

**CHARTER TOWNSHIP OF WHITE LAKE
OAKLAND COUNTY, MICHIGAN**

**RESOLUTION TO APPROVE AT&T MICHIGAN
METRO ACT PERMIT AMENDMENT
RESOLUTION 23-026**

At the regular meeting of the Township Board of the Charter Township of White Lake, County of Oakland, State of Michigan, held in the Township Annex, 7527 Highland Road, in accordance with the Open Meetings Act, Public Act 267 of 1976 as amended, on the 15th day of August, 2023 at 7:00 p.m. with those present and absent being:

PRESENT:

ABSENT:

The following preamble and resolution were offered by _____ and seconded by _____.

WHEREAS, Michigan Bell Telephone, d/b/a AT&T Michigan has constructed telecommunications facilities within the Charter Township of White Lake's (hereinafter "Township") right-of-ways and desires to extend its METRO Act permit with the Township; and

WHEREAS, pursuant to the Metropolitan Extension Telecommunications Rights-of-Way Oversight Act ("METRO Act"), a provider using or seeking to use public right-of-ways for its facilities must obtain a permit from the Township; and

WHEREAS, the Township approved a unilateral METRO Act permit with AT&T on November 26, 2003, which was amended in 2008, to extend the term for two years, extended again on December 21, 2010, for three years, on August 20, 2013, was extended until December 31, 2018, and on July 17, 2018 was approved by the Township to extend the term until December 31, 2023.; and

WHEREAS, AT&T has now applied for an extension until December 31, 2028, of the METRO Act permit for facilities within the Township's right-of-ways.

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

1. The Township resolves to approve Michigan Bell Telephone, d/b/a AT& T Michigan ("AT&T) extension application by extending until December 31, 2028, the previously approved METRO Act permit issued Act bilateral permit attached as Exhibit A to this Resolution, and such approval is subject to all terms and conditions set forth in the Permit, the Township's Metro Act Ordinance, Ordinance No. 120, and this Resolution.

2. The approval is conditioned upon AT&T obtaining the necessary construction or engineering permits if it decides to expand its facilities and that it maintains the bond it provided as required by Public Act 48 of 2002, as amended, and in accordance with the Township Metro Act Ordinance, Ordinance No. 120.
3. The Township Board hereby authorizes the Township Supervisor to execute the MPSC Approved Bilateral Permit Form attached as Exhibit A on behalf of the Township and directs the Clerk to send the executed Permit to AT&T.
6. The Township resolves that the Clerk shall notify the MPSC of the Township's approval of the MPSC Approved Bilateral Permit Form, including the date it was received and the date it was approved.
7. All actions by the Township inconsistent with this Resolution are hereby rescinded.

A vote on the foregoing resolution was taken and was as follows:

THE RESOLUTION WAS ADOPTED BY _____ VOTE.

AYES
NAYES
ABSENT

STATE OF MICHIGAN

) ss.

COUNTY OF OAKLAND

I, Anthony L. Noble, hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Township Board of the Charter Township of White Lake, Oakland County, Michigan on August 15, 2023, the original of which is on file in my office. I further certify that a quorum was present and notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 15th day of August, 2023.

Anthony L. Noble, Clerk
White Lake Township
Oakland County, Michigan

RIGHT-OF-WAY TELECOMMUNICATIONS PERMIT AMENDMENT

The Right-of-Way Telecommunications Permit issued by the Charter Township of White Lake (“Municipality”) on November 3, 2003, to Michigan Bell Telephone Company, now d/b/a/ AT&T Michigan, (“Permitted”) which was amended in 2008 to extend the term for two years, extended again on December 10, 2010, for three years, extended on August 20, 2013, and on September 19, 2018, approved by the Township to extend the term until December 31, 2023. The Permit is hereby amended by modifying the Sections and Exhibits included in this Amendment to read as indicated for the purposes of extending the Term, updating information, including the route map and confirming a continued bond requirement.

2. Grant

2.1 Municipality hereby issues a permit under the METRO Act to Permittee for access to and ongoing use of the Public Right-of-Way identified in Exhibit A, and in additional Route Maps complying with and required by the METRO Act that have been or are submitted to Municipality for Facilities not shown on or substantially completed since the preparation of Exhibit A, to construct, install and maintain Telecommunication Facilities on the terms set forth herein.

