



MEMORANDUM

TO: Mayor Laurel L. Prussing and Members of the City Council

FROM: William R. Gray, Public Works Director
Bradley M. Bennett, Assistant City Engineer

DATE: March 4, 2015

RE: Campus Communications Group Inc., Agreement for Use of Right-of-Way

Action Requested

Approval of the attached ordinance entitled "AN ORDINANCE APPROVING A FIRST AMENDMENT TO AN AGREEMENT FOR USE OF RIGHT-OF-WAY WITH CAMPUS COMMUNICATIONS GROUP, INC."

Background and Facts

On March 17, 2014, the City Council approved and the Mayor executed a license agreement with Campus Communications Group of Champaign, Illinois (Ordinance No. 2014-03-021), to authorize the installation fiber optic cables below ground in conduits within the rights-of-way of the City. The proposed routing of the fiber optic cable was depicted in Exhibits A, B, and C to the license agreement.

Campus Communications Group has decided to expand its fiber optic infrastructure build-out to outside the limits defined in the exhibits to the license agreement. The additional infrastructure installations require new exhibits that were added to the agreement to reflect the new areas where Campus Communications Group plans to expand their fiber optic infrastructure. It is necessary to amend the agreement by adding Exhibits A-1 and B-1 (dated March 2, 2015), all of which are attached to the license agreement amendment. The proposed amendment is included for your reference.

Financial Impact

The proposed installation will be at no cost to the City. Campus Communications Group is not subject to the City's utility maintenance fee for right-of-way occupation because it is a retailer of telecommunications services as defined under the Illinois Simplified Telecommunications Tax Act.

Recommendations

It is recommended that the City Council approve the attached ordinance entitled, "AN ORDINANCE APPROVING A FIRST AMENDMENT TO AN AGREEMENT FOR USE OF RIGHT-OF-WAY WITH CAMPUS COMMUNICATIONS GROUP, INC."

Attachments: AN ORDINANCE APPROVING A FIRST AMENDMENT TO AN AGREEMENT FOR USE OF RIGHT-OF-WAY WITH CAMPUS COMMUNICATIONS GROUP, INC.
FIRST AMENDMENT TO AGREEMENT FOR USE OF RIGHT-OF-WAY (Campus Communications Group, Inc.)

ORDINANCE NO. 2015-03-026

AN ORDINANCE APPROVING A FIRST AMENDMENT TO AN AGREEMENT FOR USE OF
RIGHT-OF-WAY WITH CAMPUS COMMUNICATIONS GROUP, INC.

Lincoln Avenue between University Avenue and Melrose Boulevard (Seg. 1-1)
Gregory Street between Clark Street and Mulberry Alley (Seg. 2-1)
Mulberry Alley between Harvey Street and Lincoln Avenue (Seg. 2-1)
Clark Street between Lincoln Avenue and Busey Avenue (Seg. 2-2)
Lincoln Avenue between Clark Street and Mulberry Alley (Seg. 2-2)
Lincoln Avenue between Stoughton Street and Springfield Avenue (Seg. 2-3)
Clark Street between Gregory Street and Harvey Street (Seg. 2-4)
Harvey Street between Clark Street and Springfield Avenue (Seg. 2-4)
Sassafrass Alley between Harvey Street and Gregory Street (Seg. 2-4)
Alley south of Main Street between Goodwin Avenue and Gregory Street (Seg. 2-4)
Alley south of Stoughton Street between Goodwin Avenue and Lincoln Ave. (Seg. 2-4)
Main Street between McCullough Street Busey Avenue (Seg. 2-5)
Coler Avenue between Main Street and Springfield Avenue (Seg. 2-5)
Springfield Avenue between Coler Avenue and Busey Avenue (Seg. 2-5)
Alley south of Springfield Avenue between McCullough St. and Birch St.(Seg. 2-6)
Green Street between McCullough Street and Cedar Street (Seg. 2-7)
Coler Avenue between Elm Street and Western Avenue (Seg. 2-8)
Busey Avenue between Green Street and Elm Street (Seg. 2-9)
Illinois Street between Lincoln Avenue and Busey Avenue (Seg. 2-10)
Western Avenue between Gregory Street and Lincoln Avenue (Seg. 2-11)
Gregory Street between Western Avenue and Green Street (Seg. 2-11)
Nevada Street between Lincoln Avenue and Coler Avenue (Seg. 3-1)
Coler Avenue between Washington Street and Oregon Street (Seg. 3-1)
Oregon Street between Coler Avenue and Busey Avenue (Seg. 3-1)
Washington Street between Coler Avenue and Walnut Street (Seg. 3-1)
Walnut Street between Washington Street and Oregon Street (Seg. 3-1)
Oregon Street between Walnut Street and Grass Alley (Seg. 3-1)
Florida Avenue between Lincoln Avenue and Adams Street (Seg. 4-1)

