

1ST READING  
2ND READING  
INDEX NO.

7-18-06  
7-25-06  
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ORDINANCE NO. 11859

AN ORDINANCE GRANTING UNTO COVISTA COMMUNICATIONS A FRANCHISE TO INSTALL AND MAINTAIN FIBER OPTIC CABLES IN CERTAIN RIGHTS-OF-WAY IN THE CITY OF CHATTANOOGA, TO PROVIDE TELECOMMUNICATION SERVICES, SUBJECT TO CERTAIN CONDITIONS.

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SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That there be and is hereby granted unto Covista (hereinafter "Grantee") a franchise to install and maintain fiber optic cable and related equipment in the rights-of-way in the City of Chattanooga, in accordance with Chattanooga City Code, Part II, Chapter 32, Article XI, excluding the requirements of Section 32-248 relating to the Franchise fee and of Section 32-237 relating to dark fiber for the City's use.

1. Chestnut from 4<sup>th</sup> to 11<sup>th</sup>;
2. 4<sup>th</sup> from Chestnut to Market;
3. Market from 4<sup>th</sup> to Martin Luther King;
4. Martin Luther King from Market to King;
5. King from Martin Luther King to 11<sup>th</sup>;
6. 11<sup>th</sup> from King to Chestnut;
7. 6<sup>th</sup> from Market to Walnut;
8. Walnut from 6<sup>th</sup> to Martin Luther King;
9. Georgia Ave. from 6<sup>th</sup> to Martin Luther King;
10. Carter from 11<sup>th</sup> to 13<sup>th</sup>;
11. 13<sup>th</sup> from Carter to Market; and

12. King from Market to 11<sup>th</sup>.

To include lateral to and from buildings as the rights-of-way.

SECTION 2. BE IT FURTHER ORDAINED, That this franchise is granted upon the condition that Grantee will comply with the provisions of the Chattanooga City Code, Part II, Chapter 32, Article XI, excluding the provisions of Sections 32-234 and 32-248, as referenced in Section 1, hereinabove as the same now exists or as it may reasonably be amended.

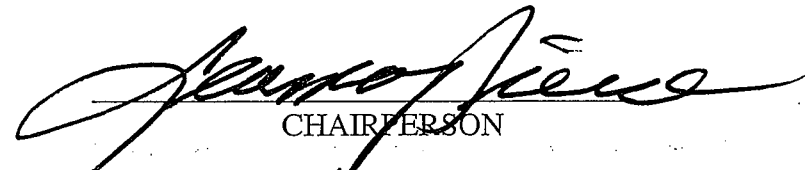
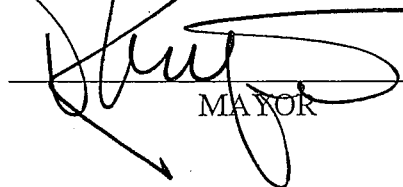
SECTION 3. BE IT FURTHER ORDAINED, that the franchise is solely for telecommunication services and that Grantee is not authorized to provide television services without obtaining a separate franchise.

SECTION 4. BE IT FURTHER ORDAINED, That the term of this franchise shall be for a period of ten (10) years.

SECTION 5. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two weeks from and after its passage.

PASSED on Second and Final Reading

July 25, 2006.

  
CHAIRPERSON  
APPROVED:  DISAPPROVED:   
DATE: July 31, 2006  
  
MAYOR

MAM/mms

ACCEPTANCE

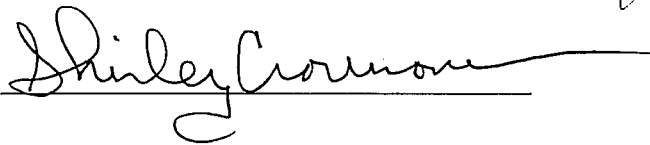
The foregoing franchise and its terms and conditions are hereby accepted.

This the 1st day of August, 2006.

COVISTA

BY:   
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WITNESS:

  
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