement with Ogle County; 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 Ogle County (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. The provisions of this Resolution are severable and if any court of competent jurisdiction shall declare any portion of this Resolution to be invalid or unenforceable, said decision shall not affect any portion of this Resolution, other than the part declared invalid or unenforceable. This City Council hereby declares that it would have enacted this Resolution even with the invalid or unenforceable portion deleted.

SECTION FOUR. This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

SECTION FIVE. That any resolution or motion in conflict with this Resolution is hereby repealed insofar as it conflicts with this Resolution.

PASSED THIS _____ day of August, 2019.

AYES:

NAYS:

ABSENT:

APPROVED THIS _____ day of August, 2019.

MAYOR

ATTEST:

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 OGLE COUNTY” which was adopted by the Mayor and City Council of the City of Rochelle on _____, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this _____ day of August, 2019.

CITY CLERK