WHEREAS, the parties hereto did on the 19th day of March 2014, pursuant to Ordinance No. 2014-03-021, enter into an agreement to allow Campus Communications Group, Inc. ("Company") to install fiber optic cables below ground within the certain rights-of-way of the City of Urbana ("City"); and

WHEREAS, The Company and the City have determined that the best interests of both entities are served by making and entering into a first amendment to said agreement to authorize the Company to install additional fiber optic cables below ground as provided therein.

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 "First Amendment to Agreement for Use of Right-Of-Way, Campus Communications Group, Inc.," 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 ____ day of _____, _____.

AYES:

NAYS:

ABSENT:

ABSTAINED:

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, _____.

Laurel Lunt Prussing, Mayor

After recording return to:

City of Urbana Legal Division
400 S. Vine Street
Urbana, IL 61801

FIRST AMENDMENT TO AGREEMENT FOR USE OF RIGHT-OF-WAY

Campus Communications Group, Inc.

The City of Urbana, Illinois ("City") and Campus Communications Group, Inc. ("Company") mutually agree to the following amendments to the Agreement for Use of Right-of-Way, authorized by Ordinance No. 2014-03-021, and entered into on March 19, 2014:

1. Paragraph 1, "Right-of way," is hereby amended and as amended shall read as set forth below.

1. **Right of way.** The following are roadways ("right-of-way") of at least sixty feet in width of dedicated right-of-way: Adams Street, South Birch Street, South Busey Avenue, North Central Avenue, West Clark Street, North and South Coler Avenue, West Elm Street, East and West Florida Avenue, South Goodwin Avenue, West Green Street, North and South Gregory Avenue, North Harvey Street, West Illinois Street, North and South Lincoln Avenue, West Main Street, North and South McCullough Street, Melrose Boulevard, West Nevada Street, West Oregon Street, West Springfield Avenue, West Stoughton Street, South Walnut Street, West Washington Street, West Western Avenue, West University Avenue, South Vine Street.

2. Paragraph 2, "Grant of license," is hereby amended with the underlined text indicating new language and the strikethrough text indicating deletions as follows:

2. **Grant of license.** The City hereby grants the Company a limited license to construct a Facility ("Facility") within said right-of-way, as shown in Exhibits A and A-1, and as described in Exhibits B and B-1, ~~both~~ all of which exhibits are attached hereto and are made a part hereof.

3. Exhibit A-1, dated March 2, 2015, is attached to and made a part of this First Amendment.

4. Exhibit B-1, dated March 2, 2015, is attached to and made a part of this First Amendment.

All other terms and conditions of the Agreement remain in full force and effect.

This First Amendment shall take effect upon execution by the City and the Company.

This First Amendment will be recorded in the Office of the Champaign County Recorder of Deeds at the expense of the Company.

The duly authorized representatives of the City and the Company are signing this First Amendment on the dates stated below.

City of Urbana, Illinois:

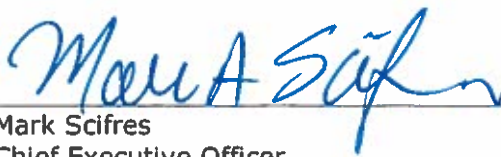
Laurel Lunt Prussing
Mayor

Date

ATTEST:

Phyllis Clark
City Clerk

Campus Communications Group, Inc.:



