

RESOLUTION NO. A-_____

1 WHEREAS, the University of Nebraska-Lincoln has submitted an
2 application for a permit to use the public right-of-way in N. 17th Street and Court Street
3 for the purpose of installing fiber optic communication line from the City Campus to the
4 Bob Devaney Sports Center Complex located at 1600 Court Street; and

5 WHEREAS, said applicant has submitted a letter of application and a site
6 plan which are attached hereto, marked as Exhibit "A" and Exhibit "B" respectively, and
7 made a part of this resolution by reference, to use the public right-of-way as above
8 described; and

9 WHEREAS, said applicant has complied with all of the provisions of
10 Chapter 14.54 of the Lincoln Municipal Code pertaining to such use.

11 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
12 Lincoln, Nebraska:

13 That the aforesaid application of the University of Nebraska-Lincoln,
14 hereinafter referred to as Permittee, to use the public right-of-way in N. 17th Street and
15 Court Street as shown on Exhibit "B", for the purpose of installing fiber optic
16 communication line from the City Campus to the Bob Devaney Sports Center Complex
17 located at 1600 Court Street be granted as a privilege only by virtue of and subject to
18 strict compliance with the site plan, the letter of application, and the following terms and
19 conditions, to wit:

20 1. That the permission herein granted is granted as a privilege only,
21 and is subject to all the terms and conditions of Chapter 14.54 of the Lincoln Municipal
22 Code except that the provisions relating to the posting of a continuing bond in the

1 amount of \$5,000 and the filing of a certificate of insurance are waived since Permittee
2 is a governmental entity.

3 2. That said use shall conform to the application, the site plan filed
4 therewith, and with all applicable City ordinances and regulations.

5 3. The Permittee, its successors or assigns shall save and keep the
6 City free and harmless from any and all loss or damages or claims for damages arising
7 from or out of the use of the public way requested herein.

8 4. That all work done under the authority of this resolution shall be
9 subject to the inspection and approval of the Director of Public Works of the City of
10 Lincoln.

11 5. The terms and conditions of this resolution shall be binding and
12 obligatory upon the above-named Permittee, its successors and assigns.

13 6. That within thirty (30) days from the adoption of this resolution, and
14 before commencing any construction under the provisions hereof, the Permittee shall
15 file an unqualified written acceptance of all the terms and conditions of this resolution
16 with the City Clerk. Failure to do so will be considered a rejection hereof and all
17 privileges and authorities hereunder granted shall terminate.

Introduced by:

Approved as to Form and Legality:

City Attorney

Approved this ___ day of _____, 2005:

Mayor