3.1 Permittee Contacts

3.1.1 The address, e-mail address, phone number and contact person (title or name) at Permittees local office is: **Angela Wesson, Right-of-Way Manager, 54 N Mill St, Box 30, Pontiac, MI 48342, ad3245@att.com, (248) 877-9518**

3.1.2 If Permittee’s engineering drawings, as-built plans and related records for the Telecommunication Facilities will not be located at the preceding local office, the location address, phone number and contact person (title or department) for them is: **Steve Ruatto, Outside Plant Design Engineer, 54 N Mill St, Box 32, Pontiac, MI 48342, sr4579@att.com (248) 701-3281**

3.1.3 The name, title, address, e-mail address and telephone numbers of Permittee’s engineering contact person(s) with responsibility for the design, plans and construction of the Telecommunication Facilities is: **Steve Ruatto, Outside Plant Design Engineer, 54 N Mill St, Box 32, Pontiac, MI 48342, sr4579@att.com (248) 701-3281**

3.1.4 The address, phone number and contact person (title or department) at Permittee’s home office/regional office with responsibility for engineering and construction related aspects of the Telecommunication Facilities is: **Tracy Manley, Area Manager, Outside Plant Design Engineering, th3869@att.com (734) 502-5404, 54 N Mill St, Box 32, Pontiac, MI 48342.**

3.1.5 Permittee shall at all times provide Manager with the phone number at which a live representative of Permittee (not voice mail) can be reached 24 hours a day, seven (7) days a week, in the event of a public emergency. At the time of this Amendment, that number was: **(800) 288 - 2020**

7.1 Term. The term (“Term”) of this Permit shall be until the earlier of:

7.1.1 **December 31, 2028, or such later date as may be requested by Permittee and approved by Municipality in writing;** or

7.1.2, 7.1.3, 7.1.4, and 7.1.5 [Unchanged]

8. Performance Bond or Letter of Credit

8.1 Municipal Requirement. Municipality may require Company to post a bond (or letter of credit) as provided in Section 15(3) of the METRO Act, as amended [MCL § 484.3115(3)] and is described in Exhibit B.

12.1 Notices. All notices under this Permit shall be given as follows:

12.1.1 If to Municipality, to White Lake Township Clerk, 7525 Highland Road, White Lake, Michigan 48383-2900

12.1.2 If to Permittee, to **Steve Ruatto, Outside Plant Design Engineer, 54 N Mill St, Box 32, Pontiac, MI 48342, sr4579@att.com (248) 701-3281**

White Lake Township

Date

By: _____
Anthony L. Noble
Its: White Lake Township Clerk

Acknowledgement of Receipt: Permittee acknowledges receipt of this Permit Amendment granted by Municipality.

Michigan Bell Telephone Company d/b/a AT&T Michigan., Permittee

Date

By: _____
Its: _____

AMENDED EXHIBIT A
Public Right-of-Way to be Used by Telecommunications Facilities

This Permit covers all existing Permittee Facilities, which as defined in Section 1.8 of this Permit, do not include antennas, supporting structures for antennas, equipment shelters or houses, and any ancillary equipment and miscellaneous hardware, in the public rights-of-ways located in the White Lake Township as of the date this Amendment is issued by the Municipality.

The Public Right-of-Way that Permittee is granted access to and the use for the areas shown in the Route Maps dated 08/09/2023 and attached below, subject to the approval of more specific drawings.

At any time, Permittee seeks to install Telecommunication Facilities in the public rights-of-way located in the Township in addition to Permittee's Telecommunication Facilities in existence as of the date of this Amendment, the construction and installation of such additional Facilities Permittee shall submit to the Municipal Clerk a written request to modify this Permit, which such request shall include an Amended Exhibit A Route Map.

EXHIBIT B

Bond

As authorized under Section 8 of the Permit that this Exhibit is attached to and part of a Bond conforming to these specifications and requirements is required in an amount that does not exceed the reasonable cost to ensure that the Public Right-of-Way is returned to its original condition during and after Permittee's access and use.

The Bond shall be in the form of cash, or an irrevocable bank letter of credit form or surety bond form approved by the Municipality and shall be posted with Municipality before any construction or engineering permit may be issued, and as a requirement for effectiveness of this Permit.

The initial amount of the Bond required by this Permit shall be \$20,000.00, with the final amount determined and communicated to Permittee by Municipality based on the construction plans submitted to and approved by Municipality, with any construction or engineering permit bond for that amount, allowed to serve as the Bond required by this Permit.