Mark Scifres
Chief Executive Officer

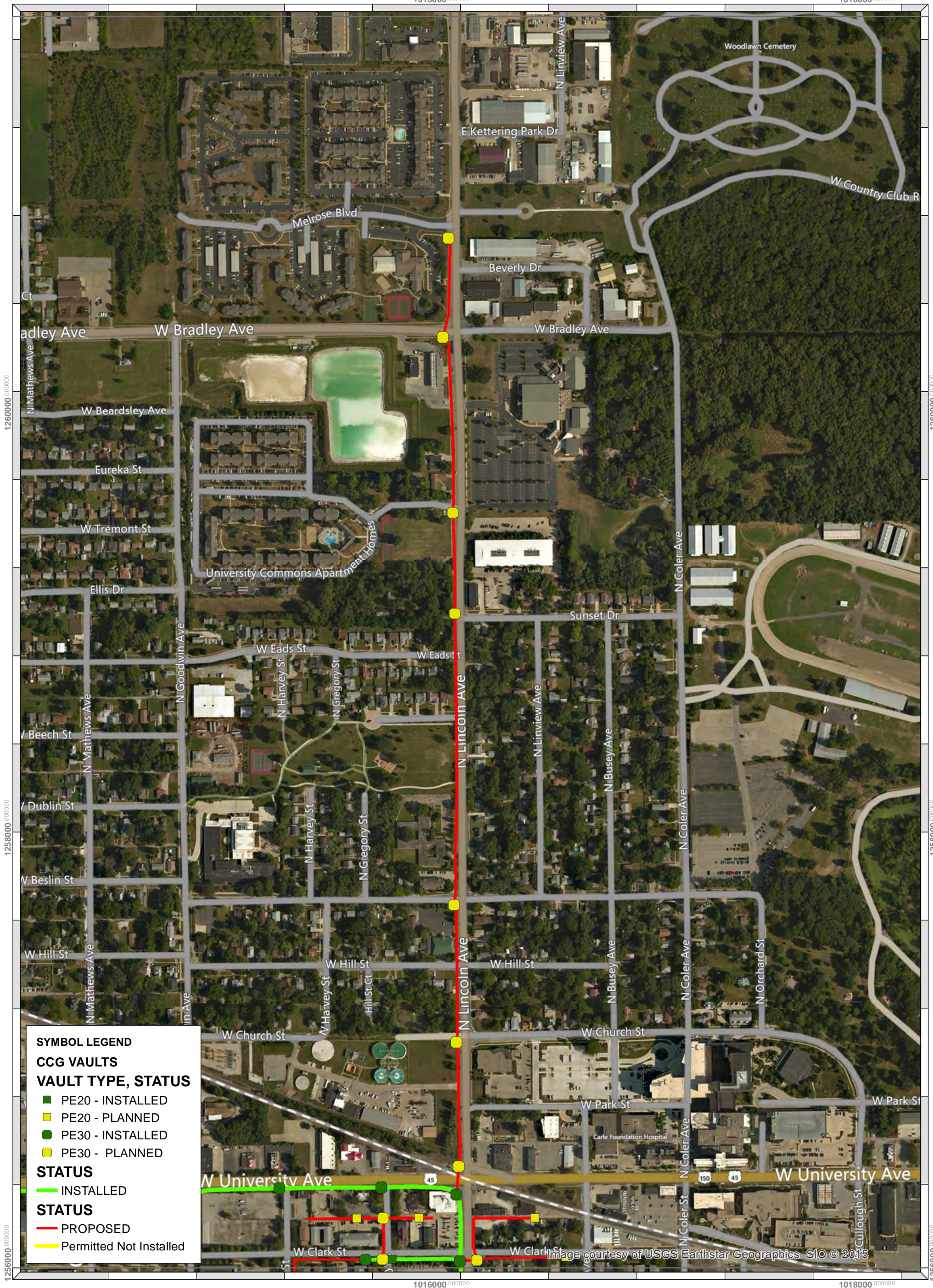
Date 3-2-2015

ATTEST:



Michael O'Linc
President

Attachments: Exhibit A-1 Segment maps (5 pages)
 Exhibit B-1 CCG Network Design Written Description (3 pages)



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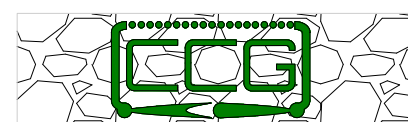
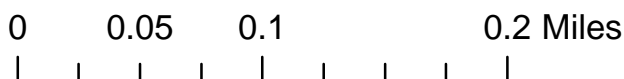
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CHAMPAIGN URBANA BUILD MAP

