

## Addendum to the City of Columbus and Smithville Digital Conduit System Agreement

This is an addendum to the agreement signed by the Parties on 25 September, 2007.

Effective the 8<sup>th</sup> day of October 2009, Smithville Digital will install fiber optic cable in the primary conduit on Route 2 and Route 9 per the Multi Route RFP issued by the City of Columbus and the Technical Advisory Committee and will offer Fiber Optic Network Services to businesses located along Route 2 and Route 9 as well as to businesses within the City of Columbus. More particularly Route 2 and Route 9 can be described as:

- ROUTE 2 – Two (2) empty four (4) inch HDPE conduits shall originate at an existing Greater Columbus Conduit System handhole located in the utility easement at the intersection of Arnold St. and Kelly St., continue east along Arnold St. to Middle Rd., head south on Middle Rd. to 25th St. (SR-46), head west on 25th St. (SR-46) and terminate in an existing Greater Columbus Conduit System handhole located in the utility easement at the intersection of 25th St. (SR-46) and Central Ave.
- ROUTE 9 – Two (2) empty four (4) inch HDPE conduits shall originate at a proposed existing Greater Columbus Conduit System handhole located in the utility easement at the intersection of Middle Rd. and 25th St. (SR-46), continue east along 25th St. (SR-46) and terminate in a proposed Greater Columbus Conduit System handhole located in the utility easement at the intersection of 25th St. (SR-46) and Taylor Rd.

Smithville Digital will use commercially reasonable efforts to provide such services in an efficient manner using appropriate technology.

Smithville Digital will provide the City of Columbus with ten (10) percent of the revenues generated from the services provided over this new section of the network. Smithville Digital will add \$800/month to the guaranteed minimum monthly payment that is currently \$2,100/month bringing the total to \$2,900/month. This increase in the guaranteed minimum payment to the City of Columbus is \$48,000 each five year period. The increase is a pro-rata increase based on overall mileage of the City of Columbus conduit system. Additionally this payment is subject to increase per the existing contract.

Smithville Digital, LLC

By: *Darby A. McCarty*

Printed: Darby A. McCarty

Title/Date: Executive Vice President

City of Columbus by its Board of Works

By: \_\_\_\_\_

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Title/Date: \_\_\_\_\_

By: *Judy John Jackson*

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Title/Date: Member BOWS, 10/6/09

By: *Steven L. Cochran*

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Title/Date: MEMBER 10/6/09