During the term of this Permit, Municipality reserves the right to increase the Bond amount if it is no longer sufficient to cover the reasonable cost to ensure that the Public Right-of-Way is returned to its original condition during and after Permittee's access and use. Such right shall be exercised by written notice to Permittee that specifies the increased amount and date it is to be provided that is at least 60 days after Municipality's notice.

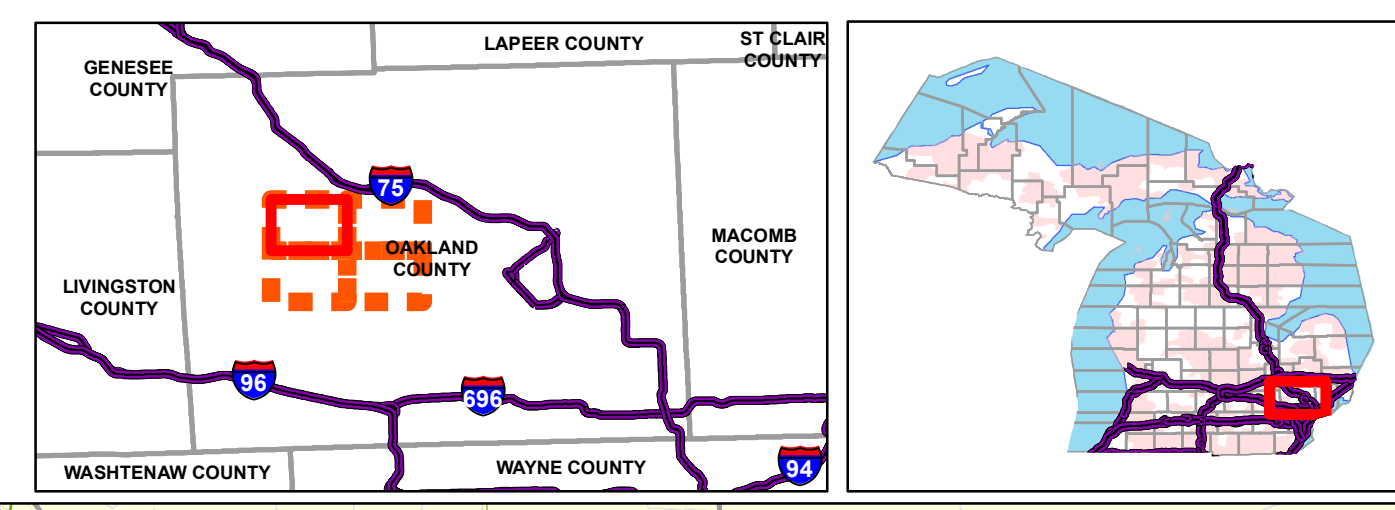


Michigan Metro Act

White Lake Twp Metro Act Route Map 2023 Project

Index Map

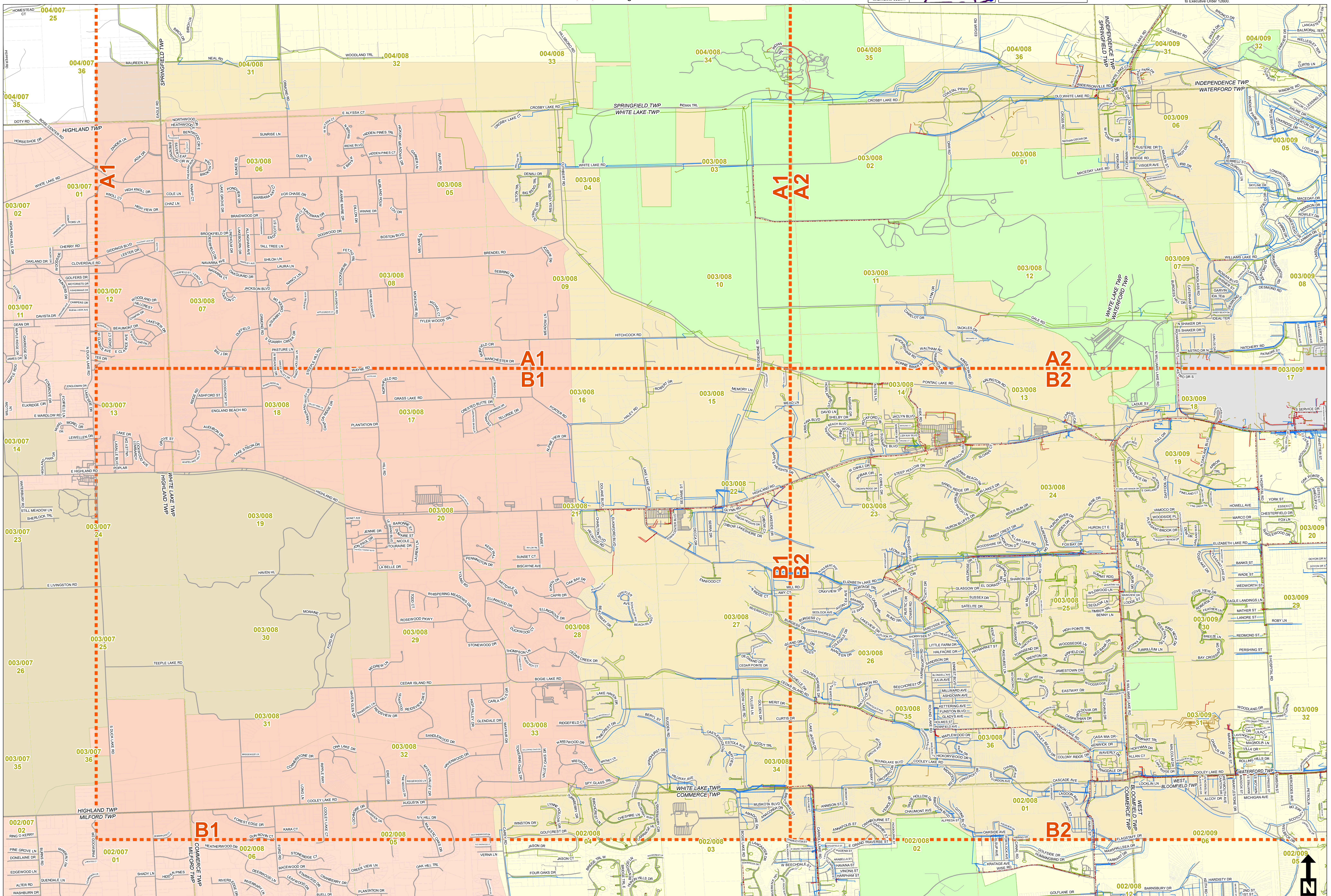
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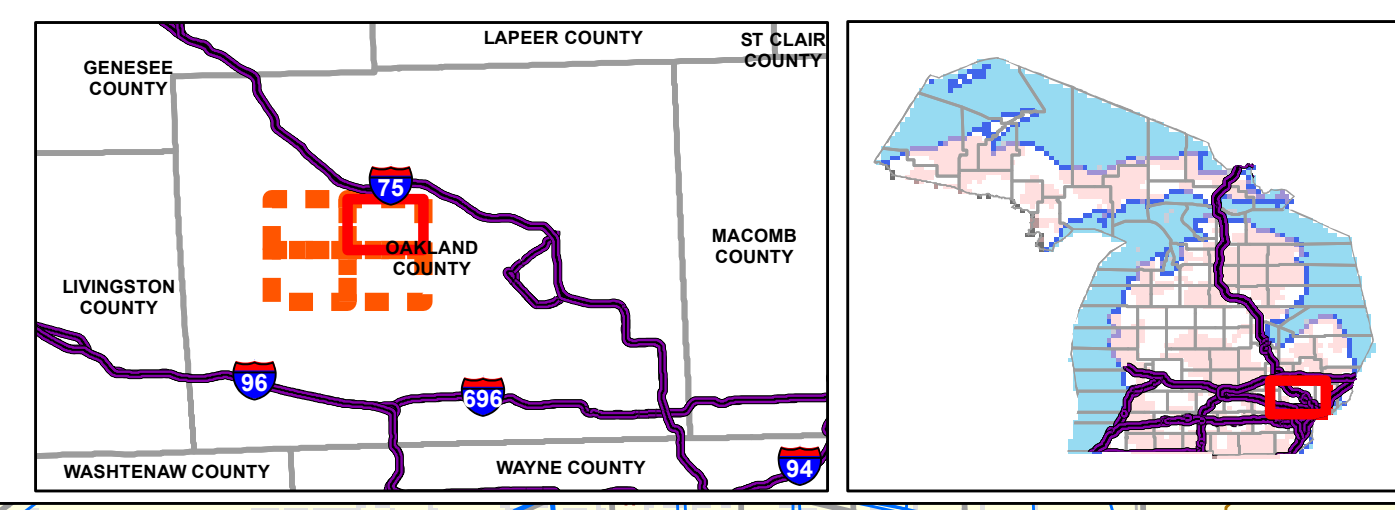