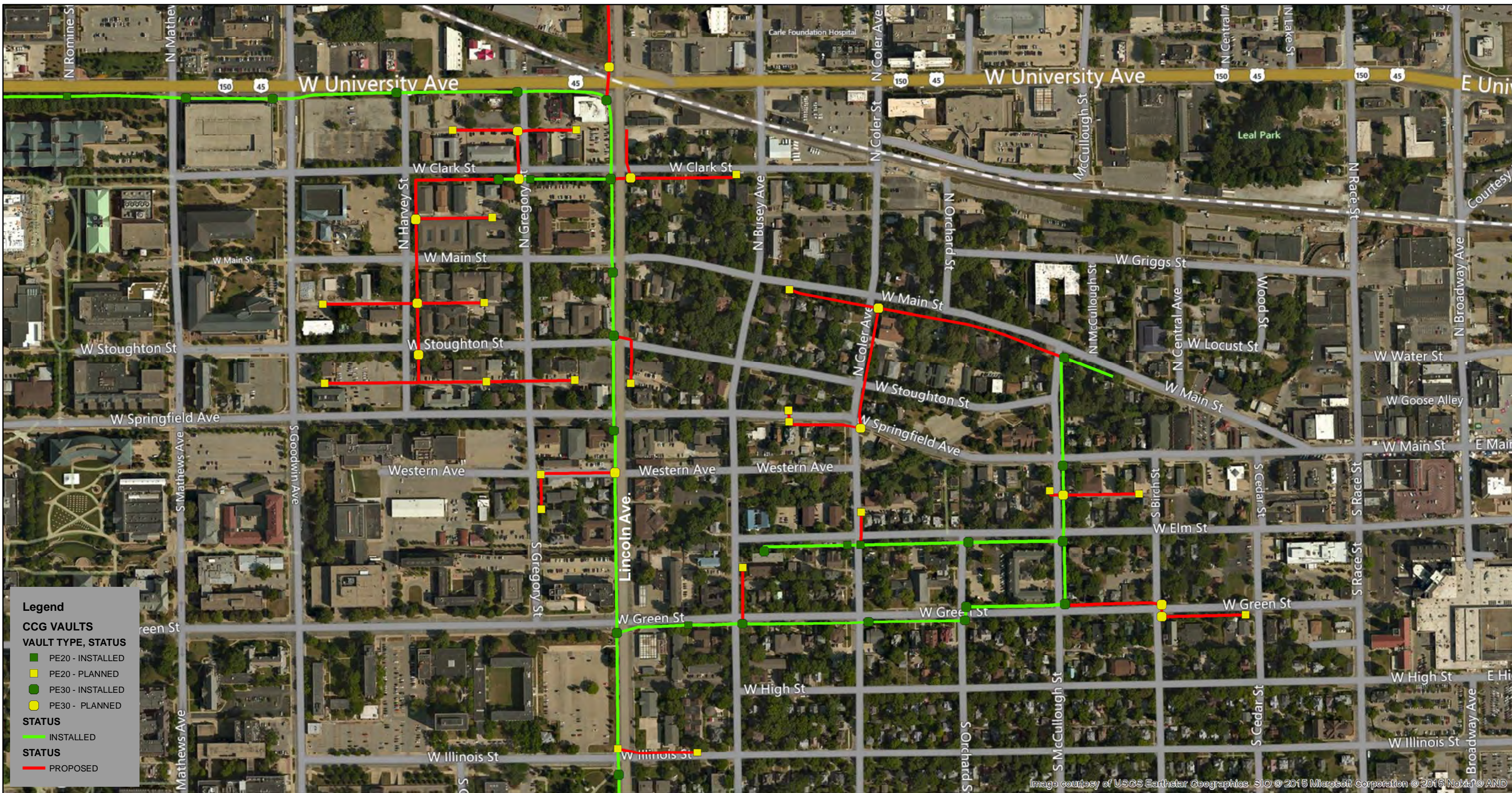
Section 1

Issue Date: 2/18/2015

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 False Northing: 0.0000
 Central Meridian: -88.3333
 Scale Factor: 1.0000
 Latitude Of Origin: 36.6667
 Units: Foot US



