

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

**A RESOLUTION APPROVING A RIGHT OF WAY USE AGREEMENT FOR FIBER  
OPTIC NETWORK BY AND BETWEEN THE CITY OF CREST HILL, WILL  
COUNTY, ILLINOIS, AND METRO FIBERNET, LLC**

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**WHEREAS**, the Corporate Authorities of the City of Crest Hill, Will County, Illinois, have the authority to adopt resolutions and to promulgate rules and regulations that pertain to the City's government and affairs and protect the public health, safety, and welfare of its citizens; and

**WHEREAS**, pursuant to Section 2-2-12 of the Illinois Municipal Code (65 ILCS 5/2-2-12), the City Council possesses the authority to enter into contracts that serve the legitimate corporate purposes of the City; and

**WHEREAS**, the State of Illinois has enacted the Telecommunications Infrastructure Maintenance Fee Act and the Simplified Municipal Telecommunications Tax Act which provide, inter alia, rules and guidance as to a unit of local government's ability to govern the use of its rights of way by telecommunications companies; and

**WHEREAS**, Metro Fibernet, LLC (the "Company"), is a telecommunications company as defined in the above-referenced statutes and is in the business of providing fiber optic telephone and internet services to residential and commercial customers; and

**WHEREAS**, the Company has filed an application with the City of Crest Hill for permits to construct, install and deploy in the City's Right-of-Way a fiber optic network for commercial and residential telephone and internet services; and

**WHEREAS**, the City of Crest Hill previously drafted a template Right of Way Use Agreement for Fiber Optic Network which complies with Illinois law; and

**WHEREAS**, the Company's application for construction of its system within Crest Hill's Right-Of-Way has been reviewed by City Staff, which has negotiated the attached Right of Way Use Agreement for Fiber Optic Network, (the "Agreement") with the Company for the purposes of allowing the Company to construct, install and deploy its system in the City's Right-Of-Way (a copy of the Agreement is attached hereto as Exhibit A and fully incorporated herein); and

**WHEREAS**, the Corporate Authorities have reviewed the Agreement and determined that the conditions, terms, and provisions of the Agreement are fair, reasonable, and acceptable to the City; and

**WHEREAS**, the Corporate Authorities have determined that it is in the best interests of the City and its citizens to enter into the Agreement with the Company.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Crest Hill, Illinois, pursuant to its statutory authority, as follows:

**SECTION 1: PREAMBLE.** The City Council hereby finds that all of the recitals contained in the preamble to this Resolution are true, correct and complete and are hereby incorporated by reference hereto and made a part hereof.

**SECTION 2: AGREEMENT APPROVED.** The City Council hereby finds and declares that the conditions, terms, and provisions of the Agreement (Exhibit A) are fair, reasonable, and acceptable to the City and that the same is hereby approved in form and substance. Therefore, the City Council hereby authorizes and directs the Mayor to execute and deliver, and the Clerk to attest, the Agreement, and further to take any and all other actions, including without limitation the execution and delivery of any and all documents, necessary and appropriate to effectuate the intent of this Resolution, which is to enter into the Agreement with the Company.

**SECTION 3: SEVERABILITY.** If any section, paragraph, clause or provision of this Resolution is held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any other provision of this Resolution.

**SECTION 4: REPEALER.** All ordinances, resolutions or orders, or parts thereof, which conflict with the provisions of this Resolution, are to the extent of such conflict hereby repealed.

**SECTION 5: EFFECTIVE DATE.** This Resolution shall be in full force and effect immediately upon its passage and approval, as provided by law.

*[Intentionally Blank]*

PASSED THIS 19<sup>TH</sup> DAY OF JANUARY, 2026.

|                            | Aye   | Nay   | Absent | Abstain |
|----------------------------|-------|-------|--------|---------|
| Alderman Scott Dyke        | _____ | _____ | _____  | _____   |
| Alderman Angelo Deserio    | _____ | _____ | _____  | _____   |
| Alderwoman Claudia Gazal   | _____ | _____ | _____  | _____   |
| Alderman Darrell Jefferson | _____ | _____ | _____  | _____   |
| Alderperson Tina Oberlin   | _____ | _____ | _____  | _____   |
| Alderman Mark Cipiti       | _____ | _____ | _____  | _____   |
| Alderman Nate Albert       | _____ | _____ | _____  | _____   |
| Alderman Joe Kubal         | _____ | _____ | _____  | _____   |
| Mayor Raymond R. Soliman   | _____ | _____ | _____  | _____   |

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Christine Vershay-Hall, City Clerk

APPROVED THIS 19<sup>TH</sup> DAY OF JANUARY, 2026.

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Raymond R. Soliman, Mayor

ATTEST:

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Christine Vershay-Hall, City Clerk

**EXHIBIT A**

**(Right of Way Use Agreement between City  
of Crest Hill and Metro Fibernet, LLC)**