RESOLUTION NO. ____664___-2013

A RESOLUTION ACCEPTING THE BID OF LEVEL 3 COMMUNICATIONS, LLC, IN ACCORDANCE WITH THE PROVISIONS OF ORDINANCE NO. 50-2013, CREATING AND OFFERING FOR SALE A SHORT TERM FRANCHISE FOR THE OPERATION OF A NON-EXCLUSIVE TELECOMMUNICATIONS SYSTEM IN FAYETTE COUNTY, AND AUTHORIZING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE A FRANCHISE AGREEMENT WITH LEVEL 3 COMMUNICATIONS, LLC, INCORPORATING THE TERMS AND CONDITIONS OF ORDINANCE NO. 50-2013.

BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - That the bid of Level 3 Communications, LLC, submitted in accordance with the provisions of Ordinance No. 50-2013, creating and offering for sale a short term franchise for the operation of a non-exclusive telecommunications system in Fayette County, is hereby declared to be a highest and best bidder for said franchise; and said franchise is hereby sold to and vested in Level 3 Communications, LLC, for the period of time provided in the Ordinance and Franchise Agreement.

Section 2 - That the Mayor, on behalf of the Lexington-Fayette Urban County Government, be and hereby is authorized to execute the Franchise Agreement with Level 3 Communications, LLC, which is attached hereto and incorporated herein by reference, and which agreement incorporates by reference in its entirety the material provisions of Ordinance No. 50-2013 passed by the Urban County Council on May 2, 2013.

Section 3 - That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: December 10, 2013

/s/ Jim Gray
MAYOR

ATTEST:

/s/ Meredith Nelson
CLERK OF URBAN COUNTY COUNCIL

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