CAMPUS COMMUNICATIONS GROUP
 206 NORTH RANDOLPH STREET
 SUITE 200
 CHAMPAIGN, IL 61820
 217-531-9037
www.campuscommunicationsgroup.com



CHAMPAIGN URBANA BUILD MAP

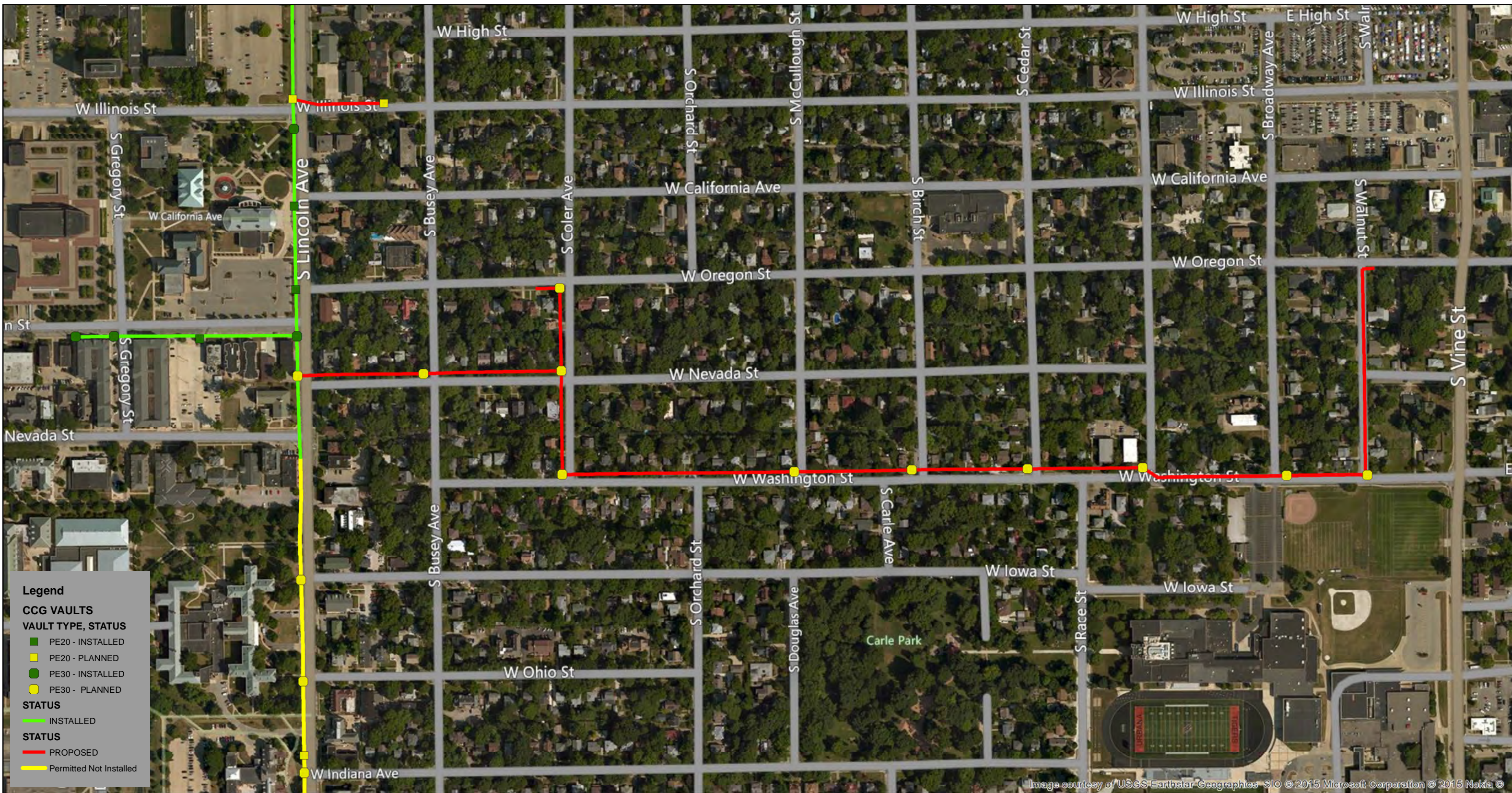
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 Scale Factor: 1.0000
 Latitude Of Origin: 36.6667
 Units: Foot US

