

ORDINANCE NO. 2012-03-030

AN ORDINANCE APPROVING A SECOND AMENDMENT TO AN AGREEMENT FOR USE OF RIGHT-OF-WAY BETWEEN THE CITY OF URBANA AND WINDSTREAM KDL, INC.

(Kenyon Road, Lincoln Avenue and Bradley Avenue)

WHEREAS, the parties hereto did on the 16th of May 2011, pursuant to Ordinance No. 2011-04-031, enter into an agreement to allow Windstream KDL, Inc. ("Windstream") to install fiber optic cables both above ground and below ground within the certain rights-of-way of the City of Urbana ("City"); and

WHEREAS, Windstream and the City have determined that the best interests of both entities are served by making and entering into an amendment to said agreement to authorize an additional construction boundary for the West Kenyon Road, Lincoln Avenue and Bradley Avenue rights-of-way.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Urbana, Champaign County, Illinois, as follows:

Section 1.

The amendment to the prior agreement, as reflected in the attached agreement entitled: "Second Amendment to an Agreement for Use of Right-Of-Way between the City of Urbana and Windstream KDL, Inc. (West Kenyon Road, Lincoln Avenue and Bradley Avenue)" is hereby authorized and approved.

Section 2.

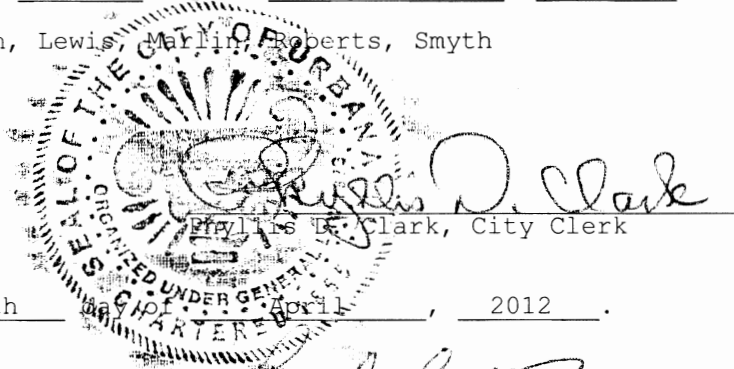
The Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to execute and deliver and the City Clerk of the City of Urbana, Illinois, be and the same is hereby authorized to attest to said execution of said amendment as so authorized and approved for and on behalf of the City of Urbana, Illinois.

PASSED BY THE CITY COUNCIL this 2nd day of April, 2012.

AYES: Bowersox, Jakobsson, Lewis, Marlin, Roberts, Smyth

NAYS:

ABSTAINED:



Phyllis E. Clark
Phyllis E. Clark, City Clerk

APPROVED BY THE MAYOR this 4th day of April, 2012.

Laurel Lunt Prussing
Laurel Lunt Prussing, Mayor