

RESOLUTION NO. 30-2012

Approving an Agreement and Permit for between Level 3 Communications, LLC, a Delaware Limited Liability Company, to Operate and Maintain a Telecommunications System Within the City of Worthington Pursuant to and Subject to the Provisions of Chapter 949 of the Codified Ordinances of the City of Worthington.

WHEREAS, Level 3 Communications, LLC, a Delaware Limited Liability Company, has requested authority to provide telecommunications services in the City of Worthington; and,

WHEREAS, the City of Worthington has enacted a comprehensive Right-of-Way Ordinance, Chapter 949 of the Codified Ordinances of the City of Worthington; and,

WHEREAS, City Council found the technical ability, and plan for services of Level 3 Communications, LLC, acceptable; and,

WHEREAS, Level 3 Communications, LLC, has facilities within the community that were formerly owned and operated by ICG Communications, Inc., WiTel Communications Group, LLC, and TelCove Inc. (fka Adelphia Business Solutions of Ohio, Inc.); and,

WHEREAS, the authority is nonexclusive; and,

WHEREAS, Level 3 Communications, LLC, has certified that the company meets the criteria of Section 949.05 of the Codified Ordinances of the City of Worthington for the issuance of a permit;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That pursuant to Chapter 949 of the Codified Ordinances of the City of Worthington, an agreement between the City of Worthington and Level 3 Communications, LLC, a Delaware Limited Liability Company, as attached hereto and made a part hereof is hereby authorized and approved and the City Manager is hereby authorized and directed to execute said agreement on behalf of the City, upon approval thereof by the Director of Law.

SECTION 2. That the Clerk of Council be and hereby is instructed to record this Resolution in the appropriate record book.

Adopted September 4, 2012

[Signature on File]

President of Council

Attest:

[Signature on File]

Clerk of Council