Issue Date: 2/25/2015



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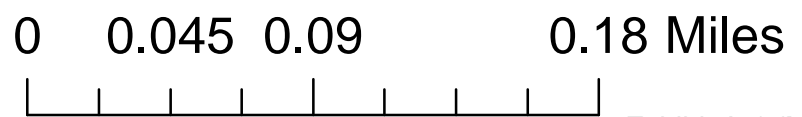


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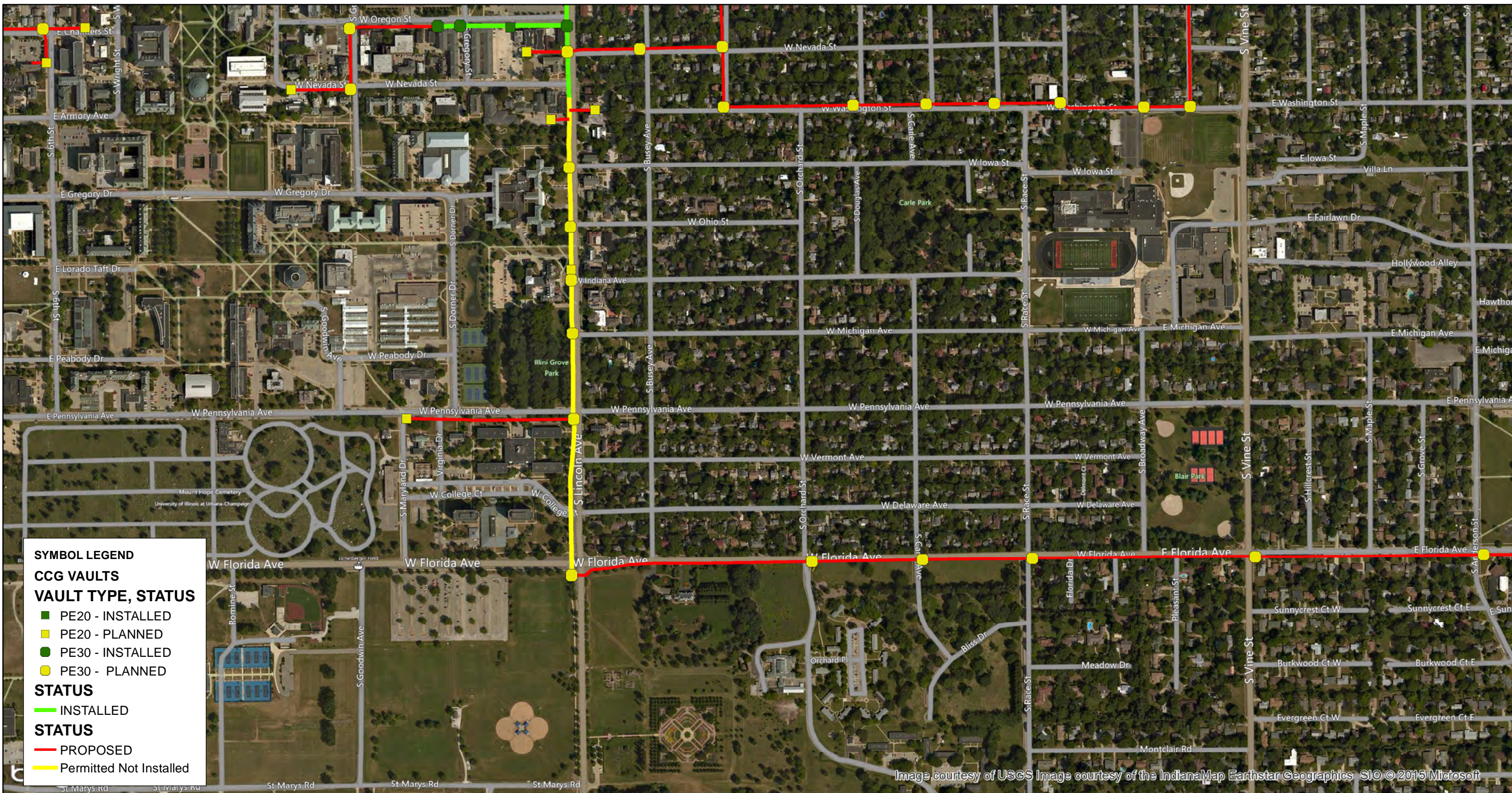
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 False Northing: 0.0000
 Central Meridian: -88.3333
 Scale Factor: 1.0000
 Latitude Of Origin: 36.6667
 Units: Foot US

