

RESOLUTION NO. 54-2012

Approving an Agreement and Permit for between tw telecom of ohio 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, tw telecom of ohio 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 tw telecom of ohio llc acceptable; and,

WHEREAS, the authority is nonexclusive; and,

WHEREAS, tw telecom of ohio llc is a duly certified public utility holding certificate Number 90-9011, dated June 3, 2010, issued by the Public Utilities Commission of Ohio (PUCO); and,

WHEREAS, the PUCO has determined that tw telecom of ohio llc has the technical, managerial and financial resources to provide telecommunications services; and,

WHEREAS, tw telecom of ohio 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 ORDAINED 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 tw telecom of ohio 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 December 17, 2012

[Signature on File]  
President of Council

Attest:

[Signature on File]  
Clerk of Council