

**Affidavit for Removal of Abandoned Antennas and Towers  
Section 19-73**

**RE: CyrusOne Communication Tower  
2905 Diehl Road, Aurora, Illinois  
City Project No. 2016.038**

On behalf of CyrusOne, I/We would like to submit this affidavit for Removal of Abandoned Antennas and Towers, in accordance with Section 19-73 of the Ordinance, subject to the issuance of requested variances and waivers.

*19-73 (a) - Any communications facility that is not operated for a continuous period of twelve (12) months shall be considered abandoned, whether or not the owner or operator intends to make use of such facility.*

*19-73 (b) - If upon inspection by the zoning administrator it is determined that a communications facility abandoned, or, upon receipt by the city of the owner's notice to the FCC of intent to cease operations, the zoning administrator shall send a written notice of such abandonment to the owner of the communications facility and the owner of the property if such owner is different from the owner of such facility. Such notice shall be mailed by certified mail, return receipt requested.*

*19-73 (c) - The owner of the communications facility and the owner of the property if such owner is different from the owner of such facility, shall have sixty (60) days after receipt of the notice to remove all of such facility, including any and all footings and foundation.*

*19-73 (d) - If such communications facility is not removed within sixty (60) days after receipt of notice from the city notifying the owners of such abandonment, the city may remove such facility and file a lien against the property for the costs of removal.*

*19-73 (e) - The city may pursue any and all available legal remedies to ensure that an abandoned communications facility is removed.*

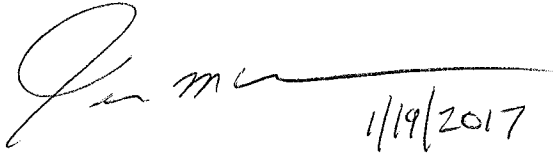
*19-73 (f) - Any delay by the city in taking action to enforce the removal of an abandoned communications facility, against the owner of the communications facility, and the owner of the property if such owner is different from the owner of such facility, shall not waive the city's right to take any action at a later time.*

*19-73 (g) - The city may seek to have the communications facility removed regardless of the owners' or operator's intent to operate such facility, and regardless of any permits, federal, state or otherwise, which may have been issued or granted.*

19-73 (h) - If the owner of an abandoned communications facility wishes to use such an abandoned facility, the owner shall first apply for and receive all applicable permits and meet all of the conditions of this article as if such communications facility were a new facility.

19-73 (i) - In those instances, where the city has located communications equipment in a facility owned by a communications provider, and such facility is abandoned by the communications provider without due advance notice to the city, the city may take all available legal remedies in order to take control of the facility in order to maintain and operate its communications equipment.

CyrusOne, LLC

  
1/19/2017

Juan Vasquez  
Senior Construction Manager

State of Illinois  
County of DuPage

The foregoing instrument was acknowledged before me this 19 day of January, 2017 by Juan Vasquez who is the senior construction manager of Cyrus One.

My commission expires: 4/7/2019

  
Notary Public

(seal)

