

**RESOLUTION TO APPROVE
123.NET, INC METRO ACT PERMIT CHANGE OF CONTROL,
AND CORRECTION OF TYPOGRAPHICAL ERROR FOR THE ORIGINAL
RESOLUTION NUMBER TO CHANGE IT FROM 17-022 TO 18-022**

Resolution #24-024

At a regular meeting of the Township Board of the Charter Township of White Lake, County of Oakland, Michigan, held on the 21st day of May 2024, in the Township Annex at 7527 Highland Road at 6:30 p.m.

PRESENT: _____

ABSENT: _____

The following preamble and resolution was offered by _____ and supported by _____.

WHEREAS, on July 17, 2018, the Township Board authorized a Metropolitan Extension Telecommunications Rights-of-Way Oversight Act ("METRO Act") Bilateral permit with 123.Net to allow it to place its telecommunications facilities within the Charter Township of White Lake's (hereinafter "Township") right-of-ways; and

WHEREAS, the Resolution approving the METRO Act permit for 123.net contained a typographical error, which this Resolution is correcting to renumber the approval Resolution from 17-022 to 18-022; and

WHEREAS, 123.Net has requested approval by the Township of a Transfer of Control because 123.Net has signed a Membership Interest Purchase Agreement with 123Net Holdings, LLC, which will control 123.Net after the transaction has been completed; and

WHEREAS, the METRO Act permit with 123.Net in Section 11, allows 123.Net to assign or transfer its rights under the permit, if it has approval of the change of control from the Township.

NOW, THEREFORE, the Township Board of the Charter Township of White Lake, Oakland County resolves as follows:

1. The Township hereby corrects the Resolution number approving the METRO Act permit with 123.Net from 17-022 to 18-022.
2. The Township approves the change of control of 123.Net, pursuant to its Membership Interest Purchase Agreement with 123Net Holdings, LLC, which will control 123.Net after the transaction has been completed.

3. The Township Board hereby authorizes the Township Supervisor to execute the Change of Control provided in Exhibit A.

4. All other terms and conditions of the METRO Act permit with 123.Net remain unchanged. If 123.Net/ 123.NetHoldings, LLC wishes to expand its facilities, it is required to obtain the necessary construction or engineering permits from the Township. 123.Net/NetHoldings LLC shall continue to comply with all other requirements of the METRO Act as required by Public Act 48 of 2002, as amended, and in accordance with the Township Metro Act Ordinance, Ordinance No. 120.

5. All actions by the Township inconsistent with this Resolution are hereby rescinded.

YEAS: _____

NAYS: _____

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
) ss
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and acting Township Clerk of the Charter Township of White Lake, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Township Board at a regular meeting held on the 21st day of May 2024.

Anthony L. Noble, Township Clerk
Charter Township of White Lake

EXHIBIT A

