

RESOLUTION NO. 01-26

Approving Amendment One to the Right-of-Way Agreement with ImOn  
Communications LLC

WHEREAS, the City of Dyersville, Iowa ("City") previously entered into a Right-of-Way Agreement dated July 1, 2019, as assigned and assumed per the Assignment and Assumption Agreement dated January 24, 2023, with ImOn Communications, LLC ("Grantee"); and,

WHEREAS, the City and Grantee have negotiated Amendment One to the Right-of-Way Agreement to allow Grantee's network equipment to be relocated from the City's water tower to the City's water booster building, with 24-hour access and other terms as outlined in the amendment; and,

WHEREAS, it is in the best interest of the City to authorize the Mayor and City Clerk to execute Amendment One to the Right-of-Way Agreement; and,

NOW, THEREFORE, It Is Resolved by the City Council of the City of Dyersville, Iowa, as follows:

Section 1. The Mayor and City Clerk are hereby authorized and directed to execute Amendment One to the Right-of-Way Agreement with ImOn Communications, LLC, substantially in the form presented to the City Council.

Section 2. All other resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved this 5<sup>th</sup> day of January, 2026.

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Jeff Jacque, Mayor

Attest:

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Tricia L. Maiers, City Clerk