Issue Date: 2/27/2015



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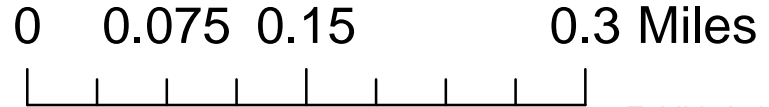
SYMBOL LEGEND
CCG VAULTS
VAULT TYPE, STATUS
 ■ PE20 - INSTALLED
 ■ PE20 - PLANNED
 ● PE30 - INSTALLED
 ● PE30 - PLANNED
STATUS
 ——— INSTALLED
 ——— PROPOSED
 ——— Permitted Not Installed

CHAMPAIGN URBANA BUILD MAP

Section 4

Coordinate System: NAD 1983 StatePlane Illinois East FIPS 1201 Feet
 Projection: Transverse Mercator
 Datum: North American 1983
 False Easting: 984,250.0000
 False Northing: 0.0000
 Central Meridian: -88.3333
 Scale Factor: 1.0000
 Latitude Of Origin: 36.6667
 Units: Foot US

Issue Date: 2/16/2015



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SYMBOL LEGEND

CCG VAULTS

VAULT TYPE, STATUS

- PE20 - INSTALLED
- PE20 - PLANNED
- PE30 - INSTALLED
- PE30 - PLANNED

STATUS

- INSTALLED
- PROPOSED
- Permitted Not Installed

Image courtesy of USGS Image courtesy of the

CHAMPAIGN URBANA BUILD MAP

Section 5

Coordinate System: NAD 1983 StatePlane Illinois East FIPS 1201 Feet
 Projection: Transverse Mercator
 Datum: North American 1983
 False Easting: 984,250.0000
 False Northing: 0.0000
 Central Meridian: -88.3333
 Scale Factor: 1.0000
 Latitude Of Origin: 36.6667
 Units: Foot US

Issue Date: 2/16/2015



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Campus Communications Group, Inc.

Proposed Fiber Optic Build Segment Narratives

Prepared January 25th, 2015 by Peter Acord

The proposed fiber expansion for the City of Urbana is broken down into five different sections. The first section consists of the area that extends North on N. Lincoln Ave. from University Ave. The second area is in close proximity to the U of I off-campus student housing centered around Lincoln Ave. The third section is in the area between W. Oregon St. and W. Washington St., east of Lincoln Ave. The fourth and fifth sections focus on the area heading east on Florida Ave. from the southwest corner of Lincoln Ave. and Florida Ave.

Segment 1-1 starts from our existing fiber on the south west corner of University Ave. and N. Lincoln Ave. at coordinates 40.116247, -88.219547 running north along the west side of N. Lincoln Ave. for 4,518 feet where the path ends at coordinates 40.128579, -88.219665.

Segment 2-1- This segment begins at the southwest corner of Clark St. and N. Gregory Ave. at the coordinates 40.115399, -88.220773 heading north on the west side of N. Gregory Ave. for 193 feet before splitting into separate segments heading east on Mulberry Alley for 234 feet, and west for 357 feet.

Segment 2-2- This segment begins at the southwest corner of Clark St. and N. Lincoln Ave. at coordinates 40.115396, -88.219522 heading east along the south side of Clark St. for 498 feet ending at coordinates 40.115425, -88.217658. This segment also spans from the southeast corner of Lincoln Ave. and Clark at coordinates 40.115398, -88.219217 heading north along the east side of N. Lincoln Ave. for 200 feet ending at 40.115917, -88.219261.

Segment 2-3- This segment starts at the northwest corner of Lincoln Ave. and Stoughton St. at coordinates 40.113694, -88.219458 heading east across Lincoln Ave. to the northeast corner of Stoughton St. and Lincoln Ave. where the path then heads south along the east side of Lincoln Ave. for 167 feet ending at coordinates 40.113170, -88.219215.

