

RESOLUTION NO. 373

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, TO CONSENT TO TRANSFER CONTROL OF THE FRANCHISE GRANTED TO ABOVE NET COMMUNICATION INC. TO ZAYO GROUP, LLC.**

WHEREAS, the City of Shoreline (“City”) granted a franchise (“Franchise”) to AboveNet Communications Inc. (“AboveNet”) by approval of Ordinance No. 604 on August 8, 2011, authorizing AboveNet to use of the City’s public rights-of-way under certain terms and conditions; and

WHEREAS, under this Franchise Above Net is required to notify the City of any change in control of AboveNet; and

WHEREAS, AboveNet has merged with and into the Zayo Group, LLC (“Zayo”) resulting in a change in control and requiring approval of the City; and

WHEREAS, Zayo will continue to hold and be responsible for performance of the Franchise, and

WHEREAS, the City and Zayo wish to continue the Franchise Agreement and to amend said Franchise Agreement in order to reflect a change in control; and

WHEREAS, the City is willing to consent to the Transfer.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:**

**Section 1. Consent Approved.** The City of Shoreline consents to the Transfer as described above.

**Section 2. Effective Date.** This Resolution shall be deemed effective upon adoption.

**ADOPTED BY THE CITY COUNCIL ON APRIL 20, 2015.**

  
Deputy Mayor Chris Eggen

**ATTEST:**

  
Jessica Simulcik Smith, City Clerk