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ORDINANCE NO. 4055

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, MARICOPA COUNTY, ARIZONA, APPROVING AN AGREEMENT BETWEEN TOWER CLOUD, INC. AND THE CITY OF CHANDLER FOR THE USE OF CHANDLER RIGHT-OF-WAY IN ARTERIAL STREETS IN THE CITY OF CHANDLER BY TOWER CLOUD, INC. FOR THE PLACEMENT OF COMMUNICATION INFRASTRUCTURE IN SUCH PUBLIC-RIGHT-OF-WAY

WHEREAS, the Chandler City Council has determined that it is in the best interest of, and consistent with, the convenience and necessity of the City of Chandler to grant such authorization to companies desiring to provide telecommunications infrastructure within the City of Chandler; and

WHEREAS, Tower Cloud, Inc. has negotiated with the City of Chandler to enter into an Agreement to place communication infrastructure in City of Chandler right-of-way for use by communications providers, the City, and other entities; and

WHEREAS, the City Council has reviewed the terms and conditions of the Agreement with Tower Cloud, Inc. and believes it to be in the best interests of the citizens of the City of Chandler;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AS FOLLOWS:

SECTION I: That the Mayor of the City of Chandler is herewith authorized to execute *the Agreement Between Tower Cloud, Inc. And The City Of Chandler For The Use Of Facilities In The City's Rights-Of-Way And Public Places To Establish A Communication System.*

SECTION II: That the various City officers and employees be and they are hereby authorized and directed to perform all acts necessary to give effect to this Ordinance.

SECTION III: This Ordinance shall become effective thirty days from and after its final adoption: provided, however, that the agreement hereby granted shall not become effective unless and until Tower Cloud, Inc. has accepted said agreement as provided herein and has carried out such other terms and conditions as may be required before said agreement shall become effective.

INTRODUCED AND TENTATIVELY ADOPTED by the City Council of the City of Chandler, Maricopa County, Arizona, this \_\_\_ day of \_\_\_\_\_, 2008.

ATTEST:

MAYOR:

\_\_\_\_\_  
CITY CLERK

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