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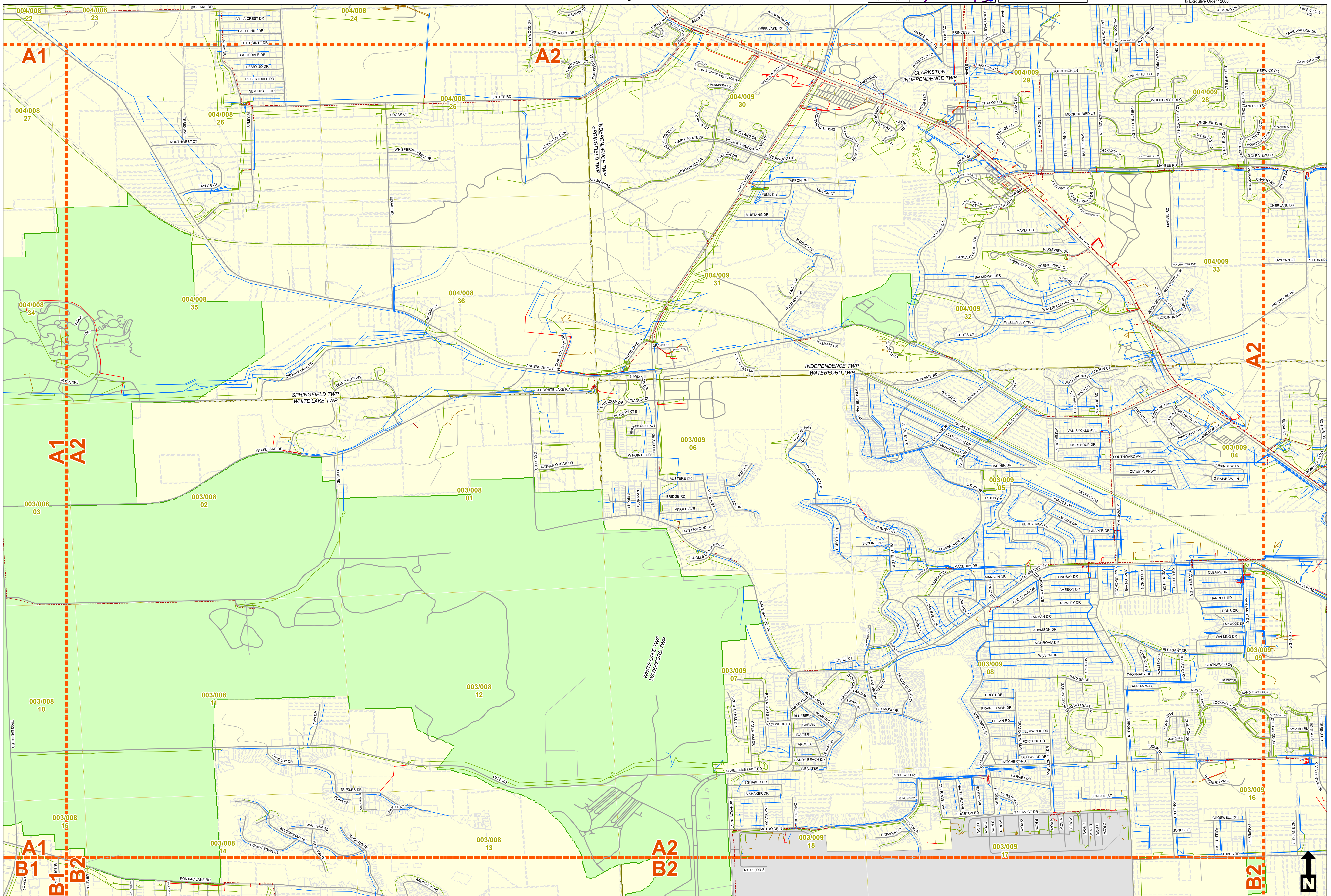
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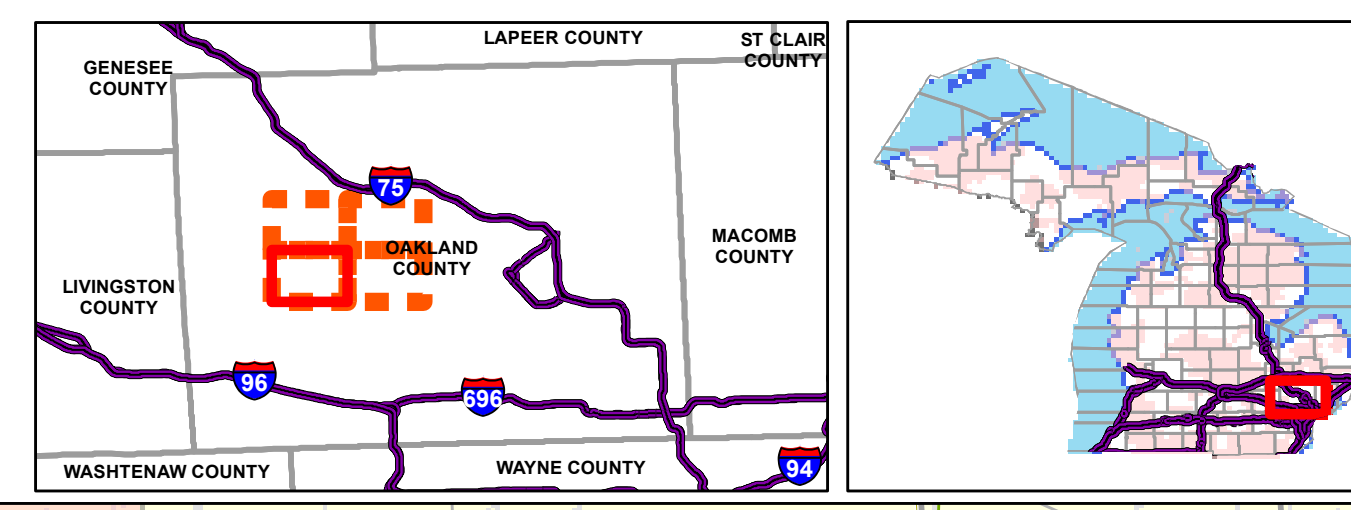


