

RESOLUTION NO. R-5-14

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A NON-EXCLUSIVE FIBER OPTICS NETWORK FRANCHISE AGREEMENT WITH CENTURYTEL FIBER COMPANY II, LLC FOR USE OF THE CITY RIGHTS-OF-WAY TO PROVIDE FIBER OPTIC SERVICES WITHIN THE CORPORATE LIMITS OF THE CITY OF FORT SMITH, ARKANSAS

WHEREAS, City of Fort Smith Resolution No. R-25-03 authorized a non-exclusive franchise to Digital Teleport, Inc. for a period of ten years, and such rights have transferred to the entity known as CenturyTel Fiber Company II, LLC; and

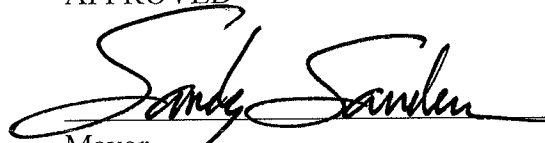
WHEREAS, CenturyTel Fiber Company II, LLC has requested renewal of the non-exclusive franchise in order to allow it to continue providing fiber optic telecommunications services within the City of Fort Smith; and

WHEREAS, an agreement set forth as Exhibit A to this Resolution sets forth the terms and conditions by which CenturyTel Fiber Company II, LLC will provide such services.


NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City of Fort Smith, Arkansas that the Mayor is hereby authorized to execute, his signature being attested by the City Clerk, a Non-Exclusive Fiber Optics Network Franchise Agreement, in a form substantially the same as that attached as Exhibit A to this Resolution, which permits CenturyTel Fiber Company II, LLC to provide fiber optic telecommunication services within the corporate limits of the City of Fort Smith, Arkansas.

Adopted this 21<sup>st</sup> day of January, 2014.

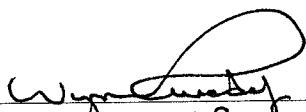
APPROVED

  
Mayor

ATTEST:

  
City Clerk

Approved as to Form:

  
City Attorney NPR