

RESOLUTION NO. (R)16-03

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AUTHORIZING AND EXECUTING A RIGHT OF WAY LICENSE AGREEMENT BETWEEN THE TOWN OF ORO VALLEY AND ZAYO GROUP, LLC TO ALLOW ZAYO GROUP TO INSTALL NEW TELECOMMUNICATION FACILITIES WITHIN THE TOWN'S RIGHT OF WAY

WHEREAS, the Town is the owner of the right-of-way as depicted in Exhibit "B"; and

WHEREAS, ZAYO Group, LLC desires to expand their telecommunication network within the Town by pulling fiber optics through existing CenturyLink ducts and adding short runs of new ductwork as is necessary for continuity; and

WHEREAS, pursuant to Town Code 7-4-1, Construction in Town rights-of-way, a right of way permit is required for ZAYO Group to complete their work; and

WHEREAS, a permit cannot be issued without a license agreement approved by the Town; and

WHEREAS, the Town desires to permit ZAYO Group to use the Town's right of way to expand their telecommunication network within the Town of Oro Valley.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Oro Valley, Arizona that the License Agreement between the Town of Oro Valley and ZAYO Group, LLC, attached hereto as Exhibit "A" and incorporated herein by this reference is hereby approved.

BE IT FURTHER RESOLVED that the Mayor and any other administrative officials of the Town of Oro Valley are hereby authorized to take such steps as are necessary to execute and implement the terms of the Agreement.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona this 20th day of January, 2016.

TOWN OF ORO VALLEY

Dr. Satish I. Hiremath, Mayor

ATTEST:

APPROVED AS TO FORM:

Julie K. Bower, Town Clerk

Tobin Sidles, Legal Services Director

Date: _____

Date: _____

EXHIBIT “A”

EXHIBIT “B”