

RESOLUTION

FRANCHISE AND CONCESSION REVIEW COMMITTEE

CITY OF NEW YORK

Cal. No. 1

In the matter of approval of a proposed assignment of an information services franchise agreement from Metro Fiber Co., LLC (“Metro”) to ExteNet Systems (New York), Inc. (ExteNet).

WHEREAS, pursuant to Authorizing Resolution No. 1909 (adopted by New York City Council on August 22, 2013), the New York City Department of Information Technology and Telecommunications (“DoITT”) issued a solicitation for franchises for the provision of information services, as permitted by said Authorizing Resolution; and

WHEREAS, the Franchise and Concession Review Committee (the “FCRC”) approved the award of a franchise to Metro on May 14, 2014, authorizing Metro to install, operate and maintain cable, wire, fiber optic telecommunications cable (or other closed-path transmission medium that may be used in lieu of cable, wire or fiber optic telecommunications cable for the same purposes) and related equipment and facilities within the inalienable property of the City of New York (the “City”) to be used in providing information services, pursuant to a franchise agreement between Metro and the City (the “Franchise Agreement”); and

WHEREAS, on September 26, 2017 Metro and ExteNet petitioned DoITT for consent to assign the Franchise Agreement to ExteNet (the “Assignment”); and

WHEREAS, the FCRC held a public hearing regarding the Assignment on November 6, 2017 and said hearing was closed on that date.

NOW, THEREFORE, BE IT

RESOLVED, that the FCRC does hereby approve the Assignment, contingent upon ExteNet’s execution of an agreement, in a form that is acceptable to DoITT, assuming all of the interests and obligations of the franchisee under the Franchise Agreement and subject to the Franchisee’s parent, ExteNet Systems, Inc., filing all required documents with the New York City Department of Finance (“DOF”), satisfactory review of such documents by DOF and payment of any taxes and fines due to the City.

**THIS IS A TRUE COPY OF THE RESOLUTION ADOPTED BY THE
FRANCHISE AND CONCESSION REVIEW COMMITTEE ON:**

November 8, 2017

Date: _____

Signed _____

Title: Director of the Mayor’s Office of Contract Services

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