

**RESOLUTION
R2022-180**

**A RESOLUTION AUTHORIZING THE EXECUTION OF DOCUMENTS
FOR THE DATA FIBER NETWORK TRANSFER AND ESTABLISHING
THE OFFICIAL FINANCIAL CONTROL TRANSFER DATE**

Be it resolved by the County Board of the County of DeKalb, Illinois as follows:

WHEREAS, Resolution 2021-05, approved on January 20, 2021, establishes that the DeKalb County Board authorized the County Board Chair to sign an agreement between DeKalb County Government and Syndeo Networks, Inc. to allow for the transfer of assets and liabilities of the County's fiber optic network known as "DATA"; and

WHEREAS, Syndeo has operated the system based upon the date that DeKalb County approved the transfer with an understanding that consent of the transfer of assets by all necessary federal entities was a condition of the agreement; and

WHEREAS, the transfer was authorized by the National Telecommunication and Information Administration in 2022; and


WHEREAS, the parties agree that the effective date of the transfer was January 20, 2021; and

WHEREAS, Syndeo Networks has agreed to keep associated revenue, expenses, and liabilities related to the DATA network; and

NOW, THEREFORE, BE IT RESOLVED the DeKalb County Board hereby authorizes the Chairman of the Board to execute the necessary agreements between DeKalb County Government and Syndeo Networks, Inc., including all ancillary documents, which will allow for the transfer of assets and liabilities of the County's fiber optic network known as "DATA" with an effective date of January 20, 2021.

PASSED THIS 15TH DAY OF JUNE 2022 AT SYCAMORE, ILLINOIS

ATTEST:


Douglas J. Johnson
DeKalb County Clerk

SIGNED:


John Frieders, Chairman
DeKalb County Board





Syndeo Networks, Inc.
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www.syndeonetwork.com

May 24, 2022

DeKalb County Government (DCG)
200 North Main St.
Sycamore, IL. 60178

RE: DATA (Resolution R2021-05)

I, Amit Patel (Syndeo), am reaching out in reference to DATA agreement Control # DCGSN2021-C. This agreement was executed as of 01/26/2021 and DCG resolution R2021-05 endorsed on 01/20/2021. Per section 8 - *Deliver and Condition of the Transferred Assets*; Syndeo Networks, Inc. has operated, managed, and maintained the assets as its own. Additionally, Syndeo has acted in accordance with section 10 *Post-Closing Activities of Syndeo*. Also, while understanding that Section 6 asserted that the 'Consent of all necessary federal entities for transfer of the assets' was a condition precedent, which did not occur until 2022, the parties are in agreement that this clause should not be interpreted so as to delay Syndeo being granted financial control of DATA for fiscal year 2021.

Per section 8 and 10 identified above and considering Syndeo activities associated with DATA asset over FY2021. Syndeo request DCG to grant financial control of DATA as of FY2021.

In terms of financial transfer, specifically, revenue and liabilities as of FY2021. Syndeo will collect and keep associated DATA revenue and associated expenses as of FY2021. DCG will not be liable for any DATA expenses or liabilities incurred in FY2021 or thereafter. Per schedule 3 - *Obligations of Syndeo Networks, Inc*; Syndeo will reimburse DCG for any applicable fees/charges that have incurred as of FY2021. Syndeo and DCG will reconcile on revenue, expenses & reimbursements within 60-days of the execution of this letter.

SYNDEO NETWORKS, INC.

By: Amit Patel

Its: President

SYNDEO NETWORKS, INC

DEKALB COUNTY GOVERNMENT (DCG)

By:

Its:

Chairman

DeKalb County Board

Name: Amit Patel

Date: 06/22/2022

Name:

Date: 06/22/2022