Segment 2-4- This segment begins 80 feet west from the southwest corner of N. Gregory Ave. and Clark St. at coordinates 40.115425, -88.221071 heading west along the south side of Clark St. for 334 feet to the southeast corner of Clark St. and Harvey St. From there the path heads south along the east side of Harvey for 161 feet to the alley where the path heads east entering the alley for 327 feet before ending. Continuing from the alley and the east side of Harvey St. at coordinates 40.114956, -88.222271 heading south along the east side of Harvey St. for another 342 feet before the path splits off again heading east for 271 feet in the alley and also west for 370 feet before ending. Continuing from the east side of Harvey St. heading south from

coordinates 40.113996, -88.222268 for 311 feet where it again splits and heads east down the alley, crossing Gregory Ave. ending at 40.113185, -88.22010. Also, heading west into the alley until 40.113155, -88.223884.

Segment 2-5- This segment begins at the southeast corner of McCullough St. and W. Main St. at coordinates 40.113426, -88.213065 heading west along the south side W. Main St. for 1,124 feet ending at coordinates 40.114189, -88.217016. This segment has another branch that starts from the southeast corner of N Coler Ave. and W. Main at coordinates 40.113994, -88.215732 heading south along the east side of N. Coler Ave. for 487 feet to the southeast corner of N. Coler Ave. and Springfield Ave. The path then heads west along the south side Springfield Ave. for 287 feet before crossing Springfield Ave. again and ending at coordinates 40.112859, -88.216936.

Segment 2-6- Beginning 100 feet south from the southwest corner of Springfield Ave. and McCullough St. at coordinates 40.111969, -88.213254 heading south along the west side of McCullough St. for 20 feet before crossing McCullough St. heading east for 350 feet into the alley and ending at 40.111938, -88.212047.

Segment 2-7- This segment begins at the northeast corner of Green St. and McCullough St. at coordinates 40.110722, -88.213086 heading east along the north side of Green St. for 387 feet to the northeast corner of Green St. and Birch St where the path then heads south along the east side of Birch St. crossing Green St. to the southeast corner where the path heads east for 330 feet ending at 40.110653, -88.210503.

Segment 2-8- Beginning at the southeast corner of Elm St. and Coler Ave. at the coordinates 40.111407, -88.215982 heading north for 130ft before ending at coordinates 40.111758, -88.215974.

Segment 2-9- The segment begins at the southeast corner of Green St. and Busey Ave. at coordinates 40.110547, -88.217659 heading north along the east side of Busey Ave. spanning 224 feet before ending at 40.111145, -88.217672.

Segment 2-10- This segment begins at the northwest corner of Lincoln Ave. and Illinois St. at coordinates 40.109183, -88.219420 heading east along the north side of Illinois St. for 317 feet ending at 40.109135, -88.218293.

Segment 2-11- This segment begins at the southwest corner of Lincoln Ave. and Western Ave. at coordinates 40.112676, -88.219475 heading west along the south side of Western Ave. spanning 303 feet to the southeast corner of Western Ave. and Gregory Ave. From there the path heads south along the east side of Gregory Ave. for 141 feet before terminating at 40.111773, -88.220510.

Segment 3-1- This segment begins at the northwest corner of W. Nevada St. and Lincoln Ave. at coordinates 40.106481, -88.219357 heading east across Lincoln Ave. for 1,163 feet until the corner of Nevada St. and Coler Ave. where the paths splits, heads north and south along the west side of Coler Ave. The area heading north begins at the northwest corner of Coler Ave. and Nevada St. spanning for 294 feet to the southwest corner of Oregon St. and Coler Ave. where the path heads west for 83 feet ending at 40.107397, -88.216305. The area heading south along the west side of Coler Ave. spans for 357 feet to the northwest corner of Washington St. and Coler Ave. From the northwest corner of Washington St. and Coler Ave. the path then heads east along the north side of Washington St. for 2781 feet to the northeast corner of Walnut St. and Washington St. From the northeast corner of Walnut St. and Washington St. the path heads north along the east side of Walnut St. for 717 feet before heading east for another 47 feet at the corner of Walnut St. and Oregon St. ending at 40.107587, -88.206051.

Segment 4-1/Refer to Section 4 and 5- This segment begins at the southwest corner of Lincoln Ave. and Florida Ave. at 40.098015, -88.219281 heading east along the south side of Florida Ave. for 8500 feet before ending at 40.098188, -88.188837.