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White Lake Twp Metro Act Route Map 2023 Project

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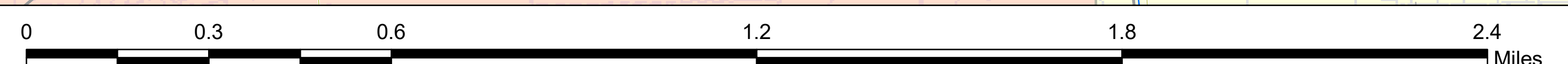
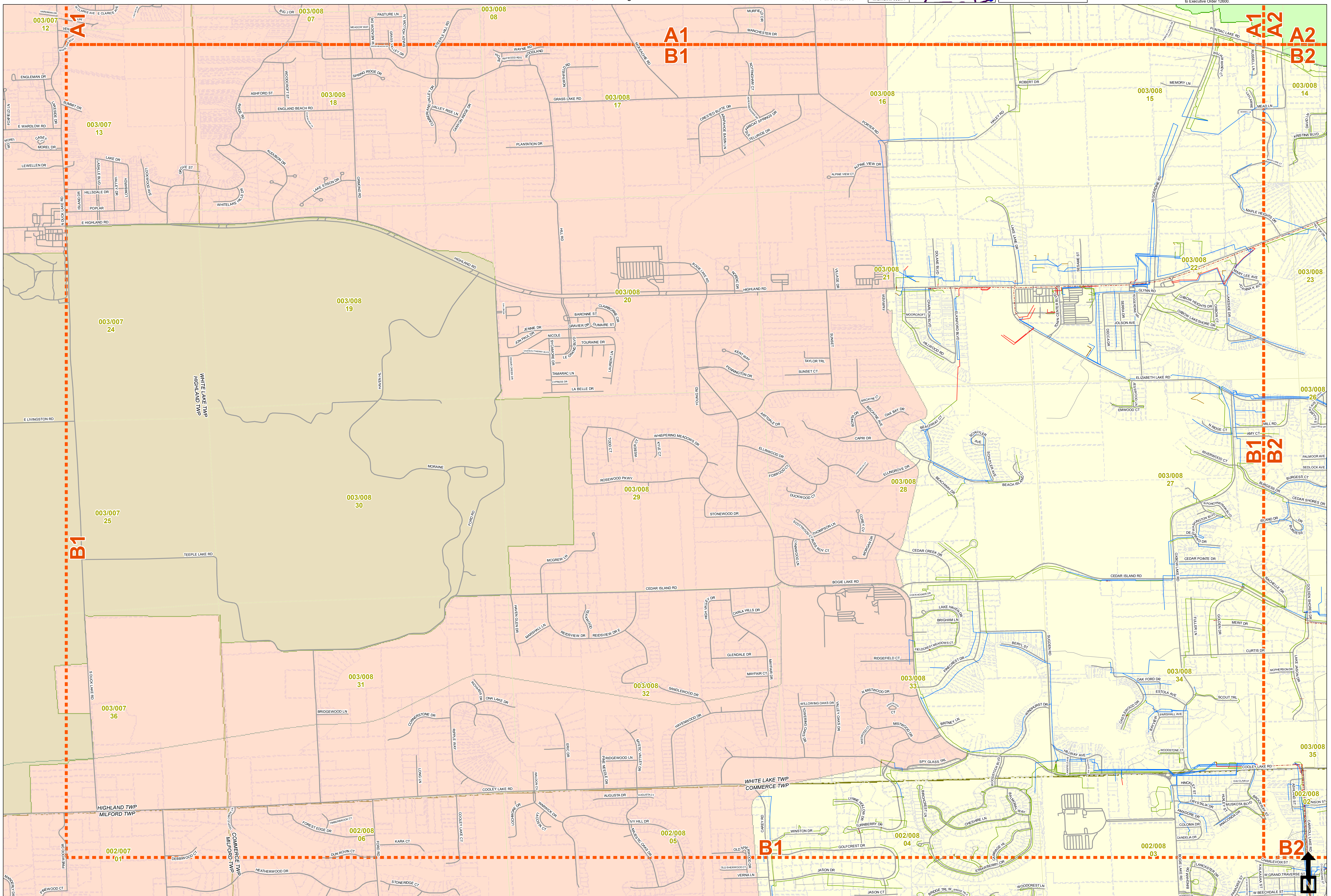
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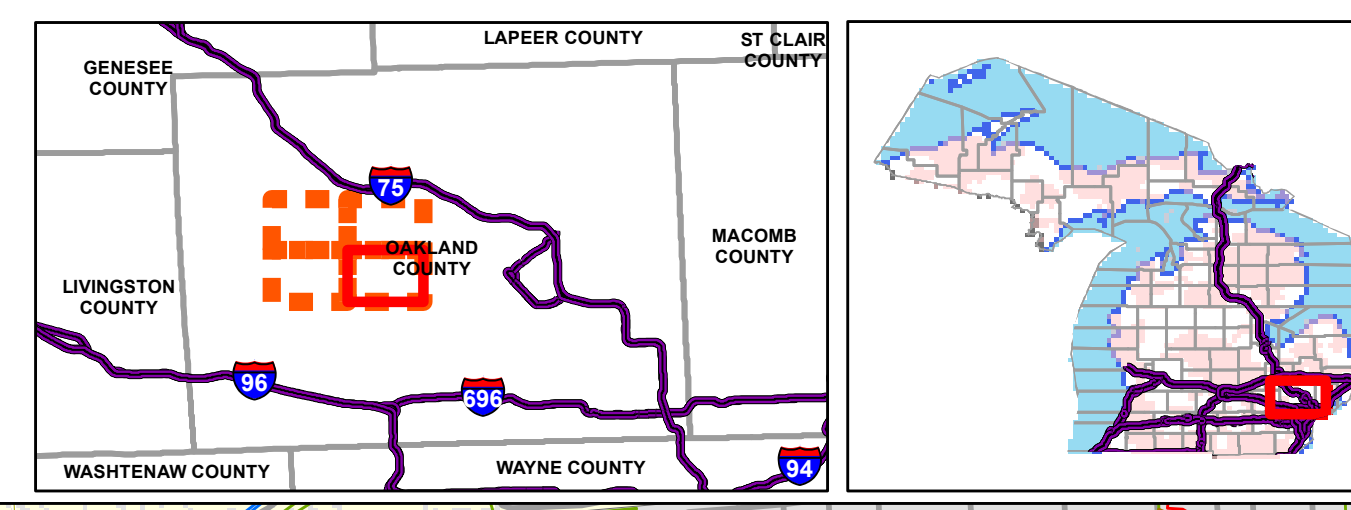


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