

**RESOLUTION NO. 22-232
CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON**

**A RESOLUTION OF THE CITY OF LIBERTY LAKE, WASHINGTON EXTENDING
THE FRANCHISE AGREEMENT WITH XO COMMUNICATION SERVICES, INC.
FOR THE OPERATION OF A TELECOMMUNICATIONS SYSTEM WITHIN THE
CITY OF LIBERTY LAKE, WASHINGTON**

WHEREAS, XO Communications Services, Inc., is a corporation organized under the laws of the State of Delaware engaged in the business of providing telecommunication services consistent with applicable laws and regulations; and

WHEREAS, XO Communications Services, Inc. ("XO Communications") is a wholly-owned subsidiary of XO Holdings, LLC; and

WHEREAS, in May of 2011, the City Council of the City of Liberty Lake (hereinafter referred to as "City") adopted Ordinance No. 192, granting the right of Franchise to XO Communications for the operation of a telecommunication system in the City, for a period of ten (10) years; and

WHEREAS, Ordinance No. 192 provided that, at the expiration of the initial term, the Franchise shall be automatically extended, subject to the approval of the City, for an additional term of ten (10) years, unless either party gives the other written notice of intent to terminate; and

WHEREAS, XO Communications, has respectfully requested that the City renew the franchise agreement to locate, construct, own, maintain, repair, replace, extend, operate, and use such Facilities, and all necessary appurtenances thereto for the use of its telecommunications network as defined therein, and extend the term of said franchise for a period of ten (10) years, with all other terms and conditions remaining in full force and effect; and

WHEREAS, the City has determined it is in the best interest of the persons and businesses in the City to grant the extension of this franchise agreement to XO Communications.

THEREFORE, THE CITY COUNCIL OF THE CITY OF LIBERTY LAKE, WASHINGTON, DOES RESOLVE AS FOLLOWS:

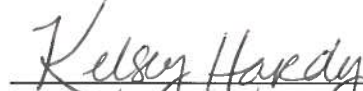
The term of the Franchise Agreement with XO Communication Services, Inc. for the operation of a telecommunications system within the City of Liberty Lake is hereby renewed and extended through May 31, 2031.

Passed by the City Council this 2nd day of August, 2022.




Cristella Kaminskas, Mayor
City of Liberty Lake

ATTEST:



City Clerk, Kelsey Hardy

APPROVED AS TO FORM:



City Attorney, Sean P. Boutz